EIGHTIETH DAY
(Friday, June 20, 1941)

The Senate met at 12:30 o’clock p.m., pursuant to adjournment, and was called to order by President Stevenson.

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

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

Absent—Excused
Graves  Spears
Hazlewood Winfield
Hill

A quorum was announced present.

The invocation was offered by Hon. Jasper N. Reed, member of the House of Representatives.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of the Seventy-ninth Legislative Day 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 Vick.

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

Senator Winfield was granted leave of absence for today on account of important business, on motion of Senator Martin.

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

Senator Hazlewood was granted leave of absence for today on account of important business, on motion of Senator Formby.

Message from the House

A messenger from the House was recognized by the President to present the following message:

Hall of the House of Representatives,
Austin, Texas,
June 20, 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. 267, Providing for recess of the Legislature from June 21, 1941 to July 14, 1941 and further providing for sine die adjournment on July 17, 1941.

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

Motion to Introduce Bill

Senator Moffett 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 was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—14
Brownlee Metcalfe
Chadick Moffett
Fain    Moore
Lanning Ramsey
Lemens  Shivers
Lovelady Smith
Mauritz  Sulak

Nays—11
Aikin  Martin
Beck    Stone
Cotten  Van Zandt
Formby  Vick
Isbell  York
Kelley

Absent
Weinert

Absent—Excused
Graves  Spears
Hazlewood Winfield
Hill

Senate Concurrent Resolution 83

Senator Martin offered the following resolution:

Be It Resolved by the Senate of Texas, the House of Representatives concurring, That the Regular Session
of the Forty-seventh Legislature stand
adjourned sine die at twelve o'clock
noon, June 25, 1941.

AIKIN,
LOVELADY,
STONE,
MARTIN,
MOORE,
MOFFETT,
SHIVERS,
BECK,
RAMSEY,
SMITH.

The resolution was read.
The resolution was adopted by the
following vote:

Yeas-20
Aikin  Moffett
Beck  Moore
Brownlee  Ramsey
Chadick  Shivers
Fain  Smith
Isbell  Stone
Lemens  Van Zandt
Lovelady  Vick
Martin  Weinert
Mauritz  York

Nays-4
Cotten  Lanning
Formby  Sulak

Absent—Excused
Hill  Winfield
Spears

Paired

Senator Kelley (present), who
would vote "yea" with Senator Winfield (ab­
sent), who would vote "nay."

Senator Metcalfe (present), who
would vote "yea" with Senator Hazle­
wood (absent), who would vote "nay."

Motion to Introduce Bill

Senator Lanning moved that Sec­tion 5 of Article 3 of the Constitution
be suspended to permit his introducing
a bill to provide for donating to Mont­
tague County a portion of the ad
valorem taxes collected in the county
for a period of ten years.

The motion was lost by the follow­ing vote: (not receiving the necessary
four-fifths vote):

Yeas-19
Brownlee  Metcalfe
Chadick  Moffett
Cotten  Moore
Fain  Ramsey
Kelley  Smith
Lanning  Stone
Lemens  Sulak
Lovelady  Vick
Martin  Weinert
Mauritz

Nays-7
Aikin  Shivers
Beck  Van Zandt
Formby  York
Isbell

Absent—Excused
Graves  Spears
Hazzlewood  Winfield
Hill
Senator Moffett offered the following resolution:

S. R. No. 177, Commending World Cotton Congress.

Whereas, There is soon to be held in the City of Waco, Texas, a second session of the World Cotton Congress, sponsored by the Statewide Cotton Committee of Texas; and

Whereas, At the said World Cotton Congress the best informed authorities in their respective fields will be present to participate in the discussion of the various problems confronting the cotton producer, the cotton processor, and the cotton spinner, and also problems relating to restoration of the export market for American cotton; and

Whereas, This World Cotton Congress is considered to be the outstanding cotton meeting held in the United States; therefore, be it

Resolved by the Senate of Texas, That the efforts and activities of the said World Cotton Congress be commended and endorsed to the fullest extent; and, be it further

Resolved, That a copy of this resolution be sent to the Hon. Burris C. Jackson, chairman of the Statewide Cotton Committee of Texas, and of the World Cotton Congress.

MOFFETT, VICK.

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

Senate Concurrent Resolution 84

Senator Stone offered the following resolution:

S. C. R. No. 84, Relating to drilling of oil wells on submerged lands.

Be it resolved by the Senate of Texas, the House of Representatives concurring:

Whereas, The press reports inform us that an oil well being drilled in Galveston Bay, blew out Monday from a cause apparently unknown and crumpled the derrick into a twisted mass of steel and has continued to blow sand, mud, rock and salt water more than three hundred feet into the air for two or three days thereafter, and while the oil sand had not been reached so that probably very little damage was done to marine life, fear

has been expressed that it might have caused injury to the oyster beds, and certainly if it had blown out after it began making oil, a very serious condition would have existed; and

Whereas, It is apparent from this example that in all cases where oil wells are being drilled in the submerged land in our bays and in the gulf, there always exists a possibility of the wells blowing out and running wild after the oil sands are reached, with the resultant danger of pollution to the waters and damage to our beaches; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the State Land Lease Board be requested to execute no further oil leases on submerged State lands, and to request the holders of leases that have already been granted, to refrain from drilling any more wells on such submerged State lands, at least until a much greater need for more oil exists than is the case at the present time; and be it further

Resolved, That a copy of this resolution be sent to the Governor, the Attorney General and the Commissioner of the Land Office.

STONE, MOORE, SHIVERS, MAURITZ, KELLEY.

The resolution was read and was referred to the Committee on Oil, Gas and Conservation.

Adjournment

Senator Cotten moved that the Senate adjourn until 10:00 o'clock a. m., Monday, June 23, 1941.

Senator Martin moved that the Senate adjourn until 10:00 o'clock a. m., Tuesday, June 24, 1941.

Question first recurring on the motion of Senator Martin, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—17

Brownlee Moffett
Chadick Moore
Cotten Ramsey
Fain Shivers
Isbell Stone
Kelley Vick
Lanning Weinert
Lovelady York
Martin

Senator Martin moved that the Senate adjourn until 10:00 o'clock a. m., Monday, June 23, 1941.

Senator Martin moved that the Senate adjourn until 10:00 o'clock a. m., Tuesday, June 24, 1941.

Question first recurring on the motion of Senator Martin, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—17

Brownlee Moffett
Chadick Moore
Cotten Ramsey
Fain Shivers
Isbell Stone
Kelley Vick
Lanning Weinert
Lovelady York
Martin
The Senate, accordingly, at 1:00 o'clock p. m., adjourned until 10:00 o'clock a. m., Tuesday, June 24, 1941.

EIGHTY-FIRST DAY

(Tuesday, June 24, 1941)

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

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

Aikin  Beck  Brownlee  Chadick  Cotten  Fain  Formby  Graves  Hazlewood  Hill  Isbell  Kelley  Lanning  Lemens  Mauritz  Metcalfe  Martin  Moffett  Moore  Ramsey  Sulak  Van Zandt  Vick  Weinent  York

Absent—Excused

Shivers  Smith  Spears

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 Friday, June 20, 1941 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 Smith was granted leave of absence for today and the remainder of the week on account of important business, on motion of Senator Brownlee.

Senator Shivers was granted leave of absence for today on account of important business, on motion of Senator Moore.

Veto of Senate Bill 5

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

Austin, Texas, June 23, 1941.

To the Senate of the Forty-seventh Legislature:

I return to you without my signature S. B. No. 5, generally known as the ad valorem tax remission bill. I have declined to sign this bill for several reasons. I believe it is unsound government policy to remit these ad valorem taxes to the counties to spend. If we believe that the counties need more money to spend, and if we do not want to place more taxes on the ad valorem tax payers, then the proper method to accomplish this would be to grant the additional taxing authority to the counties and at the same time make a corresponding reduction in the constitutional authority to levy State ad valorem taxes.

If the counties are going to spend this ad valorem tax money, then the citizens of those counties should have an opportunity to vote on whether or not they want the tax levied.

Everybody knows that I have always contended that too much of the cost of State and local government is coming from the ad valorem tax payers, but if we remit these ad valorem taxes to the counties we will be certain then that they will never be abolished. What we need is some plan which will relieve the ad valorem tax payer.

Another reason I have refused to approve this bill lies in the fact that under the present existing conditions, and in light of the appropriations which this Legislature is making, I do not believe it wise to take this