The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

- Aikin
- Beck
- Brownlee
- Chadick
- Cotten
- Fain
- Formby
- Graves
- Hazelwood
- Hill
- Isbell
- Kelley
- Lanning
- Lemens
- Lovelady
- Martin
- Mauritiz
- Metalfe
- Moffett
- Moore
- Ramsey
- Shivers
- Smith
- Stone
- Van Zandt
- Vick
- Weinert
- Winfield

Absent—Excused

- Spears
- York
- Sulak

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

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

Senator York was granted leave of absence for today on account of important business, on motion of Senator Ramsey.

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

Reports of Standing Committees

Senator Ramsey submitted the following reports:

Austin, Texas,
April 10, 1941.
Hon. Coke R. Stevenson, President of the Senate.

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

H. B. No. 295, A bill to be entitled "An Act amending Section 19, subsection h of S. B. No. 5, Acts of the Forty-fourth Legislature, Second Called Session, also known as subsection h of Section 19 of Article 3912e, and all amendments to such Act by adding thereto subsection h-3, affecting the appointment and salaries of deputies in the offices of district clerks in all counties of one hundred and ninety thousand (290,000) inhabitants and over, and less than three hundred and ninety thousand (390,000) inhabitants, according to the last preceding Federal Census; . . . 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.
last preceding Federal Census, the provisions of Article 6869, Revised Civil Statutes of Texas, of 1925, as amended, in so far as such limits the number of deputies allowable to sheriffs shall not apply, but the sheriff in any such county shall have the number of deputies allowed him by the commissioners' court of such 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.

Austin, Texas, April 10, 1941.

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

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

H. B. No. 799, A bill to be entitled "An Act authorizing the commissioners' court in all counties having a population of not less than fifty-one thousand, three hundred and four (51,304) and not more than fifty-one thousand, four hundred and four (51,404), according to the last preceding 1940 Federal Census, to authorize the commissioners' court to purchase pickup trucks to be paid out of road and bridge fund and to be used by the county commissioners in the discharge of their official business; 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.

Austin, Texas, April 10, 1941.

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

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

H. B. No. 798, A bill to be entitled "An Act authorizing the commissioners' court in all counties having a population of not less than fifty-one thousand, three hundred and four (51,304) nor more than fifty-one thousand, four hundred and four (51,404) inhabitants, according to the last preceding 1940 Federal Census, to allow each county commissioner certain traveling expenses while traveling on official business; 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 Hill submitted the following report:

Austin, Texas, April 10, 1941.

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

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 324, A bill to be entitled "An Act amending Article 1667 of the Revised Civil Statutes of 1925, as amended by Acts of the Forty-second Legislature, 1931, Second Called Session, page 62, Chapter 38, as amended by Acts of the Forty-third Legislature, 1933, page 364, Chapter 140, as amended by Acts of the Forty-sixth Legislature, 1939, page 610, Chapter 13, placing certain counties under the provisions of said Article and providing control over finances in such counties by auditors; providing compensation for such auditors; repealing all laws and parts of 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 not printed.

HILL, Chairman.

Senate Resolution 88

Senator Lemens offered the following resolution:

Whereas, The members of the Senate are receiving inquiries from their constituents as to the final disposition of bills and resolutions passed by both branches of the Legislature; and

Whereas, It is necessary and a great convenience to the members of the Senate to have information as to the final disposition thereof; and

Whereas, In order to get this information, it is necessary that the Senators communicate with the Secretary of State, thus consuming much unnecessary time, when such informa-
tion could otherwise be obtained without expense and without any considerable inconvenience; therefore, be it

Resolved by the Senate of the Forty-seventh Legislature of Texas, That the Secretary of State be requested to direct, daily, a communication to the Senate, during the remainder of the Session, giving the Senate information as to the date of signature and date of filing in his office by the Governor, of all bills and resolutions, together with the Senate or House number thereof and the final vote in each House, taken on each bill or resolution; and be it further

Resolved, That the Secretary of State be requested to furnish, at his earliest convenience, a list of all bills and resolutions heretofore filed in his office, giving date of signature and date of filing, by Executive, and all other information as above set out; and, be it further

Resolved, That all information received from the Secretary of State, in respect hereto, be published daily in the Senate Journal.

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

The resolution was adopted.

Senate Bill 424 on First Reading

The following local bill was introduced at this time and was read and referred to the committee indicated.

By Senator Smith:

S. B. No. 424, A bill to be entitled "An Act creating a special road law for Fisher County, Texas; authorizing the commissioners' court to issue funding or refunding bonds or warrants in lieu of certain outstanding warrants; prescribing the method of issuing the same; making it the duty of the commissioners' court to levy a tax sufficient to pay principal and interest as they mature and accrue; making the General Laws pertaining to roads and bridges applicable to Fisher County, Texas, and providing that the provisions of this Act shall be effective in case of conflict with any General or Special Law; repealing all laws in conflict with the provisions hereof; providing that if any portion of this Act shall be held invalid, such holding shall not affect the other portions hereof; enacting other provisions relating to the subject; and declaring an emergency."

To Committee on Highways and Motor Traffic.

Senate Bill 425 on First Reading

Senator Smith 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—28

Aikin  Loving
Beck  Martin
Brownlee  Mauritz
Chadick  Metcalf
Cotten  Moffett
Fain  Moore
Formby  Ramsey
Graves  Shivers
Hazlewood  Smith
Hill  Stone
Isbell  Van Zandt
Kelley  Vick
Lanham  Weinert
Lemans  Winfield

Absent—Excused

Spears  York
Sulak

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

By Senator Smith:

S. B. No. 425, A bill to be entitled "An Act relating to the acquisition of real and personal property by conservation and reclamation districts and authorities established under Article 16, Section 59a of the Constitution to which State ad valorem taxes have been granted for a period of years; enacting provisions relating to the subject, authorizing such districts to condemn property necessary in the construction and/or operation of its dams, reservoirs, or other properties; authorizing condemnation suits in the district court and prescribing the procedure therefor; providing for a hearing if possession of the property is desired immediately by said district, for notice to the owners of such hearing, and for the entering of an interlocutory order by the court under which the value of the property is found, and for the right of immediate possession by the district upon depositing an amount of money equal to the value of the property as found..."
by the court; providing that this Act be cumulative, that the invalidity of any provision of the Act shall not affect the remainder; and declaring an emergency."

House Bill 442 on Final Passage:

Senator Winfield moved to reconsider the vote by which H. B. No. 442 was passed on yesterday.

The motion prevailed.

The President then laid before the Senate on its final passage:

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; etc."

Senator Winfield offered the following amendment to the bill:

Amend the printed copy of H. B. No. 442 as follows:

- In line 50 by striking out the date "January 2, 1940," and inserting in lieu thereof the date "January 15, 1940."
- In line 54 by striking out the date "January 2, 1940," and inserting in lieu thereof the date "April 15, 1940."
- In line 59 by striking out the date "February 29, 1940," and inserting in lieu thereof the date "February 20, 1940."

The amendment was adopted.

The bill was then passed by the following vote:

Yeas-28

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

Absent—Excused

- Spears
- Sulak
- York

Report of Conference Committee on Senate Bill 43:

Senator Metcalfe submitted the following report of the Conference Committee on S. B. No. 43:

Committee Room,
Austin, Texas,
April 9, 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 Senate and the House on Senate Bill No. 43, have had the same under consideration, and beg leave to report it back to the Senate and House with the recommendation that said bill be adopted in the form hereto attached.

Respectfully submitted,

METCALFE,
MAURITZ,
KELLEY,
SHIVERS,

On the Part of the Senate;

ALSUP,
LUCAS,
LITTLE,
GILMER,

On the Part of the House.

S. B. No. 43, A bill to be entitled "An Act to amend sub-section (1) of Section 1, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, as amended by Section 1, Chapter 23, Acts 1929, Forty-first Legislature, Fifth Called Session, defining 'Commercial Motor Vehicle'; amending Section 1, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, as amended by Section 1, Chapter 23, Acts 1929, Forty-first Legislature, Fifth Called Session, by adding a new sub-section defining 'implements of husbandry'; amending Section 2, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, as amended by Section 2, Chapter 23, Acts 1929, Forty-first Legislature, Fifth Called Session, by providing for the annual registration of motor vehicles, trailers and semitrailers, and providing that where the highway separates lands under the dominion or control of one owner, the operation of motor vehicles by such owner across such highway, shall not constitute the use of the public highways, and providing farm tractors,
Be It Enacted by the Legislature of the State of Texas:

Section 1. That sub-section (i) of Section 1, of Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, as amended by Section 1, Chapter 23, Acts 1929, Forty-first Legislature, Fifth Called Session, be amended so as to hereafter read as follows:

"(i) 'Commercial motor vehicle' means any motor vehicle, other than a motorcycle or passenger car, designed or used primarily for the transportation of property, including any passenger car which has been reconstructed so as to be used, and which is being used, primarily for delivery purposes, with the exception of passenger cars used in the delivery of the United States Mails."

Sec. 2. That Section 1 of Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, as amended by Section 1, Chapter 23, Acts 1929, Forty-first Legislature, Fifth Called Session, be amended by adding a new sub-section after sub-section (q) thereof to be designated as sub-section (r) thereof as follows:

"(r) the total gross weight for which such commercial motor vehicle to carry in such vehicle a copy of the license receipt issued by the tax collector showing the total gross weight for which such vehicle is registered, providing that such license receipt shall be admissible in evidence, and providing a penalty; providing authority for certain adjustments and corrections to be made by county tax assessors-collectors of motor vehicle registration fees after approval by the State Highway Department; authorizing the State Highway Department to enter into reciprocal agreements with duly authorized officials of other states relating to registration of motor vehicles of non-residents of Texas, and providing a penalty for violations thereof; repealing all laws in conflict herewith; providing that if any Section, sub-section, phrase, clause, sentence hereof shall be held invalid, the same shall not affect the remaining portions or provisions of this Act and that the Legislature would have passed this Act without such portion that might be held invalid; and declaring an emergency."
(r), and which shall hereafter read as follows:

"(r) ' Implements of husbandry' shall mean farm implements, machinery, and tools used in tilling the soil, but shall not include any passenger car or truck."

Sec. 3. That Section 2, Chapter 23, Acts 1929, Forty-first Legislature, Second Called Session, as amended by Section 2, Chapter 28, Acts 1929, Forty-first Legislature, Fifth Called Session, be and the same is hereby amended so as to hereafter read as follows:

"Sec. 2. Every owner of a motor vehicle, trailer or semi-trailer used or to be used upon the public highways of this State shall apply each year to the State Highway Department through the county tax collector of the county in which he resides for the registration of each such vehicle owned or controlled by him for the ensuing or current calendar year or unexpired portion thereof; provided that where a public highway separates lands under the dominion or control of the owner, the operation of a motor vehicle by such owner, his agents or employees, across such highway shall not constitute a use of such motor vehicle upon a public highway of this State. Owners of farm tractors, farm trailers, farm semi-trailers, and implements of husbandry, operated or moved temporarily upon the highways shall not be required to register such farm tractors, farm trailers, farm semi-trailers, or implements of husbandry, provided, however, that such farm trailers and farm semi-trailers are operated in conformity to all provisions of the law save and except the requirements as to registration and license and providing further, that the exemptions in this Section shall not apply to any farm trailer or farm semi-trailer when the gross weight exceeds four thousand (4,000) pounds; provided, that no farm trailer or farm semi-trailer with metal tires shall be permitted to operate at a speed in excess of fifteen (15) miles per hour and further provided, that the exemptions in this Section shall not apply to any farm trailer or farm semi-trailer with steel tires of a width less than three (3) inches operating in excess of fifteen (15) miles per hour, and providing further, that the exemption in this Section shall not apply to any farm trailer or farm semi-trailer when the same is used for hire, provided, however, it shall be unlawful to operate any trailer or semi-trailer at night without a rear red light or red reflectors."

Sec. 4. Amend Acts 1929, Forty-first Legislature, Second Called Session, page 172, Chapter 85, Section 6a, as added Acts 1933, Forty-third Legislature, First Called Session, page 72, Chapter 27, Section 1, as amended Acts 1934, Forty-third Legislature, Third Called Session, page 75, Chapter 36, Section 1, so as to hereafter read as follows:

"Sec. 6a. When a commercial motor vehicle sought to be registered and used by the owner thereof in the transportation of his own poultry, dairy, livestock, livestock products, timber in its natural state, and farm products to market, or to other points for sale or processing, or the transportation by the owner thereof of laborers from their place of residence, and materials, tools, equipment, and supplies, without charge, from the place of purchase or storage, to his own farm or ranch, exclusively for his own use or use on such farm or ranch the registration license fee, for the weight classifications herein mentioned, shall be fifty per cent (50%) of the registration fee prescribed for weight classifications in Section 6 of the Act hereby amended, as amended in this Act; provided further, that it shall be the duty of the Highway Commission to provide license plates distinguishable from license plates used for other commercial motor vehicles using the highways; provided further, if the owner of any commercial motor vehicle, coming within the provisions of this Act, shall use or permit to be used any such vehicle for any other purpose than those provided for in this Act, he shall be guilty of a misdemeanor, and upon conviction, shall be fined in any sum not less than Twenty-five ($25.00) Dollars nor more than Two Hundred ($200.00) Dollars, and each use of such vehicle and each permission for such use of such vehicle shall constitute a separate offense; provided, however, that all commercial motor vehicles, truck-tractors, road tractors, trailers and semi-trailers as defined in Section 1 of Chapter 23 of the General Laws of the Fifth Called Session of the Forty-first Legislature, not coming within the provisions of this Act shall be required to pay all registration and license fees prescribed.
by the other provisions of Chapter 88, General Laws of the Forty-first Legislature, Second Called Session as amended by this Act."

Sec. 5. Section 6, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, be amended so as to hereafter read as follows:

"Section 6. The annual license fee for the registration of a commercial motor vehicle or truck-tractor shall be based upon the gross weight and tire equipment of the vehicle as follows:

<table>
<thead>
<tr>
<th>Gross Weight in Pounds</th>
<th>Fee per 100 Pounds or Fraction Thereof</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Equipped Pneumatic Tires</td>
</tr>
<tr>
<td>1- 6,000</td>
<td>$0.40</td>
</tr>
<tr>
<td>6,001- 8,000</td>
<td>0.45</td>
</tr>
<tr>
<td>8,001-10,000</td>
<td>0.55</td>
</tr>
<tr>
<td>10,001-17,000</td>
<td>0.65</td>
</tr>
<tr>
<td>17,001-24,000</td>
<td>0.70</td>
</tr>
<tr>
<td>24,001-31,000</td>
<td>0.80</td>
</tr>
<tr>
<td>31,001-and up</td>
<td>0.90</td>
</tr>
</tbody>
</table>

"The term 'gross weight' as used in this Section shall mean the actual weight of the vehicle fully equipped with body, and other equipment, as certified by any official public weigher or any license and weight inspector of the State Highway Department, plus its net carrying capacity. 'Net carrying capacity' of any vehicle except a bus as used in this Section shall be the weight of the heaviest net load to be carried on the vehicle being registered; provided said net carrying capacity shall in no case be less than the manufacturer's rated carrying capacity. The 'net carrying capacity' of a bus as defined in this Act shall be computed by multiplying its seating capacity by 150 pounds. The seating capacity of any such vehicle shall be the manufacturer's rated seating capacity exclusive of the driver's or operator's seat. The seating capacity of any such vehicle not rated by the manufacturer shall be determined by allowing one passenger for each sixteen (16) inches that such vehicle shall seat, exclusive of the driver's or operator's seat."

Sec. 6. That Section 7, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, be amended so as to hereafter read as follows:

"Sec. 7. The annual license fee for the registration of a road tractor shall be based upon the weight of the tractors, as certified by any official public weigher or any license and weight inspector of the State Highway Department, as follows:

<table>
<thead>
<tr>
<th>Gross Weight in Pounds</th>
<th>Fee per 100 Pounds or Fraction Thereof</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Equipped Pneumatic Tires</td>
</tr>
<tr>
<td>1- 4,000</td>
<td>$1.25</td>
</tr>
<tr>
<td>4,001- 6,000</td>
<td>1.35</td>
</tr>
<tr>
<td>6,001- 8,000</td>
<td>1.40</td>
</tr>
<tr>
<td>8,001-10,000</td>
<td>1.50</td>
</tr>
<tr>
<td>16,001-24,000</td>
<td>2.00</td>
</tr>
<tr>
<td>24,001-28,000</td>
<td>2.50</td>
</tr>
<tr>
<td>28,001-and up</td>
<td>4.00</td>
</tr>
</tbody>
</table>
Sec. 9. Section 8b, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, be amended so as to hereafter read as follows:

"Sec. 8b. No motor vehicle shall be registered and licensed which has a total outside width, including any load thereon, of more than ninety-six (96) inches, except that the width of a farm tractor shall not exceed nine (9) feet, and excepting further, that the limitations as to size of vehicle shall not apply to implements of husbandry, and highway building and maintenance machinery temporarily propelled or moved upon the public highway."

Sec. 10. Amend Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, by adding a new Section thereto to be designated Section 8c and to read as follows:

"Sec. 8c. It is expressly provided that the license fees for all vehicles using or being propelled by diesel motors or engines shall be the fees provided above plus an additional ten (10%) per cent. It is further provided that the county tax collector, in issuing the license receipts for motor vehicles provided for in this Act, shall clearly indicate on the license receipt the type of motor by which the vehicle is propelled when such motor is powered by diesel fuel, butane gas, or any distillate other than gasoline."

Sec. 11. Article 6695, Revised Civil Statutes, 1925, the same being Section 8, Chapter 75, Acts 1923, Thirty-eighth Legislature, Regular Session, be amended so as to hereafter read as follows:

"Article 6695. If any person shall operate, or permit to be operated, any motor vehicle, licensed under this law, of a greater weight than stated in his declaration or application for license, he shall be guilty of a misdemeanor, and upon conviction, shall be fined in any sum not exceeding Two Hundred ($200.00) Dollars, and each use of such vehicle shall constitute a separate offense, and venue for prosecutions hereunder shall lie in any county in which any motor vehicle is operated with a greater gross weight than that stated in the declaration or application for a license for such motor vehicle."

Sec. 12. Section 5a, Chapter 282, Acts 1931, Forty-second Legislature, Regular Session, be amended so as to hereafter read as follows:

"Sec. 5a. Upon application for registration of any commercial motor vehicle, truck-tractor, trailer or semitrailer, the applicant shall deliver to the tax collector, or one of his duly authorized deputies, an affidavit, duly sworn to before an officer authorized to administer oaths, showing the weight of said vehicle, the maximum load to be transported thereon, and the total gross weight for which said vehicle is to be registered, which affidavit shall be kept on file by the collector. The license receipt issued to the applicant shall also show said total gross weight for which said vehicle is registered. A copy of said receipt shall be carried at all times on any such vehicle while same is upon the public highway.

The copy of the registration license receipt above required shall be admissible in evidence in any cause in which the gross registered weight of such vehicle is an issue, and shall be prima facie evidence of the gross weight for which such vehicle is registered. Such copy of the registration license receipt shall be displayed to any officer authorized to enforce this Act, upon request by such officer.

The driver, owner, operator, or other person operating or driving such vehicle, falling to comply with this provision of this Act, shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding Two Hundred ($200.00) Dollars.

Sec. 13. Each county tax assessor-collector shall and he is hereby authorized to correct and adjust registration fees collected by him for the 1941 registration year prior to the effective date of this Act so as to conform to the provisions of this Act; provided, however, that no such proposed correction or adjustment of fees shall be made by any county tax assessor-collector unless and until the proposed correction or adjustment of fees has first been submitted to and approved by the State Highway Department. It is provided further that the provisions of this Section shall not extend beyond the end of the 1941 registration year.

Sec. 14. (a) In addition to and regardless of the provisions of this Act, or any other Act relating to the operation of motor vehicles over the public highways of this State by nonresidents, the State Highway Department acting by and through the State
Highway Engineer is hereby authorized to enter into agreements with duly authorized officials of other states exempting the residents of such other states using the public highways of this State from the payment of registration fees for such periods or extensions of time as may be granted residents of Texas using the public highways of such other state.

(b) This Section shall be cumulative of all other laws on this subject, but in the event of a conflict between the provisions of this Section and any other Act on this subject, the provisions of this Section shall prevail.

(c) Any person owning or operating a vehicle not registered in this State in violation of the terms of any agreement made under this Section, or in the absence of any agreement, in violation of the applicable registration laws of this State, shall be guilty of a misdemeanor and upon conviction shall be fined any sum not exceeding Two Hundred ($200.00) Dollars.

Sec. 15. All laws or parts of laws in conflict with this Act, to the extent of such conflict, are hereby expressly repealed.

Sec. 16. If any Section, sub-section, phrase, clause, sentence or portion hereof shall for any reason be held invalid, the same shall not affect the remaining portions and provisions of this Act; and the Legislature hereby declares that it would have passed this Act without such portion that might be held invalid.

Sec. 17. The fact that the present law governing the amount or amounts to be collected for the registration of motor trucks using the highways of the State of Texas does not permit the registration of motor trucks to transport more than seven thousand (7,000) pounds net load, except under certain conditions; and the further fact, that the present law governing the amount or amounts to be collected for registration fees works a hardship on many individuals and an opportunity for violation of the law, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring the reading of bills on three several days in each House be dispensed with, and that this Act take effect from and after its passage, and it is so enacted.
The President then laid the bill before the Senate on its third reading and final passage.

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

Yeas—28

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

Absent—Excused

Spears
Sulak
York

Senate Bill 420 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 420 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

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

Absent—Excused

Spears
Sulak
York

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

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

Yeas—28

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

Absent—Excused

Spears
Sulak
York

House Concurrent Resolution 74

On motion of Senator Smith and by unanimous consent, the regular order of business was suspended, to
permit consideration of H. C. R. No. 74 at this time.

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

H. C. R. No. 74, Authorizing the State Highway Department of Texas to lend a quantity of discarded guard wire to several schools in Stephens County.

The resolution was read and was adopted.

Special Committee Appointed

The President appointed the following committee, as provided by S. R. No. 86, to attend the funeral of Senator Morris Sheppard: Senators Beck, Aikin, Hill, Isbell and Smith.

Signing of Bills

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

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 sub-section to be known as sub-section 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 (24,900), and not more than twenty-five thousand (25,000) inhabitants, according to the last Federal Census; and declaring an emergency.”

H. B. No. 504, A bill to be entitled “An Act amending H. B. No. 386, Forty-sixth Legislature, providing a closed season for taking game fish on Caddo Lake and all fresh waters of Harrison and Marion Counties; making certain exceptions; providing a suitable penalty for the violation of any portion of this Act; repealing all conflicting laws; and declaring an emergency.”

H. B. No. 555, A bill to be entitled “An Act to amend Article 1030 of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts 1931, Forty-second Legislature, Chapter 5, page 262; providing that a city poll tax shall not be required to vote in any election in this State except in city elections; and declaring an emergency.”

H. B. No. 733, A bill to be entitled “An Act creating the position of assignment clerk for all counties hav-
H. C. R. No. 67, Granting J. L. Kelley and wife permission to sue the State.

H. C. R. No. 68, Granting Dr. J. R. Nichols and wife permission to sue the State.

The House has adopted the Conference Committee report on H. C. R. No. 78, by a vote of 130 ayes, 1 no.

The House has concurred in Senate amendments to H. B. No. 442 by a vote of 129 yeas, 0 noes.

The House has adopted the Conference Committee report on S. B. No. 43, by a vote of 125 ayes, 16 noes.

Respectfully submitted,

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

Time Set for Executive Session

On motion of Senator Van Zandt, and by unanimous consent, the Senate agreed to hold an executive session today, immediately after disposition by the Senate of H. B. No. 76.

House Bill 76 on Passage to Third Reading

The Senate resumed consideration of H. B. No. 76 on its passage to third reading; with the following substitute amendment by Senator Moffett pending:

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

Senator Lovelady moved to table the substitute for the amendment.

Yea and nays were demanded, and the motion to table was lost by the following vote:

**Yeas—8**

Fain  
Hill  
Lovelady  
Martin  

**Nays—18**

Aikin  
Chadick  
Cotten  
Formby  
Graves  
Hazlewood  
Ishell  
Kelley  
Lanning  

Present—Not Voting

Brownlee

Senator Moffett offered the following amendment to the bill:

Amend H. B. No. 76 by adding a new Section No. 4 to read as follows (and renumbering the succeeding Sections):

"Sec. 4. The commissioners' courts are hereby empowered to appropriate all penalties, interest, charges or fees on delinquent county taxes that may be collected after the expiration of the remission period herein provided for, into any special county fund."

Senator Van Zandt raised a point of order against consideration of the amendment on the ground that the amendment is not germane to the bill.
The President sustained the point of order.

On motion of Senator Van Zandt, and by unanimous consent, the caption was ordered amended so as to conform to the body of the bill.

(President Pro Tempore Cotten in the Chair.)

Senator Hazlewood offered the following amendment to the bill:

Amend H. B. No. 76, by striking out the words "interest and" from line 57, page 1, Section 1; and by striking the words "interest and" from line 63, page 1, Section 1; and by striking the words "and interest" in line 15, page 2, Section 1; and by striking the words "interest and" in line 21, page 2, Section 2.

HAZLEWOOD, METCALFE.

Question—Shall the amendment be adopted?

Senator Moffett moved the previous question on passage to third reading of H. B. No. 76, and the motion was duly seconded.

The Senate refused to order the main question at this time by the following vote:

Yeas—8
Chadick
Graves
Isbell
Lemens

Nays—18
Aikin
Cotten
Fain
Formby
Hazlewood
Hill
Kelley
Lanning
Lemens
Loveland

Present—Not Voting
Brownlee
Beck
Spears
Sulak

Question then recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—15
Fain
Formby
Hazlewood
Isbell
Lanning
Lemens
Loveland
Martin

Nays—11
Mauritz
Metcalfe
Moore
Ramsey
Smith
Vick
Weinert
Winfield

Present—Not Voting
Aikin
Chadick
Cotten
Graves
Hill
Kelley

Absent
Moffett
Ramsey
Shivers
Van Zandt

Beck
Absent—Excused
Spears
York
Sulak

Question—Shall the amendment be adopted?
Absent—Excused
Spears       York
Sulak

On motion of Senator Moore, and by unanimous consent, the caption was ordered amended so as to conform to the body of the bill.

Question—Shall the bill be passed to third reading?
Yeas and nays were demanded, and the bill was passed to third reading by the following vote:

Yeas—19
Aikin          Lemens
Chadick        Martin
Cotten         Metcalfe
Fain           Moffett
Formby         Ramsey
Graves         Shivers
Hazlewood      Stone
Hill           Van Zandt
Kelley         Vick
Lanning

Nays—7
Isbell
Lovelady       Smith
Mauritz        Weinert
Moore

Present—Not Voting
Brownlee

Absent
Beck

Absent—Excused
Spears       York
Sulak

House Bill 76 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 76 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21
Aikin          Martin
Chadick        Mauritz
Cotten         Metcalfe
Fain           Moffett
Formby         Ramsey
Graves         Shivers
Hazlewood      Smith
Hill           Stone
Kelley         Van Zandt
Lanning
Lemens

Nays—5
Isbell
Lovelady       Weinert
Mauritz
Moore

Present—Not Voting
Brownlee

Absent
Beck

Absent—Excused
Spears       York
Sulak

Flowers to be Hung on Picture of Hon. Morris Sheppard

On motion of Senator Hill and by unanimous consent, the Secretary of the Senate was directed to have an appropriate wreath hung on the picture of Hon. Morris Sheppard in the front hall of the Capitol.
Executive Session

At 11:55 o'clock a.m. the President Pro Tempore announced that the hour previously set for an executive session had arrived.

(The President in the Chair.)

The Sergeant-at-Arms was directed 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 reported to the Journal Clerk that the following nominations of the Governor had been confirmed by the Senate:

To be State Highway Commissioner for a six year term beginning February 15, 1941, and expiring February 14, 1947:

Reuben Williams of Fort Worth, Tarrant County.

To be a Member of the Industrial Accident Board for a six year term expiring September 1, 1945:

T. B. Hill of Austin, Travis County.

The Secretary of the Senate further reported that the following nominations of the Governor had been rejected by the Senate:

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

W. O. Yarborough of Corpus Christi, Nueces County.

To be a Member of the Commission of Public Safety for a six year term expiring January 1, 1945:

Judge Edwin C. Lacy of Longview, Gregg County.

Reports of Standing Committees

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

Committee Room,
Austin, Texas,
April 10, 1941.

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

Sir: We, your Committee on Game and Fish, to whom was referred
H. B. No. 498,
Have had the same under consideration, and beg to report back with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Committee Room,
Austin, Texas,
April 10, 1941.

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

Sir: We, your Committee on Game and Fish, to whom was referred
H. B. No. 779,
Have had the same under consideration, and beg to report back with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Committee Room,
Austin, Texas,
April 10, 1941.

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

Sir: We, your Committee on Game and Fish, to whom was referred
H. B. No. 483,
Have had the same under consideration, and beg to report back with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Committee Room,
Austin, Texas,
April 10, 1941.

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

Sir: We, your Committee on Game and Fish, to whom was referred
H. B. No. 461,
Have had the same under consideration, and beg to report back with the recommendation that it do pass and be not printed.

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

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

H. B. No. 430,

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

SMITH, Chairman.

Committee Room, Austin, Texas, April 10, 1941.
Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred
H. B. No. 789,
Have had the same under consideration, and beg to report back with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Committee Room, Austin, Texas, April 10, 1941.

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

Sir: We, your Committee on Game and Fish, to whom was referred
H. B. No. 792,
Have had the same under consideration, and beg to report back with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Committee Room, Austin, Texas, April 10, 1941.

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

Sir: We, your Committee on Game and Fish, to whom was referred
H. B. No. 802,
Have had the same under consideration, and beg to report back with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Committee Room, Austin, Texas, April 10, 1941.

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

Sir: We, your Committee on Game and Fish, to whom was referred
H. B. No. 803,
Have had the same under consideration, and beg to report back with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Committee Room, Austin, Texas, April 10, 1941.

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

Sir: We, your Committee on Game and Fish, to whom was referred
H. B. No. 804,
Have had the same under consideration, and beg to report back with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Committee Room, Austin, Texas, April 10, 1941.

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

Sir: We, your Committee on Game and Fish, to whom was referred
H. B. No. 805,
Have had the same under consideration, and beg to report back with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Committee Room, Austin, Texas, April 10, 1941.

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

Austin, Texas,
March 12, 1941.

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

Sir: We, your Committee on Game and Fish, to whom was referred
H. B. No. 541,
Have had the same under consideration, and beg to report back with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Committee Room, Austin, Texas, April 10, 1941.

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

Austin, Texas,
March 12, 1941.
ploy attorneys residing in adjacent counties in the collection of delinquent taxes, and repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency and providing the Act shall take effect from and after its passage."

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

HILL, Chairman.

House Bill 493 on Second Reading

On motion of Senator Lanning, and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 493 at this time.

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

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, five hundred (12,500), 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; 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."

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

House Bill 493 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 493 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28
Aikin      Lovelady
Beck       Martin
Brownlee   Mauritz
Chadick    Metcalfe
Cotten     Moffett
Fain       Moore
Formby     Ramsey
Graves     Shivers
Hazlewood  Smith
Hill       Stone
Ishbell    Van Zandt
Kelley     Vick
Lanning    Weinert
Lemens     Winfield

Absent—Excused
Spears     York
Sulak

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

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

Yeas—28
Aikin      Lovelady
Beck       Martin
Brownlee   Mauritz
Chadick    Metcalfe
Cotten     Moffett
Fain       Moore
Formby     Ramsey
Graves     Shivers
Hazlewood  Smith
Hill       Stone
Ishbell    Van Zandt
Kelley     Vick
Lanning    Weinert
Lemens     Winfield

Absent—Excused
Spears     York
Sulak

House Bill 87 on Second Reading

On motion of Senator Kelley and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 87 at this time.

The President laid before the Senate on its second reading and passage to third reading:
H. B. No. 87, A bill to be entitled "An Act authorizing the qualified voters of any independent school district situated wholly within one county, and containing not less than ninety (90) square miles in area, and also having an assessed property value of not less than Thirty-five Million ($35,000,000.00) Dollars, to determine whether or not any such district shall levy a tax for maintenance and bond purposes, the maximum of which for both of such purposes shall not exceed One and 25/100 ($1.25) Dollars, on the One Hundred ($100.00) Dollars valuation in any one year; providing that said tax shall be authorized, levied, assessed, and collected under the provisions of the law applicable to independent school district taxes; validating elections heretofore held in any such district at which a tax for the amount and the purposes stated was authorized by the qualified voters voting on the proposition; . . . and declaring an emergency."

The bill was read second time.

Senator Kelley offered the following (committee) amendments to the bill:

(1)
Amend H. B. No. 87 by adding thereto a new Section to be known as Section 6a and reading as follows:

"Section 6a. Nothing in this Act shall in any manner affect, repeal, suspend or modify any part of S. B. No. 402, Acts of the Regular Session of the Thirty-eighth Legislature."

(2)
Amend the caption to H. B. No. 87 by adding in such caption immediately before the words, "declaring an emergency," the following words:

"providing that nothing in this Act shall in any manner affect, repeal, suspend or modify any part of S. B. No. 402, Acts of the Regular Session of the Thirty-eighth Legislature."

The amendments were adopted severally.

The bill was passed to third reading:

House Bill 87 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 87 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin  Lovelady
Beck    Martin
Brownlee  Maurit
Chadick  Metcalf
Cotten   Moffett
Fain    Moore
Formby  Ramsey
Graves   Shivers
Hazelwood  Smith
Hill    Stone
Isbell  Van Zandt
Kelley   Vick
Lanning  Weinert
Lemens  Winfield

Absent—Excused

Spears  York
Sulak

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

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

Yeas—28

Aikin  Lovelady
Beck    Martin
Brownlee  Maurit
Chadick  Metcalf
Cotten   Moffett
Fain    Moore
Formby  Ramsey
Graves   Shivers
Hazelwood  Smith
Hill    Stone
Isbell  Van Zandt
Kelley   Vick
Lanning  Weinert
Lemens  Winfield

Absent—Excused

Spears  York
Sulak
House Bill 256 on Second Reading

On motion of Senator Fain and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 256 at this time.

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

H. B. No. 256, A bill to be entitled "An Act to provide that the commissioners' court of any county in the State may abolish dormant road districts which have paid off and discharged all of the bonds issued and sold by said road district, or when an election in such created road district for issuance of bonds shall have failed, or when the bonds issued by such road district have been assumed and exchanged for county bonds under the compensation bond statutes, Chapter 16, page 23, General Laws, Thirty-ninth Legislature, First Called Session, 1926; and declaring an emergency."

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

House Bill 256 on Third Reading

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 256 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-28
Aikin
Beck
Brownlee
Chadick
Cotten
Fain
Formby
Graves
Hazlewood
Hill
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin
Mauritz
Metcalf
Moffett
Moore
Ramsey
Shivers
Smith
Stone
Van Zandt
Vick
Weinert
Winfield

Absent—Excused
Spears
Sulak
York

Senate Bill 418 on Second Reading

On motion of Senator Lovelady and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 418 at this time.

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

S. B. No. 418, A bill to be entitled "An Act, regulating the taking of minnows in Bosque County; providing a penalty for violation of this Act; repealing conflicting laws; and declaring an emergency."

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

Senate Bill 418 on Third Reading

Senator Lovelady moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 418 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-28
Aikin
Beck
Brownlee
Chadick
Cotten
Fain
Formby
Graves
Hazlewood
Hill
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin
Mauritz
Metcalf
Moffett
Moore
Ramsey
Shivers
Smith
Stone
Van Zandt
Vick
Weinert
Winfield

Absent—Excused
Spears
Sulak
York
Senate Bill 422 on Third Reading

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

The motion prevailed by the following vote:

Yeas—28
Aikin Lovelady
Beck Martin
Brownlee Mauritz
Chadick Metcalfe
Cotten Moffett
Fain Moore
Formby Ramsey
Graves Shivers
Hazlewood Smith
Hill Stone
Isbell Van Zandt
Kelley Vick
Lanning Weinert
Lemens Winfield

Absent—Excused
Spears York
Sulak

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

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

Yeas—28
Aikin Lovelady
Beck Martin
Brownlee Mauritz
Chadick Metcalfe
Cotten Moffett
Fain Moore
Formby Ramsey
Graves Shivers
Hazlewood Smith
Hill Stone
Isbell Van Zandt
Kelley Vick
Lanning Weinert
Lemens Winfield

Senate Bill 422 on Second Reading

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

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

S. B. No. 422, A bill to be entitled "An Act providing for the taking of channel or opelousas cat fish or any perch at any time by ordinary hook and line in the fresh waters of Bosque County, Texas; repealing all laws and parts of laws therewith to the extent of the conflict only; and declaring an emergency."

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

Senate Bill 422 on Second Reading

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

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

S. B. No. 422, A bill to be entitled "An Act providing for the taking of channel or opelousas cat fish or any perch at any time by ordinary hook and line in the fresh waters of Bosque County, Texas; repealing all laws and parts of laws therewith to the extent of the conflict only; and declaring an emergency."

The bill was read second time and was passed to engrossment.
On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 714 at this time.

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

H. B. No. 714, A bill to be entitled "An Act providing for a closed season for taking wild deer and wild turkey in the Counties of Red River, Lamar and Bowie for five years; providing a penalty; repealing conflicting laws; and declaring an emergency."

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

House Bill 714 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 714 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28
Aikin
Beck
Brownlee
Chadick
Cotten
Fin
Formby
Graves
Hazlewood
Hill
Isbell
Kelley
Lanning
Le mens
Lovelady
Martin
Mauritz
Metcalf
Moffett
Moore
Ramsey
Shivers
Smith
Stone
Van Zandt
Vick
Weinert
Winfield

Abstent—Excused
Spears
Sulak
York

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

Yeas—28
Aikin
Beck
Brownlee
Chadick
Cotten
Fin
Formby
Graves
Hazlewood
Hill
Isbell
Kelley
Lanning
Le mens
Lovelady
Martin
Mauritz
Metcalf
Moffett
Moore
Ramsey
Shivers
Smith
Stone
Van Zandt
Vick
Weinert
Winfield

House Bill 596 on Second Reading

On motion of Senator Brownlee and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 596 at this time.

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

H. B. No. 596, A bill to be entitled "An Act creating the County Court at Law of Travis County, Texas; defining the jurisdiction of said court; regulating practice therein; prescribing the terms of said court; providing for clerk and seal for said court and prescribing the duties of the sheriff and county attorney in relation to said court; limiting the jurisdiction of the County Court of Travis County; and providing for the transfer of cases pending and to be filed in the County Court of Travis County to the said court hereby created, and for appeals from inferior courts to the court hereby created, and for appeals from said court; creating the office of Judge of the County Court at Law of Travis County; providing for the appointment, election, removal, bond and salary of the judge of said court and prescribing his qualifications; providing for a special judge; providing for the disposition of fees; providing for a court reporter and transfer of juries; and declaring an emergency."

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

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

Yeas—28
Aikin
Beck
Brownlee
Chadick
Cotten
Fin
Formby
Graves
Hazlewood
Hill
Isbell
Kelley
Lanning
Le mens
Lovelady
Martin
Mauritz
Metcalf
Moffett
Moore
Ramsey
Shivers
Smith
Stone
Van Zandt
Vick
Weinert
Winfield

Abstent—Excused
Spears
Sulak
York

The bill was read second time and was passed to third reading.
House Bill 596 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 596 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

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

Absent—Excused

Spears
York
Sulak

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

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

Yeas—28

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

Absent—Excused

Spears
York
Sulak

House Bill 817 on Second Reading

On motion of Senator Mauritz and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 817 at this time.

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

H. B. No. 817, A bill to be entitled "An Act creating a special road law for De Witt 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 31st day of March, 1941; setting forth the method of said funding or refunding; validating all Acts of the commissioners’ court in issuing said scrip and time warrants; providing the General Laws of the State of Texas shall be applicable to De Witt 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."

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

House Bill 817 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 817 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

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

Absent—Excused

Spears
York
Sulak

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

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

Yeas—28

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

Absent—Excused
Spears  York
Sulak

Bills and Resolution Signed

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

H. B. No. 503, A bill to be entitled "An Act regulating the use of duck blinds in the waters of Harrison and Marion Counties, Texas; regulating the use thereof; providing license tax for the use of commercial blinds; and declaring an emergency."

S. B. No. 43, A bill to be entitled "An Act to amend Section 1, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session as amended by Section 1, Chapter 23, Acts 1929, Forty-first Legislature, Fifth Called Session, defining 'Commercial Motor Vehicle'; Section 6, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prescribing license fees for the registration of Commercial Motor Vehicles; Section 7, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prescribing license fees for the registration of road tractors; Section 8, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prescribing license fees for the registration of trailers or semi-trailers; Section 8A, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prescribing license fees for the registration of motor busses;

Section 8B, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prohibiting registration of commercial motor vehicles, size of which are illegal with certain exceptions; repealing all laws in conflict herewith; and declaring an emergency."

H. C. R. No. 51, Authorizing the Federal Life Insurance Company to sue the State of Texas.

Adjournment

Senator Weinert moved that the Senate adjourn until 10:00 o'clock a. m. Monday, April 14, 1941.

Record of Vote

Senator Aikin and Hill requested that they be recorded as voting "nay" on the motion to adjourn.

FIFTY-SECOND DAY

(Monday, April 14, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

On motion of Senator Aikin and by unanimous consent, the reading of the