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

Reports of Standing Committees

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

Committee Room, Austin, Texas, May 6, 1941.

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

Sir: We, your Committee on Banking, to whom was referred H. B. No. 880, A bill to be entitled "An Act providing for the preservation of bank examiners' reports and correspondence files and for the preservation of the books, records, and files of insolvent banks, and further providing for the destruction of such reports and correspondence and sale or destruction of such books, records, and files of insolvent banks; and declaring an emergency."

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.

WINFIELD, Chairman.

Committee Room, Austin, Texas, May 6, 1941.

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

Sir: We, your Committee on Banking, to whom was referred H. B. No. 876, A bill to be entitled "An Act repealing Article 500 of the Revised Civil Statutes of Texas, 1925; and declaring an emergency."

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.

WINFIELD, Chairman.

Committee Room, Austin, Texas, May 6, 1941.

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

Sir: We, your Committee on Banking, to whom was referred H. B. No. 879, A bill to be entitled "An Act to amend H. B. No. 546, Acts of the Fortieth Legislature, 1927, page 289, Chapter 202, providing for the amendment of the charter of corporations organized under the provisions of Title 16, of the Revised Civil Statutes of Texas, 1925, for the purpose of increasing or decreasing capital stock, to change name, to adopt trust powers and for any other lawful purpose, including the extension of time of corporate existence for a period of not exceeding fifty (50) years from the effective date of amendment; etc.; and declaring an emergency."

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.

WINFIELD, Chairman.

Committee Room, Austin, Texas, May 6, 1941.

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

Sir: We, your Committee on Banking, to whom was referred H. B. No. 877, A bill to be entitled "An Act repealing Article 501 of the Revised Civil Statutes of Texas, 1925; and declaring an emergency."

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.

WINFIELD, Chairman.

Committee Room, Austin, Texas, May 6, 1941.

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

Sir: We, your Committee on Banking, to whom was referred H. B. No. 878, A bill to be entitled "An Act amending Article 502 of the Revised Civil Statutes of Texas, 1925; etc.; and declaring an emergency."

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.

WINFIELD, Chairman.
Committee Room,  
Austin, Texas,  
May 6, 1941.

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

Sir: We, your Committee on Banking, to whom was referred  
H. B. No. 845, A bill to be entitled  
"An Act to amend Article 2465, Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-first Legislature, Regular Session, 1929, Chapter 17, page 46, Section 1, as amended by Acts of the Forty-first Legislature, Second Called Session, page 168, Chapter 85, Section 1, providing for books and records to be kept by credit unions, etc.; and declaring an emergency."

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.

WINFIELD, Chairman.

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

Austin, Texas,  
May 5, 1941.

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

Sir: We, your Committee on Finance, to whom was referred  
H. B. No. 594, A bill to be entitled  
"An Act making an appropriation out of the General Revenue of the State of Texas for the Secretary of State, for the purpose of compiling, editing, indexing, binding, and distributing the current laws; 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.

A: KIN, Chairman.

Austin, Texas,  
May 5, 1941.

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

Sir: We, your Committee on School and Public Welfare, to whom was referred  
S. B. No. 315, A bill to be entitled  
"An Act creating in the State of Texas a school of technical aeronautics and engineering to be known as 'Texas State School of Aeronautics and Engineering,' providing for the establishment thereof; 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.

A: KIN, Chairman.

Austin, Texas,  
May 5, 1941.

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

Sir: We, your Committee on Finance, to whom was referred  
H. B. No. 392, A bill to be entitled  
"An Act making an emergency supplemental appropriation for the sum of Seven Thousand Three Hundred and Seventy-five ($7,375) Dollars for certain divisions of the State Department of Education; 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.

A: KIN, Chairman.

Austin, Texas,  
May 5, 1941.

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

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred  
S. B. No. 446, A bill to be entitled  
"An Act repealing Article 1350, Revised Civil Statutes of Texas, 1925; amending Article 351 so as to make the penalty therein provided apply specifically to Articles 1348 and 1349, Revised Civil Statutes of Texas, 1925; amending Article 1351, Revised Civil Statutes and Article 213, Penal Code of Texas, to prohibit corporations, their officers, directors, stockholders, employees and agents acting in their behalf, from expending or promising to expend any money or thing of value in order to aid or hinder the nomination or election of any person to public office or to influence the vote on any question submitted to the voters; providing for an exception in elections directly affecting the granting, refusing, existence, or value of a franchise of a corporation
which has the right of eminent domain, and providing that in such elections, all means of publicity employed by such corporation shall be identified as pay for by it; providing for the filing of accounts of expenditures made in connection with such elections by corporations, persons, partnerships and associations, and limiting the amount thereof; providing penalties for corporations, their officers, directors, stockholders, employees and agents violating this Act and increased penalties and forfeiture of charter or permit of such corporation on second and subsequent violations; providing penalties for persons, partnerships and associations failing to make or falsely making required reports of expenditures in certain elections or exceeding authorized limits thereof; 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.

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

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

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

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 181, A bill to be entitled "An Act to amend Section 4, S. B. No. 28, Chapter 2, of the Acts of the Regular Session of the Forty-fourth Legislature, as amended by S. B. No. 485, Chapter 206, of the Acts of the Regular Session of the Forty-fifth Legislature, so as to extend the time of existence of the Special District Court of Rusk County, Texas; 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 Moffett, by unanimous consent, submitted at this time the following report:

Committee Room,
Austin, Texas,
May 6, 1941.

Hon. Coke R. Stevenson, President of the Senate.
Sir: We, your Committee on Agriculture, to whom was referred H. B. No. 663, A bill to be entitled "An Act to amend an Act for the promotion, protection, and development of the commercial potato growing industry of Texas, same being S. B. No. 158 of the Acts of the Second Called Session of the Forty-first Legislature, and being Article 117A of Title 4, Chapter 6, Vernon's Annotated Statutes of Texas, 1925, by amending Section 3 of said Act to make the provisions thereof applicable to 'commercial quantities' of potatoes and defining the term 'commercial quantities' as used therein; and declaring an emergency."

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

Moffett, Chairman.

Senate Bill 10 Tabled

On motion of Senator Metcalfe and by unanimous consent, S. B. No. 10 was tabled.

Senate Bill 7 Tabled

On motion of Senator Stone and by unanimous consent, S. B. No. 7 was tabled.

Senate Bill 40 Tabled

On motion of Senator Hazlewood and by unanimous consent, S. B. No. 40 was tabled.

Call of the Senate

Senator Stone moved a call of the Senate for the purpose of securing a quorum, and the call was duly seconded and ordered.

The Secretary was directed to call the roll and ascertain the names of Senators not present.

The roll was called, and eleven Senators, whose names were furnished the Sergeant-at-Arms, were absent.

The Sergeant-at-Arms was instructed to enforce the attendance of the absentees.

Subsequently, the following Senators appeared in the Senate Chamber and were announced present:

Senators Ramsey, Lovelady and Shivers.

A quorum was announced present.

Senate Bill 82 on Second Reading

On motion of Senator Stone 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. 82, A bill to be entitled "An Act to amend Section (d) of Article 4706, Revised Civil Statutes of 1925, as amended by H. B. No. 928, Acts of the Forty-sixth Legislature, Regular Session, page 394; and declaring an emergency."

The bill was read second time.

Senator Stone offered the following amendment to the bill:

Amend S. B. No. 82 by striking out all of the quoted sub-section (d) of Section 1, and insert in lieu thereof the following:

"(d) In the capital stock, bonds, debentures, bills of exchange or other commercial notes or bills and securities of any solvent dividend paying corporation which has not defaulted in the payment of any of its obligations for a period of five (5) years; provided that no such insurance company shall invest in its own stock, and provided that no such insurance company shall invest any of its funds in any stock on account of which the holders or owners thereof may, in any event, be or become liable to any assessment except for taxes, nor in the stock of any oil, manufacturing or mercantile corporation organized under the laws of this State unless such corporation has a net worth of not less than Two Hundred Fifty Thousand ($250,000) Dollars, provided that such corporation is solvent, dividend paying, and has not defaulted in the payment of any of its obliga-
tions for a period of five (5) years, nor in the stock of any oil, manufacturing or mercantile corporation not organized under the laws of this State unless such corporation has a capital stock of not less than Five Million ($5,000,000) Dollars and unless such corporation is solvent, dividend paying, and has not defaulted in the payment of any of its obligations for a period of five (5) years." And amend the caption accordingly.

The amendment was adopted.

The bill was then passed to engrossment.

Senate Bill 82 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 82 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22
Aikin  Lovelady
Beck  Mauritz
Brownlee  Metcalfe
Chadick  Moffett
Fain  Moore
Formby  Ramsey
Graves  Smith
Hazlewood  Vick
Isbell  Weinert
Lanning  Winfield

Absent
Kelley  Van Zandt
Martin  York
Shivers

Absent—Excused
Cotten  Spears
Hill  Sulak

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

Yeas—22
Aikin  Chadick
Beck  Fain
Brownlee  Formby
Graves  Moffett
Hazlewood  Moore
Isbell  Ramsey
Lanning  Smith
Lemens  Stone
Lovelady  Vick
Mauritz  Weinert
Metcalfe  Winfield

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

Senate Bill 294 on Second Reading

On motion of Senator Winfield and by unanimous consent the regular order of business was suspended, to permit consideration of S. B. No. 294 at this time.

The bill was read second time.
Senator Winfield offered the following (committee) amendments to the bill:

(1)
Amend S. B. No. 294, Section 2, by changing the final period to a semi-colon and adding the following: "but the limitations contained in this sentence shall not restrict the authority conferred by any of the provisions of Section 6 of the Bond and Warrant Law of 1931."

(2)
Amend the caption of S. B. No. 294 by inserting between the words "effective date hereof" and the words "enacting other provisions," the following: "containing a provision that said limitations shall not restrict authority conferred by Section 6 of the Bond and Warrant Law of 1931."

The (committee) amendments were adopted severally.

The bill was passed to engrossment.

Senate Bill 294 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 294 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Year—22
Aikin .......................... Lovelady
Beck ............................ Mauritz
Brownlee ........................ Metcalfe
Chadick ........................ Moffett
Fain ............................ Moore
Formby .......................... Ramsey
Graves ........................... Smith
Hazlewood ........................ Stone
Istell ............................ Vick
Lanning .......................... Weinert
Lemens .......................... Winfield

Absent
Kelley .......................... Van Zandt
Martin .......................... York
Shivers ...........................

Absent—Excused
Cotten ........................... Spears
Hill ............................... Sulak

Senate Bill 83 or Second Reading

On motion of Senator Mauritz and by unanimous consent the regular order of business was suspended, to permit consideration of S. B. No. 83 at this time.

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

S. B. No. 83, A bill to be entitled "An Act amending Article 3726, Revised Civil statute, 1925, as amended by H. B. No. 73, First Called Session, Forty-First Legislature, relating to the admission of recorded instruments without proof; providing that if the land to which the instrument pertains is situated within the county in which the suit is pending, the party desiring to offer in evidence recorded instruments, may do so, without producing the originals thereof and without accounting for his failure to produce such originals, by filing a list of such recorded instruments at least ten days before the trial, giving the volume and page wherein such instruments are recorded; providing that unless an affidavit is filed by the opposite party at least three days before the trial, stating that he believes such instruments of writing to be forged, then the party filing such lists of recorded instruments shall be entitled to read the same from the record; providing that a copy of a list of such recorded instruments shall be filed with the
clerk of the county at least three days before the trial of a case; providing that the county clerk shall on the day of the trial deliver, or cause to be delivered, the records so requested to the court in which the trial is pending, without charging for the use of such records; and declaring an emergency."

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

Senate Bill 83 on Third Reading

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

The motion prevailed by the following vote:

Yeas—26
Aikin  Beck  Brownlee  Chadick  Fain  Foxoby  Graves  Hazlewood  Isbell  Kelley  Lanning  Lemens  Lovelady

Absent
Van Zandt

Absent—Excused
Cotten  Hill  Sulak

The bill was read second time.

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

(1)

Amend S. B. No. 166 by striking out all below the enacting clause and insert in lieu thereof the following:


The bill was read second time.

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

On motion of Senator Lemens and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 166 at this time.

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


The bill was read second time.

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

Yeas—26
Aikin  Beck  Brownlee  Chadick  Fain  Formby  Graves  Hazlewood  Isbell  Kelley  Lanning  Lemens  Lovelady  Martin  Mauritz  Metcalfe  Moffett  Moore  Ramsey  Shivers  Smith  Stone  Vick  Weinert  Winfield

Absent
Van Zandt

Absent—Excused
Cotten  Hill  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—26

Absent
Van Zandt

Absent—Excused
Cotten  Hill  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:
It is hereby declared to be the law of the State of Texas, to authorize the suspending of the constitution of which is secured in whole or in part, by mortgage, deed of trust, or other valid first lien upon real estate situated in Texas, or where such ‘insured accounts’ are sued or insured by any lawful agency, created thereunder, all mortgages, bonds, debentures, notes, collateral trust certificates, or other such evidences of indebtedness, which have been or which may hereafter be issued by the Federal Home Loan Bank Board, or any Federal Home Loan Bank, or the Home Owners' Loan Corporation, or by the Federal Savings and Loan Insurance Corporation, or by the Reconstruction Finance Corporation, or by the Federal Farm Loan Board, or by any Federal Land Bank, or by any National Mortgage Association, or by any entity, corporation or agency, which has been or which may be created by or authorized by any Act, which has been enacted or which may hereafter be enacted, note, incorporated under the laws of Texas, or by any amendment thereto, which has for its purpose the relief of, refinancing of or assistance to owners of mortgaged or encumbered homes, farms, and other real estate, and the improvement or financing or the making of loans on any real property, shall hereafter be lawful investments for all fiduciary and trust funds in this State, and may be accepted as security for all public deposits where deposits of bonds or mortgages are authorized by law to be accepted. Such mortgages, bonds, debentures, notes, collateral trust certificates and other such evidences of indebtedness, insured accounts shall be lawful investments for all funds which may be lawfully invested by guardians, administrators, trustees, and receivers, for building and loan associations, savings departments of banks, incorporated under the laws of Texas, for banks, savings banks and trust companies, chartered under the laws of Texas, and all insurance companies of every kind and character, chartered and transacting business under the laws of Texas, where investments are required or permitted by the laws of this State; providing further that where such mortgages, bonds, debentures, notes, collateral trust certificates, and other such evidences of indebtedness are issued against and secured by promissory notes, or other obligations, the payment of which is secured in whole or in part, by mortgage, deed of trust, or other valid first lien upon real estate situated in Texas, or where such mortgages, bonds, debentures, notes, collateral trust certificates, or other such evidences of indebtedness are acquired, directly or indirectly, in exchange for or in substitution of notes, or other obligations, secured by mortgage, deed of trust, or other valid first lien upon real estate situated in Texas, or where such ‘insured accounts’ are sued or insured by any lawful agency, created thereunder, all mortgages, bonds, debentures, notes, collateral trust certificates, or other such evidences of indebtedness, which have been or which may hereafter be issued by the Federal Home Loan Bank Board, or any Federal Home Loan Bank, or the Home Owners' Loan Corporation, or by the Federal Savings and Loan Insurance Corporation, or by the Reconstruction Finance Corporation, or by the Federal Farm Loan Board, or by any Federal Land Bank, or by any National Mortgage Association, or by any entity, corporation or agency, which has been or which may be created by or authorized by any Act, which has been enacted or which may hereafter be enacted, note, incorporated under the laws of Texas, or by any amendment thereto, which has for its purpose the relief of, refinancing of or assistance to owners of mortgaged or encumbered homes, farms, and other real estate, and the improvement or financing or the making of loans on any real property, shall hereafter be lawful investments for all fiduciary and trust funds in this State, and may be accepted as security for all public deposits where deposits of bonds or mortgages are authorized by law to be accepted. Such mortgages, bonds, debentures, notes, collateral trust certificates and other such evidences of indebtedness, insured accounts shall be lawful investments for all funds which may be lawfully invested by guardians, administrators, trustees, and receivers, for building and loan associations, savings departments of banks, incorporated under the laws of Texas, for banks, savings banks and trust companies, chartered under the laws of Texas, and all insurance companies of every kind and character, chartered and transacting business under the laws of Texas, where investments are required or permitted by the laws of this State; providing further that where such mortgages, bonds, debentures, notes, collateral trust certificates, and other such evidences of indebtedness are issued against and secured by promissory notes, or other obligations, the payment of which is secured in whole or in part, by mortgage, deed of trust, or other valid first lien upon real estate situated in Texas, or where such mortgages, bonds, debentures, notes, collateral trust certificates, or other such evidences of indebtedness are issued, directly or indirectly, in exchange for or in substitution of notes, or other obligations, secured by mortgage, deed of trust, or other valid first lien upon real estate situated in Texas, or where such ‘insured accounts’ are issued by building and loan associations chartered under the laws of Texas or by Federal Savings and Loan Associations domiciled in Texas, then such mortgages, bonds, debentures, notes, collateral trust certificates or other such evidences of indebtedness, ‘insured accounts,’ so sued and so secured, or so acquired or insured, shall be regarded for investment purposes by insurance companies as ‘Texas Securities,’ within the meaning of the laws of Texas governing such investments.

The provisions of this Act shall be cumulative of all other provisions of the Civil Statutes of the State of Texas, affecting the investment of funds or moneys by fiduciaries, guardians, administrators, trustees and receivers, building and loan associations, savings departments of banks, incorporated and doing business under the laws of Texas, commercial banks, savings banks and trust companies, chartered and doing business under the laws of Texas, insurance companies of any kind and character, chartered and transacting business under the laws of Texas, and all corporate creatures, organized and doing business under the laws of Texas.

It is hereby declared to be the legislative intent to enact a separate provision of this Act independent of all other provisions, and the fact that any phrase, sentence, or clause of this Act shall be declared unconstitutional, shall in no event affect the validity of any of the provisions hereof.

Sec. 2. That H. B. No. 135, Chapter 31, page 90, Acts Regular Session of the Forty-fourth Legislature, be and the same is hereby repealed.

Sec. 3. The fact that certain provisions of H. B. No. 135, Chapter 31, page 90, Acts Regular Session of the Forty-fourth Legislature should be repealed; and further fact that the condition of the calendar of the two Houses is becoming crowded, creates an emergency and an imperative public necessity authorizing the suspension of the con-
stitutional rule requiring bills to be read on three several days in each House, and same is hereby suspended, and this Act shall be in force and in effect from and after its passage and it is so enacted.

Senator Lemens offered the following amendments, to the committee amendment:

(1)
Amend committee amendment No. 1 to S. B. No. 166, line 21, page 1 of the printed bill by inserting ahead of the word “That” in line 21, the following:

“Section 1.”

(2)
Amend committee amendment No. 1 to S. B. No. 166 by striking out of said amendment all of the first four lines of Section 1 and insert in lieu thereof, the following:

“Section 1. That Chapter 160, page 406, Acts Regular Session of the Forty-third Legislature, as amended by S. B. No. 99, Chapter 12, page 33, Acts Regular Session of the Forty-fourth Legislature, as amended by H. B. No. 135, Chapter 31, page 89, Acts Regular Session of the Forty-fourth Legislature, be and the same is hereby amended so that it shall hereafter read as follows:”

(3)
Amend committee amendment No. 1 to S. B. No. 166, by striking out of said amendment, Section 2, and renumbering Section 3 as Section 2.

The amendments to the committee amendment were adopted.

The (committee) amendment as amended was adopted.

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

Amend S. B. No. 166 by striking out all above the enacting clause and substitute in lieu thereof, the following:

“A BILL
To Be Entitled

The amendment was adopted.

The bill was then passed to engrossment.

Senate Bill 166 on Third Reading

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 166 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-27
Aikin    Mauritz
Beck     Metcalfe
Brownlee Moffett
Chadick  Moore
Fain     Ramsey
Formby   Shivers
Graves   Smith
Hazlewood Stone
Isbell   Vanzandt
Kelley   Vick
Lanning  Weinert
Lemens   Winfield
Lovelady York
Martin

Absent—Excused
Cotten    Spears
Hill      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-27
Aikin    Mauritz
Beck     Metcalfe
Brownlee Moffett
Chadick  Moore
Fain     Ramsey
Formby   Shivers
Graves   Smith
Hazlewood Stone
Isbell   Vanzandt
Kelley   Vick
Lanning  Weinert
Lemens   Winfield
Lovelady York
Martin

Absent—Excused
Cotten    Spears
Hill      Sulak
Senate Bill 430 on Second Reading

On motion of Senator Vick and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 430 at this time.

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

S. B. No. 430, A bill to be entitled "An Act to fix the venue for the prosecution of persons charged with committing the offense of libel, by inserting a new Article in Chapter 2, Title 4, Code of Criminal Procedure of Texas, to be numbered 198a, and repealing Article 211 of said Chapter 2, Title 4, Code of Criminal Procedure only insofar as the same relates to venue in the trial of persons charged with libel; and declaring an emergency."

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

Senate Bill 430 on Third Reading

Senator Vick moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 430 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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Signing of Resolution

The President signed in the presence of the Senate the following enrolled resolution:

H. C. R. No. 103, Inviting women leaders of organizations to address a joint session on May 7, 1941 at 11:00 o'clock a.m.

Leave of Absence Granted

On motion of Senator Aikin and by unanimous consent, Senator Lemens was granted leave of absence for the balance of this morning on account of illness.

Committee Substitute Senate Bill 33 on Passage to Engrossment

The Senate resumed consideration of the pending special order, same being C. S. S. B. No. 33, relating to the use of natural gas for the manufacture of carbon black, on its passage to engrossment.

(The Senator Smith in the Chair.)

Yeas and nays were demanded, and the bill was passed to engrossment by following vote:

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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:
Nays—9
Brownlee  Moffett
Chadick  Moore
Kelley  Ramsey
Lanning  Van Zandt
Mauritz

Absent
Shivers

Absent—Excused
Lemens  Spears

Paired

Senator Isbell (present), who would vote "yea" with Senator Hill (absent), who would vote "nay."

Senator Stone (present), who would vote "yea" with Senator Cotten (absent), who would vote "nay."

Senator Weinert (present), who would vote "nay" with Senator Sulak (absent), who would vote "yea."

Committee Substitute Senate Bill 33 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 33 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22
Aikin  Martin
Beck  Metcalfe
Brownlee  Moffett
Chadick  Ramsey
Fain  Shivers
Fornby  Smith
Graves  Stone
Hazlewood  Van Zandt
Isbell  Vick
Kelley  Winfield
Lovelady  York

Nays—4
Lanning  Moore
Mauritz  Weinert

Absent—Excused
Cotten  Spears
Hill  Sulak
Lemens

(President in the Chair.)

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—15
Aikin  Metcalfe
Beck  Shivers
Fain  Smith
Fornby  Van Zandt
Graves  Vick
Hazlewood  Winfield
Lovelady  York
Martin

Nays—8
Brownlee  Mauritz
Chadick  Moffett
Kelley  Moore
Lanning  Ramsey

Absent—Excused
Lemens  Spears

Paired

Senator Isbell (present), who would vote "yea" with Senator Hill (absent), who would vote "nay."

Senator Stone (present), who would vote "yea" with Senator Cotten (absent), who would vote "nay."

Senator Weinert (present), who would vote "nay" with Senator Sulak (absent), who would vote "yea."

Conference Committee on House Bill 364

Senator Van Zandt called up from the President’s table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 364.

Senator Van Zandt moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Van Zandt, Aikin, Kelley, Stone and Weinert.
Report of Conference Committee on Senate Bill 312

Senator Kelley submitted the following report:

Austin, Texas,
May 5, 1941.

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

Sirs: We, your Conference Committee, appointed to adjust the differences of S. B. No. 312, have adjusted the differences and recommend the passage of the attached bill.

KELLEY,
WINFIELD,
FORMBY,
BROWNLEE,
STONE,

On the part of the Senate;

CELAYA,
BENTON,
SMITH of Bastrop,
HALSEY,
MILLS,

On the part of the House.

S. B. No. 312, A bill to be entitled "An Act authorizing the commissioners' court in counties not embraced in a regularly constituted district attorney's district or criminal district attorney's district and wherein the State of Texas is represented in all criminal matters arising in such county by a county attorney to designate such office as the office of criminal district attorney of such county and to designate the incumbent thereof as the criminal district attorney of such county without in any wise affecting the duties, obligations, qualifications, elections, or emoluments pertaining to such office or the incumbent thereof; declaring the intent of this Act, providing this Act shall be cumulative of all other laws; and declaring an emergency."

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

Section 1. Certain County Attorneys designated Criminal District Attorney.

In any county in this State not embraced in or constituting either a criminal district attorney's district or a district attorney's district and wherein the duty of representing the State in all criminal matters arising in such county devolves upon the county attorney of such county, the commissioners' court thereof, upon petition of such county attorney, at any time during a non-election year, may by appropriate action spread upon the minutes of such commissioners' court, designate the office of county attorney in such county as the office of criminal district attorney of such county, and the incumbent of such office as the criminal district attorney of such county; and thereafter and until such time as such county shall be included within a regularly created and constituted district attorney's district or criminal district attorney's district, such office shall be designated as the office of criminal district attorney of such county, and the incumbent thereof shall be designated as the criminal district attorney of such county; providing that such change in the designation and appellation of such office and the incumbent thereof, as aforesaid, shall in no manner alter or affect either the previous election and qualifications of the incumbent thereof, nor shall the same thereafter alter or affect either the rights, duties, or emoluments of such office or the incumbent thereof; and providing further that in all elections thereafter held to fill such office and so long as the same shall be so designated, the said office shall be designated upon the ballot and in the election as the office of criminal district attorney of such county; and providing further that in the event any such county be thereafter embraced in or constitute a regularly created district attorney's district or criminal district attorney's district, the designation of county attorney shall be restored to such office unless the officer of county attorney be abolished in such county.

Sec. 2. Intent of Act.

It is not the intention of this Act to create any office of district attorney or any other constitutional office; but it is the intention of this Act merely to authorize a change in the name and appellation of the office of county attorney and the incumbent thereof in certain counties without otherwise changing or affecting the rights, duties, or emoluments either of such office or the incumbent thereof.

Sec. 3. Repeal.

This Act is not intended and shall not be considered or construed as repealing any law now in the statute books, except those in conflict there-
with; but it shall be cumulative thereof.

Sec. 4. Emergency.

The fact that there now exists in certain counties in this State a state of confusion as to the proper designation and appellation of the officer performing the duties of county and district attorney in such counties, which confusion arises by reason of change in the Federal Census in such counties, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage.

Senate Bill 455 on First Reading

Senator Van Zandt 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—27

Aikin, Mauritz
Beck, Mecalf
Brownlee, Moffett
Chadick, Moore
Fain, Ramsey
Fornby, Shivers
Graves, Smith
Hazlewood, Stone
Isbell, Van Zandt
Kelley, Vick
Lanning, Weinert
Lemons, Winfield
Lovelady, York
Martin

Absent—Excused

Cotten, Spears
Hill, Sulak

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

By Senator Van Zandt:

S. R. No. 455, A bill to be entitled "An Act authorizing the separation or divornment of public schools from municipal control in municipal school districts entirely surrounded by a county line common school district, pursuant to an election to be held for that purpose; defining the terms 'municipal district' and the term 'gov-

prescribing the method of procedure precedent to calling such election; providing that such election shall be held as nearly as possible in compliance with law with reference to regular city elections, and prescribing qualifications of voters of such election; prescribing form of ballot for such election; prescribing certain duties of the governing body of the city or town and board of education; or trustees of the municipal district in respect to declaring the result of such election; providing that if the proposition is defeated, no election for that purpose shall be ordered until after the expiration of one year from date of such election; providing that except as herein defined or limited, such school district, after separation from municipal control, shall have all the powers of common school districts, conferred by law; providing that nothing herein shall be construed as abrogating or repealing any existing bond tax; providing for the election of trustees of such school districts; providing that such school districts shall in all respects be subject to and conducted under laws regulating common school districts, providing that title to all school property shall immediately vest in the board of education or trustees of said common school districts; providing that all bonds and obligations of any such city or town, as a municipal school district, shall become obligations of debt for the common school district at the time of separation from municipal control, and it shall not be necessary to call an election for the assumption of such debt; providing that such newly created common school district may consolidate with a contiguous district when approved in separate elections and the district so annexed shall have representation on the board of trustees; providing that upon annexation each district shall remain liable on its bonds unless by separate election in each district the tax paying voters shall vote to assume proportionate parts of the bonds of each district; and declaring an emergency."

Senate Bill 456 on First Reading

Senator Aikin moved that Section 5 of Article 3 of the Constitution be suspended to permit his introducing a bill, the provisions of which be
The motion prevailed by the following vote:

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

By Senator Aikin:

S. B. No. 456, A bill to be entitled "An Act appropriating One Thousand ($1,000.00) Dollars for the Commission of Appeals to the Court of Criminal Appeals; and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

House Concurrent Resolution 119

The President laid before the Senate and had read (the resolution having been received from the Senate today):

H. C. R. No. 119, Providing for a joint session of the Legislature at 11:30 o'clock a.m. today to hear an address by Mr. H. R. Knickerbocker.

By unanimous consent, the resolution was considered immediately and was adopted.

Joint Session

At 11:30 o'clock a.m. the President announced the arrival of the hour for a joint session of the Legislature to hear an address by Mr. H. R. Knickerbocker, and requested the Senate to repair 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 on the Speaker's stand.

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

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

Mr. H. R. Knickerbocker was announced at the bar of the House, and was escorted to the speaker's stand by Representatives Taylor, Anderson, Burnaman, Gand; Huffman, Roberts, Sharpe, Smith of Bastrop and Daniel.
The Speaker of the House presented Lieutenant James E. Taylor, who presented Mr. H. R. Knickerbocker to the joint session.

Mr. Knickerbocker then addressed the joint session.

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

In the Senate

The President called the Senate to order at 12:15 o'clock p.m.

Recess

On motion of Senator Metcalfe, the Senate, at 12:20 o'clock p.m., took recess to 2:00 o'clock p.m. today.

Afternoon Session

The Senate met at 2:00 o'clock p.m., and was called to order by the President.

Senate Bill 163 on Passage to Engrossment

The Senate resumed consideration of pending business, same being S. B. No. 163, making an appropriation for junior colleges, on its passage to engrossment.

The bill was passed to engrossment.

Record of Votes

Senators Isbell and Vick asked to be recorded as voting "nay" on the passage of the bill to engrossment.

House Bill 335 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. 335 at this time.

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

H. B. No. 335, A bill to be entitled "An Act to amend Article 324 of the Revised Civil Statutes of 1925, as amended by H. B. No. 222, Chapter 254, of the Acts of the Regular Session of the Forty-first Legislature, and further amending Chapter 137, Section 1, Acts of the Regular Session of 1931, of the Forty-second Legislature; and declaring an emergency."

The bill was read second time.

Senator Kelley offered the following amendments to the bill:

(1)

Amend H. B. No. 335 as follows:

By striking out everything below the enacting clause and substituting in lieu thereof the following:

"Section 1. That Article 324 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 23 of the General Laws of the Regular Session of the Forty-first Legislature of Texas, as amended by H. B. No. 222, Chapter 254, Acts of the Regular Session of the Forty-first Legislature, and as further amended by Chapter 137, Section 1 of the General Laws of the Regular Session of the Forty-second Legislature, Acts of 1931, relating to the appointment of Assistant District Attorneys, be, and the same is hereby amended so as to hereafter read as follows:

"Article 324. In any judicial district in this State consisting of more than one county in which there is situated a city of not less than thirty-four thousand (34,000) inhabitants and not more than forty-four thousand (44,000) inhabitants, according to the last preceding Federal census, the District Attorney shall appoint one Assistant District Attorney, provided the District Attorney shall furnish data to the District Judge of his district that he is in need of an assistant and is himself unable to attend to all the duties required of him by law, and that it is necessary to the best interest of the State that an Assistant District Attorney be appointed. Said Assistant District Attorney so appointed shall be a qualified resident of the district in which said appointment is made and shall give bond and take the official oath. The said Assistant District Attorney shall be a qualified licensed attorney and shall have authority to perform all the acts and duties of the District Attorney under the laws of this State; said appointment shall be for such time as the District Attorney shall deem best in the enforcement of the law, not to be less than one month. Said Assistant District Attorney shall be paid by the Comptroller for the time of actual service rendered at the rate of Twenty-five Hundred ($2500.00) Dollars per annum. Said sum shall be paid upon certificates of the District Attorney of said district that said Assistant
District Attorney has performed his duties and is entitled to pay. The District Attorney of any such district at any time he deems said Assistant unnecessary, or finds that he is not attending to his duties as required by law, may remove said person from office by merely writing to said District Judge to that effect.

"Sec. 2. The fact that in some of the smaller districts where Assistant District Attorneys are authorized, more efficient assistance to the District Attorney may be had by the employment of a competent attorney who cannot be employed for the compensation fixed in such small districts, creates an emergency and an imperative public necessity which requires that the Constitutional Rule providing that all bills be read on three several days be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

(2)

Amend the bill by striking out all before the enacting clause and inserting the following:

A bill to be entitled "An Act to amend Article 324 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 23 of the General Laws of the Regular Session of the Fortieth Legislature of Texas, as amended by House Bill No. 222, Chapter 254, Acts of the Regular Session of the Forty-first Legislature, and as further amended by Chapter 137, Section 1 of the General Laws of the Regular Session of the Forty-second Legislature, Acts of 1931, relating to the appointment of assistant district attorneys in any judicial district in this State consisting of more than one county in which there is situated a city of not less than thirty-four thousand (34,000) nor more than forty-four thousand (44,000) people; and declaring an emergency."

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 335 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. 335 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<th>Yes</th>
<th>27</th>
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Absent — Excused

Cotten  Spears
Hill  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:

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Absent

Moore

Absent — Excused

Hill  Spears
Cotten  Sulak
Request to Take Up Senate Bill 426

Senator Winfield asked unanimous consent of the Senate to take up, on its second reading and passage to engrossment:

S. B. No. 426, A bill to be entitled "An Act to amend Section 2 of H. B. No. 160, Acts of the First Called Session of the Forty-first Legislature, Chapter 88, page 209, by authorizing any city or county to issue its general obligation bonds or warrants for the purpose of acquiring and improving land for airport purposes; providing that the authority given for the issuance of such bonds and the levy or collection of taxes in payment thereof shall be exercised in accordance with the provisions of Chapter 1, Title 22, Revised Civil Statutes, 1925; providing that no election shall be necessary to authorize the issuance of such warrants but the city or county shall comply with the provisions of Chapter 163, Acts of the Regular Session of the Forty-second Legislature with reference to notice of intention to issue such warrants, and the levy of taxes in payment thereof, and the right to referendum election therein specified shall apply; providing that this Act shall not repeal any existing law; enacting provisions incidental and relating to the subject and purpose of this Act; and declaring an emergency."

The bill was read second time.

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

Amend S. B. No. 335 by adding the following at the end of Section 1:

"Provided that the refund shall be made only subject to the audit and approval of the State Auditor."

Amend the caption accordingly.

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 335 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 335 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Akin    Beck    Brownlee    Chadick    Fain    Formby    Graves    Hazlewood    Isbell    Kelley    Lanning    Lemens    Lovelady    Martin    Mauritz    Moffett    Ramsey    Shivers    Smith    Stone    Van Zandt    Vick    Weinert    York

Absent—Excused

Cotten    Hill    Spears    Suiak

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—26

Akin    Beck    Brownlee    Chadick    Fain    Formby    Graves    Hazlewood    Isbell    Kelley    Lanning    Lemens    Lovelady    Martin    Mauritz    Metcalfe    Metcalfe    Moore    Vick    Weinert

Absent

Cotten    Hill
On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 284 at this time.

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

H. B. No. 284, A bill to be entitled "An Act appropriating Seven Million, Three Hundred Eighty-three Thousand and Ninety-four ($7,383,840.00) Dollars per year, or so much thereof as may be necessary, for the biennium beginning September 1, 1941, and ending August 31, 1943, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State; providing for the allotment and expenditure of public instruction by the State Superintendent of Public Instruction under the direction and advice of a Joint Legislative Advisory Committee; providing for the transfer of unexpended balances for the year ending August 31, 1942, to the appropriation for the year ending August 31, 1943; etc.; providing a saving clause; and declaring an emergency."

The bill was read second time.

Senator Aikin offered the following amendments to the bill:

(1) Amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Appropriation and Allocation.

1a. Texas Equalization Aid School Fund. For the purpose of promoting the equalization of educational opportunities afforded by the State of Texas to all children of scholastic age within the State as herein provided there is hereby created and established a special fund in the Treasury of the State of Texas, to be kept by the State Treasurer separate and apart from all other funds, and to be known as the 'Texas Equalization Aid School Fund' and for the purpose herein set out there is hereby appropriated out of such fund all amounts received and credited to said fund, or so much thereof as may be necessary for the biennium ending August 31, 1943, to be allocated and expended under the provisions of this Act by the State Superintendent of Public Instruction through the Director of Equalization in the State Department of Education.

1b. Appropriation. There is hereby appropriated to the Equalization Aid School Fund out of the General Revenue Fund of the State of Texas and/or from funds which would accrue to the General Revenue Fund of the State of Texas, the sum of Eight Million One Hundred Twenty Thousand Seven Hundred Seventy-five ($8,127,775.00) Dollars for the school year ending August 31, 1942, and Eight Million One Hundred Twenty Thousand Seven Hundred Seventy-five ($8,127,775.00) Dollars for the school year ending August 31, 1943. There is also hereby appropriated out of the General Revenue Fund for each year of the biennium the sum of One Hundred Ninety Five Thousand Five Hundred Twenty ($195,520.00) Dollars for administration of this Act as provided in Sections 7 and 8.

1c. Allocation. It is herein specifically provided that out of the money appropriated for the first school year of the biennium, the sum of Four Million One Hundred Seventy-three Thousand Eight Hundred Ninety ($4,173,890.00) Dollars is hereby set aside for Salary Aid; Eight Hundred Ninety-five Thousand Forty-five ($895,045.00) Dollars for High School Tuition, and Three Million Forty-three Thousand Eight Hundred Forty ($3,043,840.00) Dollars for Transportation Aid; and out of the money herein appropriated for the second school year of the biennium, the sum of Four Million One Hundred Seventy-three Thousand Eight Hundred Ninety ($4,173,890.00) Dollars is hereby set aside for Salary Aid; Eight Hundred Ninety-five Thousand Forty-five ($895,045.00) Dollars for High School Tuition, and Three Million Forty-three Thousand Eight Hundred Forty ($3,043,840.00) Dollars for Transportation Aid any unex-
pendex balance in the Texas Equalization Aid School Fund at the end of the first year of the biennium shall be added to the allocations for the succeeding year.

Sec. 2. Eligibility for Aid.

2a. Scholastic Population of the District. State Aid under the provisions of this Act shall be distributed in such a way as to assist all school districts of not fewer than twenty (20) net eligible scholastics for either the white or colored race provided such districts show a budgetary need for aid. Districts having less than an average of one (1) enumerated scholastic per square mile of either the white or colored race are exempt from this restriction and are eligible for only one teacher.

2b. Tax Levy. No school district shall be eligible to receive any type of aid under the provisions of this Act unless it shall be providing for the annual support of its schools by voting, levying and collecting for the current year a local maintenance school tax of not less than fifty cents (50c) on the One Hundred ($100.00) Dollars of property valuation in the entire district; and providing further, that the property valuations shall not be less than said property is valued for State and county purposes. All income from a maintenance tax in excess of the required fifty cents (50c) maintenance tax may be used at the discretion of the local school authorities of the district for any lawful school purpose. Any or all maintenance tax above fifty cents (50c) shall not be included in the calculation of need for aid. This Section does not apply to high school tuition nor transportation on such high school pupils who must be taught outside their district.

2c. Budget. The State Superintendent of Public Instruction is hereby authorized to formulate a budget as a basis for aid, which shall provide a maximum of One Thousand Three Hundred Twenty ($1,320.00) Dollars per classroom teacher per year for salary, plus not to exceed twenty (20%) per cent of said salary or salaries for all other current operating expenses other than transportation, and not to exceed One Hundred ($100.00) Dollars for each full time classroom teacher for administrative salaries. All types of aid under the provisions of this Act shall be based upon need as shown by the said approved budget.

2d. Average Daily Attendance. No school shall be granted aid under the provisions of this Act whose average daily attendance is less than sixty-five (65%) per cent of the minimum number of scholastics required for the teachers actually employed for either the white or the colored school. The provisions of this Act shall not apply to any school where there is any kind of epidemic of sickness that has resulted in a quarantine and such exemption may be allowed only when the facts are determined and certified to by the County or State Health Officer residing in the area affected.

Sec. 3. The Application for State Aid.

3a. The trustees of the districts authorized to apply for Aid under the provisions of this Act shall send to the State Superintendent of Public Instruction on forms provided by said authority a list of the teachers employed in the schools, showing the salary, experience, and training of each, together with an itemized statement of all anticipated receipts and budgeted expenditures, the length of term and such other information as may be required. The State Superintendent, subject to the provisions of this Act shall grant to the school such amount of Aid as will, with the State and County Available funds, together with all other funds including high school tuition, maintain the school for a term not to exceed nine (9) months for accredited schools and eight (8) months for schools not accredited. The application shall be sworn to by the local superintendent and county superintendent, and president and secretary of the board of trustees of each of the districts applying for aid. School districts accepting aid under the provisions of this Act, in the distribution of State and County Available School Funds and in all other funds as herein may be provided.

3b. Filing Date. All applications for any type of aid authorized herein shall be on file with the State Department of Education in Austin not later than October 1 of each year of the biennium.

Sec. 4. Salary Aid.

4a. Teacher-Pupil Load. State Aid under provisions of this Act shall be allotted upon the basis of the use of
one (1) teacher for any number of net scholastics from twenty (20) to thirty-seven (37) and one (1) additional teacher for each additional thirty (30) scholastics or fractional part thereof. Provided, however, transfers into the district shall not be counted for any purpose unless the students so transferred actually attend the school to which they have been transferred at least sixty-five (65%) per cent of the time and meet the other requirements of this bill. The basis for calculation shall be the net scholastic enumeration after transfers of either the white or colored race, including the transfers into the district and excluding the transfers out of the district, provided such transfers in are from districts eligible to receive aid under Section 2 of this Act, for the current year; and there shall be deducted all scholastics who have completed the course of study in their home school, as authorized by the County Board of Trustees and those whose grades are taught within the district from which they are transferred. Where unusual or extraordinary conditions cause an actual increase in enrollment, an adjustment as to the number of teachers may be made by the State Superintendent. A condition of unusual enrollment may be said to exist when and if the average daily attendance of a school reaches a point in excess of the net scholastics remaining in the district after transfer. Under no condition shall aid be granted for extra teachers until the average daily attendance has exceeded the net scholastics for a period of at least one month. Any district employing less teachers than the net scholastics would authorize may receive allotments for local expenses and salaries for not to exceed the full allotment of eligible teachers with the approval of the State Superintendent, provided no person actually employed receives more salary than the approved schedule, and provided further that such savings are to be used for needed school equipment, teaching supplies, or repairs.

4b. Salary Schedule and Length of Term. No part of the aid herein provided may be used for increasing the monthly salary of any teacher, except as herein authorized. The salary schedule shall be determined by the State Department of Education provided the salary for classroom teachers shall not be more than Thirteen Hundred Twenty ($1320.00) Dollars per year. This does not include State and Federal Subsidy for vocational teachers. An additional amount of not to exceed One Hundred ($100.00) Dollars for each eligible teacher employed may be added for salaries of principals and/or superintendent. Districts claiming more than Forty ($40.00) Dollars per teacher for such administrative salaries must operate an accredited school for nine months each year. All other districts may operate school for a term of eight months. All salaries may be paid in twelve (12) equal payments beginning with September 1 of each year. Salaries of superintendents and vocational teachers may begin on July 1 rather than September 1.

Sec. 5. Transportation Aid.

The County Superintendent and County School Boards of the several counties of this State subject to approval of the State Superintendent of Public Instruction are hereby authorized to set up the most economical system of Transportation possible for the purpose of transporting both grade and high school pupils from their districts, and within their districts. The county shall be regarded as the unit and the warrant made payable to the County Board Transportation Fund. The expense of such transportation shall be paid on the basis of budgetary need as shown by the approved cost of operating buses out of the funds herein allocated for Transportation Aid; not to exceed Two ($2.00) Dollars per pupil per month. Any balance shown in the regular budget in the application blank shall be deducted from the operating cost before applying the $2.00 rate. The amount per pupil shall be determined by budgeted approvals for operation of buses. Aid shall not be granted under any provisions of this Section unless the pupil so transported actually resides more than two and one-half (2½) miles from the home school of such pupil and is transported in an approved bus and over an approved route; provided further, that no transportation aid shall be paid to privately owned vehicles operated by parents where regular bus routes for the same race come within two and one-half (2½) miles of the homes of the pupils.
Sec. 6. High School Tuition.

6a. It is hereby expressly provided that a sufficient amount of funds allocated by this Act shall be used for the payment of high school tuition for not to exceed Seven Dollars and Fifty Cents ($7.50) per month for those scholastics whose grades are not taught in their home district. The tuition rate to be charged by the said receiving accredited high school shall be determined by the State Department of Education on the basis of said school's budget submitted for approval. Receiving schools not accepting said approved rate as the maximum amount to be charged pupils shall not be eligible to receive state high school tuition funds. In the event a receiving accredited high school receives Salary Aid, there shall be deducted from the salary aid grant of such school any amount of tuition to be collected from sending districts, and all such collections shall be included in the revenue section of the State Aid Application. In addition to the regular tuition, such revenue shall include the tuition to be received from high school pupils from non-accredited schools whose grades are taught at home, or those from districts with less than fifty cents (50c) local maintenance tax, and those from districts not applying for aid and not operating schools. In no event shall any salary aid school receive tuition aid in any amount which, together with the salary aid granted, would exceed the budgetary need as indicated by the approved State Aid Application. Provided further that in consolidated districts comprising nine hundred (900) square miles or more of territory the above limitations and restrictions shall not apply, but instead a straight tuition payment of Seven Dollars and Fifty Cents ($7.50) per month per pupil shall be paid on all high school pupils enumerated in the consolidated district and living within the present boundaries of any territory annexed or otherwise consolidated to the central receiving high school. And providing further that high school tuition of not to exceed Two Dollars and Fifty Cents ($2.50) per scholastic per month shall be granted for pupils in consolidated districts whose valuation is less than Fifteen Hundred ($1,500) Dollars per scholastic population, and whose budget shows a need therefor, and that maintains an affiliated high school of not less than sixteen (16) units.

6b. Application for Tuition Aid. It shall be the duty of the county superintendent to receive and check all high school tuition applications to determine the following facts: age of pupil, the district in which he was enumerated, the district in which he lives, the district in which he attends school, the grade in which the pupil is classified in the receiving district, the highest grade taught in the home district of the pupil, and the amount of time the pupil was in actual attendance at the receiving high school. When such application has been reviewed and checked as herein provided, same shall be properly certified to by such county superintendent, and the president and/or secretary of the school board of the receiving district of the pupil, before said application is transmitted to the Director of Equalization at Austin, Texas, for his inspection, rejection, modification, or approval, and no such application shall be considered by the Director of Equalization unless same has been duly deposited with him at Austin, Texas, within sixty (60) days after his request for same, and in no instance later than June 1 of the current school year.

Sec. 7. Duties of the State Superintendent of Public Instruction.

It shall be the duty of the State Superintendent of Public Instruction, and he is hereby authorized, to take such action and to make such rules and regulations not inconsistent with the terms of this Act as may be necessary to carry out the provisions and intentions of this Act, and for the best interest of the schools for whose benefit the funds are appropriated. It shall be the duty of the State Superintendent of Public Instruction to appoint the number of Deputy State Superintendents hereinafter authorized to make a thorough investigation in person, of the school plant, teaching staff, and financial condition of each school applying for aid; and no aid shall be given unless it can be shown that all provisions of this Act have been complied with and that such amount of aid is actually needed as shown by the approved budget. Provided, however, that no regulation of the State Superintendent, shall conflict with any provisions of this Act. Provided further, that the State Superintendent of Public Instruction shall
appoint not to exceed the following at the salary listed:

One (1) Director of Equalization, $3,600. per year.

One (1) Chief Supervisor of High Schools, $3,600. per year.

One (1) Supervisor of Elementary Education, $3,600. per year.

One (1) Supervisor of Public School Music, $3,600. per year.

One (1) Supervisor of Radio Education, $3,600. per year.

One (1) Supervisor of Health Education, $3,600. per year.

One (1) Executive Secretary of Equalization, $3,000. per year.

Twenty-four (24) Deputy State Superintendents, $3,000. each per year.

Two (2) Accountants, $2,400. each per year.

Two (2) Bookkeepers, $1,800. each per year.

One (1) Secretary to the Director, $1,500. per year.

Four (4) Stenographers, $1,350. each per year.

One (1) Porter, $720. per year.

And extra and seasonable help, the cost of which shall not exceed $2,400. per year.

There is also hereby appropriated for:

Postage and Wire Communication, $4,000. per year.

Traveling Expenses, $35,000. per year.

Printing, Stationery and Contingent, $4,000. per year.

Equipment and Machines, $1,500. per year.

The Twenty-four Deputy State Superintendents appointed hereunder shall reside in their respective supervisory districts. The salaries and traveling expenses of the herein named employees are hereby appropriated. No other salary nor expenditure for any employee not listed herein shall be paid from the appropriations of this Act. In the event the appropriations and allocations made herein are insufficient to pay the total of all applications showing need, the Director of Equalization shall reduce all applications pro rata so as to bring the aggregate of all applications approved within the appropriations and all allocations herein made, and in order to accomplish this, said Director shall reduce the authorized expenditures of all schools applying for Salary Aid pro rata; lower the tuition rate of all schools applying for Tuition pro rata; and decrease the Transportation Aid of each scholastic transported pro rata, so as to bring the total Salary Aid, Tuition Aid, and Transportation Aid within the allocations herein above set forth. Appeals from the decision of the State Superintendent shall be made to the State Board of Education in the same manner as all other appeals are made.

Sec. 8. Function of the Deputy State Superintendents.

The Deputy State Superintendents authorized under the provisions of this Act are hereby directed to visit all schools desiring aid under the provisions of this Act. Such inspection as required in Section 7 shall be finished and reports made to the Director of Equalization not later than January 31. Said Deputy State Superintendent shall advise with school officials concerning proper budgeting of their school funds. During the second semester of the year the Deputy State Superintendent shall again check to ascertain whether the standards are being maintained and the funds used as approved. All schools affected either directly or indirectly by this Act desiring to become accredited or affiliated by the State Department of Education shall make application upon a form to be furnished by the State Department of Education to the Deputy Superintendent in whose district the school is located. The Deputy State Superintendent shall make his recommendation to the State Superintendent of Public Instruction who shall approve or reject said application.

Sec. 9. Contract of the Entire District.

Upon the agreement of the Board of Trustees of the Districts concerned or on petition signed by a majority of the qualified voters of the sending district and subject to the approval of the county superintendent and State Superintendent, a district eligible for aid under the provisions of this Act which may be unable to maintain a satisfactory school may transfer its entire scholastic enrollment to a convenient accredited school of higher rank, and will be eligible for as much aid as said district was entitled to before contracting.
Sec. 10. Disbursements.

10a. Warrants for all money granted under the provisions of this Act shall be approved and transmitted by the State Superintendent of Public Instruction to treasurers of depositories of school districts to which aid is granted in the same manner as warrants for State apportionments are now transmitted. Initial payment of not more than fifty per cent (50%) of Salary Aid, Tuition Aid, and Transportation Aid may be made by the State Superintendent of Public Instruction after September 1 of each year of the biennium as soon as a basis for payment can be determined. Not later than January 31, of each year, the State inspection of all Equalization Aid Schools shall be completed. Final payment by warrant of the total amount allotted to any one school shall then be made not later than May 1, except high school tuition. Such final payments shall be made on a percentage basis so that each school approved for aid will receive the same proportion of aid.

10b. It shall be the duty of all treasurers of depositories to make annual itemized reports under oath to the State Superintendent of Public Instruction of the expenditures of all money granted under the provisions of this Act as herein directed not later than October 1 of each year. Districts receiving aid under the provisions of this Act shall issue warrants for not to exceed the amount approved in the budget and for the exact purpose as approved. All warrants issued against a fund shall be numbered and paid by the depository in the order issued.

Sec. 11. Counties Having No Governing School Board.

In counties which constitute a single school district and in which there is no governing body designated as the County School Board, the duties authorized in this Act to be performed by the County School Board are hereby conferred upon the existing governing bodies of such districts, and all aid shall be granted on the basis of need after proper budgeting, the same as herein provided.


The State Superintendent shall take into consideration in fixing allowances to school districts applying for aid, any loss sustained by such districts by reason of the location in said districts of University lands or Federal owned lands. It is expressly understood that any revenues received by said school districts by virtue of this Section must be included as revenue in the budget before calculating a budgetary need for such schools applying for aid.

Sec. 13. Penalty Provision.

Any district violating any of the provisions of this Act shall forfeit all rights to such aid and shall be disqualified to receive any aid of any nature under any Section of this Act for the current year. Should any school district which would otherwise be eligible to receive aid fail to use the funds for the exact purpose for which they were allocated in the approved budget, such school district becomes ineligible for further aid until such offense is corrected. The amount of money granted for each type of aid except high school tuition shall be set up as a separate account by the district receiving same and disbursements from said accounts shall be made only for the specified purpose for which such money was granted. It shall be unlawful for any county school superintendent or the superintendent of any common or independent school district, school teacher, county trustee, and/or district trustee, or any other person to use or promise to use, pay or promise to pay, any of the funds herein appropriated for the purpose of paying the salary and/or expense of any person or persons to maintain a lobby for any purpose.


All laws or parts of laws in conflict herewith are hereby repealed, and in the event any provision of this Act is declared unconstitutional or invalid by any court of competent jurisdiction, the remainder of this Act shall nevertheless remain in full force and effect.

Sec. 15. Emergency Clause.

The fact that many schools are in need of additional aid other than State per capita apportionment and local maintenance, and the public policy requires that proper provisions be made for the maintenance and support of the schools with as little delay as possible, and the further fact that considerable time is re-
quired in preparation for carrying out the terms of this Act, creates an emergency and an imperative public necessity that the Constitutional Rule, requiring bills to be read on three several days, be, and the same is hereby suspended, and that this Act shall take effect and be in force from and after September 1, 1941, and it is so enacted."

(2)
Amend the bill by striking out all before the enacting clause and inserting in lieu thereof the following:

A bill to be entitled

"An Act appropriating Eight Million, One Hundred Twelve Thousand, Seven Hundred and Seventy-five ($8,112,775.00) Dollars for the school year ending August 31, 1942, and Eight Million One Hundred Twelve Thousand, Seven Hundred Seventy-five ($8,112,775.00) Dollars for the school year ending August 31, 1943, or so much thereof as may be necessary for the purpose of promoting the equalization of educational opportunities afforded by the State of Texas to all children of scholastic age within the State; providing for the allotment for Salary Aid, Transportation Aid, and High School Tuition Aid, and appropriation for administrative expenses; providing for the expenditure of said funds by the State Superintendent of Public Instruction through the Director of Equalization in the Department of Education; attaching conditions, regulations, and limitations relative to the expenditure of such appropriation; providing certain requirements such as scholastic population of districts, tax levy, school budget, and average daily attendance; providing certain requirements of school districts concerning the application for aid, providing a maximum salary schedule and other current expenses based upon the teacher unit basis and the length of term; providing Two ($2.00) Dollars per pupil per month transportation aid for all pupils living more than two and one-half (2½) miles from school attended and transported in the approved transportation system, such transportation based upon budgetary need and upon a county unit basis; providing high school tuition for high school students whose grades are not taught at home and placing certain restrictions thereon; prescribing certain duties of the State Superintendent in re-
gards to the administration of the Act, including the appointment of the required authorized personnel, and providing for appeals from his decisions to the State Board of Education; prescribing the function of the Deputy State Superintendent as appointed; providing for the transfer by contract of one district to another at the option of the school trustees or a majority of the qualified voters of the district; placing restrictions on the disbursement of funds to the district and after the funds are received by such district, providing for counties having no governing school board; making provisions for school districts having University lands or Federal owned land within such district's boundaries placing penalties for failure to comply with the law on the part of the district; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Senator Aikin offered the following amendment to the amendment (1):

Amend H. B. No. 284 by inserting a new sentence at the end of Section 5 to read as follows:

"Provided that transportation aid at the rate of One ($1.00) Dollar per month per student transported two and one-half (1½) miles or more shall be paid to all school districts that contain nine hundred square miles or more of territory and that operate twenty-five (25) or more school buses and that levy a school tax of $1.50 on each One Hundred ($100.00) Dollars of valuation; provided further that this aid shall be paid regardless of all other provisions of this Act."

The amendment to the amendment was adopted.

Senator Aikin offered the following amendment to the amendment (1):

Amend substitute for H. B. No. 284 by inserting the following at the close of the sentence ending with the word "buses" in line 21, page 4 of printed substitute:

"Provided that all school districts containing one hundred (100) square miles of territory or more may receive Two ($2.00) Dollars per month per pupil as transportation aid when there is a need shown therefor as provided herein, and when same is recommended by the Director of Equalization and approved by the
Joint Legislative Advisory Committee.

MOFFETT, AIKIN.

The amendment to the amendment (1) was adopted.

Senator Aikin offered the following amendment to the amendment (1):

Amend H. B. No. 284, page 6, line 20 by inserting after the word "school," the following:

"And provided further that school districts, whose area does not exceed sixteen (16) square miles, which serve teacher training institutions as practice teaching laboratories shall also receive a straight tuition payment of Seven Dollars and Fifty Cents ($7.50) per month on all high school pupils enumerated in the district."

The amendment to the amendment (1) was adopted.

Senator Winfield offered the following amendment to the amendment (1):

Amend committee substitute of H. B. No. 284 by adding after the word "school" in Section 2, 2d, page 2, line 62, the following: "Provided this average daily attendance does not apply to school districts where there are parochial schools located."

The amendment to the amendment (1) was adopted.

Senator Winfield offered the following amendment to the amendment (1):

Amend committee substitute of H. B. No. 284 by striking out Section 12 and inserting a new Section in lieu thereof to read as follows:

"Section 12. In districts where there are located University lands, the State Superintendent shall allow such sum or sums of the monies allocated for salary aid which will replace the losses sustained by said location of University lands in the amount which such school districts could have received had such University lands been taxable for school purposes at the valuation assessed for school purposes regardless of need shown by the budget."

The amendment to the amendment (1) was adopted.

The motion prevailed by the following vote:

Yeas—26

Aikin Beck Brownlee Chadick Fain Formby Graves Hazlewood Isbell Kelley Lanning Lemens Lovelady Martin Mauritiz Metcalfe

Absent

Moore

Absent—Excused

Cotten Hill Spears Sulak

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

Yeas—26

Aikin Beck Brownlee Chadick Fain Formby Graves Hazlewood Isbell Kelley Lanning Lemens Lovelady Martin Mauritiz Metcalfe
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, May 6, 1941.

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

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

H. C. R. No. 114, Requesting the State Board of Control to investigate the matter of using paper manufactured from cotton which is purchased for State use.

H. C. R. No. 115, Requesting the serious consideration of the Under-Secretary of War and the Office of Production Management, Washington, D.C., as to the wonderful possibilities the Texas Panhandle offers for the erection and construction of munitions plants.

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

Senate Bill 305 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. 305 at this time.

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

S. B. No. 305, A bill to be entitled "An Act amending Article 5172, Revised Statutes of 1925, as amended by Acts 1929, Forty-first Legislature, First Called Session, page 217, Chapter 86, Section 1, so as to include therein women engaged in bona fide executive or managerial positions, who earn Thirty-five ($35.00) Dollars per week or more, exclusive of bonuses and commissions; and declaring an emergency."

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

Senate Bill 305 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. 305 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Absent
Moore

Absent—Excused

Cotten
Hill
Sulak

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

The bill was read third time and was passed.

Reference of House Concurrent Resolutions

The following resolutions, previously received from the House, were laid before the Senate, read, and referred to the committee indicated:

H. C. R. No. 114, to the Committee on Agriculture.
H. C. R. No. 115, to the Committee on Agriculture.

Signing of Resolutions

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

H. C. R. No. 10, Authorizing the Enrolling Clerk of the House of Rep-
resentatives to correct the caption of H. B. No. 247.

H. C. R. No. 119, Providing for a Joint Session of the House and Senate on May 6, 1941 at 11:30 o'clock a. m. for purpose of hearing H. R. Knickerbocker.

House Bill 124 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. 124 at this time.

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

H. B. No. 124, A bill to be entitled "An Act to amend Article 4629 of the Revised Civil Statutes of Texas, as amended, by striking out certain words therein; and providing for an emergency."

The bill was read second time.

Senator Kelley offered the following amendment to the bill:

Amend H. B. No. 124 by striking out all of Section 6 and inserting in lieu thereof the following:

"When either the husband or wife has become permanently and incurably insane; provided, however, that no divorce shall be granted unless such insane person shall have been duly and legally adjudged to be insane and confined in a public or private insane asylum or other institution for psychopathic patients of this State, or of a sister State, for at least five (5) years next preceding the commencement of the action for divorce, nor unless it shall appear to the court that such insanity is permanent and incurable; provided, however, that no costs shall be adjudged against an insane spouse in divorce action."

Amend the caption to conform.

The amendment was adopted.

The bill was passed to third reading.

Record of Vote

Senator Aikin asked to be recorded as voting "nay" on the passage of the bill.

Senate Bill 396 on Second Reading

On motion of Senator Isbell and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 396 at this time.

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

S. B. No. 396, A bill to be entitled "An Act amending Article 2789 of the Revised Civil Statutes of the State of Texas, relating to the refunding of bonds issued by any town or village incorporated for free school purposes only, or any common, independent, or consolidated common, or consolidated independent county line, or consolidated county line or rural high school district; and declaring an emergency."

The bill was passed to third reading.

Record of Vote

Senator Aikin asked to be recorded as voting "nay" on the passage of the bill.

Senate Bill 396 on Third Reading

On motion of Senator Isbell and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 396 at this time.

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

S. B. No. 396, A bill to be entitled "An Act amending Article 2789 of the Revised Civil Statutes of the State of Texas, relating to the refunding of bonds issued by any town or village incorporated for free school purposes only, or any common, independent, or consolidated common, or consolidated independent county line, or consolidated county line or rural high school district; and declaring an emergency."

The bill was passed to third reading.

Record of Vote

Senator Aikin asked to be recorded as voting "nay" on the passage of the bill.
Senator Lemens offered the following amendment to the bill:

Amend S. B. No. 396 by adding to line 32 after the word subdivision, the following:

“And the right is given the governing boards of said districts, and the State’s consent is hereby given, to refund the said unmatured bonds into bonds optional and payable on any interest paying date.”

LEMENS, FORMBY.

The amendment was adopted.

Senator Winfield offered the following amendment to the bill:

Amend S. B. No. 396, by adding at end of Section 1, the following:

“Provided that this Act shall apply only to bonds owned or held by the State Board of Education, and belonging to the Permanent School Funds.”

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 396 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 396 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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Senate Bill 163 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 163, making an appropriation for junior colleges, be placed on its third reading and final passage.

The motion prevailed by the following vote:

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

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<td>Cotten</td>
<td>Spears</td>
</tr>
<tr>
<td>Hill</td>
<td>Sulak</td>
</tr>
</tbody>
</table>

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

Record of Votes

Senators Vick, Graves, Isbell and Weinert asked to be recorded as voting "nay" on the passage of the bill.

Senate Bill 403 on Second Reading

On motion of Senator Moffett and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 403 at this time.

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

S. B. No. 403. A bill to be entitled "An Act to declare a State policy regarding the activities of the various agricultural agencies of the State, especially as they affect cotton and cotton products, and the increased use and consumption of same; directing that the heads of the State's various agricultural agencies shall take due notice of said policy; providing for the establishment of a cotton research laboratory, and making an appropriation therefor; providing that the Board of Control may accept tracts of land, gifts, or grants; providing for construction to be under the Board of Control; providing for the location of said laboratories; providing for the employment of architects, engineers, experts, etc.; providing for the necessary expenses; providing for the Comptroller to pay warrants; providing rules and regulations shall allow for cooperation between cotton producing states; and declaring an emergency."

The bill was read second time.

Senator Moffett offered the following amendment to the bill:

Amend S. B. No. 403, page 1, by striking out all of Section 2, and inserting in lieu thereof the following:

"Section 2. The sum of Two Hundred and Fifty Thousand ($250,000) Dollars is hereby appropriated, out of any funds in the Treasury of the State of Texas, not otherwise appropriated, for the periods of time shown below, and for the purposes of establishing cotton research facilities in Texas, wherein new uses of cotton, cottonseed, and their products, the expansion of the present uses, and the development and expansion of new markets and outlets, may be sought out and discovered and made available, and such continuing biennial appropriations as may be deemed proper, are hereby specifically authorized. The sums of money appropriated herein shall be allocated and spent under the direction of a Cotton Research Committee, composed of the Presidents of the University of Texas, the Texas A. & M. College, and Texas Technological College, and in specific furtherance of the 'Declaration of Policy' set forth in this Act, subject only to such limitations as may otherwise be provided by law.

"It is contemplated that the Cotton Research Committee shall cause a careful survey to be made of the most effective way to spend the sums of money appropriated herein, in order that the purposes of this Act may be fully accomplished. The decision of the majority of the members of said Cotton Research Committee, as to the place or places where said research work shall be started and carried on, shall be final. This Act specifically authorizes the acceptance of grants or gifts from the United States Government, or from any private source, to supplement the herein mentioned appropriation. The Comptroller of Public Accounts of the State of Texas is authorized and directed to issue warrants against this appropriation upon requisition and claims presented and approved by a majority of the Cotton Research Committee established herein.

"The appropriations herein authorized shall be expended as follows:

<table>
<thead>
<tr>
<th>For the Year Ending</th>
<th>For the Year Ending</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 31, 1942</td>
<td>August 31, 1943</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>1942</th>
<th>1943</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchase of laboratory equipment, and the housing and maintenance of same</td>
<td>$100,000.00</td>
<td>$50,000.00</td>
</tr>
<tr>
<td>Salaries, none to exceed $6,500.00 per annum, and not more than two to exceed $5,000.00 per annum</td>
<td>40,000.00</td>
<td>40,000.00</td>
</tr>
<tr>
<td>Miscellaneous Supplies, Expenses and Equipment, as the Cotton Research Committee may direct</td>
<td>10,000.00</td>
<td>10,000.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$150,000.00</strong></td>
<td><strong>$100,000.00</strong></td>
</tr>
</tbody>
</table>
“Any unexpended balance of the above funds not used during the year ending August 31, 1942, is hereby appropriated for corresponding use in the following year.”

Amend the caption accordingly.
The amendment was adopted.
The bill was passed to engrossment.

Senate Bill 403 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 403 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Absent
Moore

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.

Senate Bill 336 on Second Reading

On motion of Senator Fain and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 336 at this time.

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

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.”

The bill was read second time.

Senator Fain offered the following amendment to the bill:

Amend S. B. No. 336 by adding after the word “of” in line 2, Section 1, page 1, the following: “not less than five nor more than . . .”

Amend the caption to conform.
The amendment was adopted.
The bill was passed to engrossment.

Senate Bill 336 on Third Reading

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 336 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Absent
Moore

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.

Senate Bill 431 on Second Reading

On motion of Senator Martin and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 431 at this time.

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

S. B. No. 431, A bill to be entitled "An Act relating to face-amount certificate companies and face-amount certificates as those terms are defined in the Act of Congress known as the Investment Company Act of 1940; and declaring an emergency."

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

**Senate Bill 431 on Third Reading**

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 431 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<tr>
<th>Yeas</th>
<th>26</th>
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</thead>
<tbody>
<tr>
<td>Aikin</td>
<td>Martin</td>
</tr>
<tr>
<td>Beck</td>
<td>Mauritz</td>
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<tr>
<td>Brownlee</td>
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<td>Chadick</td>
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<td>Fain</td>
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<td>Hazelwood</td>
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<td>Ishell</td>
<td>Van Zandt</td>
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<td>Lemens</td>
<td>Winfield</td>
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<tr>
<td>Lovelady</td>
<td>York</td>
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**Absent**

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<th>Moore</th>
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**Absent—Excused**

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<th>Cotten</th>
<th>Spears</th>
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<tbody>
<tr>
<td>Hill</td>
<td>Sulak</td>
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</tbody>
</table>

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

**Question—Shall the bill be passed?**

**Message from the House**

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

Hall of the House of Representatives, Austin, Texas, May 6, 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 resolution:

**H. C. R. No. 118, Providing a date for ceremony with the Daughters of the Confederacy for the purpose of presenting decorations to ex-soldiers.**

Respectfully submitted,

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

(Senator Kelley in the Chair.)

**Motion to Take up Senate Bill 159**

Senator Chadick moved that the regular order of business be suspended, to permit consideration of S. B. No. 159 at this time.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

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<th>Yeas</th>
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<tr>
<td>Aikin</td>
<td>Lovelady</td>
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<tr>
<td>Chadick</td>
<td>Metcalfe</td>
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<td>Formby</td>
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<td>Ishell</td>
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<td>Lanning</td>
<td>Smith</td>
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<tr>
<td>Lemens</td>
<td>Van Zandt</td>
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<table>
<thead>
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<th>Nays</th>
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<tr>
<td>Brownlee</td>
<td>Stone</td>
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<td>Kelley</td>
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<td>Martin</td>
<td>Winfield</td>
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<td>Mauritz</td>
<td>York</td>
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**Absent**

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<th>Beck</th>
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<td>Fain</td>
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<td>Graves</td>
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**Absent—Excused**

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<tr>
<th>Cotten</th>
<th>Spears</th>
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<tbody>
<tr>
<td>Hill</td>
<td>Sulak</td>
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**Senate Bill 431 on Final Passage**

The Senate resumed consideration of S. B. No. 431, on its final passage, the bill having been read third time on today.

The bill was passed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
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<td>Aikin</td>
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<td>Ramsey</td>
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<tr>
<td>Kelley</td>
<td>Shivers</td>
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</table>
On motion of Senator Smith and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 31 at this time.

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

H. B. No. 31, A bill to be entitled "An Act to provide that in all suits on account of the defalcation of, or misapplication or misappropriation of money by, any public officer in this State the official bond or bonds of such officers executed after this Act takes effect shall inure to the benefit of the persons aggrieved by such defalcation, misapplication, or misappropriation occurring during the period covered by such bonds, and that for all purposes of limitation such suits by such persons on such bonds shall be considered and treated as actions for debt founded upon a contract in writing and governed by the four-year Statute of Limitation."

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

House Bill 31 on Third Reading

Senator Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas—26

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

Senate Bill 457 on First Reading

Senator Van Zandt 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—26

Aikin                     Beck                     Brownlee
Chadick                   Fain                     Formby
Graves                    Hazlewood                Isbell
Kelley                    Lemens                   Lovelady
Martin                    Mauritz                  Moffett
Moore                     Ramsey                   Shivers
Smith                     Stone
Van Zandt
Vick
Winfield
York
The following bill then was introduced, read first time and referred to the Committee on Education:

By Senator Van Zandt:

S. B. No. 457, A bill to be entitled "An Act to amend Sections 1, 5, 6, 7, and 8 of S. B. No. 47, Acts Forty-fifth Legislature Regular Session, carrying into effect Section 46a of Article III of the Constitution of the State of Texas which established a Teacher Retirement System of Texas; by defining words and phrases used in the Act; providing for the creation, management and distribution of the Teacher Saving Fund, the State Membership Accumulation Fund, the Membership Annuity Reserve Fund, the Interest Fund, the Permanent Retirement Fund, the Expense Fund, and the Prior Service Annuity Reserve Fund of said system; providing for retirement of members and the method and manner of computing and paying retirement benefits and return of contributions; providing the method of financing said system; and declaring an emergency."

Senate Bill 458 on First Reading

Senator Aikin 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—27  
Aikin  Mauritz  
Beck  Metcalfe  
Brownlee  Moffett  
Chadick  Moore  
Fain  Ramsey  
Formby  Shivers  
Graves  Smith  
Hazlewood  Stone  
Isbell  Van Zandt  
Kelley  Vick  
Lanning  Weinert  
Lemens  Winfield  
Lovelady  York  
Martin  

Absent—Excused  
Cotten  Speares  
Hill  Sulak  

House Concurrent Resolution 118

The Presiding Officer laid before the Senate, and had read (the resolution having been received from the House today):

H. C. R. No. 118, Providing for ceremony at a joint session by the Daughters of Confederacy, to decorate ex-soldiers.

By unanimous consent, the resolution was considered immediately and was adopted.

Senate Bill 458 on First Reading

Senator Aikin 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—27  
Aikin  Brownlee  
Beck  Chadick  

Absent—Excused  
Cotten  Speares  
Hill  Sulak
The following bill then was introduced, read first time and referred to the Committee on Finance.

By Senator Aikin:
S. B. No. 459, A bill to be entitled "An Act making an emergency appropriation out of the General Fund of the State of Texas to the Secretary of State for the purpose of printing and mailing supplemental franchise tax forms; making same immediately available; providing for reversion of all unexpended funds on August 31, 1941; and declaring an emergency."

Senate Bill 283 on Second Reading

On motion of Senator Metcalfe and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 283 at this time.

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

S. B. No. 283, A bill to be entitled "An Act amending S. B. No. 113, Chapter 309, Acts of the Regular Session of the Forty-fifth Legislature [relating to certain disbursements from available school fund]; declaring the Act to be severable; and declaring an emergency."

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

Senate Bill 283 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 283 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-27
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Ishell
Kelley
Lanning
Lemens
Lovelady
Martin
Mauritz
Metcalf
Moffett
Moore
Ramsey
Shivers
Smith
Stone
Van Zandt
Vick
Weinert
Winfield
York

Absent-Excused
Cotten
Spears
Hill
Sulak

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

The bill was read third time.

Question—Shall the bill be passed?

(President in the Chair.)

Recess

On motion of Senator Moore, the Senate, at 4:10 o'clock p. m. took recess to 7:30 o'clock p. m. today.

Night Session

The Senate met at 7:30 o'clock p. m. to consider local and uncontested bills pursuant to the provisions of S. R. No. 63.

Committee Substitute Senate Bill 61 on Second Reading

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

C.S.S.B. No. 61, A bill to be entitled "An Act to amend Article 5139 of the Revised Civil Statutes of Texas of 1925; providing for the constituting the District Judges, Judges of the Criminal District Courts, and County Judges of certain counties juvenile boards for such counties; providing salaries for said judges of certain counties as members of said juvenile boards, and the manner of payment of same; repealing all laws in conflict herewith; and declaring an emergency."

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

Committee Substitute Senate Bill 61 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 61 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-27
Aikin
Formby
Beck
Graves
Brownlee
Hazlewood
Chadick
Ishell
Fain
Kelley
The bill was read second time and was passed to engrossment.

Senate Bill 288 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 288 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<td>Aikin</td>
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<td>Lemens</td>
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<tr>
<td>Lovelady</td>
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<tr>
<td>Martin</td>
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</tbody>
</table>

Absent—Excused

| Cotten |
| Hill   |
| Spears |
| 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:

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<th>Yeas-27</th>
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<td>Aikin</td>
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<td>Lemens</td>
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<td>Lovelady</td>
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<tr>
<td>Martin</td>
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</tbody>
</table>

Absent—Excused

| Cotten |
| Hill   |
| Spears |
| Sulak  |

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

<table>
<thead>
<tr>
<th>Yeas-27</th>
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<tbody>
<tr>
<td>Aikin</td>
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<tr>
<td>Martin</td>
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</tbody>
</table>

Absent—Excused

| Cotten |
| Hill   |
| Spears |
| Sulak  |

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

Senate Bill 288 on Second Reading

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

S. B. No. 288. A bill to be entitled "An Act providing that the commissioners' courts in counties of more than three hundred twenty-five thousand (325,000) and less than three hundred seventy-five thousand (375,000) inhabitants, according to the last preceding Federal Census, shall have the authority to direct, control, employ and discharge all building superintendents, telephone operators, elevator operators, janitors and all other employees necessary to the upkeep, maintenance and operation of the court houses in their counties, excepting jail guards, matrons and other employees directly engaged in the operation and maintenance of the jails and the safekeeping of prisoners in such counties, prescribing rules regarding such employees, and limitations upon the amount of salary to be paid, the method of employing and accounting, and the period for which such employment shall be made; and declaring an emergency."
Absent—Excused
Cotten     Spears
Hill       Sulak

Senate Bill 345 on Second Reading

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

S. B. No. 345, A bill to be entitled "An Act to provide for fees for constables whose precincts lie in counties having a population of more than three hundred twenty-five thousand (325,000) and less than three hundred ninety thousand (390,000) by the last preceding Federal census, and whose precincts lie in whole or in part in an incorporated city or town containing territorial limits of twenty-five (25) square miles or more, such fee to be the same as those now allowed to sheriffs, and providing for the payment thereof by the county on all criminal cases where the defendant is convicted or pleads guilty, and such defendant fails to pay his fine and lays his fine out in the county jail or discharges the same by means of working such fine out on the county roads or on any county project, and repealing Article 1055 of the Code of Criminal Procedure insofar as it applies to constables of justice precincts in counties having a population of more than three hundred twenty-five thousand (325,000) and less than three hundred ninety thousand (390,000) by the last preceding Federal census and whose precincts lie in whole or in part in an incorporated city or town containing territorial limits of twenty-five (25) square miles or more; and declaring an emergency."

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

Senate Bill 345 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 345 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Year—27
Aikin    Mauritz
Beck     Metcalfe
Brownlee Moffett
Chadick  Moore
Fain     Ramsey
Formby   Shivers
Graves   Smith
Hazlewood Stone
Isbell   Van Zandt
Kelley   Vick
Lanning  Weinert
Lemens  Winfield
Lovelady York
Martin

Absent—Excused
Cotten     Spears
Hill       Sulak

Senate Bill 346 on Second Reading

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

S. B. No. 346, A bill to be entitled "An Act authorizing commissioners' courts in counties of Texas, having a population of not less than three hundred twenty-five thousand (325,000) inhabitants and not more than three hundred fifty thousand (350,000) inhabitants, as shown by the Federal census of 1940, or any succeeding Federal census, to levy a direct tax of not more than twenty-five (25c) cents on the valuation of One Hundred ($100.00) Dollars on all property in said counties, for the purpose of erecting buildings and other improvements, and for equipping, maintaining and operating hos-
pitals in such counties, and for the
purpose of establishing, maintaining
and operating, with or without the
cooperation of the Government of
the United States of America, or
agencies of such government, shel­
ters, storerooms and workrooms, and
for supplying paraphernalia, ma­
terial and utilities for the unem­
ployed, indigent and destitute; pro­
viding for the direct relief of paup­
ers; providing that a proposition
authorizing the levy of such a tax be
submitted to the qualified tax pay­
ning voters of such county for
approval by a majority of such voters
at any regular or special election;
providing a saving clause; repealing
all other Acts, laws or parts of laws
in conflict herewith; and declaring
an emergency."

The bill was read second time.

Senator Moore offered the fol­
lowing amendment to the bill:

Amend S. B. No. 346, Section 4,
by changing the period (.) at the
end of such Section to a comma (,)
and by adding: "to the extent of
such conflict only," and by adding
the words, "to the extent of such
conflict only" after the words "in
conflict herewith," in the caption.

The amendment was adopted.

The bill was passed to engross­
ment.

Senate Bill 346 on Third Reading

Senator Graves moved that the
constitutional rule requiring bills to
be read on three several days be
suspended and that S. B. No. 346
be placed on its third reading and
final passage.

The motion prevailed by the fol­
lowing vote:

Yeas—27

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

Absent—Excused

| Cotten | Hill | Sulak |

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

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

Yeas—27

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

Absent—Excused

| Cotten | Hill | Sulak |

Senate Bill 421 on Second Reading

The President laid before the Sen­
ate on its second reading and pas­
sage to engrossment:

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 thou­
sand (74,000) inhabitants and not
more than eighty-three thousand
(83,000) inhabitants, according to the
last preceding Federal census; pro­
viding for the compensation of the
members of said boards; repealing
all laws and parts of laws in con­
flict with this Act; and declaring an
emergency."

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

Senate Bill 421 on Third Reading

Senator Stone moved that the con­
stitutional rule requiring bills to be
read on three several days be sus­
pended and that S. B. No. 421 be
placed on its third reading and final
passage.
The motion prevailed by the following vote:

**Yeas—27**

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

**Absent—Excused**

Cotten Spears
Hill 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—27**

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

**Absent—Excused**

Cotten Spears
Hill Sulak

Chapter 1, of Title 121 of the Revised Civil Statutes of Texas, of 1925, shall within six (6) months after this Act takes effect, have his mark and brand for such stock recorded at the office of the county clerk of said county; and providing that such owner shall so record such marks and brands whether heretofore recorded or not and that after the expiration of six (6) months from taking effect of this Act all records and marks and brands now in existence shall no longer have any force or effect and that after the expiration of six (6) months only the records made after this Act shall be effective and considered the recorded marks and brands in said county; and further providing that the county clerk of said county shall publish this Act in some newspaper in general circulation in the county for a period of thirty (30) days; and declaring an emergency.

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

**Senate Bill 429 on Third Reading**

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 429 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—27**

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

**Absent—Excused**

Cotten Spears
Hill Sulak

**Senate Bill 429 on Second Reading**

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

S. B. No. 429, A bill to be entitled "An Act relating to marks and brands of livestock in Victoria County only; amending Article 6899 of the Revised Civil Statutes of Texas, by adding thereto a new Section to be known as Article 6809d requiring that in said county each owner of any livestock mentioned in Chapter 1, of Title 121 of the Revised Civil Statutes of Texas, of 1925, shall within six (6) months after this Act takes effect, have his mark and brand for such stock recorded at the office of the county clerk of said county; and providing that such owner shall so record such marks and brands whether heretofore recorded or not and that after the expiration of six (6) months from taking effect of this Act all records and marks and brands now in existence shall no longer have any force or effect and that after the expiration of six (6) months only the records made after this Act shall be effective and considered the recorded marks and brands in said county; and further providing that the county clerk of said county shall publish this Act in some newspaper in general circulation in the county for a period of thirty (30) days; and declaring an emergency."
The bill was read third time and was passed by the following vote:

**Yeas—27**


Absent—Excused

Cotten  Hill  Spears  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—27**


Absent—Excused

Cotten  Hill  Spears  Sulak

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

S. B. No. 427, A bill to be entitled "An Act defining the jurisdiction of the County Court of Navarro County and diminishing its civil jurisdiction; providing that the District Court of Navarro County shall have jurisdiction in all civil matters over which by law the county court would have original jurisdiction; providing for the transfer of certain civil causes from the County Court to the District Court of Navarro County; providing the Act shall not affect judgments heretofore rendered by said county court in causes now transferred to the district court of said county; providing for the repeal of all laws in conflict therewith."

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

**Senate Bill 427 on Second Reading**

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

S. B. No. 427, A bill to be entitled "An Act defining the jurisdiction of the County Court of Navarro County and diminishing its civil jurisdiction; providing that the District Court of Navarro County shall have jurisdiction in all civil matters over which by law the county court would have original jurisdiction; providing for the transfer of certain civil causes from the County Court to the District Court of Navarro County; providing the Act shall not affect judgments heretofore rendered by said county court in causes now transferred to the district court of said county; providing for the repeal of all laws in conflict therewith."

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

**Senate Bill 427 on Third Reading**

Senator Vick moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 427 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—27**


Absent—Excused

Cotten  Hill  Spears  Sulak

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

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."

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

**Senate Bill 424 on Third Reading**

Senator Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 424 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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

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

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

"S. B. No. 415, f. bill to be entitled "An Act authorizing the commissioners' court in any county having a population of not less than twenty-seven thousand sixty-nine (27,069), and not more than twenty-seven thousand one hundred fifty (27,150), according to the last preceding Federal Census, to allow each county commissioner certain expenses for traveling, providing for the purchase of automobiles by the county for the use of the county commissioners on official business, providing for the method of purchase; and declaring an emergency."

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

**Senate Bill 415 on Third Reading**

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 415 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<td>Aikin</td>
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<tr>
<td>Hill</td>
<td>Metcalfe</td>
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</table>

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

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

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<td>Martin</td>
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</table>

Absent—Excused

<table>
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<tbody>
<tr>
<td>Hill</td>
<td>Metcalfe</td>
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</tbody>
</table>

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

"S. B. No. 415, f. bill to be entitled "An Act authorizing the commissioners' court in any county having a population of not less than twenty-seven thousand sixty-nine (27,069), and not more than twenty-seven thousand one hundred fifty (27,150), according to the last preceding Federal Census, to allow each county commissioner certain expenses for traveling, providing for the purchase of automobiles by the county for the use of the county commissioners on official business, providing for the method of purchase; and declaring an emergency."

The bill was read second time and was passed to engrossment.
Fain  Moffett  Van Zandt  
Formby  Moore  Vick  
Graves  Ramsey  Weinert  
Hazlewood  Shivers  Winfield  
Isbell  Smith  York  
Kelley  Stone  
Lanning  Van Zandt  
Lemens  Vick  
Lovelady  Weinert  
Martin  Winfield  
Mauritz  York  
Metcalfe  

Absent—Excused  
Cotten  Spears  
Hill  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—27
Aikin  Mauritz  
Beck  Metcalfe  
Brownlee  Moffett  
Chadick  Moore  
Fain  Ramsey  
Formby  Shivers  
Graves  Smith  
Hazlewood  Stone  
Isbell  Van Zandt  
Kelley  Vick  
Lanning  Weinert  
Lemens  Winfield  
Lovelady  York  
Martin  

Absent—Excused  
Cotten  Spears  
Hill  Sulak  

Senate Bill 441 on Third Reading

The President laid before the Senate on its second reading and passage to engrossment:
S. B. No. 441, A bill to be entitled "An Act providing for a closed season on wild deer and wild turkey in Burleson County for a period of five (5) years; prescribing penalties for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

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

The motion prevailed by the following vote:

Yeas—27
Aikin  Isbell  
Beck  Kelley  
Brownlee  Lanning  
Chadick  Lemens  
Fain  Lovelady  
Formby  Martin  
Graves  Mauritz  
Hazlewood  Metcalfe  

Absent—Excused  
Cotten  Spears  
Hill  Sulak  

Senate Bill 441 on Third Reading

The President laid before the Senate on its second reading and passage to engrossment:
S. B. No. 441, A bill to be entitled "An Act providing for a closed season on wild deer and wild turkey in Burleson County for a period of five (5) years; prescribing penalties for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.
The motion prevailed by the following vote:

Yeas—27

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

Absent—Excused

Cotten Spears
Hill    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—27

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

Absent—Excused

Cotten Spears
Hill    Sulak

Senate Bill 445 on Second Reading

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

S. B. No. 445, A bill to be entitled "An Act to define certain means and methods of taking certain fish in the fresh waters of Hamilton County, Texas; providing it shall be lawful at any time of the year under certain conditions to use set nets of not less than one and one-half (1½) inch square mesh for the purpose of taking certain fish; declaring it unlawful to use drag seines or drag nets at any time in Hamilton County, provided, however, that nothing in this Act shall forbid the use of a minnow seine not more than twenty (20) feet in length for the purpose of taking minnows for bait; declaring it unlawful to take fish in Hamilton County by gigging, roping, snaring, grappling with the hands or by the use of grab hooks or fish traps of any kind; permitting the taking of catfish and perch in said county at any time of the year by use of certain devices; providing a 10-inch length limit for catfish in said county; forbidding the sale, the offering for sale, possession for the purpose of sale, or the purchase of any catfish taken from the waters of Hamilton County; declaring it unlawful to sell or take for the purpose of sale any minnows from the waters of Hamilton County, and forbidding the transportation from said county of more than one hundred twenty-five (125) minnows by any person for whatever purpose; providing a penalty for the violation of this Act; repealing certain laws in conflict with this Act and all other laws or parts of laws in conflict with the provisions of this Act; and declaring an emergency."

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

Senate Bill 445 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. 445 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

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

Absent—Excused

Cotten Spears
Hill    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—27
Aikin    Mauritz
Beck     Metcalfe
Brownlee Moffett
Chadick  Moore
Fain     Ramsey
Formby   Shivers
Graves   Smith
Hazlewood Stone
Isbell   Van Zandt
Kelley   Vick
Lannlng  Weinert
Lemens  Winfield
Lovelady York
Martin

Absent—Excused
Cotten   Spears
Hill     Sulak

Senate Bill 452 on Second Reading

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

S. B. No. 452, A bill to be entitled "An Act granting fresh water supply districts heretofore or hereafter created in counties having a population of not less than three hundred ninety thousand (390,000) inhabitants, according to the last preceding or any future Federal Census, additional powers relating to sanitary sewer systems, fire fighting facilities and equipment, the paying of rewards in connection with convictions on charges of arson, and providing for the manner of paying for the improvements therein authorized; authorizing such districts to contract with nearby municipal corporations or other political subdivisions for fire protection and prescribing the terms and conditions and method of paying the consideration for said contracts; authorizing such districts to adopt and enforce reasonable rules and regulations relating to plumbing fixtures and facilities within such districts and to prescribe penalties for the breach thereof and requiring the giving of notice of such rules, regulations and penalties; authorizing such districts to employ their own peace officers and prescribing the duties thereof; etc.; and declaring an emergency."

Section 1. Fresh Water Supply Districts heretofore or hereafter created under the provisions of Chapter 4 of Title 128, Revised Civil Statutes of Texas 1925, as amended, and located wholly within a county having a population in excess of three hundred seventy-five thousand (375,000) inhabitants according to the last preceding or any future Federal Census, in addition to the powers heretofore granted, are hereby authorized to purchase, construct, acquire, own, operate, repair, improve and extend sanitary sewer systems for the collection, transportation, processing, disposal and control of all domestic, industrial and communal wastes."

Section 2. The crowded condition of the calendar creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, 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.

(1)
Amend S. B. No. 452 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. Section 1 of S. B. No. 299, Acts of the Regular Session of the Forty-seventh Legislature, is amended so as to read hereafter as follows:

"Section 1. Fresh Water Supply Districts heretofore or hereafter created under the provisions of Chapter 4 of Title 128, Revised Civil Statutes of Texas 1925, as amended, and located wholly within a county having a population in excess of three hundred seventy-five thousand (375,000) inhabitants according to the last preceding or any future Federal Census, in addition to the powers heretofore granted, are hereby authorized to purchase, construct, acquire, own, operate, repair, improve and extend sanitary sewer systems for the collection, transportation, processing, disposal and control of all domestic, industrial and communal wastes."

The amendments were severally adopted.

The bill was passed to engrossment.

Senate Bill 452 on Third Reading

Senator Moore offered the following amendments to the bill:

(1)

Amend S. B. No. 452 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. Section 1 of S. B. No. 299, Acts of the Regular Session of the Forty-seventh Legislature, is amended so as to read hereafter as follows:

"Section 1. Fresh Water Supply Districts heretofore or hereafter created under the provisions of Chapter 4 of Title 128, Revised Civil Statutes of Texas 1925, as amended, and located wholly within a county having a population in excess of three hundred seventy-five thousand (375,000) inhabitants according to the last preceding or any future Federal Census, in addition to the powers heretofore granted, are hereby authorized to purchase, construct, acquire, own, operate, repair, improve and extend sanitary sewer systems for the collection, transportation, processing, disposal and control of all domestic, industrial and communal wastes."

The amendments were severally adopted.

The bill was passed to engrossment.

Senate Bill 452 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 452 be placed on its third reading and final passage.
The motion prevailed by the following vote:

Yeas—27

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

Absent—Excused

Cotten
Hill
Spears
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—27

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

Senate Bill 276 on Third Reading

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

The motion prevailed by the following vote:

Yeas—27

Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley

years 1939 and 1940, of highway improvements, consisting generally of road bed treatment, concrete pavement and appurtenances, on those parts of United States Highway No. 80 in Tarrant County, Texas, and East Rosedale Street, Fort Worth, Tarrant County, Texas, which are at and near the intersection of said Highway No. 80 and said East Rosedale Street, and along and near to the North and East lines of a tract of land belonging to said Thomas H. Fort, in Tarrant County, Texas, and on account of alleged damages resulting from the construction of said highway improvements in such way as to overflow and otherwise damage said land of Thomas H. Fort, and on account of the compensation, if any, to which said Thomas H. Fort may be entitled by reason of the taking and damaging, by the State of Texas and the State Highway Commission, of said property for said public use, and permitting the rendition of judgment for such damages and compensation, if any, as may be ascertained by such suit; that said suit shall be tried according to the rules of law and equity and procedure as would be applicable if the suit were one by and between citizens of the State of Texas or by and between private corporations; providing for a right of appeal by either party; providing for the service of citation on the State and the Highway Commission; providing the time in which such suit may be brought; providing that the State of Texas and State Highway Commission may plead any defense allowable to it, except the statute of limitation; and declaring an emergency.

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

Senate Bill 276 on Second Reading

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

S. B. No. 276, A bill to be entitled "An Act granting permission to Thomas H. Fort to file and prosecute suit against the State of Texas and the State Highway Commission to ascertain and fix the amount, if any, due said Thomas H. Fort for damages alleged to have been sustained by reason of the construction, during the
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—27

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

Absent—Excused

Cotten  
Hill  
Spears  
Solak

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—27

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

Absent—Excused

Cotten  
Hill  
Spears  
Solak

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—27

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

Absent—Excused

Cotten  
Hill  
Spears  
Solak
House Bill 304 on Second Reading

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

H. B. No. 304, A bill to be entitled "An Act applying only to independent school districts in counties having a population of not less than three thousand, seven hundred and fifty (3,750) and not more than three thousand, eight hundred and fifty (3,850) according to the last preceding Federal census; authorizing said school districts to fund into time warrants all outstanding obligations of said school districts which existed on July 1, 1940; prescribing the terms and conditions of issuance of said time warrants; authorizing said school districts to borrow money in a sum not to exceed Seven Thousand ($7,000) Dollars with which to pay certain outstanding obligations; providing for the levying of a tax to pay the same and fixing the rate of interest thereon; prescribing the terms and conditions of said time warrants; and declaring an emergency."

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

House Bill 304 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 304 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

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

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

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

Yeas—27

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

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

Absent—Excused

Cotten
Hill
Spears
Sulak

House Bill 95 on Second Reading

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

H. B. No. 95, A bill to be entitled "An Act authorizing the commissioners' court of any county having a population of not less than three hundred twenty thousand (320,000), and not more than three hundred sixty thousand (360,000), according to the last United States census, to rent or let to any landowner any tractor, grader, machinery or equipment belonging to said county to be used exclusively upon land belonging to such owner situated in said county, in the construction of terraces, dikes and ditches for the purposes of said conservation and soil erosion prevention and for the purpose of constructing water tanks and reservoirs; and declaring an emergency."

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

House Bill 95 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. 95 be placed on its third reading and final passage.

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

Yeas—27

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

Absent—Excused

Cotten
Hill
Spears
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—27

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

Absent—Excused

Cotten
Hill
Spears
Sulak

House Bill 143 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. 143 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

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

Absent—Excused

Cotten
Hill
Spears
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—27

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

Absent—Excused

Cotten
Hill
Spears
Sulak

House Bill 430 on Second Reading

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

H. B. No. 430, A bill to be entitled “An Act amending Chapter 7 of the Code of West Virginia 1936, Repealing all Conflicting Laws, and Declaring an Emergency.”

The bill was read second time and was passed to third reading.
General and Special Laws of the Third Called Session of the Forty-second Legislature, being H. B. No. 35, page 8, making it lawful to kill wild fox, or trap wild fox, for a period of three years in Polk and Trinity Counties."

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

**House Bill 430 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. 430 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—27**

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

**Absent—Excused**

Cotten  Hill  Spears  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—27**

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

**Absent—Excused**

Cotten  Hill  Spears  Sulak

House Bill 541 on Second Reading

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

H. B. No. 541, A bill to be entitled "An Act repealing H. B. No. 627 passed at the Regular Session of the Forty-fifth Legislature, the same being a local game bill for Polk County; and declaring an emergency."

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

**House Bill 541 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. 541 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—27**

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

**Absent—Excused**

Cotten  Hill  Spears  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—27**

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

**Absent—Excused**

Cotten  Hill  Spears  Sulak
SENATE JOURNAL 1259

Van Zandt  Winfield
Vick      York
Weinert

Absent—Excused

Cotten    Shivers
Hill      Spears

House Bill 778 on Second Reading

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

H. B. No. 778, A bill to be entitled "An Act making it unlawful to kill fox in Liberty and Hardin Counties for a period of five years; providing a penalty; repealing all conflicting laws; and declaring an emergency."

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

House Bill 778 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 778 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27
Aikin  Mauritz
Beck   Metcalf
Brownlee Moffett
Chadick Moore
Fain   Ramsey
Formby Shivers
Graves Smith
Hazlewood Stone
Isbell Van Zandt
Kelley Vick
Lanning Weinert
Lemens Winfield
Lovelady York
Martin

Absent—Excused

Cotten Spears
Hill 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—27
Aikin  Fain
Beck   Formby
Brownlee Graves
Chadick Hazlewood

Isbell  Ramsey
Kelley Shivers
Lanning Smith
Lemens Stone
Lovelady Van Zandt
Martin Vick
Mauritz Weinert
Metcalf Winfield
Moffett York
Moore

Absent—Excused

Cotten Spears
Hill Sulak

House Bill 779 on Second Reading

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

H. B. No. 779, A bill to be entitled "An Act making it unlawful to kill or attempt to kill bear or wild turkey or molest same in Hardin County for a period of five years; providing a penalty; repealing all conflicting laws; and declaring an emergency."

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

House Bill 779 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 779 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27
Aikin  Mauritz
Beck   Metcalf
Brownlee Moffett
Chadick Moore
Fain   Ramsey
Formby Shivers
Graves Smith
Hazlewood Stone
Isbell Van Zandt
Kelley Vick
Lanning Weinert
Lemens Winfield
Lovelady York
Martin

Absent—Excused

Cotten Spears
Hill 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—27**

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

**Absent—Excused**

Cotten  
Hill  
Spears  
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—27**

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

**Absent—Excused**

Cotten  
Hill  
Spears  
Sulak

House Bill 780 on Second Reading

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

H. B. No. 780, A bill to be entitled "An Act making it unlawful to kill or attempt to kill deer, bear or wild turkey or trap or molest same in Liberty County for a period of five (5) years; providing a penalty; repealing all conflicting laws; and declaring an emergency."

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

House Bill 780 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 780 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—27**

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

House Bill 781 on Second Reading

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

H. B. No. 781, A bill to be entitled "An Act preventing the killing or possession of any fox in Hopkins and Wood Counties for a period of five (5) years; repealing conflicting laws; providing a penalty; and declaring an emergency."

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

House Bill 781 on Third Reading

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 781 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—27**

Aikin  
Beck  
Brownlee  
Chadick  
Fain  
Formby  
Graves  
Hazlewood  
Isbell  
Kelley  
Lanning  
Lemens  
Lovelady  
Martin  
Hill  
Isebell  
Kelley  
Lanning  
Lemens  
Lovelady  
Martin
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-27**

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

Absent—Excused

Cotten
Hill
Spears
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-27**

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

Absent—Excused

Cotten
Hill
Spears
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-27**

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

Absent—Excused

Cotten
Hill
Spears
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-27**

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

Absent—Excused

Cotten
Hill
Spears
Sulak

House Bill 839 on Second Reading

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

H. B. No. 839, A bill to be entitled "An Act making it unlawful to kill or attempt to kill deer, or wild quail or trap or molest same in Duval County for a period of five (5) years; providing a penalty; repealing all conflicting laws; and declaring an emergency."

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

House Bill 839 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. 839 be placed on its third reading and final passage.

House Bill 542 on Second Reading

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

H. B. No. 542, A bill to be entitled "An Act providing a special season on Mondays, Wednesdays and Fridays during the period December 1 to January 16 in Hopkins and Franklin Counties; providing a penalty for violation of this Act, repealing conflicting laws; and declaring an emergency and the effective date of this Act."
The bill was read second time.
Senator Aikin offered the following amendment to the bill:
Amend H. B. No. 542 by adding after the words "Hopkins County" the following: "Delta County."
The amendment was adopted.
The bill was passed to third reading.

House Bill 542 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. 542 be placed on its third reading and final passage.
The motion prevailed by the following vote:
Yeas—27
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin
Absents—Excused
Cotten
Hill
Spears
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—27
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin
Absents—Excused
Cotten
Hill
Spears
Sulak

House Bill 870 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:
H. B. No. 870, A bill to be entitled "An Act making it unlawful for any person to hunt, snare, kill, or attempt to kill by any means whatsoever any wild deer, buck, doe, fawn or wild turkey in the Counties of Walker, San Jacinto, Montgomery, Brazos and Grimes, in the State of Texas, for a period of four years from and after the passage of this Act; providing a penalty therefor; and declaring an emergency."
The bill was read second time and was passed to third reading.

House Bill 870 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. 870 be placed on its third reading and final passage.
The motion prevailed by the following vote:
Yeas—27
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin
Absents—Excused
Cotten
Hill
Spears
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—27
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin
Absents—Excused
Cotten
Hill
Spears
Sulak

The bill was read second time.
Senator Aikin offered the following amendment to the bill:
Amend H. B. No. 542 by adding after the words "Hopkins County" the following: "Delta County."
The amendment was adopted.
The bill was passed to third reading.

House Bill 542 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. 542 be placed on its third reading and final passage.
The motion prevailed by the following vote:
Yeas—27
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin
Absents—Excused
Cotten
Hill
Spears
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—27
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin
Absents—Excused
Cotten
Hill
Spears
Sulak
The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 754, A bill to be entitled "An Act providing that members of the commissioners' court in counties having a population of not less than 5,990 nor more than 6,000 according to the last preceding Federal census, may receive each, the sum of $25.00 per month for traveling expenses, said sum to be paid out of the road and bridge fund of said county; and declaring an emergency."

The bill was read second time.

Senator Chadick offered the following amendment to the bill:

Amend H. B. No. 754 by adding a new Section to be numbered properly and to read as follows:

"Counties of this State having a population of not less than 24,000 nor more than 25,000 population according to the last preceding Federal census may by order duly entered on the minutes of the commissioners' court of such counties pay each commissioner a sum not to exceed Eighteen Hundred ($1800) Dollars per year as an annual salary."

The amendment was adopted.

The bill was passed to third reading.

House Bill 754 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. 754 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27
Aikin Chadick
Beck Fain
Brownlee Formby
Graves Hazlewood
Isbell Shivers
Kelley Smith
Lanning Stone
Lemons Van Zandt
Lovelady Vick
Martin Weinert
Mauritz Winfield
Metcalfe York
Moffett Moore
Moore Ramsey
Ramooy Shivers
Shivers Smith
Smith Stone
Van Zandt Vick
York Van Zandt

Absent—Excused
Cotten Spears
Hill 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—27
Aikin Mauritz
Beck Metcalfe
Brownlee Moffett
Chadick Moore
Fain Ramsey
Formby Shivers
Graves Smith
Hazlewood Stone
Isbell Van Zandt
Kelley Vick
Lanning Weinert
Lemons Winfield
Lovelady York
Martin Moore
Mauritz Ramsey
Metcalfe Shivers
Moffett Smith
Moore Stone
Ramooy Van Zandt
Shivers Vick
Smith Winfield
Van Zandt York

Absent—Excused
Cotten Spears
Hill Sulak

House Bill 393 on Second Reading

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

H. B. No. 393, A bill to be entitled "An Act providing that in counties containing a population of not less than eighty-three thousand (83,000) and not more than eighty-three thousand three hundred and fifty (83,350), as shown by the last preceding Federal census, and which contain navigation districts, water improvement districts and water control and improvement districts, the county auditor shall audit books, accounts, records, bills and warrants of such districts, and other districts created for improvement and conservation purposes which are not administered by the commissioners' court of such
counties; providing that the officers and directors of such districts shall on or before the 10th of each month, make and file with the county auditor reports in writing of collections and disbursements, and providing that annually, between July 1st and October 1st, the county auditor shall audit the books, accounts, records, bills, and warrants of such districts; providing that only Articles 1667, 1672, 1673, Revised Statutes of Texas, shall apply to such counties; repealing all laws and parts of laws in conflict herewith; providing if any part of this Act shall be declared unconstitutional, it shall not affect the validity of the remainder; and declaring an emergency."

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

House Bill 393 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. 393 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-27
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin

Absent—Excused
Cotten
Hill

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-27
Aikin
Beck
Brownlee
Chadick

Absent—Excused
Cotten
Hill

House Bill 355 on Second Reading

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

H. B. No. 355, A bill to be entitled "An Act regulating fishing and the taking of shrimp in or on the waters of Nueces Bay and Corpus Christi Bay; enacting prohibition and penalties in connection therewith; making the Act cumulative and repealing all conflicting laws; and declaring an emergency."

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

House Bill 355 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. 355 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-27
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin

Absent—Excused
Cotten
Hill

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-27
Aikin
Beck
Brownlee
Chadick

Absent—Excused
Cotten
Hill
The President then laid the bill before the Senate on its third reading and final passage.

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

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<td>Martin</td>
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Absent-Excused

| Cotten |
| Hill   |
| Sulak  |

House Bill 691 on Second Reading

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

H. B. No. 691, A bill to be entitled "An Act to amend an Act passed by the Thirty-fourth Legislature, convened at the City of Austin, on January 12, 1915, and adjourned March 20, 1915, creating McAllen Independent School District, same being H. B. No. 677, Chapter 82, of the General and Special Laws of said Legislature, so that Section 3 be amended so as to provide for the appointment as trustees, resident citizens and qualified voters in said district, each of whom shall be an owner of real property in said district; and declaring an emergency."

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

House Bill 691 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. 691 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<td>Aikin</td>
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<td>Brownlee</td>
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</table>

Absent-Excused

| Cotten |
| Hill   |
| Sulak  |

House Bill 797 on Second Reading

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

H. B. No. 797, A bill to be entitled "An Act making permanent Roane Independent School District No. 93, situated in Navarro County, without regard to number of scholastics therein; and declaring an emergency."

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

House Bill 797 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 797 be
placed on its third reading and final passage.
The motion prevailed by the following vote:

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Absent—Excused

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

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<td>Hill</td>
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House Bill 847 on Second Reading

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

H. B. No. 847, A bill to be entitled "An Act authorizing the county board of trustees in counties having a population of not less than nine thousand and seventy (9,070) nor more than nine thousand, two hundred (9,200) as shown by the Federal Census of 1940, to set aside a certain amount of the Available School Fund apportioned to such counties to defray certain expenses in the administration of the scholastic affairs of such counties; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

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

House Bill 847 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 847 be placed on its third reading and final passage.
The motion prevailed by the following vote:

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

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</table>
- House Bill 908 on Second Reading

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

H. B. No. 908, A bill to be entitled "An Act to provide for the maximum maintenance and bond tax rate for school purposes in all common school districts in counties having a population of not less than twenty-three thousand nine hundred and nine (23,909) and not more than twenty-three thousand nine hundred and fifteen (23,915) inhabitants, according to the last preceding Federal Census, and which counties have an assessed valuation in excess of Twenty Million ($20,000,000.00) Dollars according to the last preceding approved tax roll in such counties; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

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

House Bill 908 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 908 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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House Bill 922 on Second Reading

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

H. B. No. 922, A bill to be entitled "An Act to fix the maximum rate of tax to be levied in all independent school districts having a scholastic population of not more than sixty-four hundred seventy-five (6,475), nor less than sixty-four hundred twenty-five (6,425), according to the 1940-1941 scholastic census; and declaring an emergency."

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

House Bill 922 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 922 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<td>Aikin</td>
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<td>Martin</td>
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Absent—Excused

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<tr>
<th>Cotten</th>
<th>Spears</th>
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<tbody>
<tr>
<td>Hill</td>
<td>Sulak</td>
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</table>

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:
### Senate Journal

**Absent—Excused**

<table>
<thead>
<tr>
<th>Cotten</th>
<th>Spears</th>
<th>Sulak</th>
</tr>
</thead>
</table>

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—27**

- Aikin
- Beck
- Brownlee
- Chadick
- Fain
- Forbym
- Graves
- Hazlewood
- Isbell
- Kelley
- Lanning
- Lemens
- Lovelady
- Martin
- Mauritz
- Metcalf
- Moffett
- Moore
- Ramsey
- Shivers
- Smith
- Stone
- Van Zandt
- Vick
- Weinert
- Winfield
- York

**Absent—Excused**

<table>
<thead>
<tr>
<th>Cotten</th>
<th>Spears</th>
<th>Sulak</th>
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</table>

### House Bill 279 on Second Reading

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

**H. B. No. 279, A bill to be entitled “An Act to amend Section 2 of S. B. No. 575, Acts of the Forty-second Legislature, Regular Session, approved April 13, 1931, being an Act to establish a system of public roads and bridges for Bexar County and granting certain powers to the commissioners’ court of said county with reference thereto authorizing the commissioners’ court to hire all necessary road machinery, tools or teams, and by agreement of the parties to apply the rental upon the purchase price thereof in the event the county purchases the same; and declaring an emergency.”**

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

### House Bill 279 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 279 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—27**

- Aikin
- Beck
- Brownlee
- Chadick
- Fain
- Forbym
- Graves
- Hazlewood
- Isbell
- Kelley
- Lanning
- Lemens
- Lovelady
- Martin
- Mauritz
- Metcalf
- Moffett
- Moore
- Ramsey
- Shivers
- Smith
- Stone
- Van Zandt
- Vick
- Weinert
- Winfield
- York

**Absent—Excused**

<table>
<thead>
<tr>
<th>Cotten</th>
<th>Spears</th>
<th>Sulak</th>
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### House Bill 793 on Second Reading

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

**H. B. No. 793, A bill to be entitled “An Act to authorize all independent school districts in certain counties to pay present outstanding legal indebtedness of the said school districts by refunding warrants to bear interest of not more than six (6%) per cent per annum and to be payable out of a portion of the local maintenance taxes; and declaring an emergency.”**

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—27**

- Aikin
- Beck
- Brownlee
- Chadick
- Fain
- Forbym
- Graves
- Hazlewood
- Isbell
- Kelley
- Lanning
- Lemens
- Lovelady
- Martin
- Mauritz
- Metcalf
- Moffett
- Moore
- Ramsey
- Shivers
- Smith
- Stone
- Van Zandt
- Vick
- Weinert
- Winfield
- York

**Absent—Excused**

<table>
<thead>
<tr>
<th>Cotten</th>
<th>Spears</th>
<th>Sulak</th>
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</thead>
</table>
The bill was read second time and was passed to third reading.

**House Bill 793 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. 793 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<td>Aikin</td>
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**Absent—Excused**

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<tr>
<th>Cotten</th>
<th>Spears</th>
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<td>Hill</td>
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The President then laid the bill before the Senate on its third reading and final passage.

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

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

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

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**House Bill 955 on Second Reading**

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

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<th>Aikin</th>
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<td>Beck</td>
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The President then laid the bill before the Senate on its third reading and final passage.

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

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Absent—Excused
Cotten Spears
Hill Sulak

House Bill 618 on Second Reading

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

H. B. No. 618, A bill to be entitled "An Act to amend Article 2779 of the 1925 Revised Civil Statutes of Texas by adding Article 2779a, to provide for the election of tax assessors and collectors in independent school districts under certain circumstances; this Act to apply only to the independent school districts in those counties having a population of no less than nineteen thousand, two hundred and twenty (19,220) and no more than nineteen thousand, two hundred and forty (19,240) according to the last Federal Census; and declaring an emergency."

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

House Bill 618 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 618 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27
Aikin Mauritiz
Beck Metcalfe
Brownlee Moffett
Chadick Moore
Fain Ramsey
Formby Shivers
Graves Smith
Hazlewood Stone
Isbell Van Zandt
Kelley Vick
Lanning Weinert
Lemens Winfield
Lovelady York
Martin

Absent—Excused
Cotten Spears
Hill Sulak

House Bill 860 on Second Reading

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

H. B. No. 860, A bill to be entitled "An Act prescribing the method for the annexation of unoccupied territory contiguous and adjacent to the city limits of certain incorporated cities or towns, on petition of the owners of all such territory; providing for the recording of such petitions; and declaring an emergency."

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

House Bill 860 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 860 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27
Aikin Mauritiz
Beck Metcalfe
Brownlee Moffett
Chadick Moore
Fain Ramsey
Formby Shivers
Graves Smith
Hazlewood Stone
Isbell Van Zandt
Kelley Vick
Lanning Weinert
Lemens Winfield
Lovelady York
Martin

Absent—Excused
Cotten Spears
Hill 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—27

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

Absent—Excused

Cotten  Spears
Hill    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—27

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

Absent—Excused

Cotten  Spears
Hill    Sulak

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

H. B. No. 520, A bill to be entitled "An Act providing that in counties having not less than thirty-seven thousand five hundred (37,500) nor more than thirty-eight thousand two hundred fifty (38,250) population according to the latest Federal Census; making provision for holding an election in each such county to determine whether a maintenance tax shall be levied against all property in such county for the support of public schools therein; prescribing the duties of the county judge and commissioners' court in reference to said election; * * * providing that this Act shall be cumulative of other laws; repealing laws inconsistent herewith; providing that if any part of this law shall be held unconstitutional remaining parts shall be unaffected."

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

House Bill 298 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. 298 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

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

Absent—Excused

Cotten  Spears
Hill    Sulak
ing to the last Federal Census, a candidate in a primary election of such county for State Representative in the Legislature shall not have his name placed on the ballot unless and until he has paid to the County Executive Committee a sum to be fixed not in excess of Fifty ($50.00) Dollars; repealing all laws or parts of laws in conflict herewith; and declaring an emergency.

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

House Bill 520 on Third Reading

Senator Isbell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 520 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin
Mauritz
Metcalf
Moffett
Moore
Ramsey
Shivers
Smith
Stone
Van Zandt
Vick
Weinert
Winfield

Absent—Excused
Cotten
Hill
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—27
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin
Mauritz
Metcalf
Moffett
Moore
Ramsey
Shivers
Smith
Stone
Van Zandt
Vick
Weinert
Winfield

Absent—Excused
Cotten
Hill
Sulak

House Bill 610 on Second Reading

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

H. B. No. 610, A bill to be entitled "An Act amending H. B. No. 193, Acts of the Regular Session, Fortieth Legislature, 1939, by eliminating from the provisions thereof counties having a population of not less than seven thousand, seven hundred (7,700) and not more than seven thousand, eight hundred (7,800) according to the Federal Census of 1930; and declaring an emergency."

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

House Bill 610 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 610 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin
Mauritz
Metcalf
Moffett
Moore
Ramsey
Shivers
Smith
Stone
Van Zandt
Vick
Weinert
Winfield
York

Absent—Excused
Cotten
Hill
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—27**

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

**Absent—Excused**

Cotten  Hill  Spears  Sulak

House Bill 674 on Second Reading

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

H. B. No. 674, A bill to be entitled "An Act making it unlawful to take any wild fox in the County of Brazos for the purpose of sale; prescribing certain exceptions thereto; repealing all laws or parts of laws in conflict with the provisions of this Act; prescribing the penalties for the violation of this Act; and declaring an emergency."

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

House Bill 674 on Third Reading

Senator York moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 674 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—27**

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

**Absent—Excused**

Cotten  Hill  Spears  Sulak

House Bill 712 on Second Reading

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

H. B. No. 712, A bill to be entitled "An Act providing for a more adequate and equitable salary for constable and justice of peace in all counties in this State having a population of not less than twenty-five thousand, five hundred (25,500) and not more than twenty-six thousand, two hundred (26,200), and containing a city having a population of not less than fourteen thousand (14,000) and not more than fourteen thousand, five hundred (14,500), according to the last preceding Federal Census, in which is located a military camp; providing manner in which same shall be paid; and declaring an emergency."

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

House Bill 712 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 712 be
placed on its third reading and final passage.

The motion prevailed by the following vote:

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Absent—Excused

Cotten  Spears
Hill    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:

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</table>

Absent—Excused

Cotten  Spears
Hill    Sulak

House Bill 813 on Second Reading

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

H. B. No. 813, A bill to be entitled "An Act validating the incorporation of the City of Uvalde, Texas, a city having a population in excess of five thousand (5,000) hereafter operating in good faith under a charter adopted September 18, 1934, in accordance with Chapter 13, Title 28 of the 1925 Revised Civil Statutes of Texas; providing that the incorporation of the City of Uvalde shall not be held invalid on account of irregularities in the appointment of a charter commission or lack of authority to appoint such commission or on account of irregularities in ordering the incorporation election, the election proceedings, and/or the manner of submitting the charter to a vote of the electorate, and/or the failure to submit to and have the electorate vote upon the charter in separate parts, articles or subjects and/or in including any territory in the corporate limits of said city, and/or irregularities in canvassing the returns and declaring the result of the election and/or incorporation proceedings and/or failure to comply with any provision of Chapter 13, Title 28 of the 1925 Revised Civil Statutes of Texas; and validating all governmental proceedings performed, enacted and/or instituted and/or ordained in good faith by the governing body of the city since its incorporation or attempted incorporation, respectively; and declaring an emergency."

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

House Bill 813 or 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. 813 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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Absent—Excused

Cotten  Spears
Hill    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—27

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

Absent—Excused
Cotten  Spears
Hill    Sulak

House Bill 822 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. 822 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

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

Absent—Excused
Cotten  Spears
Hill    Sulak

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

H. B. No. 822, A bill to be entitled "An Act to amend Subdivision 70, of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, amended by Acts 1927, Fortieth Legislature, Regular Session, page 134, Chapter 87, Section 1, amended by Acts 1929, Forty-first Legislature, Regular Session, page 50, Chapter 19, Section 1, amended by Acts 1933, Forty-third Legislature, Regular Session, page 371, Chapter 145, Section 2, Acts 1935, Forty-fourth Legislature, Regular Session, page 150, Chapter 63, Section 1, so as to change the time and terms of holding the terms of District Court in Martin, Howard, Midland, Ector and Glasscock Counties, constituting the Seventieth Judicial District of Texas; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next terms of court in said counties and district, as herein fixed; to validate the summoning of grand and petit juries under the present law so as to render them available in said counties under this Act; repealing all laws in conflict herewith; and declaring an emergency."

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

House Bill 892 on Second Reading

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

House Bill 892 on Second Reading

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

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

Yeas—27

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

Absent—Excused
Cotten  Spears
Hill    Sulak

House Bill 892 on Second Reading

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

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

House Bill 892 on Second Reading

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

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

House Bill 892 on Second Reading

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

House Bill 892 on Second Reading

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

House Bill 892 on Second Reading

The bill was read second time and was passed to third reading.
H. B. No. 892, A bill to be entitled "An Act making it unlawful to take or kill by trap, snare, or deadfall any fur-bearing animals in the County of Harrison; providing certain exceptions; providing the length of this Act; prescribing a penalty; and declaring an emergency."

The bill was read second time.

Senator Vick offered the following amendment to the bill:

Amend H. B. No. 892 by adding a new Section to be known as Section 2A, and to read as follows:

"Section 2A. Provided that any person or association of persons, controlling as much as one thousand (1,000) acres of land, who are trying to protect or propagate game birds, may, during the months of December and January, trap predatory animals, including fur-bearing animals, upon their premises, and when such animals are taken the pelts may be marketed as though taken in the open season in open territory."

Amend the caption to conform to the body of the bill.

The amendment was adopted.
The bill was passed to third reading.

House Bill 892 on Third Reading

Senator Vick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 892 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea's—27

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

Absent—Excused

Cotten
Hill
Spears
Sulak

House Bill 897 on Second Reading

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

H. B. No. 897, A bill to be entitled "An Act authorizing the commissioners' court in certain counties to allow each county commissioner certain expenses in connection with the performing of the duties as road commissioner in addition to the duties as county commissioner; providing for the payment of the same; and declaring an emergency."

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

House Bill 897 on Third Reading

Senator Metcalf moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 897 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea's—27

Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin
Mauritz
Isbell
Kelley
Lemens
Lovelady
Graves
Mauritz
Metcalf

Absent—Excused

Cotten
Hill
Spears
Sulak

House Bill 897 on 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:

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</table>

Absent—Excused

| Cotten |    |
| Hill   |    |
| Sulak  |   |

House Bill 903 on Second Reading

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

H. B. No. 903, A bill to be entitled "An Act prescribing the manner of taking fish in Marshall Ford Lake in Burnet County and the Colorado River to the headwaters of Marble Falls Lake in Burnet County; prescribing a penalty for a violation of this Act; repealing all laws in conflict with this Act; and declaring an emergency."

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

House Bill 903 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. 903 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
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<td>Aikin</td>
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Absent—Excused

| Cotten |    |
| Hill   |    |
| Sulak  |   |

House Bill 927 on Second Reading

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

H. B. No. 927, A bill to be entitled "An Act providing an open season for mourning doves in Palo Pinto County, from September 1 to October 31 of each year, and providing that other laws of this State with reference to taking and hunting mourning doves shall apply in said county; fixing a penalty for violation of this Act; repealing all laws
in conflict; and declaring an emergency."

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

**House Bill 927 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. 927 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—27**

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

Absent—Excused

Cotten  
Hill  
Spears  
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—27**

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

Absent—Excused

Cotten  
Hill  
Spears  
Sulak  

House Bill 928 on Second Reading

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

H. B. No. 928, A bill to be entitled "An Act amending: Section 4 of Chapter 290, Acts of the Forty-first Legislature, as amended by Section 1, Chapter 130, Acts of the Forty-fifth Legislature, so as to provide for a separate Board of Trustees for all municipal colleges in the State of Texas, organized prior to the year 1923, and providing the method of electing said board of trustees and providing for the powers and duties of said board; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Senator Moffett offered the following amendment to the bill:

Amend H. B. No. 928 by striking out Section 2 of said bill and amend caption to conform.

The amendment was adopted.

The bill was passed to third reading.

**House Bill 928 on Third Reading**

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 928 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—27**

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

Absent—Excused

Cotten  
Hill  
Spears  
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-27**

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House Bill 932 on Second Reading

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

H. B. No. 932, A bill to be entitled "An Act providing for the closed season on wild deer, wild turkey, quail and javelina in Live Oak County, Texas, for a period of three (3) years; providing, however, none of the provisions of this Act shall apply to that part of Live Oak County known and defined as the J. Frank Dobie game preserve; prescribing penalties for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

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

House Bill 932 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. 932 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas-27**

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**Absent—Excused**

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House Bill 960 on Second Reading

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

H. B. No. 960, A bill to be entitled "An Act authorizing the commissioners' court in all counties having a population of not less than thirty-seven thousand, five hundred (37,500) and not more than thirty-eight thousand, two hundred and fifty (38,250), according to the last preceding Federal Census, to allow each county commissioner certain traveling expenses while traveling on official business; and declaring an emergency."

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

House Bill 960 on Third Reading

Senator Isbell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 960 be
The bill was read second time and was passed to third reading.

House Bill 975 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. 975 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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Absent—Excused

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

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

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Absent—Excused

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House Bill 494 on Second Reading

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

H. B. No. 494, A bill to be entitled "An Act authorizing the commission—
ers' court of any county having a population of not less than sixty thousand (60,000) and not more than eighty thousand (80,000), according to the last United States census, to rent or let to any landowner any tractor, grader, machinery or equipment belonging to said county to be used exclusively upon land belonging to such owner situated in said county, in the construction of terraces, dikes and ditches for the purposes of said conservation and soil erosion prevention and for the purpose of constructing water tanks and reservoirs; and declaring an emergency."

The bill was read second time.

Senator Chadick offered the following amendment to the bill:

Amend H. B. No. 494 by adding a new Section to be properly numbered and to read as follows:

"The provisions of this Act shall also apply to counties in this State having a population of not less than twenty-two thousand (22,000) nor more than twenty-three thousand (23,000) population according to the last preceding Federal census."

The amendment was adopted.

The bill was passed to third reading.

House Bill 494 on Third Reading

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 494 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-27
Aikin  
Beck  
Brownlee  
Chadick  
Fain  
Formby  
Graves  
Hazlewood  
Isbell  
Kelley  
Lanning  
Lemens  
Lovelady  
Martin  
Mauritz  
Metcalf  
Moffett  
Moore  
Ramsey  
Shivers  
Smith  
Stone  
Van Zandt  
Vick  
Weinert  
Winfield  
York

Absent-Excused
Cotten  
Spears  
Hill  
Sulak

House Bill 989 on Second Reading

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

H. B. No. 989, A bill to be entitled "An Act regulating the employment and compensation of deputies, assistants or clerks to district, county or precinct officers in all counties having a population according to the last Federal Census of not less than one hundred thirty-five thousand (135,000) nor more than one hundred ninety thousand (190,000) inhabitants; repealing all laws and parts of laws in conflict; and declaring an emergency."

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

Yeas-27
Aikin  
Beck  
Brownlee  
Chadick  
Fain  
Formby  
Graves  
Hazlewood  
Isbell  
Kelley  
Lanning  
Lemens  
Lovelady  
Martin  
Mauritz  
Metcalf  
Moffett  
Moore  
Ramsey  
Shivers  
Smith  
Stone  
Van Zandt  
Vick  
Weinert  
Winfield  
York

Absent-Excused
Cotten  
Spears  
Hill  
Sulak

House Bill 989 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 989 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-27
Aikin  
Beck  
Brownlee  
Chadick  
Fain  
Formby  
Graves  
Hazlewood  
Isbell  
Kelley  
Martin  
Mauritz  
Metcalf  
Moffett  
Moore  
Ramsey  
Shivers  
Smith  
Stone  
Van Zandt  
Vick  
Weinert  
Winfield  
York

Absent-Excused
Cotten  
Spears  
Hill  
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—27
Aikin  Mauritz
Beck    Metcalfe
Brownlee Moffett
Chadick Moore
Fain    Ramsey
Formby  Shivers
Graves  Smith
Hazlewood Stone
Isbell  Van Zandt
Kelley  Vick
Lanning Weinert
Lemens  Winfield
Lovelady York
Martin

Absent—Excused
Cotten  Spears
Hill    Sulak

House Bill 157 on Second Reading

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

H. B. No. 157, A bill to be entitled “An Act amending Section 15 of Chapter 16, Acts of the Forty-fourth Legislature, Regular Session, by providing for the payment of certain traveling and other necessary expenses; and declaring an emergency.”

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

House Bill 157 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 157 be placed on its third reading and final passage.

House Bill 858 on Second Reading

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

H. B. No. 858, A bill to be entitled “An Act operative only in counties of sixty thousand (60,000) or more according to the latest Federal Census; authorizing cities and towns that have issued bonds, warrants, notes or other obligations payable from revenues of the water systems and/or sewer systems and/or sewage disposal plants to issue new bonds of

The motion prevailed by the following vote:

Yeas—27
Aikin  Mauritz
Beck    Metcalfe
Brownlee Moffett
Chadick Moore
Fain    Ramsey
Formby  Shivers
Graves  Smith
Hazlewood Stone
Isbell  Van Zandt
Kelley  Vick
Lanning Weinert
Lemens  Winfield
Lovelady York
Martin

Absent—Excused
Cotten  Spears
Hill    Sulak
such cities or towns payable from the net revenues of the water systems and/or sewer systems and/or sewage disposal plants for the purpose of refunding such outstanding bonds, warrants, notes or other obligations and for the purpose of further building, improving, enlarging, extending and/or repairing such systems and to pledge the net revenues thereof to pay the interest on and principal of such refunding and further construction bonds, and authorizing the governing body of such city or town to mortgage and encumber the physical properties of such systems for that purpose and to grant a franchise to the purchaser under foreclosure to operate such system or systems for a period of not exceeding twenty years after purchase, subject to all the laws regulating the same then in force; etc.; and declaring an emergency.

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

House Bill 858 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 858 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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Absent—Excused

| Cotten | Spears |
| Hill | Sulak |

House Bill 863 on Second Reading

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

"H. B. No. 863, A bill to be entitled "An Act providing for the location of grave yards or cemeteries, providing for the removal of bodies, and providing for the abatement of nuisances in all counties in this State with a population of five hundred twenty-five thousand (525,000) or more, according to the last preceding Federal Census; and declaring an emergency."

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

House Bill 863 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 863 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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Absent—Excused

| Cotten | Spears |
| Hill | 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:

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<td>Brownlee</td>
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</table>

Absent—Excused

| Cotten | Spears |
| Hill | 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-27

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

Absent—Excused

Cotten   Spears
Hill     Sulak

House Bill 910 on Second Reading

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

H. B. No. 910, A bill to be entitled "An Act to amend Chapter 166 of the Acts of the Regular Session of the Forty-fourth Legislature, appearing as Article 7246A of Vernon's Civil Statutes, so that the same shall read and provide as hereinafter shown, that is as the same now reads, and by adding a Section thereto fixing the authority and duties, in certain enumerated cases, of assessors and collectors of taxes in counties having a population of more than five hundred thousand (500,000) inhabitants according to the last preceding or any future Federal Census, by authorizing the making of certain oaths and affidavits before such assessors and collectors of taxes and their deputies; providing for the issuance of certain receipts or certificates by such assessors and collectors of taxes and their deputies, fixing fees for all such acts, providing that such fees shall be fees of office and accounted for as such; and declaring an emergency."

The bill was read second time.

Senator Moore offered the following amendments to the bill:

(1)

Amend H. B. No. 910 by adding thereto a new Section to be known as Section 1a and to be inserted immediately before the Section containing the emergency clause and reading as follows:

"Section 1a. Nothing in this Act shall in any manner repeal or alter laws of this State relative to the officers' salary fund and any such fees collected under this Act shall be paid into the officers' salary fund."

(2)

Amend the caption to H. B. No. 910 by inserting immediately before the words, "and declaring an emergency" the following words, "providing that such fees shall be paid into the officers' salary fund."

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 910 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 910 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-27

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

Absent—Excused

Cotten   Spears
Hill     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-27

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

House Bill 718 on Second Reading

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

H. B. No. 718, A bill to be entitled “An Act to be known as Article 7930-3, Revised Civil Statutes of Texas, 1925, and being an amendment to Chapter 4, Title 128, Revised Civil Statutes of Texas, 1925, and to provide for elections upon the question of exclusion of lands from water districts created under Chapter 4, Title 128, where the lands to be excluded have theretofore been annexed to a city or town, providing as one of its functions the same services authorized by law to be provided by such water district, but such election and such exclusion not to affect the liability of such excluded property for its just portion of any indebtedness theretofore assumed and fixed by such water district, providing for an equitable apportionment of indebtedness; and declaring an emergency.”

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

House Bill 718 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 718 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27
Aikin  Graves
Beck  Hazlewood
Brownlee  Isbell
Chadick  Kelley
Fain  Lanning
Formby  Lemens

Absent—Excused
Cotten  Spears
Hill  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—27
Aikin  Mauritz
Beck  Metcalfe
Brownlee  Moffett
Chadick  Moore
Fain  Ramsey
Formby  Shivers
Graves  Smith
Hazlewood  Stone
Isbell  Van Zandt
Kelley  Vick
Lanning  Weinert
Lemens  Winfield
Lovelady  York
Martin

House Bill 569 on Second Reading

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

H. B. No. 569, A bill to be entitled “An Act to amend Special Laws, Acts Forty-second Legislature, page 457, Chapter 236, Section 1, known as Article 1702a, Revised Civil Statutes of Texas, establishing a county law library in certain counties; providing a fund to be raised by collecting costs in certain civil and criminal cases, and for the administration of said fund; providing for appointment of custodian or librarian and assistants; providing for housing and management; and declaring an emergency.”

The bill was read second time.
Senator Moore offered the following amendments to the bill:

1. Amend H. B. No. 569 by striking out the following words in Section 1: "four (4) or more County Courts," and inserting in lieu thereof the words, "three (3) or more County Courts including County Courts at Law."

2. Amend H. B. No. 569, Section 1, by striking out the word "and" between the words "purchase" and "maintenance" and inserting in lieu thereof the words "lease or."

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 569 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 569 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27
Aikin
Beck
Brownlee
Chadick
Fain
Formby
Graves
Hazlewood
Isbell
Kelley
Lanning
Lemens
Lovelady
Martin
Mauritz
Metcalf
Moffett
Moore
Ramsey
Shivers
Smith
Stone
Van Zandt
Vick
Weinert
Winfield
York

Absent—Excused
Cotten
Hill
Spears
Sulak

Report of Standing Committee

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

Austin, Texas, May 6, 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. 852, A bill to be entitled "An Act providing that in all counties in this State having a population of not less than six thousand, six hundred and fifty (6,650) nor more than seven thousand (7,000), according to the last preceding Federal census, the county commissioners shall receive an annual salary of One Thousand, Two Hundred ($1,200.00) Dollars, payable in twelve (12) equal monthly installments out of the general fund of the county or the road and bridge fund of 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.

Signing of Resolution

The President signed in the presence of the Senate, after its caption had been read, the following enrolled resolution:

H. C. R. No. 118, Providing for a joint session for a ceremony to be conducted by the Daughters of the Confederacy to honor certain ex-soldiers.
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, May 6, 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 resolution:

H. C. R. No. 120, Providing for recess of the Legislature from June 2, 1941, until July 15, 1941, or subject to call of the Speaker of the House and the President of the Senate or the Governor.

The House has adopted the Conference Committee report on H. B. No. 364 by a vote of 101 ayes, 11 noes.

The House has concurred in Senate amendments to H. B. No. 395 by a vote of 109 ayes, 0 noes.

The House has concurred in Senate amendments to H. B. No. 124 by a viva voce vote.

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

Adjournment

On motion of Senator Martin, the Senate, at 8:10 o'clock p. m., adjourned until 10:00 o'clock a. m. to-morrow.

SIXTY-FOURTH DAY

(Wednesday, May 7, 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  Lovejoy  Martin
Beck   Lovelady  Maurice
Brownlee  Martin  Metcalfe
Chadick  Metcalf  Moffett
Fain    Moore   Moore
Formby  Ramsey  Shivers
Graves  Ramsey  Shivers
Hazlewood  Smith  Shivers
Isbell  Smith  Stone
Kelley  Stone  Stone
Lanning  Van Zandt
Lemens  Vick

Weinert  York

Absent—Excused

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

Senator Cotten was granted leave of absence for today on account of illness, on motion of Senator Shivers.

Senator Hill was granted leave of absence for today on account of important business, on motion of Senator Metcalfe.

Reports of Standing Committees

Senator Moore submitted the following reports:

Senate Chamber, Austin, Texas, May 6, 1941.

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

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

H. B. No. 305, A bill to be entitled "An Act amending Sections 3, 4, and 6, Chapter 21, General and Special Laws, Forty-third Legislature of Texas, Second Called Session, which amended Sections 4, 5, and 8, Chapter 241, General Laws of the Forty-third Legislature of Texas, Regular Session, providing for the reduction of promoter's license fees and bond in cities of less than twenty-five thousand (25,000) population; 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.