Joint Session

At 11:30 o'clock a. m., the President announced that the hour fixed by S. C. R. No. 37, for a joint session of the two Houses to hear an address by Miss Helen Keller had arrived, and requested the Senators to proceed in a body to the Hall of the House of Representatives.

The Senate was announced at the Hall of the House, and the Senators were duly admitted and were escorted to seats prepared for them along the aisle.

The President of the Senate, by invitation of the Speaker, occupied a seat at the Speaker's desk.

The President called the Senate to order and announced a quorum of the Senate present.

The Speaker called the joint session to order and announced a quorum of the House present.

Governor W. Lee O'Daniel, Miss Helen Keller, Miss Polly Thompson, and Mrs. Anne Sullivan Mason were announced at the bar of the House, and were escorted to the Speaker's stand by Senators Van Zandt, Lemens, Brownlee, Kelley, and Martin, on the part of the Senate, and by Representatives Alsup, Martin, Dove, Huddleston, Hanna, and McLellan, on the part of the House.

The Speaker of the House presented Mr. Lon Alsup, who presented Governor O'Daniel to the joint session.

Governor O'Daniel presented Miss Helen Keller and Miss Polly Thompson to the joint session.

Miss Keller then addressed the joint session.

At the conclusion of the address, the Senate repaired to its Chamber.

In the Senate

The President Pro Tempore called the Senate to order at 12:25 o'clock p. m.

Message from the House

The Assistant Reading Clerk of the House was recognized by the President Pro Tempore to present the following message:

Hall of the House of Representatives, Austin, Texas, April 8, 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. 398, and appoints: Cleveland, Bundy, Gilmer, Turner and Little.

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

Motion to Reconsider Vote on Senate Bill 124

Senator Sulak called for the consideration at this time of the motion to reconsider vote by which further consideration of S. B. 124 was postponed to April 1, 1941 (the motion having been made and spread on the Journal on Wednesday, March 5, 1941).

Point of Order

Senator Moore raised a point of order against consideration of the motion and against further consideration of the bill, on the ground that S. B. No. 124 is the same bill as H. B. No. 322, which the House refused to pass, and that any attempt to consider further S. B. 124 would be in violation of Section 34 of Article 3 of the State Constitution.

The President Pro Tempore sustained the point of order.

Adjournment

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

The motion prevailed; and the Senate, accordingly, at 12:50 o'clock, p. m., adjourned until 10:00 o'clock a. m. tomorrow.

FIFTIETH DAY

(Wednesday, April 9, 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 Kelley
Beck Lanning
Brownlee Lemens
Chadick Lovelady
Cotten Martin
Fain
Formby Metcalfe
Graves Moffett
Hazlewood Moore
Hill Ramsey
Isbell Shivers
A quorum was announced present.

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.

Prayer by Chaplain

Rev. S. B. Culpepper, Chaplain, offered prayer, as follows:

Our Heavenly Father, we thank Thee for life with its gifts, with its great responsibilities and its great tasks, for its great men to meet these responsibilities and perform those tasks. We thank Thee for Senator Sheppard whose memory we revere this morning. We thank Thee that Thou hast made man after such a large pattern, we thank Thee for this gentle life, this gentle man, this man who was our friend and Thy friend, for his mighty contributions to civilization and to struggling humanity, seeking and toiling for a better day, for the great niche he filled in the Divine Plan of the Ages. A great man has fallen in America today. We thank Thee our Father for Senator Sheppard. God Bless his family, be tender to them, and Thou, Father God, bless his friends. It was a great crossing for a great spirit on a sea not swept with storms into a land of eternal sunshine and bliss, and may such a crossing be ours.

Sunset and evening star,
And one clear call for me;
And may there be no moaning of the bar,
When I put out to sea.

But such a tide as moving seems asleep,
Too full for sound or foam;
When that which drew from out the boundless deep,
Turns again home.

Twilight and evening bell,
And after that the dark,
And may there be no sadness of farewell,
When I embark.

And as it was with him, may it be with us.

For though from out our bourne of Time and Place
The flood my bear us far
We hope to see our Pilot face to face,
When we have crossed the bar.
And this is our prayer. For Christ's sake. Amen.

On motion of Senator Hill and by unanimous consent, it was ordered that the prayer offered today by the Chaplain be printed in the Journal.

Leaves of Absence Granted

Senator Spears was granted leave of absence for today on account of important business, on motion of Senator Graves.

Senator Sulak was granted leave of absence for today on account of illness, on motion of Senator Aikin.

Reports of Standing Committees

Senator Weinert submitted the following reports:

Austin, Texas,
April 8, 1941.

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

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 294, A bill to be entitled "An Act authorizing cities to issue interest-bearing time warrants for the completion of waterworks extensions and improvements where the governing body finds that proceeds from sale of bonds are not sufficient for the purpose etc.; providing that no city shall issue warrants under this law to a greater amount than Thirty Thousand ($30,000.00) Dollars, etc.; providing that no warrants shall be authorized to be issued under this law after ninety days from the effective date hereof; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, together with committee amendments Nos. One and Two hereto attached, and be printed.

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

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 319, a bill to be entitled "An Act relating to appeals from rules, orders or decisions of administrative bodies, repealing all laws in conflict herewith; 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.

Austin, Texas,
April 8, 1941.

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

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 596, a bill to be entitled "An Act creating the County Court at Law of Travis County, Texas; etc."

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.

Austin, Texas,
April 8, 1941.

Senator Chadick submitted the following report:

Committee Room,
Austin, Texas,
April 8, 1941.

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

Sir: We, your Committee on Senatorial Districts, to whom was referred S. B. No. 218, a bill to be entitled "An Act defining persons eligible to receive old age assistance, the amount to be paid to each person eligible for old age assistance; providing old age assistance money shall be prorated among beneficiaries in certain events; providing what investigation shall be made of applicants for old age assistance; authorizing the Department of Public Welfare to make reasonable rules and regulations to carry out the provisions of this Act; authorizing the Department of Public Welfare to accept aid from the Government of the United States and to comply with the regulations of that Government in accepting aid; 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.

CHADICK, Chairman.

Senator Stone submitted the following reports:

Committee Room,
Austin, Texas,
April 8, 1941.

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

Sir: We, your Committee on Penitentiaries, to whom was referred S. B. No. 80, a bill to be entitled "An Act amending S. B. No. 170, Chapter 253, Acts of the Forty-second Legislature, Regular Session, pages 420 and 421; providing for the establishment of the State Prison Psychopathic Hospital as a part of the Prison System of the State of Texas; etc.; and declaring an emergency."

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

STONE, Chairman.

Committee Room,
Austin, Texas,
April 8, 1941.

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

Sir: We, your Committee on Penitentiaries, to whom was referred H. B. No. 540, a bill to be entitled "An Act providing for the sale and transfer by the Texas Prison Board of certain land in the City of Huntsville, Walker County, to United Gas Corporation, in exchange for a tract of land in Huntsville, Walker County, to be conveyed by United Gas Corporation to the Texas Prison Board; authorizing and empowering the Texas Prison Board to make the exchange of said properties and authorizing the chairman or vice-chairman to execute a deed of conveyance to be attested by the Board's secretary; and declaring an emergency."

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

STONE, Chairman.
Committee Room,  
Austin, Texas,  
April 8, 1941.  

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

Sir: We, your Committee on Penitentiaries, to whom was referred  
S. B. No. 350, A bill to be entitled  
"An Act to permit the use of convicts as guards in the Texas Prison System  
at the discretion of the Prison Board; and declaring an emergency."  

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

STONE, Chairman.  

Committee Room,  
Austin, Texas,  
April 8, 1941.  

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

Sir: We, your Committee on Penitentiaries, to whom was referred  
S. B. No. 336, A bill to be entitled  
"An Act to provide that the Texas Prison Board shall maintain schools  
in all of the penitentiaries and penitentiary farms of the State of Texas,  
providing for compulsory attendance of illiterates, a program of academic  
and vocational education, and hours of attendance; providing that the State  
Superintendent of Public Instruction shall supply text books; and declaring  
an emergency."  

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

STONE, Chairman.  

Committee Room,  
Austin, Texas,  
April 8, 1941.  

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

Sir: We, your Committee on Penitentiaries, to whom was referred  
S. B. No. 290, A bill to be entitled  
"An Act amending Article 6194 Revised Civil Statutes of 1925, as  
amended by Chapter 212, Section 23, Commutation and Forfeiture, Acts of  
the Regular Session of the Fortieth Legislature, 1927, General Laws, fixing  
the commutation of time for good conduct for prisoners in the Texas Prison System; and defining a month in calendar days and commutation credits, and further defining term under which convicts serving two or more sentences shall be allowed commutation on each separate sentence apart from the others, and further defining the application of this Act to convicts who escape and return voluntarily and to convicts who escape and are captured, and limiting the powers of the General Manager of the Texas Prison System in restoring forfeited credits, and exceptions thereto, and fixing the date when this Act shall become effective; and declaring an emergency."  

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

STONE, Chairman.  

Committee Room,  
Austin, Texas,  
April 8, 1941.  

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

Sir: We, your Committee on Penitentiaries, to whom was referred  
S. B. No. 207, A bill to be entitled  
"An Act requiring tax supported institutions and agencies of the State  
to buy from the prison system all needed goods that the Prison System  
can supply at not less than competitive prices; and declaring an emergency."  

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

STONE, Chairman.  

Committee Room,  
Austin, Texas,  
April 8, 1941.  

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

Sir: We, your Committee on Judicial Districts, to whom was referred  
S. B. No. 421, A bill to be entitled  
"An Act amending Article 5139 of  
the Revised Civil Statutes of Texas, 1925, by adding a new Article to be  
known as Article 5139-B providing for the establishment of a juvenile  
board in counties having a population of not less than seventy-four thousand  
(74,000) inhabitants, and not more than eighty-three thousand  
(83,000) inhabitants according to the last preceding Federal Census; pro-
members of said boards; repealing all laws and parts of laws in conflict with this Act; and declaring an emergency."

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

RAMSEY, Chairman.

Senator Aikin submitted the following report:

Austin, Texas,
April 8, 1941.

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

Sir: We, your Committee on Finance, to whom was referred H. B. No. 21, A bill to be entitled "An Act amending Section 4 of Chapter 478 of the Regular Session of the Forty-fifth Legislature, 1937, same being H. B. No. 144; providing for an appropriation from the Architect's Registration Fund to pay salaries, compensations, and other expenses of the Board of Architectural Examiners; providing certain excess funds to be diverted to the General Revenue Fund of the State; providing salary of the secretary-treasurer and certain compensations to other members of said board; 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 amendment hereto attached and be printed as amended.

AIKIN, Chairman.

Message from the House

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

Hall of the House of Representatives,
Austin, Texas,
February 9, 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 and resolution:

S. B. No. 29, A bill to be entitled "An Act amending Chapter 286, Acts of the Forty-first Legislature, Regular Session 1929, by adding a new Section thereto to be designated as Section 2a; and providing for minimum salary for a secretary-treasurer to be chosen from among the board members of the Texas College of Arts and Industries; and declaring an emergency."

S. B. No. 151, A bill to be entitled "An Act making it unlawful to take or kill wild deer in the County of Hudspeth for a period of five (5) years; prescribing penalty for violation of this Act; and declaring an emergency."

H. B. No. 716, A bill to be entitled "An Act amending Article 3955 and Article 3959, Title 63, of the Revised Civil Statutes of 1925, so as to provide for fire escapes for school houses of two or more stories in height; and declaring an emergency."

H. C. R. No. 87, Authorizing the Enrolling Clerk of the House to make certain corrections in H. B. No. 567.

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

House Bill 741 Re-Referred

On motion of Senator Weinert, H. B. No. 741 was re-referred from the Committee on Civil Jurisprudence to the Committee on Criminal Jurisprudence.

House Joint Resolution 23 on Second Reading

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

H. J. R. No. 23, Proposing an amendment to Article 3 of the Constitution of the State of Texas, authorizing the lending of Two Million ($2,000,000.00) Dollars of the Permanent School Fund for the construction of a State office building, or buildings; providing for the repayment to the Permanent School Fund; providing for the submission of this amendment to the voters of this State; and providing for the necessary proclamation and expense of publication.

The joint resolution was read second time.

Question—Shall the resolution be passed to third reading?

House Bill 74 on Second Reading

On motion of Senator Weinert and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 74 at this time.
The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 74, A bill to be entitled "An Act to amend Article 2970, Title 50, Chapter 5, of the Revised Civil Statutes of Texas, of 1925, as amended by Section 2 of Chapter 2, Acts of the Forty-sixth Legislature, Regular Session, 1939, page 296; and declaring an emergency."

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

House Bill 74 on Third Reading

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 74 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29
Aikin
Beck
Brownlee
Chadick
Cotten
Fain
Fornby
Graves
Hazlewood
Hill
Isbell
Kelley
Lanning
Lemens
Lovelady

Absent—Excused
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
Fornby
Graves
Hazlewood
Hill
Isbell
Kelley
Lanning
Lemens
Lovelady

York
Weinert
Winfield

Absent—Excused
Spears
Sulak

House Bill 442 on Second Reading

On motion of Senator Winfield and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 442 at this time.

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

H. B. No. 442, A bill to be entitled "An Act validating certain outstanding road and bridge time warrants of Medina County, Texas, heretofore issued to provide funds for road and bridge purposes, including the purchase of rights-of-way and road machinery; and authorizing the Commissioners' Court of Medina County to fund or refund into coupon road and bridge funding or refunding bonds of said county, said time warrants to the amount of Forty-nine Thousand, Five Hundred ($49,500.00) Dollars; providing for the approval of said bonds by the Attorney General and their registration by the State Comptroller; and declaring an emergency."

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

House Bill 442 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 442 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29
Aikin
Beck
Brownlee
Chadick
Cotten
Fain
Fornby
Graves
Hazlewood
Hill
Isbell
Kelley
Lanning
Lemens
Lovelady

York
Weinert
Winfield

Absent—Excused
Spears
Sulak

The bill was read third time and was passed to third reading.
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
Lemons
Lovelady
Martin
Mauritz
Motealfe
Moffett
Moore
Ramsey
Shivers
Smith
Stone
Van Zandt
Vick
Weinert
Winfield
York

Absent—Excused
Spears Sulak

Senate Resolution 85

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

Be It Resolved by the Senate of Texas, That:

Whereas, The Civics Class of the Webster High School of Harris County is now in the gallery; now, therefore, be it

Resolved by the Senate of Texas, That the Senate express its pleasure of having these visitors and that the privileges of the floor be extended to Principal Jackson and Coach Rhodes who are accompanying the class.

The resolution was read, and on motion of Senator Moore 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 message:

Hall of the House of Representatives, Austin, Texas, April 9, 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:

S. C. R. No. 31, Granting Rogers Hale and Homer Sessions permission to sue the State.

S. C. R. No. 32, Granting permission to Bob Millard to file suit against the State Highway Department.

The House has adopted the Conference Committee report on H. B. No. 83 by a vote of 113 ayes, 4 noes.

Respectfully submitted,

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

House Joint Resolution 23 on Passage to Third Reading

The Senate resumed consideration of H. J. R. No. 23 on its passage to third reading.

Senator Moffett offered the following (committee) amendment to the resolution:

Amend H. J. R. No. 23 by striking out in Section 1 the words and figures “two per cent (2%)” and inserting the words and figures “three per cent (3%).”

The amendment was adopted.

Senator Moffett offered the following amendment to the resolution:

Amend H. J. R. No. 23 by inserting the following date in the blank space in line 58, page 1: “6th—September, 1941.”

The amendment was adopted.

Senator Moffett offered the following amendment to the resolution:

Amend H. J. R. No. 23 by adding the following to the ballot in each case: “and providing for the repayment of the said sum of money to the Permanent School Fund.”

The amendment was adopted.

House Joint Resolution 23 on Third Reading

Senator Moffett moved that Senate Rule No. 45, requiring joint resolutions to be read on three several days be suspended and that H. J. R. No. 23 be placed on 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

Absent—Excused
Spears Sulak
The President then laid the joint resolution before the Senate on its third reading and final passage. The joint resolution was read third time was passed by the following vote:

Yeas--28

Aikin          Lovelady
Beck           Martin
Brownlee       Mauritz
Chadick        Metcalfe
Cotten         Moffett
Fain           Moore
Formby         Shivers
Graves         Smith
Hazelwood      Stone
Hill           Van Zandt
Isbell         Vick
Kelley         Weinert
Lanning        Winfield
Lemens         York
Nays--1

Ramsey

Absent—Excused

Spears        Sulak

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

Yeas--28

Aikin          Lovelady
Beck           Martin
Brownlee       Mauritz
Chadick        Metcalfe
Cotten         Moffett
Fain           Moore
Formby         Shivers
Graves         Smith
Hazelwood      Stone
Hill           Van Zandt
Isbell         Vick
Kelley         Weinert
Lanning        Winfield
Lemens         York
Nays--1

Ramsey

Absent—Excused

Spears        Sulak

Message from the House

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

Hall of the House of Representatives,
Austin, Texas,
April 9, 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:

S. C. R. No. 38, Memorializing Congress to protect the citizens in certain defense activities, duties, etc.

The House has concurred in Senate amendments to H. B. No. 555 by a vote of 128 years, 0 noes.

The House has concurred in Senate amendments to H. B. No. 557 by a vote of 121 years, 0 noes.

The House has concurred in Senate amendments to H. B. No. 503 by a vote of 121 years, 0 noes.

The House has concurred in Senate amendments to H. B. No. 504 by a vote of 121 years, 0 noes.

The House has concurred in Senate amendments to H. B. No. 733 by a vote of 135 years, 1 no.

S. B. No. 419, Providing for a supplemental scholastic census in certain school districts.

Respectfully submitted,

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

Conference Committee Report on House Bill 83

Senator Kelley, by unanimous consent, submitted at this time the following report of the Conference Committee on H. B. No. 83:

Austin, Texas,
March 26, 1941.

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

Hon. Homer Leonard, Speaker of the House.

Sirs: Your Free Conference Committee appointed to adjust the differences between the Senate and the House on H. B. No. 83, had same under consideration and have adjusted the differences and recommend the passage of the attached bill.

KELLEY,
METCALFE,
WEINERT,
WINFIELD,
MOFFETT,

On the Part of the Senate;

LYLE,
LANSBURY,
SPANGLER,
GILMER,
SMITH,

On the Part of the House.

H. B. No. 83, A bill to be entitled "An Act making an appropriation out of any moneys in the State Treasury not otherwise appropriated for the use of the Nueces River Conservation and Reclamation District, for each of the fiscal years ending August 31, 1942, and August 31, 1943, to aid said District in making
the necessary surveys and preparing the necessary plans for its construction program; making an appropriation out of any monies in the State Treasury not otherwise appropriated for the use of the Guadalupe-Blanco River Authority; the Upper Colorado River Authority; the Lower Concho River Water and Soil Conservation Authority; the Panhandle Water Conservation Authority; Pease River Flood Control District; Lower Neches Valley Authority; Upper Guadalupe River Authority, Reclamation District; the Upper Red River Flood Control District, and the Sabine-Neches Conservation District; providing these appropriations shall be repaid to the State of Texas; and declaring an emergency."

Section 1. A. There is hereby appropriated for the use of the Nueces River Conservation and Reclamation District, a conservation and reclamation district created by virtue of Chapter 427 of the Acts of the First Called Session 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, to be used in defraying the necessary expenses of said District in making and continuing to make the necessary surveys, investigations and the preparation of the necessary plans for carrying out its construction program under the provisions of said Act creating said conservation and reclamation district, 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.

B. This appropriation shall be treated as a loan from the State of Texas to the 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 said District.

Sec. 2. A. There is hereby appropriated for the use of the Guadalupe-Blanco River Authority, a conservation and reclamation district created by virtue of Chapter 410 of the Acts of the First Called Session 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 Guadalupe-Blanco River Authority.

B. This appropriation shall be treated as a loan from the State of Texas to the Guadalupe-Blanco River Authority, and shall be repaid to the State of Texas by the Guadalupe-Blanco River Authority from the first revenue of the Authority.

Sec. 3. A. There is hereby appropriated for the use of the Upper Colorado River Authority, 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 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 Colorado River Authority.

B. This appropriation shall be treated as a loan from the State of Texas to the Upper Colorado River Authority, and shall be repaid to the State of Texas by the Upper Colorado River Authority from the first revenue of the Authority.

Sec. 4. A. There is hereby appropriated for the use of the Lower Concho River Water and Soil Conservation Authority, 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 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.

B. This appropriation shall be treated as a loan from the State of Texas to the Lower Concho River Water and Soil Conservation Authority, 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. 5. A. There is hereby appropriated for the use of the Panhandle Water Conservation Author-
ity, 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 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.

B. 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. 6. A. 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.

B. 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. 7. A. 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.

B. 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. 8. A. 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.

B. 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. 9. A. 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.

B. 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. 10. A. There is hereby appropriated for the use of the Sabine-Neches Conservation 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 Sabine-Neches Conservation District.
B. This appropriation shall be treated as a loan from the State of Texas to the Sabine-Neches Conservation District, and shall be repaid to the State of Texas by the Sabine-Neches Conservation District from the first revenue of the District.

Sec. 11. 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.

Question—Shall the report be adopted?

The report was adopted.

House Bill 76 on Second Reading

Senator Van Zandt moved that the regular order of business be suspended, to permit consideration of H. B. No. 76 at this time.

The motion prevailed by the following vote:

Yeas—18
Aikin    Lanning
Chadick  Lemens
Cotten   Martin
Formby   Moffett
Graves   Ramsey
Hazlewood  Shivers
Hill     Stone
Isbell   Van Zandt
Kelley   Vick

Nays—8
Beck     Metcalfe
Fain     Moore
Lovelady Weinert
Mauritz  Winfield

Present—Not Voting
Brownlee
Absent
Smith    York
Absent—Excused
Spears  Sulak

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

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 June 1, 1941, and providing further that this Act releasing penalties and interest shall not apply to cities, towns and villages and special school districts and independent school districts unless and until the governing body thereof finds that unusual or excessive default in the payment of ad valorem and poll taxes has occurred, and that an extension of time for the payment of said ad valorem and poll taxes will accelerate the payment thereof; and such governing body has adopted a resolution of ordinance evidencing such finding, and upon the recording of such findings of fact shall have the authority to put in force and effect the provisions hereof as to any such city, town or village or special school district or independent school district, providing for the release of costs under certain circumstances; providing that any one desiring to pay at one time all delinquent taxes for any one year on the same property may so pay without paying other delinquent taxes on the same; providing that all laws in conflict with this Act are expressly suspended during the term of this Act; providing that if any section, clause, sentence, paragraph or part of the Act be judged to be invalid by any court of final or competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Act; stating the policy of the Legislature; and declaring an emergency.”

The bill was read second time.

Question—Shall the bill be passed to third reading?

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. 300, A bill to be entitled "An Act authorizing the commissioners' court in any county having a population of not less than seventy-three thousand (73,000) and not more than seventy-six thousand (76,000) according to the last preceding United States Census, and not less than Forty-two Million ($42,000,000.00) Dollars, and not more than Fifty-two Million ($52,000,000.00) Dollars, taxable valuation according to the last available tax roll to allow each county commissioner in such counties certain expenses for traveling and in connection with the use of his automobile on official business, to be paid out of road and bridge fund; requiring each such commissioner to pay the expenses of operation and repair of each automobile used by him without further expense to the county; and declaring an emergency."

H. B. No. 338, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to construct or acquire, and equip not more than six dormitories, an office building, and additional power and steam plant equipment, authorizing and requiring said Board to fix the fees and charges for the use of such buildings and to make parietal rules concerning the same; authorizing the issuance of negotiable revenue bonds payable from and secured by revenues from such buildings and of certain other buildings heretofore or hereafter constructed or acquired; authorizing said Board to furnish to certain buildings water, steam, power and electricity from the plant owned by the institution, to charge for such services as a part of the maintenance and operation expense of such buildings and to issue negotiable revenue bonds secured by and payable from the net revenues from such charges for the purpose of constructing or acquiring additional equipment for such plant, etc.; and declaring an emergency."

H. B. No. 366, A bill to be entitled "An Act amending Article 3902, Revised Civil Statutes of 1925, and all amendments thereto, by adding thereto a new subsection to be known as subsection 8; fixing the compensation of the first assistant or chief deputy, and other assistants and deputies in counties of not less than twenty-four thousand, nine hundred (24,000), and not more than twenty-five thousand (25,000) inhabitants, according to the last Federal Census; and declaring an emergency."

H. B. No. 408, A bill to be entitled "An Act authorizing the commissioners' court in any county having a population of not less than ten thousand, three hundred and eighty (10,380) and not more than ten thousand, three hundred and ninety (10,390) inhabitants, according to the last preceding Federal Census, to lease any county hospital belonging to said county, and providing for the terms of said lease; and declaring an emergency."

H. B. No. 447, A bill to be entitled "An Act authorizing the county judge to employ a stenographer or clerk in any county having a population of not more than ten thousand, three hundred and eighty (10,380) and not less than ten thousand, three hundred and ninety (10,390) inhabitants, according to the last preceding Federal Census of 1940; regulating the salary of same; providing for payment of salary; providing for removal; and declaring an emergency."

H. B. No. 772, A bill to be entitled "An Act to amend Section 1, of S. B. No. 314, Chapter 59, page 74, Special Laws of the Regular Session of the Forty-third Legislature, so as to except wild geese and wild ducks from the provisions thereof; and declaring an emergency."

H. C. R. No. 32, Requesting the Attorney General to institute an investigation of prices on farm implements and machinery.

House Bills on First Reading

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

H. B. No. 44, to Committee on Representative Distriicts.
H. B. No. 205, to Committee on Highways and Motor Traffic.
H. B. No. 816, to Committee on Counties and County Boundaries.
H. B. No. 828, to Committee on Oil, Gas, and Conservation.
H. B. No. 130, to Committee on Agriculture.
H. B. No. 364, to Committee on Education.
H. B. No. 824, to Committee on Labor.
SENATE JOURNAL 773

H. B. No. 716, to Committee on State Affairs.

House Concurrent Resolution 87

The President laid before the Senate for consideration at this time:

H. C. R. No. 87, Authorizing the Enrolling Clerk of the House to make certain corrections in H. B. No. 557.

By unanimous consent, the resolution was considered at this time and was adopted.

Senate Bill 282 on Second Reading

On motion of Senator Brownlee and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 82 at this time.

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

S. B. No. 282, A bill to be entitled “An Act regulating fishing in or on Lake Travis and Lake Austin, and defining such lakes; providing the gear or tackle that may be used; providing an open season; providing a bag or possession limit for different varieties of fish that may be taken and providing a total bag limit; providing the length of different varieties of fish that may be taken; repealing all laws in conflict with this Act; and declaring an emergency.”

The bill was read second time and was passed to engrossment.

Senate Bill 282 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 282 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, Lemens, Lovelady, Martin, Mauritz, Moore, Ramsey, Shivers, Smith, Stone, Van Zandt, Vick, Weinert, York, Winfield, York, Sulak

Absent—Excused

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, Lemens, Lovelady, Martin, Mauritz, Moore, Ramsey, Shivers, Smith, Stone, Van Zandt, Vick, Weinert, York, Winfield, York, Sulak

Absent—Excused

Spears

Conference Committee Report on House Bill 271

Senator Aikin, by unanimous consent, submitted at this time, the following report to be printed in the Journal:

Senate Chamber, Austin, Texas, April 4, 1941.

Hon. Coke R. Stevenson, President of the Senate;
Hon. Homer Leonard, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and the Senate on H. B. No. 271, have had the same under consideration and beg to report back with the recommendation that it do pass in the form hereto attached.

Respectfully submitted,

AIKIN, FORMBY, ISBELL, MOFFETT, KELLEY,
On the Part of the Senate;
H. B. No. 271, A bill to be entitled "An Act making an appropriation for the support and maintenance of the Judiciary of the State of Texas for the biennium beginning September 1, 1941, and ending August 31, 1943; requiring certain fees paid to clerks or officers of all appellate courts to be deposited monthly in the State Treasury; prescribing certain rules and restrictions respecting the expenditures of appropriations made herein; suspending all laws in conflict herewith; declaring the invalidity of any portion of this Act shall not affect any other portion; and declaring an emergency."

Be It Enacted by the Legislature of the State of Texas:

Section 1. That the several sums of money herein specified or so much thereof as may be necessary, are hereby appropriated out of any moneys in the State Treasury, not otherwise appropriated, for the purposes herein indicated as follows:

### COURT OF CIVIL APPEALS—FIRST DISTRICT

**GALVESTON**

<table>
<thead>
<tr>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>For the Years Ending August 31,</td>
</tr>
<tr>
<td>Salaries and Maintenance:</td>
</tr>
<tr>
<td>1. Three Judges at $6,500 per year (S)</td>
</tr>
<tr>
<td>2. Clerk</td>
</tr>
<tr>
<td>3. Deputy Clerk or Stenographer</td>
</tr>
<tr>
<td>4. Deputy Clerk or Stenographer</td>
</tr>
<tr>
<td>5. Porter</td>
</tr>
<tr>
<td>6. Equipment, maintenance and contingent expenses</td>
</tr>
<tr>
<td>7. Books for library, transferable</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
</tr>
</tbody>
</table>

### COURT OF CIVIL APPEALS—SECOND DISTRICT

**FORT WORTH**

<table>
<thead>
<tr>
<th>Description</th>
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<tbody>
<tr>
<td>For the Years Ending August 31,</td>
</tr>
<tr>
<td>Salaries and Maintenance:</td>
</tr>
<tr>
<td>1. Three Judges at $6,500 per year (S)</td>
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<tr>
<td>2. Clerk</td>
</tr>
<tr>
<td>3. Deputy Clerk or Stenographer</td>
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<tr>
<td>4. Deputy Clerk or Stenographer</td>
</tr>
<tr>
<td>5. Porter</td>
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<tr>
<td>6. Equipment, maintenance and contingent expenses</td>
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<tr>
<td>7. Books for library, transferable</td>
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<tr>
<td>8. Book cases for library</td>
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<tr>
<td><strong>Totals</strong></td>
</tr>
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</table>

### COURT OF CIVIL APPEALS—THIRD DISTRICT

**AUSTIN**

<table>
<thead>
<tr>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>For the Years Ending August 31,</td>
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<tr>
<td>Salaries and Maintenance:</td>
</tr>
<tr>
<td>1. Three Judges at $6,500 per year (S)</td>
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<tr>
<td>2. Clerk</td>
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<tr>
<td>3. Deputy Clerk or Stenographer</td>
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<tr>
<td>4. Deputy Clerk or Stenographer</td>
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<tr>
<td>5. Porter</td>
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<tr>
<td>6. Equipment, maintenance and contingent expenses</td>
</tr>
<tr>
<td>7. Books for library, transferable</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
</tr>
</tbody>
</table>
### COURT OF CIVIL APPEALS—FOURTH DISTRICT
#### SAN ANTONIO

For the Years Ending
August 31, 1942, August 31, 1943

<table>
<thead>
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<th>Salaries and Maintenance:</th>
<th>1942</th>
<th>1943</th>
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<tbody>
<tr>
<td>1. Three Judges at $6,500 per year (S)</td>
<td>$19,500.00</td>
<td>$19,500.00</td>
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<tr>
<td>2. Clerk</td>
<td>$3,780.00</td>
<td>$3,780.00</td>
</tr>
<tr>
<td>3. Deputy Clerk or Stenographer</td>
<td>$1,800.00</td>
<td>$1,800.00</td>
</tr>
<tr>
<td>4. Deputy Clerk or Stenographer</td>
<td>$1,500.00</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>5. Porter</td>
<td>$720.00</td>
<td>$720.00</td>
</tr>
<tr>
<td>6. Equipment, maintenance and contingent expenses</td>
<td>$500.00</td>
<td>$500.00</td>
</tr>
<tr>
<td>7. Books for library, transferable</td>
<td>$500.00</td>
<td>$500.00</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>$28,300.00</td>
<td>$28,300.00</td>
</tr>
</tbody>
</table>

### COURT OF CIVIL APPEALS—FIFTH DISTRICT
#### DALLAS

Salaries and Maintenance:

| 1. Three Judges at $6,500 per year (S) | $19,500.00 | $19,500.00 |
| 2. Clerk | $3,780.00 | $3,780.00 |
| 3. Deputy Clerk or Stenographer | $1,800.00 | $1,800.00 |
| 4. Deputy Clerk or Stenographer | $1,500.00 | $1,500.00 |
| 5. Porter | $720.00 | $720.00 |
| 6. Equipment, maintenance and contingent expenses | $500.00 | $500.00 |
| 7. Books for library, transferable | $500.00 | $500.00 |
| **Totals** | $28,300.00 | $28,300.00 |

### COURT OF CIVIL APPEALS—SIXTH DISTRICT
#### TEXARKANA

Salaries and Maintenance:

| 1. Three Judges at $6,500 per year (S) | $19,500.00 | $19,500.00 |
| 2. Clerk | $3,780.00 | $3,780.00 |
| 3. Deputy Clerk or Stenographer | $1,800.00 | $1,800.00 |
| 4. Deputy Clerk or Stenographer | $1,500.00 | $1,500.00 |
| 5. Porter | $720.00 | $720.00 |
| 6. Equipment, maintenance and contingent expenses | $500.00 | $500.00 |
| 7. Books for library, transferable | $500.00 | $500.00 |
| **Totals** | $28,300.00 | $28,300.00 |

### COURT OF CIVIL APPEALS—SEVENTH DISTRICT
#### AMARILLO

Salaries and Maintenance:

<p>| 1. Three Judges at $6,500 per year (S) | $19,500.00 | $19,500.00 |
| 2. Clerk | $3,780.00 | $3,780.00 |
| 3. Deputy Clerk or Stenographer | $1,800.00 | $1,800.00 |
| 4. Deputy Clerk or Stenographer | $1,500.00 | $1,500.00 |
| 5. Porter | $750.00 | $750.00 |
| 6. Equipment, maintenance and contingent expenses | $500.00 | $500.00 |
| 7. Books for library, transferable | $500.00 | $500.00 |
| <strong>Totals</strong> | $28,330.00 | $28,330.00 |</p>
<table>
<thead>
<tr>
<th>Court</th>
<th>Location</th>
<th>For the Years Ending</th>
<th>August 31,</th>
<th>August 31,</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>1942</td>
<td>1943</td>
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<tr>
<td>Court of Civil Appeals</td>
<td>Eighth District</td>
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<tr>
<td></td>
<td>El Paso</td>
<td>Salaries and Maintenance:</td>
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<tr>
<td>1. Three Judges at $6,500 per year (S)</td>
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<td>$19,500.00</td>
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<tr>
<td>2. Clerk</td>
<td>3,780.00</td>
<td>3,780.00</td>
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<tr>
<td>3. Deputy Clerk or Stenographer</td>
<td>1,800.00</td>
<td>1,800.00</td>
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<tr>
<td>4. Deputy Clerk or Stenographer</td>
<td>1,500.00</td>
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<tr>
<td>5. Porter</td>
<td>750.00</td>
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<tr>
<td>6. Equipment, maintenance and contingent expenses</td>
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<td>500.00</td>
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<tr>
<td>7. Books for library, transferable</td>
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<td>Totals</td>
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<td>Court of Civil Appeals</td>
<td>Ninth District</td>
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<td>Beaumont</td>
<td>Salaries and Maintenance:</td>
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<tr>
<td>1. Three Judges at $6,500 per year (S)</td>
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<td>2. Clerk</td>
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<td>3. Deputy Clerk or Stenographer</td>
<td>1,800.00</td>
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<td>4. Deputy Clerk or Stenographer</td>
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<tr>
<td>5. Porter</td>
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<td>6. Equipment, maintenance and contingent expenses</td>
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<td>7. Books for library, transferable</td>
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<td>Totals</td>
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<tr>
<td>Court of Civil Appeals</td>
<td>Tenth District</td>
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<td>Waco</td>
<td>Salaries and Maintenance:</td>
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<tr>
<td>1. Three Judges at $6,500 per year (S)</td>
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<td>$19,500.00</td>
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<tr>
<td>2. Clerk</td>
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<td>3. Deputy Clerk or Stenographer</td>
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<td>4. Deputy Clerk or Stenographer</td>
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<td>Eastland</td>
<td>Salaries and Maintenance:</td>
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<tr>
<td>1. Three Judges at $6,500 per year (S)</td>
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<td>$19,500.00</td>
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<tr>
<td>2. Clerk</td>
<td>3,780.00</td>
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<tr>
<td>3. Deputy Clerk or Stenographer</td>
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<tr>
<td>4. Deputy Clerk or Stenographer</td>
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<tr>
<td>Totals</td>
<td>$28,300.00</td>
<td>$28,300.00</td>
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</tbody>
</table>
Salaries and Maintenance:

1. Three Judges of Supreme Court at $8,000 per year (S) $24,000.00 $24,000.00
2. Six Judges of Commission of Appeals at $7,500 per year (S) 45,000.00 45,000.00
3. Clerk of Supreme Court, including services for Commission of Appeals 5,000.00 5,000.00
4. Reporter 3,300.00 3,300.00
5. Briefing Clerk, chief 2,880.00 2,880.00
6. Briefing Clerk 2,520.00 2,520.00
7. Briefing Clerk 2,400.00 2,400.00
8. Briefing Clerk 2,400.00 2,400.00
9. Law Clerk-secretary to the Supreme Court 2,250.00 2,250.00
10. Law Clerk-secretary to the Supreme Court 2,250.00 2,250.00
11. Law Clerk-secretary to the Commission of Appeals 1,800.00 1,800.00
12. Law Clerk-secretary to the Commission of Appeals 1,800.00 1,800.00
13. Law Clerk-secretary to the Commission of Appeals 1,800.00 1,800.00
14. Law Clerk-secretary to the Commission of Appeals 1,800.00 1,800.00
15. Marshal and Assistant Librarian 1,800.00 1,800.00
16. Porter for clerk's office 720.00 720.00
17. Deputy Clerk and Secretary to Board of Legal Examiners 2,880.00 2,880.00
18. Chief Deputy Clerk 2,880.00 2,880.00
19. Deputy Clerk 2,520.00 2,520.00
20. Deputy Clerk 2,520.00 2,520.00
21. Deputy Clerk and Assistant Secretary to Board of Legal Examiners 2,520.00 2,520.00
22. Porter 720.00 720.00
23. Porter 720.00 720.00
24. Printing, postage, express, record books, rebinding, repairs, furniture, equipment, cases, law books for Supreme Court library and contingent expenses 6,500.00 6,500.00

Totals, Supreme Court and Commission of Appeals $122,980.00 $122,980.00

SALARIES AND MAINTENANCE:

COURT OF CRIMINAL APPEALS AND COMMISSION IN AID OF COURT OF CRIMINAL APPEALS

Salaries and Maintenance:

1. Three Judges at $8,000 per year (S) $24,000.00 $24,000.00
2. Two Judges of Commission in aid of Court of Criminal Appeals at $7,500 per year (S) 15,000.00 15,000.00
3. Clerk 4,350.00 4,350.00
4. Bailiff-secretary 2,250.00 2,250.00
5. Secretary 2,250.00 2,250.00
6. Secretary 2,250.00 2,250.00
7. Law Clerk-secretary 1,960.00 1,960.00
8. Law Clerk secretary 1,960.00 1,960.00
9. Court Reporter 3,800.00 3,800.00
10. Secretary-clerk for reporter 1,800.00 1,800.00
For the Years Ending August 31, August 31, 1942 1943

11. Porter-file clerk ........................................ 720.00 720.00
12. Equipment, books, maintenance, and contingent expenses ............ 2,000.00 2,000.00

Totals, Court of Criminal Appeals and Commission in aid of Court of Criminal Appeals $62,340.00 $62,340.00

STATE PROSECUTING ATTORNEY BEFORE COURT OF CRIMINAL APPEALS

Salaries and Maintenance:
1. Attorney (S) ........................................ $6,000.00 $6,000.00
2. Clerk-secretary ....................................... 2,100.00 2,100.00
3. Books, telephone, telegraph, postage, box rent, furniture, supplies, equipment and contingent expenses ............ 1,000.00 1,000.00

Totals, State's Attorney ...................... $9,100.00 $9,100.00

APPELLATE COURT REPORTS

1. Printing and binding Supreme Court and Court of Criminal Appeals reports, by Board of Control ................... $7,000.00 $7,000.00

JUDICIARY SECTION—COMPTROLLER’S DEPARTMENT

1. Salaries of 130 district judges and criminal district judges at $5,000 per year (S) .................. $650,000.00 $650,000.00
2. Salaries, including the $500 Constitutional allowance, of 52 district attorneys at $4,000 per year (as per Chapter 442 Acts Second Called Session, Forty-fourth Legislature) .................. 208,000.00 208,000.00
3. Salary of criminal district attorney in districts composed of two or more counties (Section 18, Chapter 465, Forty-fourth Legislature) .................. 4,500.00 4,500.00
4. Salary of district attorney of Thirty-fourth district (El Paso) ........................................ 5,500.00 5,500.00
5. Salary of assistant district attorney of Thirty-fourth district (El Paso) ........................................ 2,700.00 2,700.00
6. Salary of assistant district attorney of Fifty-third District (Travis County) ........................................ 3,000.00 3,000.00
7. Salary of assistant district attorney of Forty-third District (Travis County) ........................................ 2,700.00 2,700.00
8. Salary of assistant district attorney of Special Ninth District (H. B. No. 142, First Called Session of Forty-third Legislature) ........................................ 2,750.00 2,750.00
9. Salary of one assistant district attorney or one investigator in Forty-ninth District ........................................ 1,800.00 1,800.00
10. Compensation of one assistant district attorney or one special investigator for each of the following Judicial Districts: Thirtieth and Seventy-second; at $1,800 per year ........................................ 3,600.00 3,600.00
<table>
<thead>
<tr>
<th></th>
<th>FOR THE YEARS ENDING AUGUST 31, 1942</th>
<th>FOR THE YEARS ENDING AUGUST 31, 1943</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.</td>
<td>Salary of assistant district attorney in Forty-seventh District</td>
<td>2,510.00</td>
</tr>
<tr>
<td>12.</td>
<td>Salary of assistant district attorney of Twenty-second District (per Article 326K-3, Revised Civil Statutes of Texas, 1925)</td>
<td>3,600.00</td>
</tr>
<tr>
<td>13.</td>
<td>District judges' and district attorneys' expenses in districts composed of two or more counties (per Article 6820, and Article 326K-37, Revised Civil Statutes of Texas, 1925)</td>
<td>47,600.00</td>
</tr>
<tr>
<td>14.</td>
<td>Special district judges' salaries and regular district judges' expenses when holding Court out of their district</td>
<td>7,500.00</td>
</tr>
<tr>
<td>15.</td>
<td>Transcript fees to official court reporters for narrative statement of facts and/or in cases where Court is required and does appoint attorney to represent defendant in criminal action, and when official reporter is required and does furnish defendant's attorney with transcript of his notes as is provided by law</td>
<td>500.00</td>
</tr>
<tr>
<td>16.</td>
<td>Fees and cost of officials in cases of escheated estates, including accrued fees</td>
<td>50.00</td>
</tr>
<tr>
<td>17.</td>
<td>Fees and cost of sheriffs, attorneys and clerks in felony cases, and fees of county judges, county attorneys, justices of peace, sheriffs and constables in examining trials where indictments are returned</td>
<td>195,000.00</td>
</tr>
<tr>
<td>18.</td>
<td>Apportionment to counties at 10 cents per capita where county officers are paid salaries (per Chapter 465, Section 6a, Second Called Session, Acts, Forty-fourth Legislature). Should any county, by election of the Commissioners Court, change from salary to fee basis or vice versa the Comptroller shall make adjustment in the appropriations by transferring the correct amount from appropriation made for fees and costs of sheriff and other county officials to appropriation to pay counties on a per capita basis or vice versa as the case may be</td>
<td>486,677.60</td>
</tr>
<tr>
<td>19.</td>
<td>Apportionments to counties where county officers are paid salaries and where there is a criminal district attorney or county attorney performing the duties of district attorney (for 33 counties in 1940, per Sub-section B, Section 13. Chapter 465, Acts, Forty-fourth Legislature)</td>
<td>146,429.00</td>
</tr>
<tr>
<td>20.</td>
<td>Expenses of attached witnesses, witness fees, and mileage allowed witnesses in felony cases where the witness lives outside the county where the case is being tried</td>
<td>160,000.00</td>
</tr>
</tbody>
</table>
21. Special judges of Supreme Court, Court of Criminal Appeals and Civil Appeals, where regular Judges are disqualified and where special judges are appointed; per diem to be same as regular district judge receives ........................................ 1,200.00 1,200.00

22. Expenses of Civil Judicial Council (per Senate Bill No. 52, First Called Session, Forty-first Legislature) .......................................................... 1,350.00 1,350.00

23. Traveling expenses of judges of Courts of Civil Appeals when sitting in other districts .......................................................... 1,500.00 1,500.00

Totals, Judiciary Section of State Comptroller ........................................ 1,938,466.60 $ 1,938,466.60

GENERAL PROVISIONS — JUDICIARY

Section 2. All amounts appropriated in this Act for law books, or expended therefor under authority of this Act, shall be paid out of the General Fund.

Sec. 3. All fees or sums of money of any kind paid to any Court for which appropriations are made herein or to any of the clerks, officers, or employees of any such Court, whether such fees or sums of money of any kind are for official or unofficial copies of opinions, carbon copies, or for other services or documents shall be deposited at the close of each month in the General Fund of the State Treasury, and none of such fees or sums of money of any kind shall be retained by or paid to said clerks, officers or employees. Each Court employee whose salary is provided herein, except porters, shall file with such Court monthly pay roll, with the Comptroller at the end of each month, an affidavit showing that he has not retained any compensation out of any Court or other fees or sums of money of any kind received by him of the Court during the previous month and showing that all such fees or sums of money of any kind have been deposited in the State Treasury. The Comptroller shall not issue a warrant in payment of the salary of any such employee for any month unless and until the affidavit required herein has been filed for said previous month.

Sec. 4. (a). Appropriations made in this Act are intended to be, and shall be, construed as being the maximum sums, respectively, which may be used in any way for the purpose or object named in the Act, and obligations shall not be incurred in any case which, when the amount thereof added to expenditures actually made, will exceed such maximum sum; and no surplus shall be diverted from one appropriation to another, except transfers or adjustments may be made as between appropriated amounts for books, equipment, maintenance, and contingent items.

(b). All printing and stationery shall be purchased through the Board of Control and shall be confined to such articles and qualities as selected and contracted for by the Board of Control.

(c). No account against any items of witness fees, County Attorneys', Justices' of Peace, Sheriffs', and Constables' fees, and cost of Sheriffs, Attorneys, and Clerks in felony cases, shall be binding as an obligation against the State of Texas, until such account shall have been examined, audited, and approved by the State Comptroller, and no such account shall be paid by the State Treasurer until the same has been approved by the Comptroller.
(d). It shall be the duty of each of the Appellate Courts and judicial agencies of the State annually, and within sixty (60) days after the close of the State's fiscal year, to make a sworn statement to the Governor and the Board of Control of all amounts received and/or expended by said Court and/or agency. A report from each Court shall be filed annually for the calendar year with the Governor, and a copy thereof with the State Board of Control, showing the total number of cases filed in each Court during the year, the number of cases transferred to and from such Court, the number of cases disposed of with proper divisional classification as to total number of cases similarly disposed of, that is, by dismissal, final judgment, reversal, affirmance and any other statistical data which may be required by the Governor or State Board of Control.

(e). Annual salaries provided for herein shall be paid in twelve (12) equal monthly installments.

(f). No funds appropriated in this Act shall be used to pay any expense of traveling outside the boundaries of the State of Texas except for returning fugitives on trips authorized by the Governor, and the actual expense of the State's Attorney when it is necessary that he appear before any court in behalf of the State of Texas, or for payment (or reimburse for payment) of any tip or gratuity whatsoever.

Sec. 5. Each officer, agent, or employee of a Court named in this Act and entitled to be paid a salary or other compensation out of any appropriation above made shall be paid by warrant and/or check issued in his or her name and specifically showing the amount of salary or sum due and the services for which the payment is being made (with date or dates and place or places of performance of such services) such warrant and/or check to be endorsed, before payment thereof, by such officer, agent, or employee.

The following rules shall be observed by all officers and employees in rendering expense accounts before any expense account shall be paid from appropriations herein made for “traveling Expenses” for employees, Judges, or officers:

There must be a concise statement of the duties performed and the points from and to which the employee, Judge, or officer travels, the hour of arrival at and departure from the designated post of duty, and the mode or modes of conveyance.

The name of each hotel, restaurant, boarding or rooming house at which meals and lodgings are procured shall be given in every case. Fees, as tips to waiters on dining cars, or at hotels or restaurants or otherwise shall not be approved.

The use of railroad scrip books and other forms of transportation provided at the expense of the State are hereby prohibited, and hereafter all railroad and other transportation shall be paid in cash and properly listed in expense accounts rendered. Tax exemption certificates shall be used in all cases where the State is exempt from the payment of Government tax under Federal Provision.

The State Comptroller shall be governed accordingly in the issuance of warrants covering payment for railroad scrip books and other forms of transportation.

It is provided that any officer or employee who travels on official State business and who uses his own car while so doing shall be reimbursed for the use of said car on the basis of the total mileage traveled during any calendar month at the following rate: Five cents (5c) a mile for the first thousand miles traveled, four cents (4c) a mile for the second thousand miles traveled, three cents (3c) a mile for the third thousand miles traveled and two cents (2c) a mile for each mile traveled in excess of three thousand miles.

Money appropriated above for stamps or postage shall be expended only upon warrants made payable to a Postmaster and endorsed by such Postmaster or his deputy or authorized clerk except for incidental purchases of stamps made by district judges and district attorneys as provided in Article 6820.

That portion of every appropriation made herein which is unexpended at the close of the fiscal year for which the appropriation is made shall imme-
It is hereby provided that the word "unexpended" as used in this Act means "not disbursed nor contracted to be disbursed."

Sec. 6. All laws and parts of laws in conflict herewith are expressly suspended for the period of the biennium for which this appropriation is made.

Sec. 7. If any section, sentence, clause, or part of this Act shall, for any reason, be held to be invalid, such decision shall not affect the remaining portions of this Act, and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause, or part thereof, irrespective of the fact that any other sentence, section, clause, or part thereof may be declared invalid.

Sec. 8. The fact that the above and foregoing is one of the regular appropriation bills to pay the salaries, support, maintenance, and operation of the Judiciary and other important agencies of the State for the two (2) fiscal years beginning September 1, 1941, and ending August 31, 1943, and the crowded condition of the calendar of the two Houses of the Legislature, create an emergency and an imperative public necessity, requiring the Constitutional Rule that bills be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

RECAPITULATION — JUDICIARY BUDGET

| Court of Civil Appeals — First District, Galveston | $28,300.00 | $28,300.00 |
| Court of Civil Appeals — Second District, Fort Worth | $29,600.00 | $28,300.00 |
| Court of Civil Appeals — Third District, Austin | $28,200.00 | $28,200.00 |
| Court of Civil Appeals — Fourth District, San Antonio | $28,300.00 | $28,300.00 |
| Court of Civil Appeals — Fifth District, Dallas | $28,300.00 | $28,300.00 |
| Court of Civil Appeals — Sixth District, Texarkana | $28,300.00 | $28,300.00 |
| Court of Civil Appeals — Seventh District, Amarillo | $28,330.00 | $28,330.00 |
| Court of Civil Appeals — Eighth District, El Paso | $28,880.00 | $28,330.00 |
| Court of Civil Appeals — Ninth District, Beaumont | $28,300.00 | $28,300.00 |
| Court of Civil Appeals — Tenth District, Waco | $29,300.00 | $28,300.00 |
| Court of Civil Appeals — Eleventh District, Eastland | $28,300.00 | $28,300.00 |
| Supreme Court and Supreme Court Commission of Appeals | $122,980.00 | $122,980.00 |
| Court of Criminal Appeals and Commission in Aid of Court of Criminal Appeals | $62,340.00 | $62,340.00 |
| State Prosecuting Attorney before Court of Criminal Appeals | $9,100.00 | $9,100.00 |
| Appellate Court Reports | $7,000.00 | $7,000.00 |
| Judiciary Section — Comptroller's Department | $1,938,466.60 | $1,938,466.60 |
| Combined Grand Total — Judiciary | $2,453,996.60 | $2,451,146.60 |
| Grand Total for Biennium | $4,905,193.20 | $4,905,193.20 |
House Bill 76 on Passage to Third Reading

The Senate resumed consideration of pending business, same being H. B. No. 76, relating to release of penalties and interest on ad valorem taxes, on its passage to third reading.

Senator Van Zandt offered the following amendment to the bill:

Amend H. B. No. 76 by adding a new sentence at the end of Section 3 to read as follows:

"Provided further that any person, firm or corporation availing themselves of the benefits of this Act shall be required to pay all delinquent ad valorem taxes due the state and county on any specific piece of property on which such taxes are delinquent, before the penalties and interest can be released as herein provided." Question—Shall the amendment be adopted?

Senator Lemens moved that Senate Rule No. 99 be suspended in order that the author of the bill, Mr. Dwyer, be allowed to address the Senate in regard to H. B. No. 76.

The motion prevailed.

Mr. Dwyer then addressed the Senate briefly.

The amendment was adopted.

Senator Lovelady offered the following amendment to the bill:

Amend H. B. No. 76, by striking out the figure "1940" wherever the figure "1940" is found in the bill and substitute in lieu thereof, at such places, the figure "1935."

Question—Shall the amendment be adopted?

Request to Take Up Senate Bill 420

Senator Moore asked unanimous consent to take up S. B. 420 for consideration at this time.

The President announced that there was objection to the request.

Senate Resolution 87

Senator Graves, by unanimous consent, offered the following resolution:

Whereas, There is present at the Bar of the Senate of the State of Texas at this time a delegation of students from the Horace Mann Junior School, San Antonio, Texas, which school delegation is ably headed by Miss Louise Henry who is present with said school delegation; now, therefore, be it

Resolved, That Miss Louise Henry be extended the privilege of the floor of the Senate of Texas at this time. SPEARS, GRAVES.

On motion of Senator Graves and by unanimous consent, the resolution was considered at this time.

The resolution was adopted.

Senate Bill 423 on First Reading

Senator Aikin, by unanimous consent, 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—29


Absent—Excused

Spears Sulak

The following bill then was introduced, read first time and referred to the Committee on Finance.

By Senator Aikin:

S. B. No. 423, A bill to be entitled "An Act making appropriations for the support and maintenance of the executive and administrative departments and agencies of the State Government for the two year period beginning September 1, 1941, and ending August 31, 1943, and for other purposes; and, declaring it unlawful for persons employed in the several departments to engage in political campaigns relating to election or reelection of any candidate or candidates for the head of such department and any public office, and prescribing procedure for removal of
such employees; and making it unlawful to use any State-owned automobile in connection with any campaign relating to any measures in which the particular department by which the employee is directly interested and/or in behalf of the election or reelection of any person as the head of such department; and prescribing procedure and penalties for violation of this Act; and prescribing certain other regulations and restrictions in respect to the appropriations made herein; and declaring an emergency."

Reports of Standing Committees

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

Austin, Texas, April 9, 1941.

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

Sir: We, your Committee on Finance, to whom was referred S. B. No. 423, A bill to be entitled "An Act making appropriations for the support and maintenance of the executive and administrative departments and agencies of the State Government for the two year period beginning September 1, 1941, and ending August 31, 1943, and for other purposes; and declaring it unlawful for persons employed in the several departments to engage in political campaigns relating to election or re-election of any candidate or candidates for the head of such department and any public office and prescribing procedure for removal of such employees; and making it unlawful to use any State-owned automobile in connection with any campaign relating to any measure in which the particular department by which the employee is directly interested and/or in behalf of the election or reelection of any person as the head of such department; and prescribing procedure and penalties for violation of this Act; and prescribing certain other regulations and restrictions in respect to the appropriations made herein; 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.

AIKIN, Chairman.

Senator Moore, by unanimous consent, submitted at this time, the following reports:

Senate Chamber, Austin, Texas, April 8, 1941.

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

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 56, Providing for a committee of six members of the State Legislature to investigate the feasibility and probable cost of fireproofing the State Land Office Building. 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, April 8, 1941.

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

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 64, Granting J. H. Ferrell permission to make State of Texas a party defendant in a suit to foreclose vendor's lien.

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.

MOORE, Chairman.

Senate Chamber, Austin, Texas, April 8, 1941.

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

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 425, A bill to be entitled "An Act to amend Article 5949, Revised Civil Statutes of Texas of 1925, as amended by Acts of the Forty-sixth Legislature, page 498, Regular Session, 1939, so as to provide for appointment of notaries public by the Secretary of State of the State of Texas; 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.
Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 267. A bill to be entitled “An Act prohibiting any department, board or agency of the State of Texas, or the head or heads thereof, from renting or leasing offices, office space, or buildings of any kind for any purpose for a longer period than one year; 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.

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

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 431. A bill to be entitled “An Act making it unlawful to sell tickets to any sports event, amusement, or entertainment in Texas for which an admission charge is made, in excess of the purchase price of the ticket appearing thereon, without having procured a license therefor from the Commissioner of Labor Statistics of the State of Texas; 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 with committee amendments and be printed.

MOORE, Chairman.

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

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 286. A bill to be entitled “An Act requiring employers to protect the contractual and/or seniority rights of employees entering military service, or seeking, or appointed to, or elected to public office; defining ‘Employer of Labor’; providing penalties for the violation of this Act; 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.
Senator Smith, by unanimous consent, submitted at this time the following report:

Committee Room,
Austin, Texas,
April 9, 1941.

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

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

H. B. No. 749, A bill to be entitled

"An Act to amend Section 1, H. B. No. 320, Chapter 268, page 396, Acts of the Regular Session of the Fortieth Legislature as amended by Section 1, H. B. No. 386, Chapter 227, page 381, Acts of the Forty-second Legislature, so as to provide means by which the soldiers stationed in Texas under the National Defense Act, and others may be permitted to enjoy fishing in salt water without the payment of nonresident fishing license and artificial lure license; 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.

SMITH, Chairman.

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

Committee Room,
Austin, Texas,
April 8, 1941.

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

Sir: We, your Committee on County and County Boundaries, to whom was referred

H. B. No. 493, A bill to be entitled

"An Act authorizing the commissioners' court in each county in this State having a population of not less than eighteen thousand, four hundred and forty-four (18,444) and not more than eighteen thousand, five hundred (18,500); and counties having a population of not less than twelve thousand, three hundred and forty-four (12,344) nor more than twelve thousand, four hundred (12,400) according to the last preceding Federal Census, to allow each county commissioner certain expenses for traveling and in connection with the use of his automobile on official business only and/or in overseeing the construction and maintenance of the public roads of the county, to be paid out of the road and bridge fund of the respective commissioner's precinct; requiring each such commissioner to pay the expense of operation and repair of such vehicle so used by him without any further expense whatsoever to the county; 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 Lemens, by unanimous consent, submitted at this time the following reports:

Austin, Texas,
April 9, 1941.

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

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

S. B. No. 206, A bill to be entitled

"An Act making it unlawful for convicts to mutilate themselves; defining the offense and prescribing penalties necessary and incident thereto; 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 No. 1 and be printed.

LEMENS, Chairman.

Austin, Texas,
April 9, 1941.

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

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

S. B. No. 414, A bill to be entitled

Act, regulating the advertising of beer through the medium of outdoor signs."

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.

LEMENS, Chairman.

Austin, Texas,
April 9, 1941.

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

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

H. B. No. 738, A bill to be entitled "An Act to amend Article 177 of Title 4, Chapter 1, of the Code of Criminal Procedure, to include in said Article 177 the offense of conversion by any executor, administrator, or guardian having charge of any estate, real, personal, or mixed; 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.

LEMENS, Chairman.

Austin, Texas,
April 9, 1941.

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

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

S. B. No. 417, A bill to be entitled "An Act to amend Article 637 of the Penal Code of Texas so that the same shall read as hereinafter stated, and providing for the destruction of gambling equipment and paraphernalia by order of the court and providing for the confiscation of property not gambling paraphernalia per se which is used as equipment or paraphernalia for a gambling house or which is used for gaming purposes, and providing for the delivery of such property to the State of Texas or any political subdivision thereof, or to any State Institution for its own use and benefit, by order of the court, and providing that an officer by his return shall show compliance with order of the court; etc.; and repealing all other laws in conflict with this Act; 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.

LEMENS, Chairman.

Signing of Bills and Resolutions

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

S. B. No. 99, A bill to be entitled "An Act amending Chapter 286, Acts of the Forty-first Legislature, Regular Session, 1929, by adding a new Section thereto to be designated as Section 2a; and providing for minimum salary for a secretary-treasurer to be chosen from among the board members of the Texas College of Arts and Industries; and declaring an emergency."

S. B. No. 151, A bill to be entitled "An Act making it unlawful to take or kill wild deer in the County of Hudspeth for a period of five (5)
years; prescribing penalty for violation of this Act; and declaring an emergency."

S. B. No. 419, A bill to be entitled "An Act providing for a supplemental scholastic census in school districts where there is an unusual increase in population due to location of camps, reservations, or building projects by Federal or State Governments; providing for the request by the county superintendents for such census; directing the State Superintendent of Public Instruction to require the census and to approve a supplemental census roll of the district; providing that said supplemental roll shall be a part of the original census of the district the same as if it had been taken in March; providing for the payment of scholastic apportionment in accordance with said supplemental scholastic census; providing that such supplemental census shall be taken not later than March 15 of any fiscal year except 1940-1941, which date limit shall be April 22; providing that no adjustment of scholastic apportionment shall be in an amount more than that necessary to care for the needs of such district; providing for approval by the State Department of Education; providing for only one supplemental scholastic census in any one district annually; and declaring an emergency."

S. C. R. No. 31, Granting Rogers Hale and Homer Sessions permission to sue the State.

S. C. R. No. 32, Authorizing Bob Millard to sue the State.

S. C. R. No. 38, Memorializing the Congress of the United States to pass certain anti-strike legislation.

House Bill 76 on Passage to Third Reading

The Senate resumed consideration of H. B. No. 76, relative to release of penalties and interest on delinquent ad valorem taxes, on its passage to third reading; with amendment by Senator Lovelady pending.

Senator Moffett offered the following substitute for the amendment:

Amend H. B. No. 76 by striking out the figures "1940" and insert in lieu thereof the figures "1937."

Question—Shall the substitute be adopted?

Committee Meetings Deferred

On motion of Senator Hill and by unanimous consent, all committee meetings scheduled for today were deferred out of respect to Hon. Morris Sheppard.

Senate Bill 23 Deleted from Calendar

On motion of Senator Lemens and by unanimous consent, it was ordered that the Calendar Clerk take S. B. No. 23 off the Senate Calendar.

Adjournment

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

The motion prevailed; and the Senate, accordingly, at 12:00 o'clock meridian, adjourned until 10:00 o'clock a. m. tomorrow.
Senator Beck offered the following resolution:

(Senate Resolution 86)

Whereas, It is learned with profound regret that United States Senator Morris Sheppard, Senior Senator from Texas, passed away at Washington, D. C., at 4:30 this morning; and

Whereas, On account of his long and distinguished service, which our Senior Senator rendered this State and Nation, it is fitting that we record this token of sympathy and express our sorrow to his wife and children; and

Whereas, It has not been made known to the Senate as yet the time and place of interment and it is fitting that the Lieutenant Governor appoint five members of the Senate to attend the services; and

Whereas, Since we have not had time to express the love and admiration which this Senate and all Texas has for Senator Sheppard, it is desired that a fitting memorial service be held in memory of our friend and statesman at a later date. That a joint session of the House and Senate be called for that purpose; therefore, be it

Resolved by the Senate, That a copy of this resolution be spread upon the Journal today and that a further expression of our high gratitude and profound respect for the memory of the Senior Senator be paid to him at a later date and that when the Senate adjourns today it do so in his memory.

BECK,
HILL,
LOVELADY,
PAIN,
SHIVERS,
MOORE,
RAMSEY,
AIKIN.


The resolution was read.

On motion of Senator Metcalfe, and by unanimous consent, the names of all Senators were added to the resolution as signers thereof.

The resolution was adopted unanimously by a rising vote.