

Martin.	Sanderford.
Moore.	Shivers.
Neal.	Stone.
Oneal.	Sulak.
Rawlings.	Van Zandt.
Regan.	

## Nays—10.

Beck.	Isbell.
Collie.	Pace.
Cotten.	Poage.
DeBerry.	Redditt.
Hill.	Woodruff.

## Absent.

Duggan.	Westerfeld.
Small.	

## Absent—Excused.

Fellbaum.

**Privileged Motion.**

## Senate Bill No. 181.

Senator Hornsby moved that the Senate do concur in House amendments to S. B. No. 181.

The motion prevailed by the following vote:

## Yeas—17.

Beck.	Moore.
Blackert.	Neal.
Cotten.	Oneal.
Davis.	Poage.
Duggan.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Stone.
Martin.	Van Zandt.

## Nays—10.

Burns.	Rawlings.
Collie.	Shivers.
DeBerry.	Sulak.
Hill.	Woodruff.
Pace.	

## Present—Not Voting.

Isbell.

## Absent.

Small.	Westerfeld.
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## Absent—Excused.

Fellbaum.

**Senate Bill No. 52.**

Senator Collie moved that the Sen-

ate do concur in House amendments to S. B. No. 52.

The motion prevailed 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. 736.**

Pending business was H. B. No. 736.

Amend H. B. No. 736 by striking out all of lines 9 to 64 on page 7, and lines 1 to 4 on page 8.

SULAK.

Read and pending.

**Previous Question.**

Senator DeBerry moved that the Senate order the previous question on the amendment and the engrossment of H. B. No. 736.

The motion was seconded.

The previous question was not ordered as shown by the following vote:

## Yeas—11.

Beck.	Poage.
Blackert.	Sanderford.
DeBerry.	Sulak.
Duggan.	Van Zandt.
Hill.	Westerfeld.
Oneal.	

## Nays—17.

Burns.	Hornsby.
Collie.	Isbell.
Cotten.	Moore.
Davis.	Neal.
Holbrook.	Pace.
Hopkins.	Rawlings.

Redditt.  
Regan.  
Shivers.

Present.

Woodruff.

Martin.

Absent.

Fellbaum.

The Chair laid  
H. C. R. No.  
Joint Rules No.  
the consideration  
tion of H. B. No.  
Senator Small  
consent that the  
ing resolutions  
committee be  
H. C. R. No. 1  
considered at the  
Unanimous co  
H. C. R. No. 1

**Motion**

Senator Holbrook  
m., moved to re  
p. m.

Motion to rec

S. J. I

Senator Wood  
consider the vot  
No. 26 was finally  
on the Journal.

**Bills and Res**

The Chair, L  
Walter F. Wood  
signing, and did  
of the Senate,  
had been read,  
and resolutions:

H. B. No. 900  
H. B. No. 579  
H. B. No. 104  
H. B. No. 866  
H. B. No. 968  
H. B. No. 996  
H. B. No. 390  
H. B. No. 164  
H. B. No. 408  
H. B. No. 680  
H. B. No. 773  
S. B. No. 143  
S. B. No. 149  
S. B. No. 290

Redditt.  
Regan.  
Shivers.

Small.  
Stone.

Present—Not Voting.

Woodruff.

Absent.

Martin.

Absent—Excused.

Fellbaum.

The Chair laid before the Senate:  
H. C. R. No. 153, Suspending  
Joint Rules Nos 23, 24 and 32 for  
the consideration until final disposi-  
tion of H. B. No. 1003.

Senator Small asked unanimous  
consent that the Senate rule requir-  
ing resolutions to be referred to a  
committee be suspended, and that  
H. C. R. No. 153 be taken up and  
considered at this time.

Unanimous consent was granted.  
H. C. R. No. 153 was adopted.

#### Motion to Recess.

Senator Holbrook at 5 o'clock p.  
m., moved to recess until 8 o'clock  
p. m.

Motion to recess pending.

#### S. J. R. No. 26.

Senator Woodruff moved to re-  
consider the vote by which S. J. R.  
No. 26 was finally passed and spread  
on the Journal.

#### 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. 900.	S. B. No. 493.
H. B. No. 579.	S. B. No. 523.
H. B. No. 104.	S. B. No. 153.
H. B. No. 866.	S. B. No. 499.
H. B. No. 968.	S. B. No. 402.
H. B. No. 996.	S. B. No. 509.
H. B. No. 390.	H. B. No. 187.
H. B. No. 164.	H. B. No. 522.
H. B. No. 408.	S. B. No. 42.
H. B. No. 680.	H. C. R. No. 112.
H. B. No. 773.	H. C. R. No. 115.
S. B. No. 143.	H. C. R. No. 117.
S. B. No. 149.	H. C. R. No. 118.
S. B. No. 290.	H. C. R. No. 123.

H. C. R. No. 126. H. J. R. No. 46.  
H. C. R. No. 130. S. C. R. No. 60.  
H. C. R. No. 131. S. C. R. No. 61.  
H. C. R. No. 143. S. C. R. No. 55.  
H. C. R. No. 137. S. C. R. No. 34.  
H. J. R. No. 23. S. J. R. No. 6.

#### Recess.

The motion to recess prevailed by  
viva voce vote.

#### After Recess.

The Senate met at 8:00 o'clock  
p. m., pursuant to recess, and was  
called to order by Lieutenant Gover-  
nor Walter F. Woodul.

#### 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 9, 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 bills and  
resolution:

S. B. No. 504, A bill to be entitled  
"An Act providing for a rural school  
supervisor, prescribing qualifications  
and duties of said rural school su-  
pervisor, providing for the payment  
of the salary of said rural school su-  
pervisor, in counties having a popu-  
lation of 21,830 to 22,080 accord-  
ing to the Federal census of 1930,  
and a scholastic population of not  
less than 6,200 as shown by the  
scholastic census report for the school  
year 1934-35, and declaring an  
emergency."  
(With amendments.)

S. B. No. 529, A bill to be entitled  
"An Act creating the County Court  
at Law of Travis County, Texas; de-  
fining the jurisdiction of said court;  
regulating practice therein; prescrib-  
ing the terms of said court; provid-  
ing for clerk and seal for said court  
and prescribing the duties of the  
sheriff and county attorney in rela-  
tion to said court, limiting the juris-  
diction of the county court of Travis  
County, and providing for the trans-  
fer of cases pending in the county  
court of Travis County to the said  
court hereby created, and for appeals  
from inferior courts to the court

hereby created, and for appeals from said court; creating the office of Judge of the County Court at Law of Travis County; providing for the appointment, election, bond and salary of the judge of said court and prescribing his qualifications; providing for a special judge; providing for the disposition of fees; and declaring an emergency."

H. B. No. 998, A bill to be entitled "An Act amending Title 26 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 66, H. B. No. 122, of the General and Special Laws of the Forty-third Legislature, Second Called Session, page 146; etc., and declaring an emergency."

H. B. No. 1001, A bill to be entitled "An Act to amend Article 2789, Revised Civil Statutes of 1925, as amended by Chapter 32, Acts of the Regular Session of the Forty-third Legislature, by making provision that refunding bonds may be issued as term or as serial bonds, maturing in either case within forty (40) years from date of issue and may be made optional on any interest payment date as the governing board shall direct, and declaring an emergency."

H. B. No. 1003, A bill to be entitled "An Act permitting trustees of independent school districts in certain counties to issue time warrants for the purpose of taking up, refunding, and extending indebtedness incurred for the legal maintenance of schools in said districts up to June 1, 1935; etc., and declaring an emergency."

S. B. No. 479, A bill to be entitled "An Act to create a conservation and reclamation district to be known as New Braunfels-Gulf Water Supply District, consisting of that part of the State included within the Counties of Comal, Guadalupe, Wilson, Karns, Bee, San Patricio and Nueces, for fresh water supply purposes, including the power and authority to furnish a water supply to towns, cities, private corporations and individuals; declaring such district to be a governmental agency and body politic and corporate under Section 59, of Article 16, Constitution; providing for its management and control by a board of seven directors; and declaring an emergency."

(With amendments.)

S. C. R. No. 62, Suspending all

Joint Rules of the House and Senate for the consideration until final disposition thereof S. B. No. 107.

The House has refused to concur in Senate amendments to H. B. No. 777, and requests the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

Good, McFarland, Smith, Mauritz, and Herzik.

The House has passed the following bill:

S. B. No. 435, A bill to be entitled "An Act to amend the law controlling Water Control and Improvement Districts, as embraced in Sections 33 and 45 of Chapter 25 of the General Laws enacted by the 39th Legislature of Texas, at its Regular Session; and, Section 3 of Chapter 280 of the General Laws enacted by the 41st Legislature, at its Regular Session, in the following respects, i.e.; and declaring an emergency."

(With amendments.)

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Senate Resolution No. 57.

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

By Senator Oneal:

Be it resolved by the Senate of Texas:

First: That there is hereby established a standing committee of this Senate, to be known as the Committee on Interstate Cooperation, to be composed of five members.

Second: That the members of the present session shall be forthwith appointed by the President of the Senate. This committee shall devote its attention primarily to the improvement of relationships of the Government of this State with the governments of the forty-seven other states, and more especially with the governments of neighboring states. This committee shall also give attention to the more effective cooperation of the Government of this State with the Federal Government.

Third: That this committee shall also constitute the Council of the American Legislators' Association for this Senate.

Fourth: That the passage of this

resolution shall be the order of the day.

Read and a

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Senator Pa  
consent to sus  
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The Chair  
on its second  
bill:

By Mr. Du

H. B. No. 7  
"An Act ame  
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Cotten.  
Davis.  
DeBerry.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Isbell.  
Martin.  
Moore.

Absen

Fellbaum.

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No. 107.

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Association for

assage of this

resolution shall constitute an amend-  
ment of the rules of this Senate.

Read and adopted unanimously.

**House Bill No. 70.**

Senator Pace received unanimous  
consent to suspend the regular order  
of business and take up H. B. No. 70.

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

By Mr. Dunagan:

H. B. No. 70, A bill to be entitled  
"An Act amending Article 2956 by  
adding thereto another section, Ar-  
ticle 2956a, providing that persons  
who are feeble, ill and confined in  
bed or confined to their places of  
abode by reason of illness, may vote  
as absentees, may vote under Article  
2956; providing that persons who are  
ill, aged or decrepit, and who are  
unable to walk to the polls, may be  
driven in any vehicle, wheel chair or  
other conveyance to such voting  
place, etc., 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 Pace, the  
constitutional rule requiring bills to  
be read on three several days was  
suspended and H. B. No. 70 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 viva voce vote.

**House Bill No. 906.**

Senator Beck received unanimous  
consent to suspend the regular order  
of business and take up H. B. No.  
906.

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

By Mr. Beck:

H. B. No. 906, A bill to be entitled  
"An Act authorizing F. J. Aikin, J. F.  
Rochelle, and the Texarkana Na-  
tional Bank, a corporation, to sue the  
State of Texas to recover the amount  
due, or that may be found to be due,  
upon Comptroller's Deficiency Certifi-  
cate No. 2417, for the sum of \$264,  
issued to J. F. Aikin of date August  
28, 1930, fixing the venue of such  
suit, providing for the issuance of  
service of process therein, and de-  
claring an emergency."

Amend H. B. No. 906: Strike out  
word "Bowie" and insert "Travis,"  
before "County," line 41.

Add period after "Texas" and  
strike out all of the paragraph after  
word "Texas," line 41, printed bill.

Strike out Section 3.

BECK.

Read and adopted.

Amend H. B. No. 906, by inserting  
after the word "Texas," in line 32,  
page 1, of the printed bill, the follow-  
ing:

"and J. R. Telford of Bowie  
County, Texas."

BECK.

Read and adopted.

Amend H. B. No. 906, by inserting  
at the end of Section 1, the follow-  
ing:

"And to bring suit against the  
State of Texas, to recover the sum of  
twenty-four hundred four dollars and  
thirty-five cents (\$2,404.35), and any  
and all such amounts as may be due  
under and by virtue of Comptroller  
Deficiency Certificate No. 654, issued  
to J. D. Baker on March 25, 1929,  
the said J. R. Telford claiming title  
or interest therein."

BECK.

Read and adopted.

Amend caption of H. B. No. 906 to  
conform to the bill.

BECK.

Read and adopted.

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

The committee amendments were adopted.

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

On motion to Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 906 was put on its third reading and final passage by the following vote:

## Yeas—28.

Beck.	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.
Neal.	

## Absent—Excused.

Blackert.	Fellbaum.
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Read third time and finally passed by the following vote:

## Yeas—28.

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

## Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

## House Bill No. 372.

Senator Poage received unanimous consent to suspend the regular order

of business and take up H. B. No. 372.

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

By Mr. Hartzog:

H. B. No. 372, A bill to be entitled "An Act to amend Article 4875a-21, Revised Civil Statutes of 1928, to provide for an adequate and efficient method of examining local mutual aid, etc."

Amend H. B. No. 372 by adding a new section following Section 1, to be known as Section 2, to read as follows:

"Sec. 2. That Article 4875a-3 of the Forty-first Legislature, page 563, Chapter 274, Section 3, be and the same is hereby amended so as to hereafter read as follows:

No local mutual aid association shall be permitted to operate in this State except it confine its operations in the writing of business to one county or to a territory embraced within a radius of seventy-five (75) miles of the city or town wherein the home office of such association is located, including all parts of all counties traversed by said radius, or in event where the home office of an association is located within less than thirty (30) miles of the border line of this State, such operations may be extended to and permitted in all of the territory embraced within a radius of one hundred (100) miles of the city or town in which the home office of such association is located and may include all parts of all counties traversed by said radius, and any person, officer or agent of any association writing or soliciting any business in violation of this section shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not more than five hundred (\$500.00) dollars."

POAGE,  
HORNSBY.

Read and adopted.

"Amend the caption to conform."

POAGE.

Adopted.

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

The amendments were adopted.

The bill was read second time and

passed to en  
On motion  
constitution  
be read on  
suspended a  
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by the follow

Beck.  
Burns.  
Collie.  
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Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Isbell.  
Martin.  
Moore.  
Neal.

Abs

Blackert.  
DeBerry.

Read third  
by the follow

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

Abse

Blackert.  
DeBerry.

House

Senator Burr  
consent to susp  
and take up H.

The Chair la  
on its second  
bill:

By Mr. King  
H. B. No. 698  
"An Act to an

passed to engrossment.

On motion of Senator Blackert, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 372 was put on its third reading and final passage by the following vote:

Yeas—28.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

Read third time and finally passed by the following vote:

Yeas—28.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

**House Bill No. 699.**

Senator Burns received unanimous consent to suspend the regular order and take up H. B. No. 699.

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

By Mr. King:

H. B. No. 699, A bill to be entitled "An Act to amend Article 928 of

Chapter 1 of Title 12 of the Code of Criminal Procedure of the State of Texas, 1925, 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 Burns, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 699 was put on its third reading and final passage by the following vote:

Yeas—28.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

Read third time and finally passed by the following vote:

Yeas—27.

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

Nays—1.

Collie.

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

## House Bill No. 812.

Senator Cotten received unanimous consent to suspend the regular order and take up H. B. No. 812.

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

By Mr. Wells:

H. B. No. 812, A bill to be entitled "An Act relating to the duties of the county board of trustees of public schools of this State in all counties having an area of not more than one thousand and seventy (1,070) square miles and not less than one thousand and sixty (1,060) square miles, and a population of not less than sixty thousand (60,000) and not more than sixty-one thousand (61,000) according to the last Federal census, authorizing them to condemn land for school purposes; to subdivide their respective counties into convenient school districts; 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 Cotten, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 812 was put on its third reading and final passage by the following vote:

## Yeas—28.

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

## Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

Read third time and finally passed by the following vote:

## Yeas—28.

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

## Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

## House Bill No. 60.

Senator Shivers received unanimous consent to suspend the regular order of business and take up H. B. No. 60.

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

By Mr. McKee:

H. B. No. 60, A bill to be entitled "An Act amending Section 3 of H. B. No. 81, Chapter 29, Acts of the First Called Session, Forty-third Legislature, and H. B. No. 31 of the Third Called Session of the Forty-third Legislature; providing for commercial fisherman's license, wholesale fish dealer's license, retail fish dealers' license, in towns of certain population, retail oyster dealers' license, retail dealers' truck license, bait dealers' license, shrimp trawl license, shrimp trawl license permitting use of a 'try net,' seine or net license, fish boat license, skiff license, oyster dredge license, and fish guide license and the fees and requirements for all of same, etc."

Amend H. B. No. 60 by striking out the words and figures Seven Thousand Five Hundred (7,500) and insert in lieu thereof the words and figures Five Thousand (5,000).

SHIVERS.

Read and adopted.

Amend the caption of H. B. No. 60 by striking out the words and figures Seven Thousand Five Hundred (7,500) and insert in lieu thereof

the words and (5,000).

Read and a

Amend H. new section for numbered "2" lows:

"Section 2A All moneys provisions of this paid for violation fishing laws, s Game, Fish a at its office. later than the following the be deposited b Oyster Comm Treasury to t fund designate Fund."

Such Fish a be used for th fish, shrimp an State; for the ful information nomical value making of sc and surveys o and the marin protection and sea food fishes other useful ma chase, repair, a and dredges; deputies; and ment and all n the proper adm shrimp and oys

Read and ad

Amend the c 60 by inserting colon after the before the word No. 25 of the lowing:

"designating Treasury in wh sales of license violations of con are to be depos and the purpos shall be availabl

Read and ad

The committe ing the the b adopted by unan The amendmen The bill was r passed to third r

the words and figures Five Thousand (5,000).

SHIVERS.

Read and adopted.

Amend H. B. No. 60 by adding a new section following Section 2 to be numbered "2A" and to read as follows:

"Section 2A:

All moneys collected under the provisions of this Act, or because of fines paid for violations of the commercial fishing laws, shall be remitted to the Game, Fish and Oyster Commission at its office in Austin, Texas, not later than the tenth day of the month following their collection, and shall be deposited by the Game, Fish and Oyster Commission in the State Treasury to the credit of a special fund designated as "Fish and Oyster Fund."

Such Fish and Oyster Fund shall be used for the enforcement of the fish, shrimp and oyster laws of this State; for the dissemination of useful information pertaining to the economical value of marine life; for the making of scientific investigations and surveys of the sea food fishes and the marine life; for the better protection and conservation of the sea food fishes, oysters, shrimp and other useful marine life; for the purchase, repair, and operation of boats and dredges; for employment of deputies; and for supplies, equipment and all necessary expenses for the proper administration of the fish, shrimp and oyster laws of this State.

SHIVERS.

Read and adopted.

Amend the caption of H. B. No. 60 by inserting between the semicolon after the word "required" and before the word "providing" in line No. 25 of the printed bill, the following:

"designating the fund in the State Treasury in which the moneys from sales of licenses and for fines for violations of commercial fishing laws, are to be deposited when collected, and the purposes for which fund shall be available";

SHIVERS.

Read and adopted.

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

The amendments were adopted.

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

On motion of Senator Shivers, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 60 was put on its third reading and final passage by the following vote:

Yeas—28.

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

Absent—Excused.

Blackert.	Moore.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—28.

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

Absent—Excused.

Blackert.	Moore.
DeBerry.	Oneal.
Fellbaum.	

#### House Bill No. 368.

Senator Oneal received unanimous consent to suspend the regular order of business and take up H. B. No. 368.

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

By Mr. Alexander:

H. B. No. 368, A bill to be entitled "An Act changing the time of hold-

ing the terms of the district court in the One Hundredth Judicial District, and providing that all process and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in the counties composing said district, together with jurors heretofore selected are valid and returnable to the first term of such court after this Act takes effect, and providing for the continuation of the existing district courts in said counties in session when this Act takes effect to the end of their terms; repealing all conflicting laws; fixing the effective date of the Act, 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 Oneal the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 368 was put on its third reading and final passage by the following vote:

Yea—28.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

Read third time and finally passed  
by the following vote:

Yeast—28.

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

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

House Bill No. 814.

Senator Neal received unanimous consent to suspend the regular order of business and take up H. B. No. 814.

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

By Mr. Wood of Harrison:

H. B. No. 814, A bill to be entitled "An Act repealing Article 941, Penal Code of Texas, 1925, as amended by Acts, 1929, Forty-first Legislature, Chapter 119, and as further amended by Acts, 1930, Forty-first Legislature, Fifth Called Session, Chapter 13, Section 1. 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 Neal the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 814 was put on its third reading and final passage by the following vote:

Yeast—28.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

Read this  
by the foll

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

Blackert.  
DeBerry.

Hou

Senator J  
consent to s  
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The Chain  
on its second  
bill:

By Mr. Gil  
H. B. No.  
"An Act a  
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habitants ac  
ceding Feder  
erty valuat  
lion dollars  
proved tax  
calendar year  
emergency."

The commi  
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adopted by u

The bill was passed to third

On motion  
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read an three  
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on its third re  
by the follow

Beck.  
Burns.  
Collie.

Read third time and finally passed  
by the following vote:

Yeas—28.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

#### House Bill No. 887.

Senator Hill receiver unanimous consent to suspend the regular order of business and take up H. B. No. 887.

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

By Mr. Gibson:

H. B. No. 887, A bill to be entitled "An Act authorizing the county judge to employ a stenographer or clerk in any county having a population of less than twenty thousand inhabitants according to the last preceding Federal Census, and a property valuation in excess of fifty million dollars according to the approved tax roll for the preceding calendar year; 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 Hill the constitutional rule requiring bills to be read an three several days was suspended and H. B. No. 887 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Cotten.
Burns.	Davis.
Collie.	Duggan.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

Read third time and finally passed  
by the following vote:

Yeas—28.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

#### House Bill No. 373.

Senator Holbrook received unanimous consent to suspend the regular order of business and take up H. B. No. 373.

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

By Mr. Hartzog:

H. B. No. 373, A bill to be entitled "An Act to amend Section 6 of House Bill No. 303, Chapter 245, page 856, of the Acts of the Regular Session of the Forty-third Legislature to provide for an adequate and efficient method of examining state-wide mutual assessment insurance associations and companies qualifying and/or operating under the above chapter, and providing for the examination of said companies and associa-

tions every two years or oftener, if deemed advisable, etc., and declaring an emergency."

Amend H. B. No. 373 by adding a new section to be known as Section 2a, to read as follows:

It shall be the duty of the Commissioner to require any corporation, person, firm, association, local mutual aid association or any local association, company or organization, to have a certificate of authority before being authorized to carry on any insurance business in this State. If, in any event, any such company, person, firm, association, corporation, local aid association or local organization is writing any form of insurance whatsoever without a permit, or certificate of authority issued by the Department of Insurance of Texas, it shall be the duty of the Commissioner to make known said fact to the Attorney General of the State of Texas, who is hereby required to institute proceedings in the District Court of Travis County to restrain such corporation, person, firm, association, company, local aid association or organization from writing any insurance of any kind or character without a permit.

REDDITT.

Read and adopted.

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

REDDITT.

Adopted.

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. 373 was put on its third reading and final passage by the following vote:

Yeas—28.

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

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

Read third time and finally passed by the following vote:

Yeas—27.

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

Nays—1.

Cotten.

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

#### House Bill No. 181.

Senator Sanderford received unanimous consent to suspend the regular order of business and take up H. B. No. 181.

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

By Mr. Hoskins:

H. B. No. 181, A bill to be entitled "An Act making an appropriation to remove the remains of certain Texas patriots and providing for monuments for such patriots, 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 Sanderford, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 181 was put

on its third reading by the following vote:

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

Blackert.  
DeBerry.

Read third time and finally passed by the following vote:

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

Blackert.  
DeBerry.

Senator

Senator H. B. No. 181, A bill to be entitled "An Act making an appropriation to remove the remains of certain Texas patriots and providing for monuments for such patriots, and declaring an emergency."

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

By Senator S. B. No. 2, "An Act defining exceptions; and of transportation of transporta-

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

Yeas—28.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

Read third time and finally passed by the following vote:

Yeas—28.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

#### Senate Bill No. 265.

Senator Hornsby received unanimous consent to suspend the regular order of business and take up S. B. No. 265.

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

By Senator Hornsby:

S. B. No. 265, A bill to be entitled "An Act defining the term 'transportation agent'; providing certain exceptions; regulating the business of transportation agents; prescribing

the duties of the Railroad Commission with relation to transportation agents; providing for the issuance of licenses and the manner of such issuance; providing for bond of said applicant for license; providing for policy of liability insurance to be carried by said applicant for license; providing for fee and disposition thereof for said license; providing for term of said license and for the suspension or cancellation thereof and the method of same; providing for the keeping of records by such motor transportation agents; providing for inspection of said records by the Railroad Commission; fixing penalty for violation of this Act; repealing all laws in conflict; providing that if any section or portion of this Act be held unconstitutional it shall not affect the remainder; and declaring an emergency."

(With committee amendment.)

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

The committee amendment was adopted.

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

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 265 was put on its third reading and final passage by the following vote:

Yeas—28.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

Read third time and finally passed by the following vote:

## Yeas—17.

Beck.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hornsby.	Small.
Moore.	Stone.
Neal.	Van Zandt.
Pace.	Woodruff.

## Nays—6.

Burns.	Martin.
Collie.	Poage.
Hill.	Westerfeld.

## Absent.

Hopkins.	Sulak.
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## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

## House Bill No. 302.

Senator Collie received unanimous consent to suspend the regular order of business and take up H. B. No. 302.

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

By Mr. McCalla:

H. B. No. 302, A bill to be entitled "An Act to amend Article 2726 of the Revised Civil Statutes of Texas, revision of 1925, 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 Collie, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 302 was put on its third reading and final passage by the following vote:

## Yeas—28.

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

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

## Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

Read third time and finally passed by the following vote:

## Yeas—28.

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

## Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	

## Senate Bill No. 182.

Senator Isbell received unanimous consent to suspend the regular order of business and take up S. B. No. 182.

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

By Senator Hornsby:

S. B. No. 182, A bill to be entitled "An Act to amend Acts of 1903, Twenty-eighth Legislature, Regular Session, page 123, Chapter XCV, S. B. No. 76, Sections 1, 2 and 3, which is now Article 4576, Revised Statutes of 1925, providing for the appointment of the members of the State Board of Embalming so as to create a rotating board and to enlarge the term of office to six (6) years; prescribing the qualifications of the members of said board and their term of office; and declaring an emergency."

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

The committee report recommend-

ing that the adopted by u  
The bill wa  
passed to eng  
On motion  
constitutional  
be read on t  
suspended an  
on its third re  
by the follow

Beck.
Burns.
Collie.
Cotten.
Davis.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Martin.
Moore.
Neal.
Oneal.

Absent

Blackert.
DeBerry.

Read third t  
by the followin

Beck.
Burns.
Collie.
Cotten.
Davis.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Martin.
Moore.
Neal.
Oneal.

Absent

Blackert.
DeBerry.

## House I

Senator Regan  
consent to suspe  
of business and  
139.

The Chair lai

ing that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 182 was put on its third reading and final passage by the following vote:

Yeas—27.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

Read third time and finally passed by the following vote:

Yeas—27.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

#### House Bill No. 139.

Senator Regan received unanimous consent to suspend the regular order of business and take up H. B. No. 139.

The Chair laid before the Senate

on its second reading the following bill:

By Mr. Fisher:

H. B. No. 139, A bill to be entitled "An Act amending Article 1021, Texas Code of Criminal Procedure of 1925, as amended by Acts 1927, Fortieth Legislature, Chapter 236, Section 1, relating to salaries and per diem of district attorneys in all judicial districts composed of two or more counties, and providing that such district attorneys shall receive pay for each day of service in the necessary discharge of their official duties, and for each day they represent the State in specified capacities, 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 Regan, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 139 was put on its third reading and final passage by the following vote:

Yeas—27.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Hopkins.
Burns.	Hornsby.
Collie.	Martin.
Cotten.	Moore.
Davis.	Neal.
Duggan.	Oneal.
Hill.	Pace.
Holbrook.	Poage.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

**Senate Resolution No. 96.**

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

By Senator Poage:

S. R. No. 96, A Senate resolution "Providing for the appointment of an investigating committee to be composed of five members of the Senate, to be appointed by the Lieutenant Governor, to investigate any irregularities in any department of the State Government."

S. R. No. 96 was adopted by viva voce vote.

**Bills Referred.**

H. B. No. 1001, referred to the Committee on Education.

H. B. No. 1003, referred to the Committee on Education.

H. B. No. 998, referred to the Committee on Civil Jurisprudence.

**House Bill No. 435.**

Senator Woodruff moved that the Senate do not concur in House amendments to H. B. No. 485.

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. 435:

Senators Woodruff, Sanderford, Davis, Holbrook, and Regan.

**House Bill No. 914.**

Senator Moore received unanimous consent to suspend the regular order of business and take up H. B. No. 914.

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

H. B. No. 914, A bill to be entitled "An Act to create the San Jacinto

River Conservation and Reclamation District under the authority of Section 59, of Article XVI, of the Constitution of Texas, and defining the powers and duties of the said district; providing for temporary directors and organization and operation of the district; and the authority and duties of said temporary directors, etc., and declaring an emergency."

**House Bill No. 914.**

The Chair laid before the Senate the following bill which had been reconsidered:

Amend H. B. No. 914, page 6, Section 5, by striking out September 1st, 1931 and substituting in lieu thereof October 1st, 1935, and by striking out August 1st, 1930 and substituting in lieu thereof September 1st, 1935.

MOORE.

Read and adopted.

Amend H. B. No. 914, Page 7, by inserting September 1st, 1935 in the blank space on line 3 of page 7 and by inserting September 1st, 1935 in each of the two blank spaces on line 6, same page, and by inserting 1935 after the figure 31 in line 15, same page.

MOORE.

Read and adopted.

Amend H. B. No. 914 by striking out in Section 6, page 7, all of lines 3 and 4 of said section and the first word in line 5 in said section and substituting in lieu thereof the following:

"The Lieutenant Governor shall designate, by and with the advice and consent of two-thirds of the Senate" and by striking out the words "by the State Board of Water Engineers" in the last line on page 7.

Amend caption to conform.

MOORE.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Martin.
Burns.	Moore.
Collie.	Neal.
Cotten.	ONeal.
Davis.	Pace.
Duggan.	Poage.
Hill.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.

Shivers.  
Small.  
Stone.  
Sulak.

Absent

Blackert.  
DeBerry.

House

Senator Neal consent to suspend of business and 689.

The Chair laid before the Senate on its second bill:

By Mr. Jefferson.  
H. B. No. 68

"An Act to repeal the Penal Code the same being the first Legislature session, Chapter 7 1929, and declare

The committee reporting that the bill was adopted by unanimous

The bill was passed to third

On motion constitutional provisions be read on the suspended and on its third reading by the following

Y

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.  
Oneal.

Absent

Blackert.  
DeBerry.

Read third time and finally passed by the following

Shivers.	Van Zandt.
Small.	Westerfeld.
Stone.	Woodruff.
Sulak.	

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

**House Bill No. 689.**

Senator Neal received unanimous consent to suspend the regular order of business and take up H. B. No. 689.

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

By Mr. Jefferson:

H. B. No. 689, A bill to be entitled "An Act to repeal Article 9521-3 of the Penal Code of the State of Texas, the same being the Acts of the Forty-first Legislature, Second Called Session, Chapter 75, page 150, passed in 1929, 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. 689 was put on its third reading and final passage by the following vote:

Yeas—27.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

Read third time and finally passed by the following vote:

Yeas—27.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

**House Bill No. 580.**

Senator Redditt received unanimous consent to suspend the regular order of business and take up H. B. No. 580.

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

By Mr. Tillery:

H. B. No. 580, A bill to be entitled "An Act authorizing commissioners courts of certain counties to allow Stephen F. Austin Teachers College to act as depository of certain historical documents and permitting the librarian and archivist of said college to give certified copies thereof, 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 Redditt, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 580 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Hornsby.
Burns.	Martin.
Collie.	Moore.
Cotten.	Neal.
Davis.	Oneal.
Duggan.	Pace.
Hill.	Poage.
Holbrook.	Rawlings.
Hopkins.	Redditt.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

Read third time and finally passed  
by the following vote:

Yeas—27.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

**House Bill No. 991.**

Senator Regan received unanimous consent to suspend the regular order and take up H. B. No. 991.

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

By Mr. Hankamer:  
H. B. No. 991, A bill to be entitled "An Act amending Sections 2, 3, 7, and 9 of Chapter 101 of the General and Special Laws of the First Called Session of the Forty-third Legislature, said chapter providing for the creating of a Fireman, Policemen, and Fire Alarm Operators' Pension Fund in certain cities and towns having a paid fire, police and fire alarm operators' department, and creating a Board of Trustees for the same, and defining the duties and powers of the trustees thereof; 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 Regan, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 991 was put on its third reading and final passage by the following vote:

Yeas—27.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

Read third time and finally passed  
by the following vote:

Yeas—27.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

**House Bill No. 601.**

Senator Sanderford received unanimous consent to suspend the regular order of business and take up H. B. No. 601.

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

H. B. No. 601, A bill to be entitled "An Act making it unlawful for any

person, firm  
tion to pack  
sale, wheat  
flour, and  
ardized pack  
size and n  
ages; provi  
name of ma  
of the pla  
printed on  
age, and  
wheat flour  
corn meal t  
fered for s  
State unless  
etc., and d

Amend Se  
so that it sh  
lows:

"That each  
other cereal  
have the net  
facturer or  
(meaning th  
tion, or corp  
the wheat or  
or which pro  
or distribut  
wholesale)."

Read and

Senator Sa  
pend the co  
ing bills to  
days and pu  
third reading  
The motio  
vote:

Beck.
Burns.
Collie.
Cotten.
Davis.
Holbrook.
Moore.
Pace.
Rawlings.

Duggan.
Hornsby.
Neal.

Presen

Hill.

Martin.

person, firm, association, or corporation to pack for sale, sell, or offer for sale, wheat flour or other cereal, flour, and corn meal only in standardized packages; providing for the size and net weight of said packages; providing for the net weight, name of manufacturer and the name of the place where milled to be printed on the outside of each package, and making it unlawful for wheat flour, other cereal flour and corn meal to be packed for sale, offered for sale, or sold within this State unless it shall be so labeled, etc., and declaring an emergency."

Amend Section 3 of H. B. No. 601 so that it shall hereafter read as follows:

"That each package of wheat flour, other cereal flour and corn meal shall have the net weight, name of manufacturer or wholesale distributor (meaning the person, firm, association, or corporation which processes the wheat or other cereal into flour, or which processes the corn into meal or distributes either exclusively at wholesale)."

HILL.

Read and pending.

Senator Sanderford moved to suspend the constitutional rule requiring bills to be read on three several days and put H. B. No. 601 on its third reading and final passage.

The motion lost by the following vote:

Yeas—17.

Beck.	Redditt.
Burns.	Regan.
Collie.	Sanderford.
Cotten.	Shivers.
Davis.	Small.
Holbrook.	Stone.
Moore.	Van Zandt.
Pace.	Westerfeld.
Rawlings.	

Nays—5.

Duggan.	Poage.
Hornsby.	Woodruff.
Neal.	

Present—Not Voting.

Hill.	Sulak.
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Absent.

Martin.

Absent—Excused.

Blackert.	Hopkins.
DeBerry.	Isbell.
Fellbaum.	Oneal.

Senate Bill No. 504.

Senator Stone moved that the Senate do concur in House amendments to S. B. No. 504.

The motion prevailed by the following vote:

Yeas—27.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

House Bill No. 941.

Senator Shivers received unanimous consent to suspend the regular order of business and take up S. B. No. 941.

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

By Mr. McKee:

H. B. No. 941, A bill to be entitled "An Act to safeguard the public in the purchase of high grade plant and nursery stock, true to name; further defining the duties of the State Seed and Plant Board; establishing a system of registration and certification for agricultural plants and nursery stock; etc., and declaring an emergency."

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

The committee amendment was adopted.

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

On motion of Senator Shivers the

constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 941 was put on its third reading and final passage by the following vote:

## Yeas—27.

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

## Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

Read third time and finally passed by the following vote:

## Yeas—27.

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

## Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

## H. C. R. No. 55.

Senator Small received unanimous consent to suspend the regular order of business and take up H. C. R. No. 55.

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

By Mr. Rogers:

H. C. R. No. 55, Providing for the appointment of a committee to rep-

resent the State of Texas in order to settle the boundary dispute between Texas and Oklahoma.

Read and adopted by viva voce vote.

## House Bill No. 885.

Senator Stone received unanimous consent to suspend the regular order of business and take up H. B. No. 885.

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

By Mr. Stevenson:

H. B. No. 885, A bill to be entitled "An Act authorizing Real County to issue certain warrants or other evidences of indebtedness and to declare the validity of certain indebtedness arising out of the construction of State Highway No. 41 in the County of Real; etc., and declaring an emergency."

## Motion to Extend Time.

Senator Martin moved to extend Senator Poages time for five minutes in discussion of the bill.

The motion prevailed by viva voce vote.

## Point of Order.

Senator Holbrook raised the point of order for the third time that the Senator was filibustering, and was not confining his remarks to the bill, and called for a ruling from the Chair.

The Chair, Lieutenant Governor Walter F. Woodul, requested the Senate to vote on the point of order.

The point of order was sustained by the following vote:

## Yeas—11.

Burns.	Moore.
Cotten.	Neal.
Davis.	Pace.
Holbrook.	Rawlings.
Hornsby.	Small.
Martin.	

## Nays—9.

Beck.	Sanderford.
Collie.	Shivers.
Duggan.	Westerfeld.
Poage.	Woodruff.
Redditt.	

Presen

Hill.  
Stone.

Ab

Blackert.  
DeBerry.  
Fellbaum.  
Hopkins.

Per

Senator P  
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The comm  
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adopted by u  
The com  
adopted.

The bill w  
passed to th  
On motion  
constitutiona  
be read on  
suspended an  
on its third  
following vot

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

Poage.

Ab

Blackert.  
DeBerry.  
Fellbaum.

Read third  
by the follow

Burns.  
Davis.  
Holbrook.  
Hornsby.  
Martin.  
Moore.  
Neal.  
Rawlings.

## Present—Not Voting.

Hill. Van Zandt.  
Stone.

## Absent—Excused.

Blackert. Isbell.  
DeBerry. Oneal.  
Fellbaum. Regan.  
Hopkins. Sulak.

## Personal Privilege.

Senator Poage spoke on a point of personal privilege.

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

The committee amendment was adopted.

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

On motion of Senator Stone the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 885 was put on its third and final passage by the following vote:

## Yeas—24.

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

## Nays—2.

Poage. Westerfeld.

## Absent—Excused.

Blackert. Isbell.  
DeBerry. Oneal.  
Fellbaum.

Read third time and finally passed by the following vote:

## Yeas—16.

Burns. Redditt.  
Davis. Regan.  
Holbrook. Sanderford.  
Hornsby. Shivers.  
Martin. Small.  
Moore. Stone.  
Neal. Van Zandt.  
Rawlings. Woodruff.

## Nays—8.

Beck. Hill.  
Collie. Pace.  
Cotten. Poage.  
Duggan. Westerfeld.

## Absent—Excused.

Blackert. Isbell.  
DeBerry. Oneal.  
Fellbaum. Sulak.  
Hopkins.

## House Bill No. 603.

Senator Burns received unanimous consent to suspend the regular order of business and take up H. B. No. 603.

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

By Mr. Butler of Brazos:

H. B. No. 603, A bill to be entitled "An Act amending Article 7328, Revised Civil Statutes of 1925, as amended, Acts of 1927, Fortieth Legislature, First Called Session, providing for the purchase by the State in certain instances of lands sold for the payment of taxes; amending Article 2613, Revised Civil Statutes of 1925, withdrawing all forest lands from the market and providing for a system of State forest lands, the management and control thereof, and defining forest lands, 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 Burns, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 603 was put on its third reading and final passage by the following vote:

## Yeas—26.

Beck. Martin.  
Burns. Moore.  
Collie. Neal.  
Cotten. Pace.  
Davis. Poage.  
Duggan. Rawlings.  
Hill. Redditt.  
Holbrook. Regan.  
Hopkins. Sanderford.  
Hornsby. Shivers.

Small.  
Stone.  
Sulak.

Van Zandt.  
Westerfeld.  
Woodruff.

Absent—Excused.

Blackert.  
DeBerry.  
Fellbaum.

Isbell.  
Oneal.

Read third time and finally passed  
by the following vote:

Yeas—26.

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.

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

Absent—Excused.

Blackert.  
DeBerry.  
Fellbaum.

Isbell.  
Oneal.

#### House Bill No. 817.

Senator Burns received unanimous  
consent to suspend the regular order  
of business and take up H. B. No.  
817.

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

By Mr. Bergman:

H. B. No. 817, A bill to be entitled  
"An Act providing for the acquisition  
of lands for State forests by Board  
of Directors of A. & M. College; vest-  
ing authority in such board of di-  
rectors, etc."

The committee report recommend-  
ing 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 Burns, the  
constitutional rule requiring bills to  
be read on three several days was  
suspended and H. B. No. 817 was put  
on its third reading and final passage  
by the following vote:

Yeas—26.

Beck.

Burns.

Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.  
Pace.

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

Absent—Excused.

Blackert.  
DeBerry.  
Fellbaum.

Isbell.  
Oneal.

Read third time and finally passed  
by the following vote:

Yeas—26.

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.

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

Absent—Excused.

Blackert.  
DeBerry.  
Fellbaum.

Isbell.  
Oneal.

#### House Bill No. 1001.

Senator Poage received unanimous  
consent to suspend the regular order  
of business and take up H. B. No.  
1001.

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

By Mr. Tennyson:

H. B. No. 1001.

On motion of Senator Poage, the  
constitutional rule requiring bills to  
be read on three several days was  
suspended and H. B. No. 1001 was  
put on its second reading by the fol-  
lowing vote:

Yeas—27.

Beck.  
Burns.

Collie.  
Cotten.

Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.  
Oneal.  
Pace.  
Poage.

Blackert.  
DeBerry.

The rule re-  
ports to lie o-  
pend by un-  
The commit-  
ing that the b-  
adopted by un-  
The bill was  
passed to thir-  
On motion  
constitutional  
be read on th-  
suspended and  
put on its thir-  
sage by the fol-

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.  
Oneal.

Blackert.  
DeBerry.

Read third t-  
by the followin-

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

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 Poage, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 1001 was put on its third reading and final passage by the following vote:

Yeas—27.

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

Read third time and finally passed by the following vote:

Yeas—27.

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

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

Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Isbell.

**House Bill No. 796.**

Senator Westerfeld received unanimous consent to suspend the regular order of business and take up H. B. No. 796.

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

By Mr. Roach:

H. B. No. 796, A bill to be entitled "An Act relating to commercial vehicles, trucks, buses, or any vehicles which are designed or used for the purpose of lifting or towing wrecked cars, carrying flares so as to extend greater safety upon our highways showing the operation of same, providing a penalty therefor, and declaring an emergency."

(With committee amendments.)

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

The committee amendments were adopted.

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

On motion of Senator Westerfeld, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 796 was put on its third reading and final passage by the following vote:

Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed  
by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

## House Bill No. 223.

Senator Westerfeld received unanimous consent to suspend the regular order of business and take up H. B. No. 223.

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

By Mr. Reed of Dallas:

H. B. No. 223, A bill to be entitled "An Act levying and imposing license taxes and occupation taxes on coin-operated vending machines as defined in the Act, providing for certain exceptions and exemptions, prescribing penalties for violation of acts prohibited hereby and for failure to do and perform acts required to be done and performed under the provisions of this Act, to repeal Chapter 116, Acts of the First Called Session of the Forty-third Legislature, and to provide against counties, cities, and towns imposing any additional occupation tax by virtue of the taxes levied and imposed by this Act, etc., and declaring an emergency."

Substitute for Poage Amendment.

Amend Senate Committee Amendment No. 1 of House Bill No. 223, by rewording Section 7 as follows:

Sec. 7. Nothing herein shall be construed to license, permit, authorize, or legalize any coin-operated vending machine that operation, display, and/or maintenance of which is now illegal under Article 654 of the Penal Code of the State of Texas, 1925, and Section 47, Article 3, of the Constitution of the State of Texas; however, nothing herein shall be construed to prohibit the operation of any coin-operated marble or ball machine taxed herein which is not now prohibited by the Penal Code, or the Constitution of Texas.

WESTERFELD.

Read and adopted.

Amend Section — of H. B. No. 223 by adding a new section to be known as Subsection "A" as follows:

Provided that any game played on such machines shall be considered a game of chance in the event prizes of any kind or any money is ever paid thereon.

COTTEN.

Read.

The amendment by Senator Cotten lost by the following vote:

## Yeas—9.

Beck.	Hill.
Burns.	Hopkins.
Collie.	Neal.
Cotten.	Pace.
Davis.	Woodruff.

## Nays—14.

Duggan.	Redditt.
Holbrook.	Regan.
Hornsby.	Sanderford.
Martin.	Shivers.
Moore.	Small.
Poage.	Van Zandt.
Rawlings.	Westerfeld.

## Absent—Excused.

Blackert.	Oneal.
DeBerry.	Stone.
Fellbaum.	Sulak.
Isbell.	

On motion of Senator Westerfeld, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 223 was put on its third reading and final passage by the following vote:

## Yeas—26.

Beck.	Collie.
Burns.	Cotten.

Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.  
Pace.  
Poage.

Blackert.  
DeBerry.  
Fellbaum.

Read th  
by the fol

Beck.  
Burns.  
Collie.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.  
Pace.

Cotten.

Blackert.  
DeBerry.  
Fellbaum.

Senator  
mous conse  
order of bu  
No. 774.

The Cha  
on its seco  
bill:

By Mr. M  
H. B. No  
"An Act to  
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of some pa  
said Gene I  
of Texas  
Guard for

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—25.

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

Nays—1.

Cotten.

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

**House Bill No. 774.**

Senator Woodruff received unanimous consent to suspend the regular order of business and take up H. B. No. 774.

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

By Mr. McConnell:

H. B. No. 774, A bill to be entitled "An Act to permit Mrs. Otice Langham and her son, Gene Langham, both personally and in the capacity of some party as next friend to the said Gene Langham, to sue the State of Texas and the Texas National Guard for injuries the said Gene

Langham sustained when he was run down and run over by an army truck and truck of the said Texas National Guard near Mineral Wells, during July, 1930, and declaring an emergency."

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

The committee amendment was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Woodruff, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 774 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—22.

Beck.	Pace.
Burns.	Poage.
Davis.	Rawlings.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—3.

Collie.	Redditt.
Cotten.	

Absent—Excused.

Blackert.	DeBerry.
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Fellbaum.  
Isbell.

Oneal.  
Sulak.

### House Bill No. 705.

Senator Rawlings received unanimous consent to suspend the regular order of business and take up H. B. No. 705.

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

By Mr. Harris of Dallas:

H. B. No. 705, A bill to be entitled "An Act amending Article 3886 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 220, of the General Laws of the Regular Session of the Forty-third Legislature, by adding thereto a separate article to be known as Article 3886-e, making adequate provision for compensation of a court reporter to be appointed by the criminal district attorney in any county having a population in excess of one hundred and fifty thousand (150,000) and less than three hundred and fifty-five thousand (355,000) inhabitants, according to the last preceding Federal census, and which alone constitutes two or more judicial districts; 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 engrossment.

On motion of Senator Rawlings, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 705 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

### House Bill No. 1003.

Senator Small received unanimous consent to suspend the regular order of business and take up H. B. No. 1003.

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

By Mr. Worley:

H. B. No. 1003, A bill to be entitled "An Act permitting trustees of independent school districts in certain counties to issue time warrants for the purpose of taking up, refunding, and extending indebtedness incurred for the legal maintenance of schools in said districts up to June 1, 1935; etc., and declaring an emergency."

On motion of Senator Small, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 1003 was put on its second reading by the following vote:

Yeas—26.

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

Neal.  
Pace.  
Poage.  
Rawlings.  
Redditt.  
Regan.  
Sanderford.

Blackert.  
DeBerry.  
Fellbaum.

The rule ports to lie pended by u The comm ing that the adopted by u The bill w passed to thi On motion constitutional be read on suspended an put on its thi sage by the f

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.

Blackert.  
DeBerry.  
Fellbaum.

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Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.

Neal.  
Pace.  
Poage.  
Rawlings.  
Redditt.  
Regan.  
Sanderford.

Shivers.  
Small.  
Stone.  
Sulak.  
Van Zandt.  
Westerfeld.  
Woodruff.

Absent—Excused.

Blackert.  
DeBerry.  
Fellbaum.

Isbell.  
Oneal.

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 Small, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 1003 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.

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

Absent—Excused.

Blackert.  
DeBerry.  
Fellbaum.

Isbell.  
Oneal.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.

Martin.  
Moore.  
Neal.  
Pace.  
Poage.  
Rawlings.  
Redditt.  
Regan.  
Sanderford.  
Shivers.

Small.  
Stone.  
Sulak.

Van Zandt.  
Westerfeld.  
Woodruff.

Absent—Excused.

Blackert.  
DeBerry.  
Fellbaum.

Isbell.  
Oneal.

#### House Bill No. 690.

Senator Burns received unanimous consent to suspend the regular order of business and take up H. B. No. 690.

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

By Mr. Bergman:

H. B. No. 690, A bill to be entitled "An Act to provide a schedule of weights whereby the load weight of lumber being hauled by trucks on the highways of this State can be determined, 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 Burns, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 690 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.

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

Absent—Excused.

Blackert.  
DeBerry.  
Fellbaum.

Isbell.  
Oneal.

Read third time and finally passed by the following vote:

## Yeas—24.

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

## Nays—2.

Cotten.	Woodruff.
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## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

## House Bill No. 691.

Senator Shivers received unanimous consent to suspend the regular order of business and take up H. B. No. 691.

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

By Mr. Clayton:

H. B. No. 691, A bill to be entitled "An Act to define and regulate 'auto caravans' using the highways of this State outside of the limits of incorporated cities, towns, or villages; placing the jurisdiction of the regulation of such auto caravans in the Railroad Commission of the State of Texas; making it unlawful to operate auto caravans without procuring a permit from the Railroad Commission for each of such caravans; requiring applications to be made by persons desiring to operate such auto caravans upon forms prescribed by the Railroad Commission of Texas; requiring that a remittance of five dollars (\$5.00) for each one hundred (100) miles or a fraction thereof each vehicle is to be moved shall accompany the application, to be deposited in the State Highway Fund if the permit is issued, but, provided, that said sum of money shall be returned if the permit is not granted, 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 Shivers, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 691, was put on its third reading and final passage by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

## House Bill No. 925.

Senator Cotten received unanimous consent to suspend the regular order of business and take up H. B. No. 925.

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

By  
H. I.  
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by the

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.

Blackert.  
DeBerry.  
Fellbaum

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by the fol

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.

Blackert.  
DeBerry.  
Fellbaum.

By Mr. Steward:

H. B. No. 925, A bill to be entitled "An Act amending Article 4631, Revised Civil Statutes of the State of Texas, 1925, relating to the residence of plaintiff in suits for divorce, 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 Cotten, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 925 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

# House Bill No. 983.

Senator Davis received unanimous consent to suspend the regular order of business and take up H. B. No. 983.

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

By Mr. Adkins:

H. B. No. 983, A bill to be entitled "An Act making it unlawful to transport minnows of any and all species outside of the counties wherein such minnows are caught, seined or taken; provided that this Act shall only apply to persons, firms or corporations transporting minnows caught, seined or taken from the waters of the counties of McCulloch, San Saba, Gillespie, Llano, Kendall, Blanco, Lampases, and Mason; 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 Davis, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 983 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Cotten.
Burns.	Davis.
Collie.	Duggan.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

**House Bill No. 375.**

Senator Duggan received unanimous consent to suspend the regular order of business and take up H. B. No. 375.

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

By Mr. Payne:

H. B. No. 375, A bill to be entitled "An Act providing that beaver may be taken in Val Verde County during the month of January and their pelts disposed of in conformity to the laws of this State; providing a penalty; repealing all laws, in so far as they conflict with any provision of this Act, 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 Duggan, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 375 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

**House Bill No. 893.**

Senator Shivers received unanimous consent to suspend the regular order of business and take up H. B. No. 893.

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

By Mr. Nicholson:

H. B. No. 893, A bill to be entitled "An Act to amend Chapter 1, Title 61, Revised Civil Statutes of 1925, providing for the appointment of deputy district clerks in any county having a population of more than one hundred thirty-two thousand (132,000) and less than one hundred fifty thousand (150,000) inhabitants, as shown by the latest United States Census, and in which there are more than one district court, including a criminal district court; 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 Shivers the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 893 was put

on its thi  
following

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.

Blackert.  
DeBerry.  
Fellbaum.

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by the foll

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.

Blackert.  
DeBerry.  
Fellbaum.

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Senator H  
consent to su  
of business  
694.

The Chair  
on its second  
bill:

By Mr. Lea  
H. B. No. 6  
"An Act ame  
vised Civil S  
as amended l  
first Legislat

on its third and final passage by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

#### House Bill No. 694.

Senator Hill received unanimous consent to suspend the regular order of business and take up S. B. No. 694.

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

By Mr. Leath:

H. B. No. 694, A bill to be entitled "An Act amending Article 3883, Revised Civil Statutes of Texas, 1925, as amended by Acts of 1930, Forty-first Legislature, Fourth Called Ses-

sion, page 30, Chapter 20; as amended by Acts of 1931, Forty-second Legislature, page 822, Chapter 340; as amended by Acts of 1933, Forty-third Legislature, page 734, Chapter 220, Section 1, and as further amended by Acts of 1934, Forty-third Legislature, Second Called Session, page 123, Chapter 58, Section 1, by adding thereto a new subsection to be known as Subsection 2-a, and amending Article 3902, Revised Civil Statutes of Texas, 1925, as amended by Acts of 1929, Forty-first Legislature, First Called Session, page 225, Chapter 92, as amended by Acts of 1931, Forty-second Legislature, page 364, Chapter 214, as amended by Acts of 1933, etc."

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 Hill the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 694 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Holbrook.
Burns.	Hopkins.
Collie.	Hornsby.
Cotten.	Martin.
Davis.	Moore.
Duggan.	Neal.
Hill.	Pace.

Poage.	Small.
Rawlings.	Stone.
Redditt.	Sulak.
Régan.	Van Zandt.
Sanderford.	Westerfeld.
Shivers.	Woodruff.

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

**House Bill No. 374.**

Senator Holbrook received unanimous consent to suspend the regular order of business and take up S. B. No. 374.

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

By Mr. Jones of Falls:

H. B. No. 374, A bill to be entitled "An Act amending Title 17, Chapter 6, of the Penal Code of Texas, by adding thereto an article to be known as Article 1404a, defining attempted burglary of a vessel, steamboat, or railroad car, making attempted burglary of a vessel, steamboat, or railroad car a penal offense, and providing the punishment for said offense."

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 Holbrook the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 374 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	DeBerry.
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Fellbaum.	Oneal.
Isbell.	

Read third time and finally passed by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

**House Bill No. 845.**

Senator Hopkins received unanimous consent to suspend the regular order of business and take up H. B. No. 845.

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

By Mr. Knetsch:

H. B. No. 845, A bill to be entitled "An Act to prohibit the sale or offering for sale, or the buying of any bass, crappie, perch or catfish, or any other fish taken from the fresh waters of Guadalupe County, and to prohibit the use of net or seine, except a net not exceeding ten feet in length for the purpose of catching minnows for bait, in said county, limiting the size and number of fish which may be taken from the waters of Guadalupe County; prescribing a penalty; repealing all laws in conflict with this Act, 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 Shivers the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 845 was put on its third reading and final passage by the following vote:

Beck.
Burns.
Collie.
Cotten.
Davis.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Martin.
Moore.
Neal.

Blackert.
DeBerry.
Fellbaum.

Read third time and finally passed by the following vote:

Beck.
Burns.
Collie.
Cotten.
Davis.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Martin.
Moore.
Neal.

Blackert.
DeBerry.
Fellbaum.

**House Bill No. 336.**  
Senator Hopkins received unanimous consent to suspend the regular order of business and take up H. B. No. 336.

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

By Mr. [Name obscured]  
H. B. No. 336, "An Act to amend Chapter 1, Title 1, of the Criminal Code of Texas, 1925, when motions made in trials, and de-

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed  
by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

## House Bill No. 336.

Senator Hornsby received unanimous consent to suspend the regular order of business and take up H. B. No. 336.

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

By Mr. Roach of Hunt:

H. B. No. 336, A bill to be entitled "An Act to amend Article 755 of Chapter 1, Title 9, of the Code of Criminal Procedure of the State of Texas, 1925, prescribing the time when motions for new trials may be made in misdemeanors and felony trials, 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. 336 was put on its third reading and final passage by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed  
by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

## House Bill No. 615.

Senator Regan received unanimous consent to suspend the regular order of business and take up H. B. No. 615.

The Chair laid before the Senate

on its second reading the following bill:

By Mr. Bradford:

H. B. No. 615, A bill to be entitled "An Act to make it unlawful to take, hunt, trap, shoot, or kill any wild quail of any species for a period of three (3) years in Ector County, Texas; fixing penalty, 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 Regan the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 615 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
Fellbaum.	Oneal.
DeBerry.	

House Bill No. 711.

Senator Martin received unanimous consent to suspend the regular order of business and take up H. B. No. 711.

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

Mr. Mr. Calvert:

H. B. No. 711, A bill to be entitled "An Act exempting the State of Texas, any county in the State, any State Department, or the head of any State Department and corporations created, and/or to be created, by or under authority of any Act of Congress of the United States of America as a National relief organization, etc."

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 Martin, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 711 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Burns.
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Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.  
Pace.

Blackert.  
DeBerry.  
Fellbaum.

Senator  
consent to s  
of business  
823.

The Chair  
on its second  
bill:

By Mr. C.  
H. B. No.  
"An Act am  
vised Statut  
of 1925, by  
7725-a; pro  
water impr  
their dissol  
debtedness  
against the  
districts in  
sessed valu  
the county t  
year; etc.,  
gency."

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adopted by  
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passed to th  
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constitutiona  
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suspended ar  
on its third r  
by the follow

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

**House Bill No. 823.**

Senator Neal received unanimous consent to suspend the regular order of business and take up H. B. No. 823.

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

By Mr. Celaya:

H. B. No. 823, A bill to be entitled "An Act amending Article 7725, Revised Statutes of the State of Texas, of 1925, by adding thereto Section 7725-a; providing a method by which water improvement districts, upon their dissolution, shall pay their indebtedness by having same prorated against the lands lying within such districts in accordance with the assessed valuations of such lands on the county tax rolls for the preceding year; 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 Neal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 823 was put on its third reading and final passage by the following vote:

## Yeas—26.

Beck.	Holbrook.
Burns.	Hopkins.
Collie.	Hornsby.
Cotten.	Martin.
Davis.	Moore.
Duggan.	Neal.
Hill.	Pace.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

**H. C. R. No. 88.**

Senator Moore received unanimous consent to suspend the regular order of business and take up H. C. R. No. 88.

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

H. C. R. No. 88, "Granting Mrs. Mary M. Wise permission to sue the State of Texas and the Labor Department of the State of Texas for personal injuries."

H. C. R. No. 88 was adopted by viva voce vote.

**House Bill No. 657.**

Senator Neal received unanimous consent to suspend the regular order of business and take up H. B. No. 657.

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

By Mr. Leonard:  
H. B. No. 657, A bill to be entitled  
"An Act amending Section 19 of  
H. B. No. 623, Chapter 180, Acts of  
Forty-third Legislature, Regular Ses-  
sion, and declaring an emergency."

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 Neal, the  
constitutional rule requiring bills to  
be read on three several days was  
suspended and H. B. No. 657 was put  
on its third reading and final passage  
by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed  
by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

## House Bill No. 157.

Senator Moore received unanimous

consent to suspend the regular order  
of business and take up H. B. No.  
157.

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

By Mr. Calla:

H. B. No. 157, A bill to be entitled  
"An Act to provide that constables  
shall be responsible for the official  
acts of their deputies; empowering  
constables to require bond and se-  
curity of their deputies; providing  
remedies in favor of constable  
against their deputies and sureties,  
and declaring an emergency."

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 Moore, the  
constitutional rule requiring bills to  
be read on three several days was  
suspended and H. B. No. 157 was put  
on its third reading and final passage  
by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed  
by the following vote:

## Yeas—26.

Beck.	Martin.
Burns.	Moore.
Collie.	Neal.
Cotten.	Pace.
Davis.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.

Small.  
Stone.  
Sulak.

Blackert.  
DeBerry.  
Fellbaum.

Senator  
consent to  
of busines  
883.

The Cha  
on its sec  
bill:

By Mr.  
H. B. No.  
"An Act a  
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claring an  
The com  
ing that th  
adopted by  
The bill  
passed to t  
On moti  
constitution  
be read on  
suspended  
on its third  
by the foll

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Duggan.  
Hill.  
Holbrook.  
Hopkins.  
Hornsby.  
Martin.  
Moore.  
Neal.

Blackert.  
DeBerry.  
Fellbaum.

Read thi  
by the follo

Beck.  
Burns.

Small.	Van Zandt.
Stone.	Westerfeld.
Sulak.	Woodruff.

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

## House Bill No. 883.

Senator Poage received unanimous consent to suspend the regular order of business and take up H. B. No. 883.

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

By Mr. Cagle:

H. B. No. 883, A bill to be entitled "An Act amending Article 2880, Revised Civil Statutes of 1925, 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 Poage, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 883 was put on its third reading and final passage by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

## Yeas—26.

Beck.	Collie.
Burns.	Cotten.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

## House Bill No. 909.

Senator Redditt received unanimous consent to suspend the regular order of business and take up H. B. No. 909.

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

By Mr. Glass:

H. B. No. 909, A bill to be entitled "An Act to prohibit the selling, taking or possession for barter or sale of wild fox or the pelt thereof; to prohibit the killing of wild fox; providing penalties; providing that the Act shall remain in effect for two years, 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 Redditt, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 909 was put on its third reading and final passage by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert. Isbell.  
DeBerry. Oneal.  
Fellbaum.

Read third time and finally passed  
by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert. Isbell.  
DeBerry. Oneal.  
Fellbaum.

## House Bill No. 682.

Senator Regan received unanimous  
consent to suspend the regular order  
of business and take up H. B. No.  
682.

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

By Mr. Hankamer:

H. B. No. 682, A bill to be entitled  
"An Act amending Article 7118 of  
the 1925 Revised Civil Statutes of  
the State of Texas, being Section 3 of  
Chapter 29, page 64, Acts of the Sec-  
ond Called Session of the Thirty-  
eighth Legislature of the State of  
Texas, by adding to the class exempted  
and taxes under Class 'A' therein,  
stepchildren of the decedent, and  
their direct descendants and the di-  
rect descendants of adopted children,  
and by adding a new article to be  
known as Article 7118-a, providing  
that such classification shall apply in  
the case of persons now deceased  
and whose estates have not been ap-  
praised for inheritance tax at the  
time of the passage of this Act, and  
declaring an emergency."

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 Regan, the  
constitutional rule requiring bills to  
be read on three several days was  
suspended and H. B. No. 682 was put  
on its third reading and final passage  
by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert. Isbell.  
DeBerry. Oneal.  
Fellbaum.

Read third time and finally passed  
by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert. Isbell.  
DeBerry. Oneal.  
Fellbaum.

## House Bill No. 601.

On motion of Senator Sanderford,  
the constitutional rule requiring bills  
to be read on three several days was  
suspended and H. B. No. 601 was put  
on its third reading and final passage  
by the following vote:

Burns.  
Collie.  
Cotten.  
Davis.  
Hill.  
Holbrook.  
Martin.  
Moore.  
Neal.  
Pace.

Hornsby.  
Poage.

Beck.

Duggan.

Blackert.  
DeBerry.  
Fellbaum.  
Hopkins.

The pen-  
ator Hill v

"Amend  
Adopted.

H. B. No.  
as amended  
following v

Beck.  
Burns.  
Collie.  
Cotten.  
Davis.  
Holbrook.  
Martin.  
Moore.  
Neal.

Hill.  
Hornsby.  
Poage.

Duggan.

Blackert.  
DeBerry.

## Yeas—19.

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

## Nays—3.

Hornsby.	Woodruff.
Poage.	

## Present—Not Voting.

Beck.

## Absent.

Duggan.

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	Sulak.
Hopkins.	

The pending amendment by Senator Hill was unanimously adopted.

"Amend the caption to conform." Adopted.

H. B. No. 601 was read third time as amended and finally passed by the following vote:

## Yeas—18.

Beck.	Pace.
Burns.	Rawlings.
Collie.	Regan.
Cotten.	Sanderford.
Davis.	Shivers.
Holbrook.	Small.
Martin.	Stone.
Moore.	Van Zandt.
Neal.	Westerfeld.

## Nays—5.

Hill.	Redditt.
Hornsby.	Woodruff.
Poage.	

## Absent.

Duggan.

## Absent—Excused.

Blackert.	Fellbaum.
DeBerry.	Hopkins.

Isbell.
Oneal.

Sulak.

## House Bill No. 641.

Senator Davis received unanimous consent to suspend the regular order of business and take up H. B. No. 641.

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

By Mr. Stevenson:

H. B. No. 641, A bill to be entitled "An Act to prohibit the taking of fish in Kimble, Kerr, Edwards, Real, Sutton, Bandera, Mason, Menard, Blanco, Llano, Kendall, or Gillespie Counties with any device equipped with more than two hooks, except artificial bait used with a rod and reel and excepting a twenty-foot minnow seine for the purpose of taking minnows for bait; providing size limits and bag limits for fish taken in said counties, 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 engrossment.

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 641 was put on its third reading and final passage by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

## House Bill No. 3.

Senator Redditt received unanimous consent to suspend the regular order of business and take up H. B. No. 3.

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

By Mr. Tillery:

H. B. No. 3, A bill to be entitled "An Act amending Article 924, Penal Code, 1925, making it unlawful to use certain explosives or other things harmful to fish in any of the waters of this State; providing a penalty, and declaring an emergency."

(With committee amendments.)

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

REDDITT.

Adopted.

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

The committee amendment was adopted.

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. 3 was put on its third reading and final passage by the following vote:

## Yeas—26.

Beck.	Cotten.
Burns.	Davis.
Collie.	Duggan.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

## House Bill No. 915.

Senator Burns received unanimous consent to suspend the regular order of business and take up H. B. No. 915.

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

By Mr. Colson:

H. B. No. 915, A bill to be entitled "An Act to prohibit the use of a seine or net for taking fish in Montgomery County except a seine or net of not less than three-inch square mesh during certain months; excepting a minnow seine from provisions of this Act; providing a penalty; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The committee report recommend-

ing that adopted. The bill passed to On motion of Senator Redditt, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 3 was put on its third reading and final passage by the following vote:

Beck.
Burns.
Collie.
Cotten.
Davis.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Martin.
Moore.
Neal.

Blackert.
DeBerry.
Fellbaum.

Read third time and finally passed by the following vote:

Beck.
Burns.
Collie.
Cotten.
Davis.
Duggan.
Hill.
Holbrook.
Hopkins.
Hornsby.
Martin.
Moore.
Neal.

Blackert.
DeBerry.
Fellbaum.

Senator Burns received unanimous consent to suspend the regular order of business and take up H. B. No. 726.

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

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 Burns, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 915 was put on its third reading and final passage by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

## House Bill No. 726.

Senator Westerfeld received unanimous consent to suspend the regular order of business and take up H. B. No. 726.

The Chair laid before the Senate

on its second reading the following bill:

By Mr. Harris of Dallas:

H. B. No. 726, A bill to be entitled "An Act providing for the appointment of grand jury bailiffs in counties having a population in excess of three hundred and twenty-five thousand (325,000) inhabitants and less than three hundred and fifty-five thousand (355,000) inhabitants, according to the last preceding or any subsequent Federal census; 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 Westerfeld the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 726 was put on its third reading and final passage by the following vote:

## Yeas—26.

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

## Absent—Excused.

Blackert.	Isbell.
DeBerry.	Oneal.
Fellbaum.	

Read third time and finally passed by the following vote:

## Yeas—26.

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

Absent—Excused.

Blackert. Isbell.  
DeBerry. Oneal.  
Fellbaum.

### S. C. R. No. 65.

By Senator Woodruff:

Be it resolved by the Senate, the House of Representatives concurring, That Joint Rules 22, 23, 24, and 32 be, and are hereby suspended, for the purpose of considering S. B. No. 395, relating to bond issue on certain road district, until said bill is finally disposed of.

Senator Woodruff asked unanimous consent that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 65 be taken up and considered at this time.

Unanimous consent was granted.

S. C. R. No. 65 was adopted by viva voce vote.

### Motion to Recess.

On motion of Senator Holbrook, the Senate at 11:25 o'clock p. m., recessed until 10:00 o'clock a. m., Friday.

### APPENDIX.

#### Committee on Engrossed Bills.

Committee Room,

Austin, Texas, May 9, 1935.

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

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 21 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, May 9, 1935.

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

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 62 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

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

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 181

carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

#### Committee on Enrolled Bills.

Committee Room,

Austin, Texas, May 8, 1935.

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

Sir: We, your Committee on Enrolled Bills, have had S. J. R. No. 6 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

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

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 42 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

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

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 60 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

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

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 61 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

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

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 143 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, May 8, 1935.

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

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 149 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,  
Austin, Texas, May 8, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
rolled Bills, have had S. B. No. 290  
carefully examined and compared  
and find same correctly enrolled.  
POAGE, Chairman.

Committee Room,  
Austin, Texas, May 8, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
rolled Bills, have had S. B. No. 493  
carefully examined and compared  
and find same correctly enrolled.  
POAGE, Chairman.

Committee Room,  
Austin, Texas, May 8, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
rolled Bills, have had S. B. No. 523  
carefully examined and compared  
and find same correctly enrolled.  
POAGE, Chairman.

Committee Room,  
Austin, Texas, May 8, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
rolled Bills, have had S. B. No. 153  
carefully examined and compared  
and find same correctly enrolled.  
POAGE, Chairman.

Committee Room,  
Austin, Texas, May 8, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 499  
carefully examined and compared  
and find same correctly enrolled.  
POAGE, Chairman.

Committee Room,  
Austin, Texas, May 8, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
rolled Bills, have had S. B. No. 402  
carefully examined and compared  
and find same correctly enrolled.  
POAGE, Chairman.

Committee Room,  
Austin, Texas, May 8, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
rolled Bills, have had S. B. No. 509  
carefully examined and compared  
and find same correctly enrolled.  
POAGE, Chairman.

Committee Room,  
Austin, Texas, May 8, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
rolled Bills, have had S. C. R. No. 55  
carefully examined and compared  
and find same correctly enrolled.  
POAGE, Chairman.

Committee Room,  
Austin, Texas, May 9, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
rolled Bills, have had S. C. R. No. 34  
carefully examined and compared  
and find same correctly enrolled.  
POAGE, Chairman.

#### Committee Reports.

Committee Room,  
Austin, Texas, May 9, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 777, A bill to be entitled "An Act making appropriations to  
pay miscellaneous claims out of the General Fund; authorizing the pay-  
ment of certain sums out of the Highway Fund; authorizing payment of  
said miscellaneous claims on the taking effect of this Act; provided no  
claim shall be paid until audited by the State Auditor or State Comptroller  
and approved by the Attorney General, and declaring an emergency."

Have had the same under consideration, and I am instructed to report  
it back to the Senate with the recommendation that it do pass with com-  
mittee amendment and be not printed.

REBERTT, Chairman.

## Committee Amendment.

Amend H. B. No. 777 by adding the following at the end of Section 1:

To pay Alcorn Land & Improvement Company of Sugarland, Texas, refund of overpayment of franchise tax	\$ 3.90
To pay The Allar Company of Graham, Texas, refund of overpayment of franchise tax	16.00
To pay American Federation of Arts of Washington, D. C. Warrant No. 154,672, dated June 25, 1932, on which payment is prohibited by limitation	10.00
To pay Kyle Anthis, Wharton, Texas, expenses in returning fugitive from justice	307.96
To pay J. H. Beavers, Longview, Texas, for three days service as Special Judge of 124th District Court	32.82
To pay Burpee Can Sealer Company, Chicago, Ill., Treasury Warrant No. 153,422, dated June 23, 1932, on which payment prohibited by limitation	3.00
To pay S. H. Bryan, Limestone County, refund of double payment of ad valorem tax	16.65
To pay Elsie DeWolf Beckwith, Houston, Texas, transcript fees in Cause No. 39,248, Harris County	27.00
To pay Miss Eva Brown, Austin, Texas, refund on overpayment of ad valorem tax	120.95
To pay Brown Instrument Company, Philadelphia, Pa., Treasury Warrant No. 137,694, dated March 23, 1932, on which payment prohibited by limitation	18.96
To pay W. P. Brown, Orange, Texas, Expenses returning fugitive from justice	327.95
To pay J. S. Bond, Palo Pinto, Texas, Expenses returning fugitive from justice	276.65
To pay Colorado Operating Company, Sugarland, Texas, refund of overpayment of franchise tax	3.00
To pay Coolidge Drug Company, Coolidge, Texas, refund of overpayment of franchise tax	33.50
To pay Citizens State Bank, Rusk, Texas, Witness fees in felony cases	32.72
To pay J. M. Combs, Beaumont, Texas, Expenses incurred as Associate Justice for attendance upon Court in San Antonio	37.50
To pay J. I. Coursey, Raymondville, Texas, for three days service as special judge of district court of Willacy County	41.10
To pay Ed Dittert Company, Bellville, Texas, refund of overpayment of franchise tax	16.80
To pay E. J. Davis, Austin, Texas, refund of overpayment of registration fee on truck. To be paid from Highway Fund	12.80
To pay John Day Company, Inc., New York, Treasury Warrant No. 159078, dated July 6, 1932, on which payment prohibited by limitation	2.40
To pay Duff Electric Co., Dallas, Texas, refund of overpayment of franchise tax	10.00
To pay Foster Development Company, Sugarland, Texas, refund of overpayment of franchise tax	1.80
To pay Bouldin Crofton, Giddings, Texas, Treasury Warrant No. 205315, dated August 22nd, 1932. Payment prohibited by limitation	75.00
To pay Jake Winfield, Chapel Hill, Texas, witness fees in felony cases	25.08
To pay Goliad Lumber Company, Goliad, Texas, account against State Parks Board	200.00
To pay J. D. George Construction Company, Rental on graders in Jefferson County, to be paid from Highway Funds	350.00

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## SENATE JOURNAL.

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tion 1:	To pay Garrison Lumber Company, Corpus Christi, overpay- ment of franchise tax	12.00
3.90	To pay Gulf States Utilities Company, Beaumont, refund of overpayment of filing fees	2,370.00
16.00	To pay Harlem Book Company, New York City, Treasury Warrant No. 175684, dated August 10, 1932, payment prohibited by limitation	2.81
10.00	To pay Hillyer-Deutsch-Jarrett Company, San Antonio, re- fund of overpayment of franchise tax	148.80
307.96	To pay Harnischfeger Sales Company, Milwaukee, Wiscon- sin, refund of overpayment of franchise tax	6.25
32.82	To pay Frank Hamer, Austin, Texas, Expenses incurred in the apprehension of Clyde Barrow	1,075.00
3.00	To pay Imperial Sugar Company, Sugarland, Texas, refund of overpayment of franchise tax	14.40
16.65	To pay P. A. Jackson, Marfa, Texas, refund of double pay- ment of ad valorem tax	57.57
27.00	To pay John L. King, St. Louis, Mo., Services in National Guard	6.24
120.95	To pay Laredo Auto Sales Co., Laredo, Texas, refund of overpayment of franchise tax	60.00
18.96	To pay R. S. McCracken, Marfa, Texas, refund of double payment of ad valorem tax	48.22
327.95	To pay Pope Building Company, Corpus Christi, Refund of overpayment of franchise tax	15.00
276.65	To pay Sterling Price, Matador, Texas, Expenses incurred in returning fugitives from justice	269.68
3.00	To pay Bert Carroll, Waco, Texas. Damage to pecan trees by children from State Home for delinquents	90.00
33.50	To pay Clifford Braly, Dalhart, Texas, Treasury Warrant No. 27,649, payment prohibited by limitation	15.00
32.72	To pay Charles W. Ray, Jefferson, Texas, Refund of double payment of ad valorem tax	4.83
37.50	To pay Rio Grande Securities Company, McAllen, Texas, Refund of overpayment of franchise tax	107.60
41.10	To pay E. M. Scarbrough & Son, Austin, Texas, Account against Prison System	625.00
16.80	To pay Southwestern Bell Telephone Company, Refund of overpayment of filing fees	2,500.00
12.80	To pay Southwest Publishing Company, Cincinnati, Treasury Warrants Nos. 33728, 169613 and 183176, payment pro- hibited by limitation	62.03
2.40	To pay S. Boyd Street, Graham, Texas, refund of overpay- ment of franchise tax	107.10
10.00	To pay Western Advance Paper Bag Company, Boston, Mass., for refund of overpayment of franchise tax	5.00
1.80	To pay Nelson W. Willard, Amarillo, Texas, refund of double payment of ad valorem tax	183.72
75.00	To pay the following for refund of Motor Bus Seat tax col- lected under invalid law, to be paid out of Highway fund:	
25.08	Newt Harkey	41.00
200.00	D. S. Coward	16.00
350.00	W. E. Maxey	35.00
	A. F. Ludlow	20.00
	Raymundo A. Hernandez	65.00
	R. B. Elliott	35.00
	George Conner	28.00
	Martin Fernandez	60.00
	O. C. Williams	42.00
	C. H. Yates	49.00
	Otis Caulk	40.00
	Charlie Jones	38.00

Henry Hamilton	25.00
O. Fitzgerald	42.00
Francisco Herrera	20.00
N. N. Williams	14.00
Jesus Flores	105.00
E. C. McCollum	25.00
A. Orrutia	40.00
R. G. Adamson	20.00
W. I. Mathews	20.00
Emil Morales	40.00
Isaac Garza	20.00
Federico R. Reyna	20.00
J. W. Spivey	20.00
J. R. Beeson	30.00
R. Siller	20.00
J. L. Page	20.00
J. H. Ward	28.00
Jim Young	40.00
Antero Santoy	20.00
A. McWilliams	6.65
Jesse Thomas	40.00
Milton Garcia	40.00
S. M. Boyd	20.00
Antonio Juarez	90.00
Lee Mantooth	50.00
W. W. Walker	60.00
Carlos Balladares	40.00
Victor M. Medina	40.00
J. A. Nichols	28.00
B. Pottinger	16.00
Vernon Stegall	40.00
Harry Robinson	34.00
W. X. Halbrook	20.00
M. Mondragon	55.00
E. N. Mondragon	20.00
Robert Q. Jennings	20.00
Byron Bagley	5.00
Castilla Bros.	66.00
William J. Lynch	20.00
F. M. Berry	10.00
C. H. Williams	7.00
Mauro Rangel	60.00
N. L. Yanez	120.00
Clyde Batson	20.00
H. N. Caldwell	20.00
O. E. Dabbs	10.00
Chas. Grimes	20.00
Mayor Green	10.00
O. O. Ferguson	20.00
Tom Everett	15.00
C. A. Dudley	25.00
S. F. Dougherty	15.00
G. W. Cobb	21.00
J. S. Corning	20.00
Pedro Cantu	45.00
Ernest Arrant	20.00
Oscar Baldwin	20.00
Lucille Butler	20.00
Stewart Brown	20.00
J. H. DeVare	15.00
Bill Counts	15.00
Crispin Farias	40.00
E. R. Knight	40.00

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D. S. Chapman	10.00
Onofre Villareal	100.00
Yellow Cab Co.	96.00
Alf Simington	20.00
Obe Chastine	20.00

H. B. No. 585, A bill to be entitled "An Act to amend the Acts of 1933, Forty-third Legislature, Regular Session, page 547, Chapter 178, Section 13, relating to the issuance and manufacturing of license number

H. B. No. 1001, A bill to be entitled  
"An Act to amend Article 2789 Re-  
vised Civil Statutes of 1925, as  
amended by Chapter 32 Acts of the  
Regular Session of the Forty-third

Legislature, by making provision that refunding bonds may be issued as term or as serial bonds, maturing in either case within forty (40) years, from date of issue and may be made optional on any interest payment date as the governing board shall direct, and declaring an emergency."

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

DUGGAN, Chairman.

Committee Room,  
Austin, Texas, May 9, 1935.  
Hon. Walter F. Woodul, President of the Senate.

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

H. B. No. 729, A bill to be entitled "An Act to amend Article 1546, Revised Penal Code, of Texas, 1925, defining specific acts constituting swindling; prescribing facts constituting prima facie evidence of violation of said Act; providing that said Act shall be cumulative of all other laws on this subject; declaring the Rule in event any provision of this Act is declared unconstitutional or invalid; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following committee amendments, and be printed in the Journal.

WOODRUFF, Vice-Chairman.

Committee Amendment No. 1.

Amend H. B. No. 729 by adding a new section after Section 1 to be numbered "Section 2" and to read as follows:

"Sec. 2. Article 1550 of the Revised Penal Code, 1925 is hereby amended so that the same shall hereafter read as follows:

"Article 1550. Every person guilty of swindling shall be punished in the same manner as is provided for the punishment of theft, according to the amount of the money or the value of the property or instrument in writing so fraudulently acquired or the amount shown on the face of the check, draft or order made, drawn, uttered or delivered."

And renumber following section accordingly.

Committee Amendment No. 2.

Amend H. B. No. 729, by striking out all after the word "thereof" in line 11 of sub-division 4 of Section 1 and inserting in lieu thereof the following:

"it shall be a complete defense if the maker of said instrument is at such time in possession thereof and the same is marked paid by the bank or other depository upon which said check, draft, or order is drawn."

By Latham, et al. H. B. No. 729.

A BILL  
To Be Entitled

An Act to amend Article 1546, Revised Penal Code, of Texas, 1925, defining specific acts constituting swindling; prescribing facts constituting prima facie evidence of violation of said Act; providing that said Act shall be cumulative of all other laws on this subject; declaring the Rule in event any provision of this Act is declared unconstitutional or invalid, and declaring an emergency.

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

Section 1. Article 1546, Penal Code of Texas, 1925, is hereby amended so as to read hereafter as follows:

"Article 1546. Within the meaning of the term 'swindling' are included the following wrongful Acts:

"1. The exchange of property upon the false pretense that the party is the owner or has the right to dispose of the property given in exchange.

"2. The purchase of property upon the faith and credit of some other person upon the false pretense that such other has given the accused the right to use his name in making the acquisition.

"3. The obtaining by false pretense the possession of any instrument of writing, certificate, field notes or other paper relating to lands, the property of another, with the intent that thereby the property owner shall be defeated of a valuable right in such lands.

"4. The making, drawing, uttering, or delivering with intent to defraud, by any person of any check, draft or order for the payment of money, either in his own behalf or in behalf of any person, firm, or corporation in which he is interested or for whom he is acting, upon any

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bank, trust company, or other depository, knowing at the time of such making, drawing, uttering or delivering that the maker, or drawer, has not sufficient funds in, or credit with, such bank, trust company, or other depository for the payment of such check, draft or order, in full, upon its presentation; and provided further that in any prosecution under this Act as against the maker or drawer thereof, the making, drawing, uttering, or delivering of a check, draft or order, payment of which is refused by the drawee because of lack of funds or credit shall be prima facie evidence of intent to defraud and of knowledge of insufficient funds in, or credit with such bank or other depository, provided such maker or drawer shall not have paid the holder thereof the amount due thereon, together with all costs and protest fees within five (5) days after receiving written notice that such check, draft or order has not been paid by the drawee.

"4a. The word 'credit' as used herein shall be construed to mean an arrangement or understanding with any bank, trust company, or

depository for the payment of such check, draft or order.

"5. The special enumeration of cases of swindling above set forth shall not be understood to exclude any case which by fair construction of language comes within the meaning of the preceding Article.

"6. This Act shall be cumulative of all other laws on this subject and should any section or provision be declared unconstitutional such decision shall not affect any of the remaining provisions of this Act."

Sec. 2. The fact that the present law with reference to the making, giving, and passing of checks when there are insufficient funds in the hands of drawee for payment of same is wholly inadequate to support prosecutions for violations thereof and has resulted in substantial losses to many business pursuits in this State 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 this Act shall be in full force and effect from and after its passage, and it is so enacted.

In Memory  
of  
Hon. Arthur C. Johnson

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SENATE RESOLUTION NO. 98.

WHEREAS, the Honorable Arthur C. Johnson, of Dalhart, a former member of the House of Representatives and a former employee of the Senate, was called to his final reward at his home today; and

WHEREAS, The official life of the deceased and particularly his legislative service was such as to inspire confidence and respect of all those interested in good government and sound legislative enactments; and

WHEREAS, His private life was such as to endear him to a host of friends and to entitle him to a designation as a fine, pure, upright citizen interested in civic righteousness and good citizenship; and

WHEREAS, In his passing the State has lost an able public servant and the membership of this Legislature a fine friend and the citizenship of this State a real nobleman; therefore be it

RESOLVED by the Senate of the State of Texas that we express our deepest sympathy to his wife and bereaved family and be it further

RESOLVED That a page in the Senate Journal be dedicated to his memory and a copy of this resolution be forwarded to his surviving wife and that when the Senate adjourns today that it do so in honor and in memory of our departed friend, Arthur C. Johnson.

SMALL.

Senator Small asked unanimous consent that all the names of members of the Senate be added to the resolution.

BECK,  
BLACKERT,  
BURNS,  
COLLIE,  
COTTEN,  
DAVIS,  
DeBERRY,  
DUGGAN,  
FELLBAUM,  
HILL,

HOLBROOK,  
HOPKINS,  
HORNSBY,  
ISBELL,  
MARTIN,  
MOORE,  
NEAL,  
ONEAL,  
PACE,  
POAGE,

RAWLINGS,  
REDDITT,  
REGAN,  
SANDERFORD,  
SHIVERS,  
STONE,  
SULAK,  
VAN ZANDT,  
WESTERFELD,  
WOODRUFF,  
WALTER F. WOODUL, Lt. Gov.

Read and unanimously adopted by a rising vote.