

SENATE JOURNAL

Forty-fourth Legislature—Regular Session.

AUSTIN, TEXAS, FRIDAY, MAY 3, 1935.

PROCEEDINGS

FIFTY-SEVENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
May 3, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

H. C. R. No. 94.

The Chair laid before the Senate on its second reading the following resolution:

By Mr. McConnell:

H. C. R. No. 94, Asking Federal Government and State Government to cooperate in projects to help drought stricken areas.

Read and adopted by viva voce vote.

H. C. R. No. 98.

The Chair laid before the Senate on its second reading the following resolution:

By Mr. Reed of Bowie:

H. C. R. No. 98, Requesting establishment of C. C. C. camps along the Sulphur River.

Senator Beck moved the adoption of the committee amendments.

The committee report recommending that the resolution be not printed was adopted by unanimous consent.

The committee amendments were adopted.

H. C. R. No. 98 as amended was adopted.

S. C. R. No. 51.

Senator Oneal sent up the following resolution:

Whereas, The Congress of the United States of America has im-

posed a tax upon all sales of gasoline; and

Whereas, The State of Texas and every other state of the United States has already imposed taxes upon such sales; and

Whereas, The Federal tax on such sales is untimely and prohibitive and, coupled with the respective state taxes on such sales, places a burden upon the users of gasoline beyond that which they should carry and beyond that which the traffic can legitimately bear; and

Whereas, The legislatures of nineteen states now or recently in session have memorialized Congress to repeal the Federal Gasoline Tax Law; and

Whereas, The taxation of sales of gasoline should properly be left to the exclusive use of the states as a means of providing funds for road construction and maintenance, now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring therein, That the Congress of the United States be and it is hereby respectfully memorialized to enact with all convenient speed such legislation as may be necessary to abolish the Federal gasoline sales tax and to surrender to the states exclusively the power to tax such sales in the future, and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States, the Speaker of the House of Representatives, the President of the Senate, and to each member of Congress elected from the State of Texas and that the latter be urged to use his best offices to procure the enactment of such legislation as will accomplish the purposes of this resolution.

ONEAL.

Read.

Senator Oneal asked unanimous consent that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 51 be taken up and considered at this time.

Objection was heard.

Senator Oneal moved that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 51 be taken up and considered at this time.

Motion to Table.

Senator Sanderford moved to table the motion.

The motion to table lost by the following vote:

Yeas—5.

Beck.	Sanderford.
Martin.	Woodruff.
Rawlings.	

Nays—22.

Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
DeBerry.	Regan.
Duggan.	Small.
Hill.	Stone.
Holbrook.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Moore.	

Absent.

Davis.	Redditt.
Hopkins.	Shivers.

Absent—Excused.

Fellbaum.

The motion by Senator Oneal prevailed by viva voce vote.

Motion to Table.

Senator Woodruff moved to table S. C. R. No. 51.

The motion to table the resolution lost by viva voce vote.

S. C. R. No. 51 failed of adoption by viva voce vote.

Presentation.

Senator Burns presented a gavel to Lieutenant Governor Walter F. Woodul made from the wood off the Eastham State Prison Farm, on behalf of a "forgotten man."

Senator Woodul made a brief speech of acceptance.

Senate Bill No. 17.

On motion of Senator Collie, the Senate refused to concur in House amendments to S. B. No. 17 and asked for the appointment of a conference committee to adjust the differences between the two Houses.

Conference Committee Appointed.

The Chair announced the following conference committee on the part of the Senate on S. B. No. 17:

Senators Collie, Poage, Oneal, Burns and Cotten.

House Bill No. 749.

Pending business was H. B. No. 749.

The question recurred on the adoption of the pending amendment by Senator Rawlings.

Pending.

Senator Rawlings yielded to Senator Beck for a privileged motion.

Senate Bill No. 146.

Senator Beck sent up the following Conference Committee report:

Committee Room,
Austin, Texas, May 3, 1935.
Hon. Walter F. Woodul, President of the Senate,
Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two Houses on S. B. No. 146, have had the same under consideration, and we recommend that said bill be passed in the form as attached hereto.

BECK,
MARTIN,
POAGE,
RAWLINGS,
COLLIE,

On the part of the Senate.

GRAVES,
JONES,
of Atascosa.
KNETSCH,
PETSCH,

On the part of the House.

S. B. No. 146.

A BILL

To Be Entitled

An Act to create the Department of

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Public Safety of the State of Texas; and the Public Safety Commission; providing for the appointment of members of the Public Safety Commission and for the organization of the Commission and of the Department; and fixing the expense allowance of the Commissioners; providing for the appointment of a Director of the Department of the Public Safety Commission and an assistant director and prescribing the duties and powers of the Director of the Public Safety Commission; providing for the appointment, promotion and discharge of all officers and employees of the Department of Public Safety; providing for the number of rangers that may be appointed by the Department of Public Safety; providing for the transfer of the Texas ranger force from the Adjutant General's Department to the Department of Public Safety; providing for the appointment of special rangers not to exceed three hundred; providing that not more than ten special ranger commissions may be issued to any person, firm or corporation except in emergencies; prescribing the duties of special rangers that are appointed by the Commission; providing for an increase of twenty-six privates in the State Highway Motor Patrol; providing for the transfer of the State Highway Motor Patrol of Texas from the State Highway Department to the Department of Public Safety; creating divisions and bureaus within the said Department; defining the powers, duties and functions of the Commission and the Department, and its various divisions and bureaus and co-ordinating them; providing for the cooperation of the State owned educational institutions, and all State officers and departments, and all county and municipal law enforcement officers and agencies with the Department; providing personnel, buildings, quarters, equipment, and appropriations for the Department; fixing the terms of office, methods of appointment, promotion, reduction, suspension and discharge of the officers and employees of the Department; providing for the transfer of pending business and the transfer of funds; providing for the Governor of the State of

Texas to command the Department in times of public emergency; providing for the issuance of commissions of all law enforcement members of the Department; repealing all laws and parts of laws in conflict herewith, and appropriating moneys to put this Act into force and effect; declaring the rule that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof; and for other purposes, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Creation of the Department of Public Safety: There is hereby created a Department of Public Safety of the State of Texas, hereinafter designated as "the Department," in which is vested the enforcement of the laws protecting the public safety and providing for the prevention and detection of crime. The Department shall have its principal office and headquarters in the City of Austin, where all of its records shall be kept.

Sec. 2. Creation of the Public Safety Commission: The control of the Department is hereby vested in the Public Safety Commission, hereinafter designated as "the Commission," which Commission shall consist of three citizens of this State. The Governor shall, within thirty days after this Act shall take effect, appoint the members of the Commission by and with the advice and consent of the Senate to hold office until December 31, 1935, and they shall constitute the Public Safety Commission; and on the 1st day of January, 1936, the Governor shall appoint one member to hold office for two years, one for four years, and one for six years, and at the end of every two years thereafter the Governor shall in like manner, by and with the advice and consent of the Senate of the State of Texas, appoint one citizen of Texas as the successor of the member of the Commission whose term shall expire in that year, to serve as such member of six years and until his successor is appointed and qualified. The Commission shall elect annually one member of the Commission to serve as Chairman thereof. Two members of the Commission shall constitute a quorum. In the event of a vacancy occurring on said Commission, the

Governor shall appoint a new member of the Commission to fill the said vacancy for such unexpired term, such appointment to be subject to the advice and consent of the Senate of the State of Texas, at the next session thereof. The members of the Commission shall be selected because of their peculiar qualifications fitting them for these positions. In the appointment of the members of the Commission, the following qualifications among others shall be observed: Knowledge of law; experience in the enforcement of law; honesty, integrity; education, training and executive ability. They shall serve without compensation, but shall be entitled to receive Ten (\$10.00) Dollars per day as an expense account and necessary mileage in the performance of their duties, such expense allowance shall not exceed Five Hundred (\$500.00) Dollars annually for each member.

Sec. 3. Organization of the Commission: The Commission shall meet at such time and places as they may provide for by rules or as the chairman or any two members may call.

Sec. 4. Duties and Powers of the Commission:

(1) The Commission shall formulate plans and policies for the enforcement of the criminal laws and of the traffic and safety laws of the State, the prevention of crime, the detection and apprehension of violators of the laws, and for the education of the citizens of the State in the promotion of public safety and law observance.

(2) It shall organize the Department and supervise its operation; it shall establish grades and positions for the Department, and for each grade and position it shall designate the authority and responsibility within the limits of this Act. For each such grade and position so established, the Commission shall set standards of qualifications and shall fix prerequisites of training, education and experience, and shall make necessary rules and regulations for the appointment, promotion, reduction, suspension and discharge of all employees after hearings before the said Commission; that any officer or employee of the said Department who shall be discharged shall upon application to the Commission be entitled to a public hearing before said Commission and the Commission shall determine whether such discharge shall be affirmed or set aside.

All persons inducted into the service of the Department shall be considered on probation for the first six months and at any time during such period they may be discharged if found to be unsuitable for the work by the director, with the advice and consent of the Commission, and, if so discharged, such persons shall not be entitled to the public hearings hereinabove provided for.

(3) The Commission shall establish and make public proclamation of all rules and regulations for the conduct of the work of the Department as may be deemed necessary and as may not be inconsistent with the provisions of this Act or of the laws of the State.

(4) The Commission shall maintain records of all proceedings and official orders.

(5) The Commission shall biennially submit a report of its work to the Governor, and the Legislature, with its recommendations and those of the Public Safety Director. A quarterly statement containing an itemized list of all moneys received, and from what sources received, and all moneys expended and for what purposes expended, shall be prepared by the Director sworn to and filed in the records of the Department and a copy shall be sent to the Governor.

Sec. 5. The Commission shall appoint a Public Safety Director hereinafter designated as the "Director" who shall be a citizen of this State and who shall hold his position until removed by the Commission. The Commission shall also appoint an Assistant Director who shall perform such duties as may be designated by the Director. The Director and Assistant Director shall be selected on the basis of training, experience and qualifications for said positions and shall have at least five years experience, preferably police or public administration; and, the Director shall draw an annual salary as fixed by the Legislature not to exceed Four Thousand Two Hundred (\$4,200.00) Dollars, and the Assistant Director shall receive an annual salary not to exceed Three Thousand (\$3,000.00) Dollars, said salaries to be paid monthly. The Director shall be directly responsible to the Commission for the conduct of all the affairs of the Department.

Sec. 6. Duties and Powers of the Director:

(1) The Director shall act with the Commission in an advisory capacity,

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city, without vote, and shall quarterly, annually and biennially submit to the Commission detailed reports of the operation of the Department and statements of its expenditures.

(2) He shall be the executive officer of the Department, and subject to the approval of the Commission and to the provisions of this Act, he shall have authority to appoint, promote, reduce, suspend and discharge all officers and employees of the Department. He shall issue and sign requisition as provided by law for the purchase of supplies for the office and officers of the Department, suitable uniforms, arms and equipment; and make such rules and regulations, subject to the approval of the Commission, as are deemed necessary for the control of the Department.

Sec. 7. Authority to Issue Commissions: The Director, under the direction of the Commission, shall issue commissions as law enforcement officers to all members of the Texas Rangers, to all members of the Texas Highway Patrol, and to such other officers of the Department as may be employed by the said Department.

Sec. 8. Appointment of Division and Bureau Chiefs: The Senior Captain of the Texas Rangers shall be Chief of the Bureau of Intelligence; the Chief of the Highway Motor Patrol shall be Chief of the Bureau of Communications; the Assistant Director of the Department of Public Safety shall be Chief of the Bureau of Education; the Chief of the Bureau of Identification and Records shall be appointed by the Director of the Department of Public Safety with the consent of the Commission.

Sec. 9. Appointment, Promotions, and Discharges:

(1) The appointment and promotion of all officers and employees, shall be made on the basis of merit, to be determined by examination under the rules and regulations of the Commission which shall take into consideration the age, physical condition, experience and education of the applicant. All persons who have applications on file for any position in the Department shall be given reasonable written notice of the place and time where said examinations are to be held.

(2) All applicants for positions in the Department shall be citizens of the United States of America, and shall have been bona fide residents

of the State of Texas for a period of not less than one year immediately prior to the filing of the application. No applicant for a position in the Department shall be questioned at any time as to his religious faith or beliefs, or as to his political affiliations. No person in the Department shall contribute any money or other thing of value for political purposes, nor shall any person in the Department engage in political activities or campaign for or against any candidate for any public office in this State. Any person violating any provision of this subsection shall forfeit his position with the Department.

(3) No officer or employee of the Department shall be discharged without just cause. The Director shall determine whether or not the officer or employee be discharged; and in case he is ordered discharged, he shall have the right to appeal to the Commission; during such appeal, he shall be suspended without pay.

(4) The Chiefs of the several Divisions and Bureaus, after due investigation, shall once each six months make report to the Commission of the efficiency of each employee within such Division or Bureau. These reports shall be kept in the permanent files of the Commission, and shall be given proper consideration in all matters of promotion and discharge.

Sec. 10. Department Divisions: The Department shall be composed of three divisions; i: e: (a) The Texas Rangers; (b) The Texas Highway Patrol; and (c) The Headquarters Division, and such other divisions as the Commission may deem necessary.

Sec. 11. The Texas Rangers:

(1) The Texas Ranger Force and its personnel, property, equipment and records, now a part of the Adjutant General's Department of the State of Texas, are hereby transferred to and placed under the jurisdiction of the Department of Public Safety, and are hereby designated as the Texas Rangers, and as such, constitute the above mentioned division of the Department.

(2) The Texas Rangers shall consist of one headquarters company and not to exceed two companies of mounted men, except in cases of emergency when the Commission, with the consent of the Governor, shall have authority to increase the force to meet extraordinary conditions.

The headquarters company shall consist of one captain, who shall be designated as the senior captain of the Texas Rangers, and who shall be the executive officer and in command of that division; one sergeant, and not to exceed four privates and one stenographer.

Each separate mounted company shall consist of not to exceed one captain, one sergeant, and fifteen privates.

There shall be a quartermaster for the division, who shall discharge the duties of quartermaster, commissary and pay-master, and who shall have the rank and pay of a captain.

(3) The compensation of the officers shall be such as allowed by the Legislature.

(4) The officers shall be clothed with all the powers of peace officers, and shall aid in the execution of the laws.

They shall have authority to make arrests, and to execute process in criminal cases; and in civil cases when specially directed by the judge of a court of record; and in all cases shall be governed by the laws regulating and defining the powers and duties of sheriffs when in the discharge of similar duties; except that they shall have the power and shall be authorized to make arrests and to execute all process in criminal cases in any county in the State. All officers operating by virtue of this Act shall have the authority to make arrests, as directed by warrants, and without a warrant under the conditions now authorized by law, and also in all cases when the alleged offender is traveling on a railroad, in a motor vehicle, aeroplane or boat. When any of said force shall arrest any person charged with a criminal offense, they shall forthwith convey said person to the county where he so stands charged, and shall deliver him to the proper officer, taking his receipt therefor. All necessary expenses thus incurred shall be paid by the State.

(5) Special Rangers: The Commission shall have authority to appoint such number of special rangers as may be deemed advisable, not to exceed Three Hundred (300) in number; such rangers shall not have any connection with any Ranger Company or Highway Motor Patrol, but they shall at all times be subject to the orders of the Commission and the Governor for special duty to the same extent as the other law enforce-

ing officers provided for in this Act; such special rangers, however, shall not have the authority to enforce any laws excepting those designed to protect life and property, and such rangers are especially denied the authority to enforce any laws regulating the use of the State highways by motor truck and motor buses and other motor vehicles. Such rangers shall not receive any compensation from the State for their services, and before the issuance of the commission each such ranger shall enter into a good and sufficient bond executed by a Surety Company authorized to do business in Texas in the sum of Twenty Five Hundred (\$2,500.00) Dollars, approved by the Director indemnifying all persons against damages accruing as the result of any illegal or unlawful acts on the part of such special ranger. All special ranger commissions shall expire on January 1st of the odd year after appointment, and the Director can revoke any special ranger commission at any time for cause, and such officer shall be designated in the Commission as Special Ranger.

Provided further that the Commission shall not issue more than ten commissions to special rangers for employment by any one person, firm or corporation at any one time, except during an emergency, when in the opinion of the Commission it is necessary in the interest of the public justice to permit the employment of more than ten.

(6) In the execution of the laws of the State under the Department of Public Safety, the officials shall in all cases where it becomes necessary to seize property and destroy the same, to proceed as now provided by law; and all property so seized shall be stored and a list thereof presented to a District Judge in the District where such property is seized, who shall dispose of same in the mode and manner now provided by Articles Nos. 5112, 5113 and 5114, Revised Civil Statutes 1925.

Any official disregarding these provisions shall by virtue thereof be subject to removal from office.

Sec. 12. The Texas Highway Patrol:

(1) The State Highway Motor Patrol of Texas and its personnel, property, equipment and records, now a part of the Highway Department of the State of Texas, are hereby transferred to and placed under the jurisdiction of the De-

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partment of Public Safety, and are hereby designated as the Texas Highway Patrol, and as such constitute the above mentioned division of the Department.

(2) The Texas Highway Patrol Division shall consist of a chief patrol officer, who shall be the executive officer of the patrol, five inspectors, one hundred forty privates, and such clerical help as may be determined by the Commission.

(3) The compensation of the officers shall be such as allowed by the Legislature.

(4) The officers, non-commissioned officers and enlisted men of the Texas Highway Patrol shall be, and they are hereby clothed with all the powers and authority which they now have and exercise as members of the State Highway Motor Patrol of Texas, and their duties and functions shall be the same as the duties and functions they are now performing. In addition they shall be, and they are hereby clothed with all the powers and authority which is in this Act or otherwise by law given to members of the Texas Ranger force.

Sec. 13. The Headquarters Division: There is hereby created, as an integral part of the Department, a Headquarters Division, consisting of the Bureaus of Identification and Records, Communications, Intelligence and Education. With the advice and consent of the Commission, the Director shall employ such chiefs, experts, operators, instructors and assistants as may be necessary for the operation of this Division and the several Bureaus therein.

Sec. 14. The Bureau of Identification and Records:

(1) It shall be the duty of the Director to appoint, with the advice and consent of the Commission, a Chief of the Bureau of Identification and Records, who shall be the executive officer. The Chief of the Bureau, and at least one assistant shall be recognized identification experts, and with at least three years' actual experience. This Bureau shall procure and file for record, photographs, pictures, descriptions, fingerprints, measurements and such other information as may be pertinent, of all persons who have been or may hereafter be convicted of a felony within the State,

and also of all well known and habitual criminals wheresoever the same may be procured. The Bureau shall collect information concerning the number and nature of offenses known to have been committed in this State, of the legal steps taken in connection therewith, and such other information as may be useful in the study of crime and the administration of justice. It shall be the duty of the Bureau to cooperate with the bureaus in other states, and with the Department of Justice in Washington, D. C. It shall be the duty of the Chief of the Bureau to offer assistance, and when practicable, instruction, to sheriffs, chiefs of police, and other peace officers in establishing efficient local bureaus of identification in their districts.

(2) The Bureau shall make ballistic test of bullets and firearms, and chemical analyses of blood-stains, cloth, materials and other substances, for the officers of the State charged with law enforcement.

Sec. 15. The Bureau of Communications:

(1) The Chief of the Highway Motor Patrol shall, in addition to his other duties, be Chief of the Bureau of Communication, and shall be qualified in the supervision and operation of a radio broadcasting system and in the use of teletype-writer machines and other modern means of communication.

(2) This Bureau may, when funds are provided, install and operate a police radio broadcasting system for the broadcasting of information concerning the activities of violators of the law, and for the directing of the activities and functions of the law enforcement agencies of the State, the counties and the municipalities. It shall cooperate with county and municipal police authorities and with police radio stations, in this State and in other states.

(3) The Bureau shall establish and operate a State Roads Blockade System, in coordination with State, county and municipal law enforcement agencies.

(4) This Bureau shall provide for the rapid exchange of information, concerning the commission of crimes and the detection of violators of the law, between the law enforcement agencies of this State, its counties.

and municipalities and other states and the national government.

Sec. 16. The Bureau of Intelligence:

(1) The Senior Captain of the Texas Rangers, in addition to his other duties, shall be Chief of the Bureau of Intelligence and shall be qualified in obtaining information and intelligence of crime and in modern police detective work.

(2) This Bureau shall, with the aid of the other Divisions and Bureaus of the Department, accumulate and analyze information of crime activities in the State, and shall make such information available for the use of the Department and of county and municipal police and law enforcement agencies.

(3) It shall aid in the detection and apprehension of violators of the law.

Sec. 17. The Bureau of Education:

(1) The Assistant Director of the Department of Public Safety, in addition to his other duties, shall be Chief of the Bureau of Education, and shall organize schools for the members of the Department and other peace officers and shall give instruction in such schools, and he shall have had substantial experience in law enforcement work and in the instructing of law enforcement officers.

(2) This Bureau shall establish and operate schools for the training of the personnel of the Department in their respective duties and functions.

(3) This Bureau shall establish and operate schools for the training of county and municipal police officers who have been selected to attend such schools by the authorities of the law enforcement agencies by which they are employed.

(4) A comprehensive plan shall be established and carried out for the education of the citizens of this State in matters of public safety and crime prevention and detection.

(5) The Adjutant General shall provide suitable buildings, land and State owned equipment located in Camp Mabry, Austin, Texas, for the use of this Bureau in the conduct of its training schools.

Sec. 18. Establishment of District Headquarters:

The Commission may establish district headquarters and stations at various places in the State, with the personnel and equipment necessary for the proper functioning and operation thereof.

Sec. 19. Law Enforcement Officers Shall Be Associate Members: The sheriffs and constables of the several counties in this State, and the chiefs of police of all incorporated municipalities, are hereby made associate members of the Department, and are entitled to all rights and privileges granted to them by the Department.

Sec. 20. Director May Call Upon Law Enforcement Officers for Assistance:

The director shall have the authority to call upon any sheriff or other police officer in any county or municipality within the limits of their respective jurisdictions, for aid and assistance in the performance of any duty imposed by this Act; and upon being notified or called upon for such aid and assistance, it shall be the duty of such officer concerned to comply with such order to the extent requested.

Sec. 21. Director Shall Provide for Cooperation: The Director, with the advice and consent of the Commission, shall formulate and put into effect plans and means of cooperating with the sheriffs and local police and peace officers throughout the State for the purpose of the prevention and discovery of crimes and the apprehension of criminals and the promotion of public safety; and it shall be the duty of all such local police and peace officers to cooperate with the Director in such plans. Every telegraph and telephone company and radio station operating within this State shall grant priority of service to the police agencies and to the Department of Public Safety, when notified that such service is urgent in the interests of the public welfare.

Sec. 22. State Supported Educational Institutions Shall Assist: The University of Texas and all other State supported educational institutions shall cooperate with the Department in carrying out the provisions of this Act, and shall aid and assist in the giving of instruction in the training schools conducted by the Bureau of Education, and shall

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aid and assist the Bureau of Identification and Records in the making of such chemical tests and analyses as are necessary, and in the making of statistical analyses, charts and reports of law enforcement and violations of law; the nature and extent of such aid and assistance is to be agreed upon and arranged for by the Commission and the President of the educational institution called upon for such aid and assistance.

Sec. 23. State Officials and Departments Shall Assist: The Attorney General of the State of Texas, the Highway Department, the Public Health Department and all other departments of the government of the State of Texas shall cooperate with the Department of Public Safety in the execution of the provisions of this Act and in the enforcement of the laws of the State concerning crime prevention and detection and the public safety. The Board of Control is hereby directed to provide suitable quarters for the Department of Public Safety in the basement of the Land Office Building until more suitable quarters are available.

Sec. 24. When the Governor Shall Command the Department: Upon the occurrence of a public disaster, riot, or insurrection, or the formation of a dangerous resistance to the enforcement of the law, or for the purpose of performing his constitutional duty to cause the laws to be enforced, the Governor of this State shall have the authority to assume the command of and direct and activities and functions of the Commission and of the Department during the existence of such emergency or necessity. In the event that the Governor of this State shall take such action, he shall first use the officers and personnel of the Department other than the Texas Highway Patrol and the said Patrol shall so be called upon or diverted from its regular duties only in the event that the Department is otherwise unable to cope with the emergency.

Sec. 25. State Shall Provide Necessary Buildings, Equipment, Et Cetera: The State of Texas shall provide the necessary buildings, offices and quarters for the Department and its officers and employees in the City of Austin, Texas, and in such other places in the State as district

headquarters shall be established, and it shall also provide for the equipment of the Department and the Divisions, bureaus and branches thereof, with the furniture, fixtures, automobiles, motorcycles, horse, firearms, ammunition, uniforms, appliances and materials necessary to the proper functioning and operation thereof.

Sec. 26. Provisions for Transfer of Funds and Appropriations: For the purpose of carrying out the provisions of this Act, there is hereby transferred to the credit of an account to be designated and known as the Department of Public Safety of the State of Texas, any moneys in the General Fund credited to the Texas Ranger Force of the Adjutant General's Department, the Highway Motor Patrol Division of the Highway Department of the State of Texas for the remainder of the biennium commencing on the effective date of this Act, and there is hereby appropriated out of the General Revenue of this State the additional sum of Five Thousand (\$5,000.00) Dollars for the purpose of carrying out the provisions of this Act for the biennium ending August 31, 1935, and thereafter by moneys to be appropriated by the Legislature of the State of Texas. All appropriations for the Texas Highway Patrol shall be made by the Legislature from and out of the State Highway Fund.

Sec. 27. Provisions for Transfer of Pending Business: All matters and orders pending before or made by any officer or department or unit transferred under this Act to this Department, shall be deemed to be continued with like status in such Department.

Sec. 28. Provision in Event of Unconstitutionality of a Portion of This Act: Should any section or provision of this Act be held to be unconstitutional by any court of competent jurisdiction, the same shall not affect the validity of the Act as a whole, or any part thereof, other than the portion so held to be invalid. The Legislature hereby declares that it would have passed this Act had such part been omitted.

Sec. 29. Repeal of Inconsistent Laws: All laws or parts of laws inconsistent or conflicting with the

provisions of this Act are hereby repealed.

Sec. 30. Declaring an emergency: The fact that under existing law there is no coordination of control of the several law enforcement agencies and departments of the State, and there is no central department providing for the obtaining and filing of criminal identifications and records and for the coordination of law enforcement agencies, and there is no law providing for the coordination of the State, county and municipal law enforcement officers, and the further fact that due to the lack of such control, coordination and the lack of such department, much waste and inefficiency in the law enforcement activities of the State results, and the further fact that crime is highly organized in this State and existing agencies for law enforcement are not capable of fully enforcing the laws of the State, creates an emergency and an imperative public necessity, that the constitutional rule requiring that bills be read on three several days in each House, and the further constitutional rule as to the time when laws take effect, be suspended, and each of them is hereby suspended, and this Act shall take effect and be in full force and effect from and after its passage, and it is so enacted.

On motion of Senator Beck the Conference Committee report on S. B. No. 146 was adopted by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Woodruff.
Moore.	

Nays 1.

Westerfeld.

Absent—Excused.

Fellbaum.

House Bill No. 749.

Senator Rawlings sent up the following amendment to the pending amendment:

Amend H. B. No. 749, page 11, line 58, by striking out the words and figures "30 gallons of" and inserting in lieu thereof the following: "75 gallons of."

RAWLINGS.

Adopted.

The pending amendment by Senator Rawlings was adopted by viva voce vote:

Amend H. B. 749 by adding after the word "vehicle" in line 58, page 11, the following: provided that no motor vehicle operating under a non-resident ownership or registration shall transport more than thirty (30) gallons of motor fuel in fuel tank feeding to the carburetor of such vehicle.

WOODRUFF.

Read and adopted.

Amend H. B. No. 749, page 9, Section 12, Subsection (c) by adding after the word "State" on line 58, the following:

"If, after sale is made it is later established in a court of competent jurisdiction that the confiscation and sale was illegal, the sheriff or constable responsible for the sale shall be liable in damages for twice the value of the fuel sold, all costs and attorneys fees, provided said attorney's fees shall not exceed 33 1/3 per cent of the amount accrued."

HILL.

Read.

Motion to Table.

Senator Woodruff moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—15.

Beck.	Redditt.
Blackert.	Regan.
Collie.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hornsby.	Stone.
Isbell.	Woodruff.
Moore.	

Burns.
Cotten.
DeBerry.
Hill.

Oneal.

Davis.
Hopkins.
Neal.

Fellbaum.

Amend
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Holbrook.
Hornsby.
Isbell.

Burns.
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Oneal.
Pace.

Beck.
Davis.
Hopkins.

Fellbaum.

Nays—7.

Burns.	Martin.
Cotten.	Van Zandt.
DeBerry.	Westerfeld.
Hill.	

Present—Not Voting.

Oneal.	Poage.
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Absent.

Davis.	Pace.
Hopkins.	Rawlings.
Neal.	Sulak.

Absent—Excused.

Fellbaum.

Amend H. B. No. 749, Section 12, Subsection (c) by adding a new paragraph to read as follows:

"Nothing contained in this section shall be in any particular enforced in such a manner as to contravene Article 1, Section 9 and 19 of the Constitution of Texas."

HILL.

Read.

Motion to Table.

Senator Woodruff moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—12.

Blackert.	Redditt.
Collie.	Regan.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hornsby.	Small.
Isbell.	Woodruff.

Nays—9.

Burns.	Rawlings.
Cotten.	Stone.
DeBerry.	Van Zandt.
Hill.	Westerfeld.
Martin.	

Present—Not Voting.

Oneal.	Poage.
Pace.	

Absent.

Beck.	Moore.
Davis.	Neal.
Hopkins.	Sulak.

Absent—Excused.

Fellbaum.

Amend H. B. No. 749 by adding on page 10, line 4 the following after the word "fact":

"Provided, however, all fees collected hereunder shall be accounted for as fees of office."

HILL.

Read.

Motion to Table.

Senator Woodruff moved to table. The motion to table prevailed by the following vote:

Yeas—14.

Blackert.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Moore.	Stone.
Neal.	Woodruff.

Nays—11.

Burns.	Oneal.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Van Zandt.
Hill.	Westerfeld.
Isbell.	

Present—Not Voting.

Pace.

Absent.

Beck.	Martin.
Davis.	Sulak.

Absent—Excused.

Fellbaum.

Amend by adding a new paragraph to read as follows:

"The fees collected hereunder shall not be accounted for as fees of office."

HILL.

Read.

Motion to Table.

Senator Van Zandt moved to table. The motion prevailed by viva voce vote.

Vote Recorded.

Senator Hill asked to be recorded as voting "yea" on motion to table.

Amend H. B. No. 749 by adding on line 4, page 10, the following:

"Provided, however, none of the officers empowered to enforce the provisions of this section shall enforce the forfeiture provisions herein unless and until they shall have posted a surety bond with the county clerk of the county of their residence in the sum of Five Thousand Dollars (\$5000.00) to indemnify the owner of any product illegally confiscated or detained."

HILL.

Read.

Motion to Table.

Senator Woodruff moved to table. The motion to table prevailed by the following vote:

Yeas—14.

Collie.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hornsby.	Shivers.
Isbell.	Small.
Neal.	Stone.
Oneal.	Woodruff.

Nays—10.

Burns.	Moore.
Cotten.	Pace.
DeBerry.	Poage.
Hill.	Rawlings.
Martin.	Westerfeld.

Present—Not Voting.

Blackert.	Van Zandt.
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Absent.

Beck.	Hopkins.
Davis.	Sulak.

Absent—Excused.

Fellbaum.

Amend H. B. No. 749, page 9, Section 12, subsection (c), line 29 by striking out the words "excepting railroads and pipe lines."

HILL.

Read.

Motion to Table.

Senator Woodruff moved to table. The motion to table prevailed by the following vote:

Yeas—15.

Blackert.	Duggan.
Cotten.	Holbrook.

Hornsby.
Isbell.
Moore.
Neal.
Pace.
Redditt.

Regan.
Sanderford.
Shivers.
Small.
Woodruff.

Nays—10.

Burns.	Oneal.
Collie.	Poage.
DeBerry.	Rawlings.
Hill.	Sulak.
Martin.	Westerfeld.

Absent.

Beck.	Stone.
Davis.	Van Zandt.
Hopkins.	

Absent—Excused.

Fellbaum.

Amend by adding a new paragraph as follows at the end of the bill:

"The Journal of the Senate shall be considered by the county in determining the legislative intent as represented by this bill."

HILL.

Read.

Point of Order.

Senator Woodruff raised the Point of Order that the amendment was not germane to the bill.

The Chair sustained the Point of Order.

Amend H. B. No. 749, page 6, Section 6 by adding after the word "if" in line one, the following: "As much as 10%."

MARTIN.

Read.

Motion to Table.

On motion of Senator Woodruff, the amendment was tabled.

Amend H. B. No. 749, page 6, Section 6, by adding after the word "if," line one, the following:

"Any substantial amount of"

MARTIN.

Read.

Motion to Table.

On motion of Senator Woodruff the amendment was tabled by the following vote:

Beck.
Blackert.
Duggan.
Holbrook.
Hornsby.
Isbell.
Moore.

Burns.
Collie.
Cotten.
DeBerry.
Hill.
Martin.

Oneal.

Davis.
Hopkins.

Fellbaum.

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Isbell.
Martin.
Moore.
Neal.

Hill.

Davis.

Yeas—13.

Beck.	Neal.
Blackert.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Isbell.	Woodruff.
Moore.	

Nays—12.

Burns.	Pace.
Collie.	Rawlings.
Cotten.	Stone.
DeBerry.	Sulak.
Hill.	Van Zandt.
Martin.	Westerfeld.

Present—Not Voting.

Oneal.

Absent.

Davis.	Poage.
Hopkins.	Shivers.

Absent—Excused.

Fellbaum.

The committee report recommending that the bill be printed was adopted by unanimous consent.

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

On motion of Senator Woodruff the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 749 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Woodruff.
Neal.	

Nays—2.

Hill. Westerfeld.

Absent.

Davis.

Absent—Excused.

Fellbaum.

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

WOODRUFF.

Read and adopted.

Read third time and finally passed by the following vote:

Yeas—23.

Beck.	Neal.
Blackert.	Oneal.
Collie.	Pace.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Martin.	Woodruff.
Moore.	

Nays—7.

Burns.	Rawlings.
Cotten.	Sulak.
Hill.	Westerfeld.
Poage.	

Absent—Excused.

Fellbaum.

Senate Bill No. 42.

On motion of Senator Rawlings, the Senate refused to concur in House amendments to S. B. No. 42 and requested the appointment of a conference committee.

Conference Committee Appointed.

The Chair appointed as conferees on S. B. No. 42 the following: Senators Rawlings, Small, Hopkins, Van Zandt, and Cotten.

Senate Bill No. 341.

Motion to Concur.

On motion of Senator Rawlings, the Senate concurred in House amendments to S. B. No. 341 by the following vote:

Yeas—29.

Beck.	Davis.
Blackert.	DeBerry.
Burns.	Duggan.
Collie.	Holbrook.
Cotten.	Hopkins.

Hornsby.	Regan.
Isbell.	Sanderford.
Martin.	Shivers.
Moore.	Small.
Neal.	Stone.
Oneal.	Sulak.
Pace.	Van Zandt.
Poage.	Westerfeld.
Rawlings.	Woodruff.
Redditt.	

Nays—1.

Hill.

Absent—Excused.

Fellbaum.

H. J. R. No. 5.

The Chair laid before the Senate on its third reading the following resolution:

By Mr. Reed et al:

H. J. R. No. 5, Proposing an amendment to Section 1a of Article VIII of the Constitution of the State of Texas, exempting three thousand dollars (\$3,000) of the assessed taxable value of all residence homestead as now defined by law, from all State, county, city, town, district, and other political subdivision purposes, etc.

Pending.

Senator Moore was recognized for a privileged motion.

S. J. R. No. 14.

Motion to Concur.

On motion of Senator Moore, the Senate concurred in House amendments to S. J. R. No. 14 by the following vote:

Yeas—24.

Beck.	Neal.
Blackert.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Nays—6.

DeBerry.	Oneal.
Hill.	Poage.
Isbell.	Sulak.

Absent—Excused.

Fellbaum.

Motion to Recess.

Senator Poage, at 12:10 o'clock p. m., moved that the Senate recess until 2 o'clock p. m.

Motion pending.

House Bill No. 779.

Senator Shivers sent up the following conference committee report on H. B. No. 779.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Walter F. Woodul, President of the Senate.

and

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, to whom was referred H. B. No. 779, have had same under consideration, and we recommend to the House of Representatives and to the Senate, that said bill pass in the form attached hereto.

Respectfully submitted,

McKEE,
KNETSCH,
STANFIELD,
CANNON,
GRAVES,

On part of the House.

RAWLINGS,
STONE,
HOLBROOK,
BURNS,
HILL,

On part of the Senate.

A BILL

To Be Entitled

An Act making available currently the funds now on hand and hereafter accruing to the Jack and Stallion Fund of the State Department of Agriculture under the terms of the Act of the Regular Session, Forty-third Legislature, Chapter 162, Page 433, as amended Acts of the Forty-third Legislature, First Called Session, Chapter 10, Page 32, providing for the drawing of warrants by the Comptroller and the payment of same by the State Treasurer in accordance with the provisions hereof and with the General Laws; providing that this Act shall not af-

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fect the amounts appropriated or to be appropriated to the Jack and Stallion Fund of the State Department of Agriculture, or change the proportion of the proceeds of the Special Racing Fund accruing to said Jack and Stallion fund of the Department of Agriculture; providing that the purchasing of jacks and stallions shall be made by the Board of Control and providing for funds to pay such expenses; providing for the transfer of all monies in the State Department of Agriculture, Department Suspense Fund, Jack and Stallion Breeding Suspense Account, to the Special Racing Fund, for credit, to the Jack and Stallion Account; declaring the intent of this Act; and amending subsection 7, Chapter 166, Acts of the Forty-third Legislature, being House Bill No. 167, Pages 428-433, as amended by Chapter 10, Acts Forty-third Legislature, 1933 First Called Session, being House Bill No. 12 of the Session Acts of the First Called Session of the Forty-third Legislature, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That from and after the effective date of this Act, all funds now on hand and hereafter accruing to the benefit of the State Department of Agriculture out of the Special Racing Fund created under the terms and provisions of Acts of the Regular Session, Forty-third Legislature, Chapter 162, Page 433, as amended Acts of the Forty-third Legislature, First Called Session, Chapter 10, Page 32, shall become available to and for the use of the State Department of Agriculture as collected and deposited in State Treasury, in making expenditures currently out of the Jack and Stallion Fund for the purpose for which such Fund is created, as such funds accrue. The State Comptroller is hereby authorized and empowered to draw warrants upon said Special Racing Fund and the State Treasurer is hereby authorized and empowered to pay such warrants in accordance with the provisions of this Act and with the general provisions of law.

Sec. 2. Nothing in this Act shall be construed either to increase or diminish the amounts of the appro-

priations heretofore made, or hereafter to be made, for the operating expenses of the State Department of Agriculture. Nor shall this Act be construed in any manner to affect or change the proportion of the proceeds of the said Special Racing Funds allocated to the State Department of Agriculture, it being the purpose and intent of this Act merely to provide that the Jack and Stallion Fund of the State Department of Agriculture shall receive its proportionate share of said funds as same are collected and deposited with the State Treasurer and may be paid out currently only for the purpose hereinafter set forth.

Sec. 3. That sub-section 7, of Chapter 166, Acts of the Forty-third Legislature, 1933, being House Bill No. 167, Pages 428-433 of the Session Acts of the Forty-third Legislature as amended by Chapter 10, Acts of the First Called Session, Forty-third Legislature, 1933, being House Bill No. 12 of the Session Acts of the First Called Session of the Forty-third Legislature, be and the same is hereby amended to read as follows:

Sub-section 7. All Jacks and Stallions purchased for the State of Texas, under the terms and provisions of Acts of the Regular Session, 43rd Legislature, Chapter 163, Page 433, as amended Acts of the 43rd Legislature, First Called Session, Chapter 10, Page 32, shall be by and through the Board of Control, and shall be paid for by warrants drawn upon the Special Racing Fund from the Jack and Stallion Account, and the State Treasurer is hereby authorized and empowered to pay such warrants.

The titles of such animals so purchased shall be in the State of Texas. The Board of Control shall keep appropriate written records showing the price paid for each animal, from whom, and where purchased, and obtain a bill of sale for each animal purchased, showing the age and breeding of such animal. The Commissioner of Agriculture shall keep records of the location and the custodian from time to time of such animal. The Commissioner of Agriculture shall also procure from time to time a report from the County Agent or County Judge of the County where such animal is located, as to

the condition and the use made of such animal, and the number of colts foaled in the calendar year in that county.

For the service of such animals so distributed, the Commissioner of Agriculture is authorized to make a reasonable charge of not less than 7.50 nor more than 10.00 for colts foaled. The amounts so collected by the Commissioner of Agriculture shall be remitted, by him, through the State Comptroller to the State Treasurer in the Special Racing Fund, and shall be deposited to the credit of the Stallion and Jack Account, to be used by the Commissioner of Agriculture for the purchase, through the Board of Control, of additional stallions and jacks, and for the maintenance of all State owned stallions and jacks. Provided the Commissioner of Agriculture is hereby authorized to make refunds of such service charges when the animal served has not been foaled by such service, upon affidavit and due proof thereof being made to the Commissioner of Agriculture, and approved by the Board of Control, on such forms prescribed by the Commissioner of Agriculture. The Treasurer is hereby authorized to pay warrants drawn by the Comptroller upon such Jack and Stallion Account in The Special Racing Fund, upon vouchers issued therefor by the Commissioner of Agriculture and approved by the Board of Control. Immediately after the effective date of this Act, the Comptroller is commanded and empowered to transfer all monies, or cause to be transferred all monies held in the State Department of Agriculture Departmental Suspense Fund, Jack and Stallion Breeding fee Suspense Account, in the State Treasury, to the Special Racing Fund, to the credit of the Jack and Stallion Account.

The Commissioner of Agriculture shall adopt and carry out reasonable rules and regulations, with respect to the distribution, care, use and maintenance of such animals. All expenditures thus authorized shall be paid upon accounts approved by the Commission of Agriculture and

with approval of the Board of Control, and warrants drawn by the Comptroller on the State Treasurer.

In allotting or distributing said stallions and jacks, the Commissioner of Agriculture shall request and give consideration to the recommendations of the Commissioners Court of the particular counties seeking the distribution of such animals.

The Commissioner of Agriculture annually, in the month of November, shall make and file with the Governor and the Racing Commission a written report showing prices paid for animals purchased under this Act, from whom, and where purchased, with a copy of the bill of sale on each animal, showing the age and breeding of each respective animal, and the location of such animal, and the name of the then custodian thereof, the amount collected by him as service charges on animals, and the amount paid out in the way of maintenance expense of animals and to whom paid.

Sec. 3a. Provided that all money on deposit on April 1st, 1935, with the State Treasurer or other depositories to the credit of the Jack and Stallion Fund shall be used for the payment of caretakers fees now due, or to become due, and for the purchase of Jacks and Stallions and the amounts hereto set forth and attached, as well as the sum of Three Thousand (\$3,000.00) Dollars, or so much thereof as will be necessary, for office employees and expenses incident thereto, is hereby appropriated annually and to defray expenses incurred by Board of Control in the purchase of jacks and stallions for the State of Texas; and expenses incident to the purchase and caretaking of the jacks and stallions now owned, or to be owned by the State of Texas, and such funds for caretakers shall also be withdrawn from the Treasury on a monthly basis. And such amount shall be taken out of the Jack and Stallion Fund.

Sec. 3aa. The Comptroller and Treasurer are hereby directed to issue proper warrants immediately for the following sums of money now past due:

Caretakers Salary.

Month of February 1935	\$2,753.95
Month of March 1935	2,945.00

M. S. Frazee
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M. S. Frazee
W. K. Maas
J. E. McDermott
Robt. Nabelek
W. K. Maas
Robt. Nabelek

Feb. _____
March _____

Kelly Pharr
J. L. Lyon
F. Lester
Dr W. C.

Moore Hw
F. Weigle
Darter Bro
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L. C. Smith
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Travelling Expense.

M. S. Frazee (Feb. 25-Mar. 2) Inspection	17.73
M. S. Frazee (March 11-16) Inspection	9.04
M. S. Frazee (March 25-30) Inspection	2.92
W. K. Maasdam (Feb. 22-26) Inspection	10.40
J. E. McDonald (Mar. 6) Inspection	14.25
Robt. Nabers (Mar. 5-April 15) Inspection	10.35
W. K. Maasdam (Feb. & March)	200.00
Robt. Nabers	75.00

Telephone & Telegraph.

Feb.	46.25
March	141.35

Veterinary & Medicine.

Kelly Pharmacy, Waxahachie	2.75
J. L. Lyon, veterinary services	25.00
F. Lester Morgan, veterinary services	22.00
Dr W. C. Brock, veterinary services	5.00

Miscellaneous.

Moore Hwd. Co.90
F. Weigle Iron Works	5.55
Darter Bros.	7.50
Frank Holson	3.50
L. C. Smith Typewriter Co.	76.95
Sankey Studio	7.25

Auditors Expenses.

C. L. West	65.15
R. H. Murphy	45.10

Sec. 3b. All contracts for transportation, and/or delivery, and all necessary expenses incurred in transportation and/or delivery of jacks and stallions, made by the Commissioner of Agriculture, shall be approved by the Board of Control, and paid out of Jack and Stallion Account, upon vouchers issued therefor by the Commissioner of Agriculture, and approved by the Board of Control.

Sec. 4. The fact that under the provisions of Acts of the Regular Session of the Forty-third Legislature, Chapter 162, Page 433, as amended Acts of the Forty-third Legislature, First Called Session, Chapter 10, page 32, the Special Racing Fund, as created in such Act, cannot be divided or paid out until the month of December of each year, and the fact that the State of Texas now has on hand and owns a large number of jacks and stallions, and has no available funds for the care of same, and for the fact that the service fees for jacks and stallions

are now required to be deposited to the Racing Fund, depriving such Jack and Stallion Account of much needed revenues, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

On motion of Senator Shivers the Conference Committee report to H. B. No. 779 was adopted by the following vote:

Yeas—25.

Beck.	Isbell.
Blackert.	Moore.
Burns.	Neal.
Collie.	Oneal.
Cotten.	Poage.
Davis.	Rawlings.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.

Van Zandt.
Westerfeld.

Woodruff.

Nays—5.

DeBerry.
Martin.
Pace.

Redditt.
Sulak.

Absent—Excused.

Fellbaum.

Recess.

On motion of Senator Poage, the Senate at 12:15 o'clock p. m. recessed until 2:00 o'clock p. m.

After Recess.

The Senate met at 2:00 o'clock p. m., pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

H. J. R. No. 5.

Pending business was consideration of H. J. R. No. 5.

Senator Sanderford sent up the following amendment:

Amend the C. S. to H. J. R. No. 5, by adding the following after the word "satisfied" on page 4, line 17:

Provided the ad valorem levy on all property assessed for State purposes shall never exceed 7 cents on the one hundred dollars assessed valuation.

SANDERFORD.

Read.

Point of "No Quorum."

Senator Hill raised the point of "no quorum".

A roll call was ordered and disclosed a quorum present.

Motion to Table.

Senator Rawlings moved to table the amendment by Senator Sanderford.

The motion to table prevailed by the following vote:

Yeas—15.

Cotten.
DeBerry.
Hill.
Hornsby.
Isbell.
Neal.
Oneal.
Pace.

Poage.
Rawlings.
Redditt.
Shivers.
Sulak.
Van Zandt.
Woodruff.

Nays—14.

Beck.
Blackert.
Burns.
Collie.
Duggan.
Holbrook.
Hopkins.

Martin.
Moore.
Regan.
Sanderford.
Small.
Stone.
Westerfeld.

Absent.

Davis.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—25.

Beck.
Burns.
Collie.
Cotten.
Davis.
DeBerry.
Duggan.
Hill.
Hornsby.
Isbell.
Martin.
Moore.
Neal.

Oneal.
Pace.
Poage.
Rawlings.
Redditt.
Sanderford.
Shivers.
Stone.
Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Nays—5.

Blackert.
Holbrook.
Hopkins.

Regan.
Small.

Absent—Excused.

Fellbaum.

I am in infavor of H. J. R. No. 5 tax exemption on homesteads.

FELLBAUM.

Reason For Vote.

I vote for H. J. R. No. 5 in the Senate today not because of the fact that I am satisfied with it as now written, but because I understand that it will be thrown into a Conference Committee for the purpose of getting a better and more satisfactory one which probably will come nearer to my idea of what it should be.

COTTEN.
PACE

H. J. R. No. 19.

The Chair laid before the Senate

on its second bill:

By Mr. R. Beck:

H. J. R. amendment tstitution of adopting a n as Section 5 that the Leg power to coc States of An and paying actual bona over the age have not bee within ten y granting of have never h an habitual (With com

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The bill w substituted a ing by the fo

Beck.
Blackert.
Burns.
Collie.
Cotten.
Davis.
DeBerry.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Isbell.
Martin.
Moore.

Abs

Fellbaum.

On motion constitutiona be read on suspended a put on its t passage by tl

Beck.
Blackert.
Burns.
Collie.
Cotten.
Davis.
DeBerry.

on its second reading the following bill:

By Mr. Reed of Bowie and Mr. Beck:

H. J. R. No. 19, Proposing an amendment to Article III of the Constitution of the State of Texas by adopting a new section to be known as Section 51b, which shall provide that the Legislature shall have the power to cooperate with the United States of America in providing for and paying an old age pension to actual bona fide citizens of Texas over the age of sixty-five years who have not been convicted of a felony within ten years next prior to the granting of such pension and who have never been convicted of being an habitual criminal, etc.

(With committee substitute.)

The committee substitute was adopted by viva voce vote.

The bill was read second time as substituted and passed to third reading by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. J. R. No. 19 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Duggan.
Blackert.	Hill.
Burns.	Holbrook.
Collie.	Hopkins.
Cotten.	Hornsby.
Davis.	Isbell.
DeBerry.	Martin.

Moore.	Sanderford.
Neal.	Shivers.
Oneal.	Small.
Pace.	Stone.
Poage.	Sulak.
Rawlings.	Van Zandt.
Redditt.	Westerfeld.
Regan.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

S. J. R. No. 29.

Senator Poage received unanimous consent to suspend the regular order and sent up the following resolution:

A Joint Resolution Proposing an amendment to Section 1, Article VIII of the Constitution of Texas; and providing that the State may never impose an ad valorem tax on any property within this State or a sales tax on necessary articles of human food, excluding liquor, beverages, tobacco and tobacco products; providing that such amendment shall become effective October 1, 1936; providing the form and date of its submission, and making an appropriation of \$5,000.00, or so much thereof as may be necessary to pay the expenses of submitting such amendment to the people.

Poage, Hill and Westerfeld.
Read.

Senator Poage moved that the Senate Rule requiring Resolutions to be referred to a committee be sus-

pending, and that S. J. R. No. 29 be taken up and considered at this time.

The motion lost by the following vote:

Yeas—5.

Hornsby.	Redditt.
Isbell.	Westerfeld.
Poage.	

Nays—19.

Burns.	Pace.
Collie.	Rawlings.
Cotten.	Regan.
DeBerry.	Shivers.
Duggan.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Martin.	Van Zandt.
Neal.	Woodruff.
Oneal.	

Present—Not Voting.

Blackert.

Absent.

Beck.	Moore.
Davis.	Sanderford.
Hill.	

Absent—Excused.

Fellbaum.

S. J. R. No. 29 was referred to the Committee on Constitutional Amendments.

House Bill No. 755.

The Chair laid before the Senate on its second reading the following bill, which had been made special order on the calendar:

By Mr. Luker:

H. B. No. 755, A bill to be entitled "An Act defining certain words, terms, phrases; imposing an occupation or excise tax on first sale of cigarettes, according to weight, with certain exception; providing payment of tax shall be evidenced by stamps affixed to each individual package, said stamps to be purchased in unbroken sheets of one hundred (100) stamps only from Treasurer only except through requisition from Comptroller; provided stamps may be purchased and affixed to packages of cigarettes by manufacturer thereof outside the State exempting same from further taxation, etc., and declaring an emergency."

(With committee amendments.)

At Ease.

On motion of Senator Sulak, the Senate stood at ease for three minutes.

House Bill No. 755.

A second reading of committee amendment No. 1 was called for.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee amendments were adopted.

Amend H. B. No. 755 by striking out Section 30 thereof, and renumbering the succeeding sections to conform.

MOORE.

Read.

Motion to Table.

Senator Woodruff moved to table the amendment by the Senator from Harris.

The motion to table failed by the following vote:

Yeas—3.

Beck.	Woodruff.
Duggan.	

Nays—22.

Blackert.	Poage.
Burns.	Rawlings.
Cotten.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Martin.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Oneal.	Westerfeld.

Present—Not Voting.

DeBerry.

Absent.

Isbell.	Pace.
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Absent—Excused.

Fellbaum.

(Pair Recorded.)

Senator Collie (present) who would vote nay, with Senator Davis (absent) who would vote yea.

The question recurred on adoption of the amendment.

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Read.

Senator
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The amendment was adopted by a viva voce vote.

Amend H. B. No. 755, by striking out the following paragraph in Section 3, which is shown on page 8 of the printed bill between lines 11 and 14 and which is as follows:

"All the revenue derived from this tax as hereinafter provided shall be credited to the Available School Fund of the State of Texas until September 1, 1937, and thereafter one-half ($\frac{1}{2}$) shall be credited to the General Fund and one-half ($\frac{1}{2}$) to the Available Fund."

And substituting in lieu thereof the following:

"From the effective date of this Act and until September 1, 1935, all the revenue derived from this Act, except as hereinafter provided in this Act, shall be credited to the Available School Fund of the State of Texas, but after September 1, 1935, except as hereinafter provided in this Act, two-thirds of the revenue derived from this Act shall be credited to the Available School Fund of the State of Texas and one-third of the revenue derived from this Act shall be credited to the General Fund of the State of Texas."

REDDITT.

Read and adopted.

Amend House Bill No. 755 by adding a new Section at the end of Section No. 3, on page 9, of the printed bill, to be known as Section 3-A, and to read as follows:

"Sec. 3-A: The 'Cigarette Tax Stamp Board' shall have full power and authority over the cigarette stamps now on hand and the responsibility for burning said stamps is placed upon said Board. It shall be the duty of all dealers, both retail and wholesale, as defined herein, to place a fingerprinted cardboard on which the stamps are affixed, in the carton of cigarettes, and to place the name and date on the back of these fingerprinted cardboards. It is further required that cardboards be kept with invoices for cigarettes, for the benefit of inspectors who check the records. Said inspectors are also required to take up these cardboards and turn them in to the Comptroller."

HOLBROOK.

Read.

Motion to Table.

Senator Woodruff moved to table the amendment.

The motion lost by the following vote:

Yeas—13.

Beck.	Regan.
DeBerry.	Sanderford.
Duggan.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Oneal.	Woodruff.
Redditt.	

Nays—14.

Blackert.	Hornsby.
Burns.	Martin.
Collie.	Poage.
Cotten.	Rawlings.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Westerfeld.

Absent.

Davis.	Pace.
Isbell.	

Absent—Excused.

Fellbaum.

The amendment was adopted by viva voce vote.

Amend H. B. No. 755, page 7, Section 3, by rewriting the first paragraph of Section 3 so as to read as follows:

"Sec. 3. A 'Cigarette Tax Stamp Board' composed of the Board of Control of this State, designated hereafter as the 'Board,' is hereby created and the said Board shall be and is hereby required to design and have printed or manufactured new cigarette tax stamps of such size and denominations and in such quantities as may be determined by the said Board. The stamps shall be so manufactured as to render them easy to be securely attached to each individual package of cigarettes; provided that a different and separate serial number of combination letter and number may be assigned to and printed on the margin of each sheet of stamps. The printing or manufacturing of the stamps shall be awarded by competitive bid and the contract shall be awarded to the person submitting the lowest and best bid that will afford the greatest and best protection to the State in the enforcement of the provisions of this Act."

SMALL.

Read and adopted.

Senator Beck sent up an amendment to the amendment:

Amend the Small amendment by adding after the word "stamp" the words:

"Or other methods of identification be adopted as the Board may decide."

BECK.

Read and adopted.

Amend the caption of House Bill No. 755 to conform with amendments.

REDDITT.

Read and adopted.

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

On motion of Senator Duggan the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 755 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Moore.
Blackert.	Neal.
Collie.	Oneal.
Cotten.	Poage.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	Woodruff.

Nays—2.

Burns. Shivers.

Present—Not Voting.

Rawlings.

Absent.

Davis. Redditt.
Pace.

Absent—Excused.

Fellbaum.

House Bill No. 65.

The Chair laid before the Senate on its second reading the following bill which had been made special order:

By Mr. Tennyson, Mr. Harris of Archer, Mrs. Hughes, Mr. Gibson,

Mr. James, Mr. Lotief and Mr. Broyles:

H. B. No. 65, A bill to be entitled "An Act amending Article 1119, of the Revised Civil Statutes of Texas of 1925, so as to make its provisions apply to all incorporated cities or towns incorporated under the General Laws of the State of Texas, and to limit the earnings of persons, companies, or corporations coming within the provisions of said article to an amount not exceeding a fair return upon the fair value of the property used and useful in rendering its service to the public; which return shall never exceed ten per cent (10%) per annum; etc.," and declaring an emergency.

Motion to Lay on Table Subject to Call.

Senator Shivers moved to lay on the table subject to call H. B. No. 65.

The motion lost by the following vote:

Yeas—10.

Beck.	Rawlings.
Cotten.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Martin.	Stone.

Nays—16.

Blackert.	DeBerry.
Burns.	Hill.
Collie.	Hornsby.

Neal.
Oneal.
Pace.
Poage.
Redditt.

Davis.
Duggan.

Fellbaum.

Pending

Senator
p. m. mov
until 8 o'clock
Motion

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Neal. Regan.
 Oneal. Sulak.
 Pace. Van Zandt.
 Poage. Westerfeld.
 Redditt. Woodruff.

Absent.

Davis. Isbell.
 Duggan. Moore.

Absent—Excused.

Fellbaum.

Pending.

Motion to Recess.

Senator Holbrook at 5:25 o'clock p. m. moved that the Senate recess until 8 o'clock p. m.

Motion pending.

House Bill No. 408.

Senator Pace sent up the following Conference Committee report.

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Coke Stevenson, Spreakeer of the House of Representatives.

Hon. Walter F. Woodul, President of the Senate.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and the Senate on House Bill No. 408 beg leave to report that we have considered the same and recommend that it do pass in the form as attached hereto.

Respectfully submitted,

DAVIS,
 BURNS,
 COTTEN,
 PACE,
 SHIVERS,

On the part of the Senate.

RUSSELL,
 WESTFALL,
 HANKAMER,
 ADAMSON,

On the part of the House.

A BILL

to be entitled

An Act to amend Article 2350, Title 44, Revised Civil Statutes of the State of Texas, 1925, as amended by the Acts of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1; and as amended by Act of the Fortieth

Legislature, page 435, Chapter 290, Section 1; and as amended by Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section 1; and as amended by Act of the Forty-third Legislature, Regular Session, Chapter 216, and as amended by Act of the Forty-third Legislature, First Called Session, Chapter 83, page 220; and so as to provide the salaries of county commissioners in certain counties; providing that if any part of this Act be declared unconstitutional it shall not affect any remaining part; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2350, Title 44, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1; and as amended by Act of the Fortieth Legislature, page 435, Chapter 290, Section 1; and as amended by Act of the Fortieth Legislature, First Called Session, Page 138, Chapter 46, Section 1; and as amended by Act of the Forty-third Legislature, Regular Session, Chapter 216; and as amended by Act of the Forty-third Legislature, First Called Session, Chapter 83, Page 220; be and the same is hereby amended so as to hereafter read as follows:

Article 2350. In counties having the following assessed valuations, respectively, as shown by the total assessed valuations of all properties certified by the county assessor and approved by the Commissioners' Court, for county purposes, for the previous year, from time to time, the County Commissioners of such counties shall each receive annual salaries not to exceed the amounts herein specified, said salaries to be paid in equal monthly installments, at least one-half, and not exceeding three-fourths, out of the road and bridge fund and the remainder out of the general fund of the county; said assessed valuations and salaries applicable thereto being as follows:

Assessed Valuations	Salaries to be paid each Commissioner
\$6,000,001 and less than \$10,000,000	not to exceed \$1400.00
\$10,000,001 and less than \$13,000,000	not to exceed 1600.00

\$13,000,001 and less than	
\$20,000,000 not to exceed	1800.00
\$20,000,001 and less than	
\$30,000,000 not to exceed	2250.00
\$30,000,001 and less than	
\$78,000,000 not to exceed	2400.00
\$78,000,001 and less than	
\$130,000,000 not to exceed	3400.00
\$130,000,001 and less than	
\$150,000,000 not to exceed	3600.00
\$150,000,001 and over	4200.00

In counties having assessed valuation of less than \$4,500,000, each commissioner shall receive \$5 (Five Dollars) per day for each day served as commissioner, and a like amount when acting as ex-officio road superintendent in his commissioner's precinct, provided in no event shall his total compensation exceed Nine Hundred (\$900) Dollars in any one year.

In counties having assessed valuation of more than \$4,500,001 and less than \$6,000,000 each commissioner shall receive Five (5) Dollars per day for each day served as commissioner, and a like amount when acting as ex-officio road superintendent in his commissioner's precinct, provided in no event shall his total compensation exceed Twelve Hundred (\$1200) Dollars in any one year.

Sec. 2. The salary of each County Commissioner and each County Judge may be paid wholly out of the County General Fund or, at the option of the Commissioners Court, may be paid out of the County General Fund and out of the Road and Bridge Fund in the following proportions: County Judge not to exceed seventy-five (75%) per cent of such salaries may be paid out of the Road and Bridge Fund, and the remainder out of the General Fund of the County, and each County Commissioner's salary may, at the discretion of the Commissioners Court, all be paid out of the Road and Bridge Fund; provided this section shall not apply except in counties where the constitutional limit of twenty-five (25) cents on the One Hundred (\$100.00) Dollars is levied for general purposes.

Sec. 3. The Commissioners' Court at its first regular meeting each year shall, by order duly made and entered upon the minutes of same court, fix the salaries of the county

commissioners for such year, within the limits as provided for in this act.

Sec. 4. That all laws, both general and special or parts of laws, both general and special, in conflict with the foregoing Act, be, and the same are hereby, expressly repealed; provided, however, that in all counties having a population of not less than 14,588 and not more than 14,800, according to the last available Federal Census and each available census thereafter, and a valuation of over Sixty Million (\$60,000,000) Dollars according to the last approved tax roll for county purposes, each precinct commissioner shall be entitled to receive a salary not in excess of Three Thousand (\$3,000.00) Dollars per annum payable in equal monthly installments.

Sec. 5. If any section, clause, sentence, or other part of this Act shall for any reason be declared unconstitutional that shall not affect in any way the constitutionality of the remaining provisions hereof.

Sec. 6. The importance of simplifying the laws now governing the salaries of the various commissioners of the several counties of the State creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is suspended and this Act shall take effect from and after its passage.

Senator Pace moved to adopt the Conference Committee report on H. B. No. 408.

Substitute Motion.

Senator DeBerry moved as a substitute that the Conference Committee report be printed in the Journal and lie over one day.

Motion to Table.

Senator Woodruff moved to table the motion of Senator DeBerry.

The motion to table prevailed by the following vote:

Yeas—18.

Beck.	Martin.
Burns.	Moore.
Cotten.	Neal.
Holbrook.	Pace.
Hopkins.	Rawlings.

Redditt.
Regan.
Sanderford.
Shivers.

Collie.
DeBerry.
Hornsby.
Oneal.

Blackert.
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Fellbaum.

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Redditt. Small.
Regan. Stone.
Sanderford. Van Zandt.
Shivers. Woodruff.

Nays—7.

Collie. Poage.
DeBerry. Sulak.
Hornsby. Westerfeld.
Oneal.

Absent.

Blackert. Hill.
Davis. Isbell.
Duggan.

Absent—Excused.

Fellbaum.

Motion to Order Previous Question.

Senator Woodruff moved that the previous question be ordered on the motion by Senator Pace.

The motion was seconded.

Previous Question Ordered.

The motion prevailed by the following vote:

Yeas—18.

Beck. Rawlings.
Burns. Redditt.
Cotten. Regan.
Holbrook. Sanderford.
Hopkins. Shivers.
Martin. Small.
Moore. Stone.
Neal. Van Zandt.
Pace. Woodruff.

Nays—7.

Collie. Poage.
DeBerry. Sulak.
Hornsby. Westerfeld.
Oneal.

Absent.

Blackert. Hill.
Davis. Isbell.
Duggan.

Absent—Excused.

Fellbaum.

The question recurred on the motion by Senator Pace.

The motion prevailed by the following vote:

Yeas—21.

Beck. Pace.
Burns. Rawlings.
Collie. Redditt.
Cotten. Regan.
Davis. Sanderford.
Hill. Shivers.
Holbrook. Small.
Hopkins. Stone.
Martin. Van Zandt.
Moore. Woodruff.
Neal.

Nays—6.

DeBerry. Poage.
Hornsby. Sulak.
Oneal. Westerfeld.

Absent.

Blackert. Isbell.
Duggan.

Absent—Excused.

Fellbaum.

Messages From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two Houses on S. B. No. 179. The following are conferees on the part of the House: Tennyson, Aikin, Alexander, Keefe, and Harris of Archer.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two Houses on S. B. No. 369. The following are conferees on the part of the House:

Roane, Glass, Herzik, Hill and McKinney.

The House has concurred in Senate amendments to H. B. No. 743 by a vote of 105 yeas, 0 nays.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to H. B. No. 407 and requests the Senate for the appointment of a free conference committee to adjust the differences between the two Houses. The following are appointed as conferees on the part of the House:

Beck, Alsop, Canon, Morris, and Hodges.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two Houses on S. B. No. 42. The following are conferees on the part of the House: Lemens, Patterson, Hankamer, Gray, and Atchison.

The House has refused to concur in Senate amendments to H. B. No. 320 and requests the Senate for the appointment of a free conference committee to adjust the differences between the two Houses. The following are appointed as conferees on the part of the House:

Lemens, Petsch, Rogers, Lanning, and Colson.

The House has concurred in Senate amendments to H. B. No. 344 by a vote of 112 yeas, 3 nays.

The House has refused to concur in Senate amendments to H. B. No. 71 and requests the Senate for the appointment of a free conference committee to adjust the differences between the two Houses. The following are appointed as conferees on the part of the House:

Dunagan, Harris of Dallas, Cooper, Pope, and Walker.

The House has adopted the con-

ference committee report on S. J. R. No. 6 by a vote of 108 yeas, 0 nays.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the conference committee report on S. B. No. 369 by a vote of 106 yeas and 13 nays.

The House has concurred in Senate amendments to H. B. No. 101 by a vote of 97 yeas, 6 nays.

The House has adopted the following resolution:

H. C. R. No. 108, Authorizing the Enrolling Clerk of the House to make certain corrections in H. B. No. 178.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolution:

H. C. R. No. 103, Regarding report of the committee appointed by the Lieutenant Governor and the Speaker of the House with reference to an investigation of school property at Milford, Texas.

H. B. No. 486, A bill to be entitled "An Act providing that a deplorable condition existing in that area of the State, including in the Counties of Loving, Reeves, Ward, and Pecos, has produced a condition which is declared to be a public calamity, and making a grant of funds to Red Bluff Water Power Control District, to provide funds to construct a large storage reservoir on the Peco River for irrigation of the lands within such district and the construction of a hydro-electric plant, and providing for the conditions for the payment in handling such funds, the time of payment thereof, and providing all of the net amounts of the annual current State ad valorem taxes that may be collected from the property and from persons in said counties of Loving, Reeves, Ward, and Pecos,

which would General Re of Texas (i belonging which shall portioned a and provid granted sh year the to dollars (\$) ing an em

May 3, curred in C. R. No. 9 May 3, curred in B. No. 115 Respec LOU Chief Clerk

Bills and

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The Cha on its first resolution:

which would otherwise go into the General Revenue Fund of the State of Texas (including the rolling stock belonging to railroad companies which shall be ascertained and apportioned as now provided by law), and providing that the amount so granted shall not exceed in any one year the total sum of sixty thousand dollars (\$60,000), etc., and declaring an emergency."

May 3, 1935, the House has concurred in Senate amendment to H. C. R. No. 98 by viva voce vote.

May 3, 1935, the House has concurred in Senate amendments to H. B. No. 115 by a viva voce vote.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills and Resolutions Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

H. B. No. 704.	S. B. No. 365.
S. B. No. 49.	H. J. R. No. 9.
S. B. No. 52.	S. B. No. 527.
S. B. No. 354.	S. B. No. 326.
S. B. No. 280.	S. B. No. 234.
S. B. No. 217.	S. B. No. 207.
S. B. No. 264.	S. B. No. 126.
S. B. No. 257.	S. C. R. No. 43.
S. B. No. 10.	S. B. No. 494.
S. B. No. 525.	S. B. No. 393.
S. B. No. 524.	S. B. No. 405.
S. B. No. 516.	S. B. No. 401.
S. B. No. 513.	S. B. No. 341.

Senate Bill No. 114.

Motion to Reconsider Withdrawn.

Senator Collie withdrew his motion to reconsider the vote by which S. B. No. 114 was finally passed.

Bills Referred.

H. B. No. 832 was referred to the Committee on State Affairs.

H. B. No. 27 was referred to the Committee on Educational Affairs.

H. B. No. 486 was referred to the Committee on State Affairs.

H. C. R. No. 108.

The Chair laid before the Senate on its first reading the following resolution:

By Mr. Luker:

H. C. R. No. 108, Authorizing the Enrolling Clerk of the House to make certain corrections in H. B. No. 178.

Senator Cotten moved that the rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 108 be taken up and considered at this time.

The motion prevailed.

H. C. R. No. 108 was adopted by viva voce vote.

H. C. R. No. 103.

The Chair laid before the Senate on its first reading the following resolution:

By Mr. Stovall:

H. C. R. No. 103, Regarding committee appointed by the Speaker of the House and the Lieutenant Governor with reference to an investigation of school property at Milford, Texas.

Senator Martin moved that the rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 103 be taken up and considered at this time.

The motion prevailed.

H. C. R. No. 103 was adopted by viva voce vote.

House Bill No. 320.

Senator Small moved that the Senate grant the request of the House for the appointment of a conference committee.

The motion prevailed.

Conference Committee Appointed.

The Chair appointed the following conferees on the part of the Senate on H. B. No. 320:

Senators Martin, Small, Cotten, Sulak and Duggan.

House Bill No. 71.

Senator Rawlings moved that the Senate grant the request of the House for the appointment of a conference committee on H. B. No. 71.

The motion prevailed by viva voce vote.

Conference Committee Appointed.

The Chair appointed the following conferees on the part of the Senate on H. B. No. 71:

Senators Poage, Rawlings, Martin, Pace, and Hopkins.

House Bill No. 407.

Senator Shivers moved that the Senate grant the request of the House for the appointment of a conference committee on H. B. No. 407.

The motion prevailed by viva voce vote.

Recess.

The motion to recess prevailed at 5:55 o'clock p. m.

After Recess.

The Senate met at 8:00 o'clock p. m., pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

Senate Bill No. 477.

The Chair laid before the Senate on its second reading the following bill:

By Senator Moore:

S. B. No. 477, A bill to be entitled "An Act amending Article 2982, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was explained and taken up by unanimous consent.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 477 was put on its third reading and final passage by the following vote:

Yes—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yes—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 897.

Senator Blackert received unanimous consent to suspend the regular order and take up H. B. No. 897.

The Chair laid before the Senate in its second reading the following bill:

By Mr. Butler:

H. B. No. 897, A bill to be entitled "An Act to amend Section 5 of Chapter 271, Acts of the Regular Session of the Forty-second Legislature, which is Article 5421-c, Revised Civil Statutes, providing for the sale of public free school lands under preference right to include a provision providing for the purchase of lands surveyed under Article 5323, Revised Statutes, 1925, in cases where the field notes have been filed in the General Land Office and approved, but the applicant has failed to file his application to purchase within the time prescribed by law; and authorizing a revaluation of such areas, and declaring an emergency."

Senator Blackert sent up the following amendment:

Amend H. B. No. 897 by striking out all of Section 5, page 1 and substituting in lieu thereof the following:

Sec. 5. "Any headright survey,

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be patented
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Commission
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5323, R.
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approved,
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homestead donation, preemption survey, scrip survey or other survey heretofore awarded or sold in Karnes County which survey has been held and claimed in good faith by any party for a period of ten years prior to the date of application for patent and which surveys cannot be patented under existing laws, may be patented on payment of one dollar (\$1.00) an acre to the Land Commissioner, in such cases the patent shall be issued to the owner now of record in the General Land Office and insure distributively to the true and lawful owners of the land and which is not situated within ten miles of a producing oil or gas well provided that in cases where surveys had been made under Article 5323, R. S. 1925, and field notes filed in the General Land Office and approved, but the applicant failed to file his application to purchase in the Land Office within the time required by law, such applicant if occupying the land in good faith, may have the land revalued by the Land Commissioner, and purchase it at a price so fixed; provided also that in all cases where a tract of school land has been occupied by mistake as a part of another tract such occupant shall have a preference right for a period of six months after the discovery of the mistake, or after the passage of this Act, to purchase the land at the same price paid or contracted to be paid for the land actually conveyed to him."

Sec. 2. That the importance of this legislation 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 the same is hereby suspended and that the Act shall take effect and be in force from and after its passage, and it is so enacted.

Amend the caption to conform.

BLACKERT.

The committee report recommending that this bill be printed was adopted by unanimous consent.

The amendment was adopted by viva voce vote.

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

On motion of Senator Blackert, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 897 was put

on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Senate Bill No. 201.

Senator Neal received unanimous consent to suspend the regular order and take up S. B. No. 201.

The Chair laid before the Senate on its second reading the following bill:

By Senator Neal:

S. B. No. 201, A bill to be entitled "An Act amending Section 1-a, Chapter 140 of the Regular Session of the Forty-second Legislature of Texas providing for the organization of school districts, common or inde-

pendent by the county board of school trustees out of parts of existing school districts on petition of majority of qualified voters residing therein and providing an appeal to the State Board of Education from the action of the county board of school trustees; providing that failure or refusal such board to act shall be treated as a final order to establish such district and that hearing for State Board shall be de novo; repealing all provisions in conflict herewith and making this cumulative, and declaring an emergency."

Committee Amendment No. 1.

Amend S. B. No. 201, Section 1-a, in line 21, on page 1, of printed bill, after word "State," and insert "having a population of not more than twelve thousand five hundred (12,5000), according to last Federal census, and not less than twelve thousand one hundred fifty-one (12,151)."

NEAL.

Read and adopted.

Committee Amendment No. 2.

Amend caption of S. B. No. 201 to conform with the body of the bill.

NEAL.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time, as amended, and passed to engrossment.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 201 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 492.

Senator Hill received unanimous consent to suspend the regular order and take up H. B. No. 492.

The Chair laid before the Senate on its second reading the following bill:

By Leath:

H. B. No. 492, A bill to be entitled "An Act to amend Article 2696, of the Revised Civil Statutes of Texas, of 1925, relating to the transfers of children from an independent school district or other school districts in any county to some other independent district or other district in the same county, and providing that the per capita apportionment shall be paid by the State Treasurer to the independent school district to which the child is transferred, or to the county superintendent in all other districts, to be distributed by said county superintendent, and providing for an appeal from the acts of the county superintendent to the county board of trustees in all cases when an independent, or other district shall be dissatisfied with the action of the county superintendent in the transfers made by said county superintendent, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was passed to the floor. On motion of Senator Hill, the constitutionality of the bill was read on its third reading and finally passed by the following vote:

Beck.
Blackert.
Burns.
Collie.
Cotten.
Davis.
DeBerry.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Isbell.
Martin.
Moore.

Fellbaum.

Read third time and finally passed by the following vote:

Beck.
Blackert.
Burns.
Collie.
Cotten.
Davis.
DeBerry.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Isbell.
Martin.
Moore.

Fellbaum.

Howe.

Senator Hill received unanimous consent to suspend the regular order and take up H. B. No. 492. The Chair laid before the Senate on its second reading the following bill:

By Mr. T. H. B. No.

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

On motion of Senator Hill, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 492 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 472.

Senator Holbrook received unanimous consent to suspend the regular order and take up H. B. No. 472.

The Chair laid before the Senate the following bill which had been read second time:

By Mr. Thornton:

H. B. No. 472, A bill to be entitled

“An Act to authorize the State Highway Commission of Texas to provide for the removal of bridges obstructing the construction of the Intracoastal Waterway of Louisiana and Texas, and to replace same out of any funds available for that purpose, and declaring an emergency.”

The committee report recommending that the bill be printed was adopted by unanimous consent.

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

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 472 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Absent.

Collie. Davis.

Absent—Excused.

Blackert. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—21.

Beck.	Rawlings.
Blackert.	Regan.
Burns.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Nays—7.

Cotten.	Pace.
DeBerry.	Poage.
Hill.	Redditt.
Oneal.	

Absent.

Collie. Davis.

Absent—Excused.

Fellbaum.

Senate Bill No. 66.

Senator Duggan received unanimous consent to suspend the regular order and take up S. B. No. 66.

The Chair laid before the Senate on its second reading the following bill:

By Senator Duggan:

S. B. No. 66, A bill to be entitled "An Act amending Section 10 and 12 of Chapter 206, Acts of the Forty-second Legislature of Texas, Regular Session, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Duggan the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 66 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

Davis. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Collie.
Blackert.	Cotten.
Burns.	DeBerry.

Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Isbell.	Small.
Martin.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Oneal.	Westerfeld.
Pace.	Woodruff.
Poage.	

Absent—Excused.

Davis. Fellbaum.

Senate Bill No. 447.

Senator DeBerry received unanimous consent to suspend the regular order and take up S. B. No. 447.

The Chair laid before the Senate on its second reading the following bill:

By Senator DeBerry:

S. B. No. 447, A bill to be entitled "An Act to provide for certificates to be issued by the collector of taxes of the State or of any political subdivision in the State showing payment of taxes, and that same shall be conclusive evidence of such payment in the absence of fraud or collusion, and declaring an emergency."

Senator DeBerry sent up the following amendments:

Amend S. B. No. 447, line 13, by striking out all of said line after the words "Section 1" and inserting in lieu thereof the following:

"The collector of taxes for the State and/or for any political."

DeBERRY.

Read and adopted.

Amend S. B. No. 447 by striking out in line 18 the words "owner of" and in line 19 all up to the comma after the word "certificate" and inserting in lieu thereof the following "State or political subdivision to which such taxes are due."

DeBERRY.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time as amended and passed to engrossment by viva voce vote.

On motion of Senator DeBerry the constitutional rule requiring bills to

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Blackert.
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Collie.
Cotten.
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Martin.
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Davis.

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Beck.
Burns.
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Davis.

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Beck.
Cotten.
DeBerry.

be read on three several days was suspended and S. B. No. 447 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

Davis.	Fellbaum.
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Point of no Quorum.

Senator Sanderford raised a point of no quorum.

The roll call was ordered.

The roll call disclosed a quorum.

Beck.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Absent.

Blackert.	Collie.
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Absent—Excused.

Davis.	Fellbaum.
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Senate Bill No. 447.

Read third time, as amended, and finally passed by the following vote:

Yeas—16.

Beck.	Duggan.
Cotten.	Hill.
DeBerry.	Holbrook.

Hornsby.	Small.
Isbell.	Sulak.
Martin.	Van Zandt.
Pace.	Westerfeld.
Rawlings.	Woodruff.

Nays—11.

Burns.	Redditt.
Hopkins.	Regan.
Moore.	Sanderford.
Neal.	Shivers.
Oneal.	Stone.
Poage.	

Absent—Excused.

Blackert.	Davis.
Collie.	Fellbaum.

House Bill No. 791.

Senator Hopkins received unanimous consent to suspend the regular order and take up H. B. No. 791.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 791, A bill to be entitled "An Act to prohibit the taking of fish from the fresh waters of Comal County by any means or device other than by ordinary pole and line, or throw line, or trot-line with hooks not less than six feet apart, except by the use of artificial bait; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

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

On motion of Senator Hopkins the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 791 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Absent—Excused.

Blackert. Davis.
Collie. Fellbaum.

Read third time and finally passed
by viva voce vote.

House Bill No. 829.

Senator Hornsby received unanimous consent to suspend the regular order and take up H. B. No. 829.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 829, A bill to be entitled "An Act exempting from taxation institutions or organizations such as Texas Federation of Women's Clubs of Texas or local organizations of such a body; and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

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

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 829 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie. Fellbaum.
Davis.

Read third time and finally passed
by viva voce vote.

Vote Recorded.

Senator DeBerry asked to be recorded as voting "nay" on final passage of H. B. No. 829.

House Bill No. 863.

Senator Isbell received unanimous

consent to suspend the regular order and take up H. B. No. 863.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Leonard:

H. B. No. 863, A bill to be entitled "An Act to validate all proceedings, orders and resolutions whereby any water improvement district or water control and improvement district or conservation and reclamation district, now organized and existing under the Constitution and laws of this State (other than water improvement district now organized and existing under the Constitution and/or laws of this State which obtain their water supply under contract with the United States) whether pursuant to an election or without such election, has provided for refunding any part or all of its outstanding bonds or indebtedness theretofore authorized by an election held for that purpose as provided by law, etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

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

On motion of Senator Isbell, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 863 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie. Fellbaum.
Davis.

Read third time and finally passed
by the following vote:

Beck.
Blackert.
Burns.
Cotten.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Isbell.
Martin.
Moore.
Neal.
Oneal.

DeBerry.

Abse

Collie.
Davis.

House

Senator M.
mous consent
order and tak

The Chair
on its second
bill:

By Mr. Calv.
H. B. No. 9.
"An Act to ex
tions from fu
any deposits t
posits are insu
of the Feder
amended, and
gency."

The commit
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adopted by un

The bill was
passed to thir

On motion o
constitutional
be read on th
suspended and
put on its th
passage by th

Beck.
Blackert.
Burns.
Cotten.
DeBerry.
Duggan.
Hill.
Holbrook.
Hopkins.

the regular order
No. 863.

before the Senate
the following

bill to be entitled
all proceedings,
ons whereby any
district or water
vement district
reclamation dis-
d and existing
on and laws of
han water im-
now organized
the Constitution
State which ob-
pply under con-
United States)
an election or
n, has provided
art or all of its
or indebtedness
ed by an elec-
urpose as pro-
nd declaring an

ort recommend-
not printed was
s consent.
second time and
ng.

ator Isbell, the
quiring bills to
veral days was
No. 863 was
ding and final
ng vote:

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Zandt.

sterfeld.

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baum.

finally passed

Yeas—27.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Cotten.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—1.

DeBerry.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 928.

Senator Martin received unani-
mous consent to suspend the regular
order and take up H. B. No. 928.

The Chair laid before the Senate
on its second reading the following
bill:

By Mr. Calvert:

H. B. No. 928, A bill to be entitled
"An Act to exempt banking institu-
tions from furnishing security for
any deposits to the extent such de-
posits are insured under Section 12-b
of the Federal Reserve Act, as
amended, and declaring an emer-
gency."

The committee report recommend-
ing that the bill be not printed was
adopted by unanimous consent.

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

On motion of Senator Martin, the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 928 was
put on its third reading and final
passage by the following vote:

Yeas—28.

Beck.	Hornsby.
Blackert.	Isbell.
Burns.	Martin.
Cotten.	Moore.
DeBerry.	Neal.
Duggan.	Oneal.
Hill.	Pace.
Holbrook.	Poage.
Hopkins.	Rawlings.

Redditt.	Stone.
Regan.	Sulak.
Sanderford.	Van Zandt.
Shivers.	Westerfeld.
Small.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed
by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 832.

Senator Moore received unanimous
consent to suspend the regular order
and take up H. B. No. 832.

The Chair laid before the Senate
on its second reading the following
bill:

By Mr. Hofheinz:

H. B. No. 832, A bill to be entitled
"An Act amending Article 5142 of
the Revised Civil Statutes, 1925, as
amended by the Acts of the Fortieth
Legislature, page 335, Chapter 228,
and Article 5142-a, Acts 1931, Forty-
second Legislature, page 759, Chap-
ter 302; providing for juvenile of-
ficers; providing for their selection,
compensation, expenses, and prescrib-
ing their duties and authorities; etc.,
and declaring an emergency."

Senator Moore sent up the follow-
ing:

Amend H. B. No. 832 by adding
thereto a new section to be known as
"Section 1A," and reading as fol-
lows:

"Section 1A. For the additional
services and duties required by this
Act each district judge in any county

coming under the terms of this Act shall receive in addition to all other compensation now provided by law, the sum of Seventy-Five (\$75.00) Dollars per month out of the General Fund of such county," and amend the caption to conform.

MOORE.

Read and adopted.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

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

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 832 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 203.

Senator Neal received unanimous consent to suspend the regular order and take up H. B. No. 203.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Celaya:

H. B. No. 203, A bill to be entitled "An Act to validate all proceedings and acts of governing bodies of cities containing a population of not more than 11,000 nor less than 10,500, according to any Federal Census, in connection with the issuance of funding warrants and funding bonds heretofore authorized or attempted to be authorized under the provisions of Chapter 163, Acts Forty-second Legislature, Regular Session, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

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

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 203 was put on its third reading and final passage by the following vote.

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Burns.
Blackert.	Cotten.

DeBerry.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Isbell.
Martin.
Moore.
Neal.
Oneal.
Pace.

Collie.
Davis.

Senator

Senator P.
consent to s
and take up
The Chair
on its second
bill:

By Senato
S. B. No.
"An Act to
the Revised
of 1925, as
Forty-third
March 10,
Bill No. 24
fourth Legi
administrati
rations in r
ing for the
receivership
gency."

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adopted by

The bill v
passed to ex

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constitution
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suspended
put on its
passage by

Beck.
Blackert.
Burns.
Cotten.
DeBerry.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Isbell.
Martin.

Excused.

Fellbaum.

No. 203.

ceived unanimous
the regular order
No. 203.
before the Senate
ing the following

bill to be entitled
e all proceedings
ng bodies of cities
ation of not more
s than 10,500, ac-
cederal Census, in
issuance of fund-
ing bonds
ed or attempted
under the pro-
163, Acts Forty-
Regular Session,
mergency."

port recommend-
be printed was
ous consent.
second time and
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enator Neal, the
requiring bills to
several days was
B. No. 203 was
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mall.
tone.
ulak.
an Zandt.
Westerfeld.
Woodruff.

Excused.

Fellbaum.

and finally passed
ce:

-28.

urns.
otten.

DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Isbell.	Small.
Martin.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Oneal.	Westerfeld.
Pace.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Senate Bill No. 523.

Senator Poage received unanimous consent to suspend the regular order and take up S. B. No. 523.

The Chair laid before the Senate on its second reading the following bill:

By Senator Poage.

S. B. No. 523, A bill to be entitled "An Act to amend Article 2317 of the Revised Civil Statutes of Texas of 1925, as amended by Act of the Forty-third Legislature, approved March 10, 1933, and as by Senate Bill No. 242, passed by the Forty-fourth Legislature relating to the administration of the private corporations in receivership and providing for the extension of time of such receiverships; and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Poage, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 523 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Moore.
Blackert.	Neal.
Burns.	Oneal.
Cotten.	Pace.
DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Isbell.	Small.
Martin.	Stone.

Sulak.	Westerfeld.
Van Zandt.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed
by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

House Bill No. 420.

Senator Pace received unanimous consent to suspend the regular order and take up H. B. No. 420.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Craddock.

H. B. No. 420, A bill to be entitled "An Act amending Article 2094 Chapter 7, Title 42, Revised Civil Statutes of Texas, 1925, as amended by Acts of 1929, Forty-first Legislature, page 89, Chapter 43, Section 1, providing for jury wheel system of selecting jurors in certain counties having a population of at least fifty-eight thousand inhabitants or having therein a city having population of at least twenty thousand, as shown by the preceding Federal Census; prescribing duties of the tax collector, tax assessor, sheriff, county clerk, and district clerk in regard thereto; provided in discretion of commissioners court in all counties having a population of at last twenty-four thousand inhabitants jury wheel system of selecting jurors may be adopted, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

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

On motion of Senator Pace the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 420 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Senate Bill No. 13.

Senator Redditt received unanimous consent to suspend the regular order and take up H. B. No. 13.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Tillery:

H. B. No. 13, A bill to be entitled "An Act to amend Chapter 39 of the General and Special Laws of the Forty-second Legislature, which was an act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools in the county and work in cooperation with teachers, etc., and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

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

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 13 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie.	Fellbaum.
Davis.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent

Collie.
Davis.

House

Senator Redditt received unanimous consent to suspend the regular order and take up H. B. No. 13.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Tillery:

H. B. No. 13, A bill to be entitled "An Act to amend Chapter 39 of the General and Special Laws of the Forty-second Legislature, which was an act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools in the county and work in cooperation with teachers, etc., and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

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

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 13 was put on its third reading and final passage by the following vote:

Beck.
Blackert.
Burns.
Cotten.
DeBerry.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Isbell.
Martin.
Moore.
Neal.

Absent

Collie.
Davis.

Read third time and finally passed by the following vote:

Beck.
Blackert.

A bill to be entitled Chapter 39 of the Special Laws of the Legislature, which was for a rural school in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; etc., and declaring an emergency.

The committee report recommending that the bill be printed was adopted by unanimous consent. The bill was read second time and passed to third reading. On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 14 was put on its third reading and final passage by the following vote:

—28.

Oneal.
Pace.
Poage.
Rawlings.
Redditt.
Regan.
Sanderford.
Shivers.
Small.
Stone.
Sulak.
Van Zandt.
Westerfeld.
Woodruff.
Excused.
Fellbaum.

and finally passed by the following vote:

—28.

Oneal.
Pace.
Poage.
Rawlings.
Redditt.
Regan.
Sanderford.
Shivers.
Small.
Stone.
Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Absent—Excused.

Collie.
Davis.
Fellbaum.

House Bill No. 14.

Sneator Redditt received unanimous consent to suspend the regular order and take up H. B. No. 14.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Tillery:

H. B. No. 14, A bill to be entitled "An Act repealing Senate Bill No. 265, Chapter 14, Acts of the Regular Session of the Forty-second Legislature, providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor, etc., and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

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

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 14 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.
Blackert.
Burns.
Cotten.
DeBerry.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Isbell.
Martin.
Moore.
Neal.
Oneal.
Pace.
Poage.
Rawlings.
Redditt.
Regan.
Sanderford.
Shivers.
Small.
Stone.
Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Absent—Excused.

Collie.
Davis.
Fellbaum.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.
Blackert.
Burns.
Cotten.

DeBerry.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Isbell.
Martin.
Moore.
Neal.
Oneal.
Pace.
Poage.
Rawlings.
Redditt.
Regan.
Sanderford.
Shivers.
Small.
Stone.
Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Absent—Excused.

Collie.
Davis.
Fellbaum.

House Bill No. 87.

Senator Rawlings received unanimous consent to suspend the regular order and take up H. B. No. 87.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Duvall.

H. B. No. 87, A bill to be entitled "An Act making appropriation to pay to parties named, funds heretofore paid into the State Treasury under the provisions of Articles 3644 (3574) to 3660 (3591) of Revised Civil Statutes, authorizing State Treasurer to pay same, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

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

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 87 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.
Blackert.
Burns.
Cotten.
DeBerry.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Isbell.
Martin.
Moore.
Neal.
Oneal.
Pace.
Poage.
Rawlings.
Redditt.
Regan.
Sanderford.
Shivers.
Small.
Stone.
Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Absent—Excused.

Collie. Fellbaum.
Davis.

Read third time and finally passed
by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie. Fellbaum.
Davis.

House Bill No. 85.

Senator Rawlings received unanimous consent to suspend the regular order and take up House Bill No. 85.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Duvall.

H. B. No. 85, A bill to be entitled "An Act to amend Article 1650 of the Revised Civil Statutes of Texas of 1925 with respect to the authority of the county auditor to appoint assistants; providing for oath and bond of assistants; providing for an application by the county auditor to the district judges having jurisdiction, setting forth number, qualifications, duties and compensation of such assistants; providing for approval and certification of such appointments to the commissioners court by the district judges having jurisdiction, etc., and declaring an emergency."

(With committee amendments.)

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee amendments were adopted.

On motion of Senator Rawlings H. B. No. 85 was laid on the table subject to call.

House Bill No. 732.

Senator Regan received unanimous consent to suspend the regular order and take up H. B. No. 732.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 732, A bill to be entitled "An Act amending Section 14, Acts 1927, Fortieth Legislature, First Called Session, page 116, Chapter 41, as amended by Acts of 1929, Forty-first Legislature, First Called Session, page 7, Chapter 4, Section 3, by adding thereto a new Subsection (26), and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

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

On motion of Senator Regan the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 732 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Collie. Fellbaum.
Davis.

Read third time and finally passed
by the following vote:

Yeas—28.

Beck.	Duggan.
Blackert.	Hill.
Burns.	Holbrook.
Cotten.	Hopkins.
DeBerry.	Hornsby.

Isbell.
Martin.
Moore.
Neal.
Oneal.
Pace.
Poage.
Rawlings.
Redditt.

Collie.
Davis.

House

Senator S.
mous consen
order and ta
558.

The Chair
on its second
bill:

By Mr. Q.
H. B. No.
"An Act to
a livestock
experiment
woods regio
in one of
Liberty, Or
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