

confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by independent school districts in this State, in counties having a population of not less than twenty-two thousand four hundred and fifty (22,450), and not more than twenty-two thousand, eight hundred fifty (22,850), according to the last preceding Federal census, not in excess of the limit now provided by law, which are void or unenforceable because the same were made and adopted by resolution, motion or other informal action; etc., and declaring an emergency."

H. B. No. 967, A bill to be entitled "An Act to repeal H. B. No. 557, Acts of the Regular Session of the Forty-third Legislature, which provides for a closed season on quail in Archer County, for a period of three years, and prescribing a penalty for violation thereof, and declaring an emergency."

H. B. No. 968, A bill to be entitled "An Act providing for the appointment of an official court reporter in and for each county court at law, of Bexar County, Texas, civil and criminal, by the judge of each county court at law, of Bexar County, Texas; providing the qualifications; etc., and declaring an emergency."

H. B. No. 973, A bill to be entitled "An Act amending Article 198, Title 8, Revised Civil Statutes of 1925, as heretofore amended, by taking Cherokee County from the Sixth Supreme Judicial District and placing said county within the Ninth Supreme Judicial District, etc., and declaring an emergency."

H. B. No. 975, A bill to be entitled "An Act amending Section or Subdivision 102 of Article 199 of the Revised Civil Statutes of Texas of 1925, as amended by the Forty-third Legislature, Regular Session, Chapter 253, page 885, and changing the times of holding the terms of court of the District Court of the One Hundred and Second Judicial District of Texas; etc., and declaring an emergency."

H. B. No. 976, A bill to be entitled "An Act amending Section or Subdivision 5 of Article 199 of the Revised Civil Statutes of 1925, as amended by Acts of the Forty-third Legislature, Regular Session, Chapter 254, page 887, and changing the times of holding the terms of court

of the District Court of the Fifth Judicial District of Texas; etc., and declaring an emergency."

H. B. No. 591, A bill to be entitled "An Act providing for the sale of State property purchased from funds appropriated to the State Game, Fish and Oyster Commission; the manner therefor; the disposition to be made of the money from any such sale, and declaring an emergency."

H. B. No. 666, A bill to be entitled "An Act making applicable and available to school districts and municipal corporations which have power to levy and/or collect their own taxes all of the provisions of Title 122 of the Revised Civil Statutes of Texas, 1925, pertaining to the manner of assessment and collection of taxes and enforcement of collection of delinquent taxes, together with all liens, rights, and remedies therein given to the State and county, and declaring an emergency."

H. B. No. 670, A bill to be entitled "An Act amending Article 3902 of the Revised Civil Statutes of 1925, as amended by Chapter 214, Acts of the Regular Session of the Forty-second Legislature, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature, by adding a new section providing that in all counties having a population of less than twenty-five thousand (25,000) inhabitants, according to the last preceding Federal census, and having an assessed valuation of taxable property in excess of seventy-five million dollars (\$75,000,000), according to the last preceding tax roll approved as provided by law, and having two or more Judicial District Courts, the county commissioners' court may allow the district clerk at least two deputies to wait on said courts, etc., and declaring an emergency."

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 Session, 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 2a, 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, Forty-third Legislature, page 734, Chapter 220, Section 3, and as further amended by Acts of 1934, Forty-third Legislature, Second Called Session, page 123, Chapter 59, Section 2, by adding thereto a new subsection to be known as Subsection 2a; fixing compensation and excess fees for district attorneys, criminal district attorneys and their assistants in certain counties; providing the manner in which same may be paid, and declaring an emergency."

H. B. No. 907, A bill to be entitled "An Act amending Article 637 of the Penal Code of Texas (1925), by adding thereto another section, to be known as Section 2, which provides that if upon a hearing the justice of the peace, county judge, or district judge before whom the cause is pending finds that the property seized or any portion thereof is used as equipment or paraphernalia for a gambling house and was being used for gaming purposes and that said property is useful and valuable and can be used for legal purposes, he may, in his discretion, by order of the court, declare the same confiscated, and cause the same to be delivered to the State of Texas, or to any political subdivision thereof, or to any State institution for its use and benefit, etc., and declaring an emergency."

H. B. No. 922, A bill to be entitled "An Act to better secure the public revenue by providing that the tax liens provided by the Constitution and statutes of the State to secure ad valorem taxes on oil, gas, or other minerals in place, or upon any leasehold interest therein and/or on any personal property or equipment used in connection therewith, shall, after taxes thereon become delinquent, attach and extend to all wells, personal property and equipment located on said land, as well as the minerals in place, and to the mineral estate owner's share of such minerals after severance from the land, and to proceeds of sale of such minerals, and

providing that such lien shall be paramount to all other rights and liens, etc., and declaring an emergency."

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."

H. B. No. 938, A bill to be entitled "An Act authorizing county attorneys in counties of not less than 30,000 nor more than 50,000 inhabitants to appoint a stenographer, upon application to the commissioners court for authority; providing maximum compensation to be paid such stenographer; providing such compensation shall be paid out of fees of office of such county attorneys, and declaring an emergency."

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."

H. B. No. 945, A bill to be entitled "An Act granting to John W. Goodrum of Guadalupe County, Texas, the right or permission to bring suit against the State of Texas and the State Highway Department in the District Court of Travis County, Texas, and declaring an emergency."

H. B. No. 959, A bill to be entitled "An Act giving civil jurisdiction to the Criminal District Court of Dallas County and Criminal District Court No. 2 of Dallas County, of suits and causes in matters of divorce, dependent and delinquent children, adoption and habeas corpus in civil proceedings; providing for the transfer and trial of such causes and the duties of the officers of the court; etc., and declaring an emergency."

H. B. No. 889, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than thirteen thousand, six hundred and thirty-six (13,636) inhabitants nor more than thirteen thousand, six hundred and fifty (13,650) inhabitants according to the last Federal Census, and counties having a population with not less than seventeen thousand, five hundred and fifty-four (17,554) inhabitants, nor

more than six hundred (17,554) inhabitants, according to the manner of the salaries shall laws in conflict ing an emergency."

H. B. No. 8 "An Act author of assistant co ties containing than forty th less than (75,000), and more than (35,000), suc pensated by t ing for the assistants, an and manner of declaring an

H. B. No. 8 "An Act to a 61, Revised c providing for deputy distric having a pop one hundred (132,000) an dred fifty th habitants, as United States there are m court, includ court, etc., a gency."

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H. B. No. 9 "An Act to a tle 116 of th of Texas, 19 chapter a new 'Article 6711 application o citizens of Madison, or living within thousand (2, said countie court of said road through or between d ers of land, o

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more than seventeen thousand, six hundred (17,600) inhabitants according to the last Federal Census as to population, and providing for the manner of the payment of the salaries and the fund from which said salaries shall be paid, and repeal all laws in conflict herewith, and declaring an emergency."

H. B. No. 891, A bill to be entitled "An Act authorizing the appointment of assistant county attorneys in counties containing a population of more than forty thousand (40,000) and less than seventy-five thousand (75,000), and containing a city of more than thirty-five thousand (35,000), such assistants to be compensated by the county, and providing for the compensation of such assistants, and the means, method and manner of paying the same, and declaring an emergency."

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."

H. B. No. 896, A bill to be entitled "An Act authorizing depositories of public funds, now authorized by law to pledge securities in lieu of personal or surety depository bonds, to pledge Home Owners' Loan Corporation bonds as such security; providing this Act shall be cumulative and in addition to all existing laws relating to depository bonds, and declaring an emergency."

H. B. No. 900, A bill to be entitled "An Act to amend Chapter 2 of Title 116 of the Revised Civil Statutes of Texas, 1925, by adding to said chapter a new article to be known as 'Article 6711-a,' providing that upon application of ten or more resident citizens of the Counties of Leon, Madison, or Cherokee, or one person living within an enclosure of two thousand (2,000) acres or more in said counties, the commissioners court of said county shall open a road through said enclosure of land, or between different persons or owners of land, or along any section line,

or along any survey line, or along any survey subdivision line, where said land is adjacent or contiguous to public rivers, lakes, or bays in the Counties of Leon, Madison, or Cherokee, etc., and declaring an emergency."

H. B. No. 902, A bill to be entitled "An Act amending Article 1058 under Title 15 of the Code of Criminal Procedure, Revised Statutes of 1925, et seq.; increasing the salaries of bailiffs or deputy sheriffs in certain counties for service as grand jury bailiff or as deputy sheriff, etc., and declaring an emergency."

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."

H. B. No. 823, A bill to be entitled "An Act amending Article 7725, Revised Statutes of the State of Texas, 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."

H. B. No. 835, A bill to be entitled "An Act amending Article 7260, Revised Civil Statutes of 1925, and declaring an emergency."

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; re-

pealing all laws in conflict with this Act, and declaring an emergency."

H. B. No. 873, A bill to be entitled "An Act for the purpose of prohibiting the dredging of oysters in the headwaters of Matagorda Bay east of a line from Palacios Point on the mainland in Matagorda County across Matagorda Bay to Cotton Bayou on the Matagorda peninsula; providing a penalty, and declaring an emergency."

H. B. No. 874, A bill to be entitled "An Act to create a more efficient road law for Lee County, providing for the payment of a tax of \$2.50 by all persons in said county, subject to road duty under the General Laws, or the performance of certain manual labor on the roads, in the discharge of said road duty; etc., and declaring an emergency."

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."

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 3886e, 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 (355,000) inhabitants, according to the last preceding Federal Census, and which alone constitutes two or more judicial districts, etc., and declaring an emergency."

H. B. No. 709, A bill to be entitled "An Act to fix the salaries and compensations of county commissioners in counties with a population of not less than 17,000, and not more than 17,100 population, according to the last Federal Census, and declaring an emergency."

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 from giving security for costs or the posting of bond or bonds in securing any extraordinary writs in any action brought in their official capacity in the courts of this State; repealing all laws in conflict herewith, and declaring an emergency."

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."

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

H. B. No. 735, A bill to be entitled "An Act granting Mrs. Harriet B. Hagy, a feme sole, and Miss Geraldine Hagy, a feme sole, permission to bring suit against the State of Texas in the District Court of Collin County, Texas, for damages in the sum of \$950, alleged to have been sustained by reason of the relocation of State Highway No. 6 through their property located in Collin County, Texas, etc., and declaring an emergency."

H. B. No. 796, A bill to be entitled "An Act relating to commercial vehicles, trucks, busses, 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."

H. B. No. 420, A bill to be entitled "An Act amending Article 2094, Chapter 7, Title 42, Revised Civil Statutes of Texas, 1925, as amended by Acts of 1929, Forty-first Legislature, page 89, Chapter 43, Section 1, providing for jury wheel system of selecting jurors in certain counties

having a population of eight thousand or more therein a city at least twenty by the preceding prescriber, director, tax assessor, clerk, and director thereto; providing commissioners having population four thousand system of selection adopted, and emergency."

H. B. No. 5 "An Act to vote tax levies heretofore incorporated cities of Texas which are able because of existing bodies of incorporated cities such levy by such unenforceable of such point the stationization, or within city commission body of such town has acted in the tion of taxation valorem taxes incorporated cities declaring an emergency."

H. B. No. 7 "An Act amending Chapter 4 of the Statutes of 1925, eminent domain districts shall use existing provisions of fair where such supply or service declaring an emergency."

H. B. No. 8 "An Act to amend Chapter 271, Acts of the Forty-first Legislature, which is Article 271, Revised Statutes, providing for public free preference right vision provided lands surveyed Revised Statutes where the field in the General proved, but to file his within the time

having a population of a least fifty-eight thousand inhabitants or having therein a city having population of at least twenty thousand, as shown by the preceding Federal Census; prescribing duties of the tax collector, tax assessor, sheriff, county clerk, and district clerk in regard thereto; provided in discretion of commissioners court in all counties having population of at least twenty-four thousand inhabitants jury wheel system of selecting jurors may be adopted, and declaring an emergency."

H. B. No. 566, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas which levies are unenforceable because of failure of the governing bodies of such respective incorporated cities and towns to make such levy by ordinance, or which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, or where the city council, city commission, or other governing body of such incorporated city or town has acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town, etc., and declaring an emergency."

H. B. No. 783, A bill to be entitled "An Act amending Article 7924 of Chapter 4 of the Revised Civil Statutes of 1925, enlarging the powers of eminent domain of fresh water supply districts so as to enable them to use existing pipe lines, upon the payment of fair and just compensation, where such use will not impair the supply or service of the owner; and declaring an emergency."

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

and authorizing a revaluation of such areas, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 26, 1935.

Hon. Ken M. Regan, President Pro
Tem. of the Senate.

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

H. B. No. 84, A bill to be entitled "An Act amending Article 7047 of the Revised Civil Statutes, 1925, by repealing House Bill No. 102, as passed by the Forty-first Legislature, Second Called Session, 1929, and approved by the Governor of Texas, June 24, 1929; and repealing Senate Bill No. 127, 'Regulating and providing for supervision of emigrant agents,' passed by the Forty-first Legislature, Second Called Session, 1929, and effective without the Governor's signature, and declaring an emergency."

H. B. No. 558, A bill to be entitled "An Act to establish and maintain a livestock and poultry agricultural experiment station in the piney woods region of Southeast Texas, in one of the following counties: Liberty, Orange, Hardin, Newton, Jasper, or Tyler; authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, and empowering said board of directors to establish and maintain the same, to accept not less than two hundred acres of land as a donation for said experimental station, and to accept money or anything of value for the establishment and maintenance of said station, and declaring an emergency."

The House has adopted the following resolution:

H. C. R. No. 99 recalling H. B. No. 257 from the Governor's office for further consideration.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills Referred.

H. B. No. 823 was referred to the Committee on Mining, Irrigation and Drainage.

H. B. No. 812 was referred to the Committee on Education.

H. B. No. 796 was referred to the Committee on Highways and Motor Traffic.

H. B. No. 735 was referred to the Committee on State Affairs.

H. B. No. 732 was referred to the Committee on Public Health.

H. B. No. 726 was referred to the Committee on Civil Jurisprudence.

H. B. No. 711 was referred to the Committee on Civil Jurisprudence.

H. B. No. 709 was referred to the Committee on State Affairs.

H. B. No. 705 was referred to the Committee on Towns and City Corporations.

H. B. No. 694 was referred to the Committee on State Affairs.

H. B. No. 146 was referred to the Committee on Towns and City Corporations.

H. B. No. 670 was referred to the Committee on State Affairs.

H. B. No. 666 was referred to the Committee on Towns and City Corporations.

H. B. No. 591 was referred to the Committee on State Affairs.

H. B. No. 443 was referred to the Committee on State Affairs.

H. B. No. 372 was referred to the Committee on Insurance.

H. B. No. 269 was referred to the Committee on State Affairs.

H. B. No. 147 was referred to the Committee on Towns and City Corporations.

H. B. No. 566 was referred to the Committee on Towns and City Corporations.

H. B. No. 783 was referred to the Committee on Civil Jurisprudence.

H. B. No. 897 was referred to the Committee on Public Lands.

H. B. No. 420 was referred to the Committee on Civil Jurisprudence.

H. B. No. 976 was referred to the Committee on Judicial Districts.

H. B. No. 975 was referred to the Committee on Judicial Districts.

H. B. No. 973 was referred to the Committee on Judicial Districts.

H. B. No. 968 was referred to the Committee on Civil Jurisprudence.

H. B. No. 967 was referred to the Committee on Game and Fish.

H. B. No. 963 was referred to the Committee on Educational Affairs.

H. B. No. 959 was referred to

the Committee on Civil Jurisprudence.

H. B. No. 945 was referred to the Committee on State Affairs.

H. B. No. 941 was referred to the Committee on Agriculture.

H. B. No. 938 was referred to the Committee on State Affairs.

H. B. No. 925 was referred to the Committee on Civil Jurisprudence.

H. B. No. 922 was referred to the Committee on State Affairs.

H. B. No. 907 was referred to the Committee on Criminal Jurisprudence.

H. B. No. 902 was referred to the Committee on State Affairs.

H. B. No. 900 was referred to the Committee on Highways and Motor Traffic.

H. B. No. 896 was referred to the Committee on Banking.

H. B. No. 893 was referred to the Committee on State Affairs.

H. B. No. 891 was referred to the Committee on State Affairs.

H. B. No. 889 was referred to the Committee on State Affairs.

H. B. No. 885 was referred to the Committee on Highways and Motor Traffic.

H. B. No. 874 was referred to the Committee on Highways and Motor Traffic.

H. B. No. 873 was referred to the Committee on Game and Fish.

H. B. No. 845 was referred to the Committee on Game and Fish.

H. B. No. 835 was referred to the Committee on Civil Jurisprudence.

H. B. No. 84 was referred to the Committee on State Affairs.

H. B. No. 558 was referred to the Committee on Stock and Stock Raising.

House Bill No. 266.

Amend C. S. for H. B. No. 266 by adding a new subsection under Section 3 to be designated (n), and to read as follows:

"(n) The transportation of natural gas in a pipe line for a distance in excess of twenty-five (25) miles without extracting the natural gasoline from such gas."

HILL.

Read and pending.

Senator Woodruff asked unanimous consent to have all proposed

amendment on the Senate understanding pending and five minutes Motion to

Senator V. previous qu pending am passage of t The moti

Pro The moti lowing vote

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Pa Senator Po Order that could be plac amendment a The Chair Order, statin unanimously ment.

Mot Senator Du m., moved th til 8 o'clock Senator Sar Senate recess Monday.

amendments to H. B. No. 266 laid on the Secretary's desk with the understanding that they would be pending and the debate limited to five minutes on each.

Motion to Order Previous Question.

Senator Woodruff moved that the previous question be ordered on the pending amendments and the final passage of the bill.

The motion was seconded.

Previous Question.

The motion prevailed by the following vote:

Yeas—12.

Beck.	Neal.
Davis.	Regan.
Duggan.	Sanderford.
Hornsby.	Small.
Isbell.	Van Zandt.
Moore.	Woodruff.

Nays—11.

Burns.	Rawlings.
Cotten.	Redditt.
Hill.	Shivers.
Martin.	Stone.
Oneal.	Sulak.
Poage.	

Present—Not Voting.

DeBerry.

Absent.

Blackert.	Hopkins.
Collie.	Pace.
Holbrook.	Westerfeld.

Absent—Excused.

Fellbaum.

Point of Order.

Senator Poage raised the Point of Order that the previous question could be placed only on the pending amendment and the bill.

The Chair overruled the Point of Order, stating that the Senate had unanimously agreed to the arrangement.

Motion to Recess.

Senator Duggan, at 6:10 o'clock p. m., moved that the Senate recess until 8 o'clock tonight.

Senator Sanderford moved that the Senate recess until 10 o'clock a. m., Monday.

The motion to recess until Monday lost by the following vote:

Yeas—4.

Hill.	Regan.
Rawlings.	Sanderford.

Nays—20.

Beck.	Moore.
Burns.	Neal.
Collie.	Oneal.
Cotten.	Poage.
Davis.	Redditt.
DeBerry.	Shivers.
Duggan.	Small.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Woodruff.

Absent.

Blackert.	Pace.
Holbrook.	Stone.
Hopkins.	Westerfeld.

Absent—Excused.

Fellbaum.

Recess.

The motion to recess until 8 o'clock tonight prevailed by the following vote:

Yeas—17.

Beck.	Neal.
Burns.	Oneal.
Cotten.	Poage.
Davis.	Shivers.
DeBerry.	Small.
Duggan.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	

Nays—8.

Collie.	Redditt.
Hill.	Regan.
Hornsby.	Sanderford.
Rawlings.	Woodruff.

Absent.

Blackert.	Pace.
Holbrook.	Westerfeld.
Hopkins.	

Absent—Excused.

Fellbaum.

After Recess.

The Senate met at 8 o'clock p. m., pursuant to recess and was called to

order by President Pro Tem. K. M. Regan.

At Ease.

On motion of Senator Davis, the Senate stood at ease ten minutes.

House Bill No. 405.

Senator Burns received unanimous consent to suspend the regular order of business and take up H. B. No. 405.

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

By Mr. Palmer:

H. B. No. 405, A bill to be entitled "An Act providing for a closed season on the killing or possessing of squirrels in the counties of Leon and Madison from the first day of January of each year, through, and including the fifteenth day of May of each year, and during the months of August and September of each year, etc., and declaring an emergency."

Senator Burns sent up the following amendment:

Amend H. B. No. 405 by adding San Jacinto County.

BURNS.

Read and adopted.

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 as amended, 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. 405 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.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Blackert.	Holbrook.
Fellbaum.	

Read third time and finally passed by the following vote:

Yeas—27.

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

Absent—Excused.

Blackert.	Holbrook.
Fellbaum.	Hopkins.

Senate Bill No. 56.

Senator Neal received unanimous consent to suspend the regular order of business and take up S. B. No. 56.

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

By Senator Neal:

S. B. No. 56, A bill to be entitled "An Act to amend Article 117, Chapter 6, Revised Civil Statutes of 1925, so as to eliminate compulsory inspection of fruits other than citrus, and vegetables other than potatoes; providing for the adoption of the United States grades for certain fruits and vegetables, and the promulgation of additional grades giving the Commissioner of Agriculture authority to enter into co-operative agreements with the United States Department of Agriculture; and to issue certificates of inspection under said co-operative agreements; and making said certificates of inspection issued by the Commissioner of Agriculture under said co-operative agreements acceptable as prima facie evidence of the true grade, pack, or other requirements or classifications of such fruits and vegetables in any court of this State, and declaring an emergency."

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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 Neal the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 56 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.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Absent—Excused.

Blackert.	Holbrook.
Fellbaum.	Hopkins.

Read third time and finally passed by the following vote:

Yeas—27.

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

Absent—Excused.

Blackert.	Holbrook.
Fellbaum.	Hopkins.

Point of Order.

Senator Poage raised the Point of Order that the Senate was operating under the previous question and nothing else could be considered.

The Chair sustained the Point of Order.

Motion to Reconsider.

Senator Davis moved to reconsider the vote by which the previous question was ordered.

The motion prevailed by viva voce vote.

The question recurred on the motion to order the previous question. Motion pending.

House Bill No. 266.

Pending business was the pending amendment by Senator Hill to which he had unanimous consent to add the following:

"Provided that in all cases where the amount of gas moving through a pipeline is insufficient to justify the economical operation of a striping plant the Railroad Commission of Texas may in its discretion and after hearing, authorize the operation of such pipeline without complying with the foregoing requirements."

HILL.

Read and pending.

Points of Order.

Senator Moore raised the Point of Order that the amendment is discriminatory and is a violation of the Constitution of the State of Texas and the United States in that it seeks to set up an unreasonable classification.

The Chair overruled the Point of Order.

Senator Woodruff raised the Point of Order that the matter pending was whether the previous question should be ordered, as the motion to reconsider had prevailed.

The Chair sustained the Point of Order.

The question recurred on the pending motion to order the previous question on the pending amendments and final passage of H. B. No. 266.

The motion lost by the following vote:

Yeas—9.

Beck.	Moore.
Collie.	Neal.
Davis.	Regan.
Hornsby.	Woodruff.
Isbell.	

Nays—12.

Burns.	Rawlings.
Cotten.	Redditt.
Hill.	Shivers.
Martin.	Stone.
Oneal.	Sulak.
Poage.	Van Zandt.

Present—Not Voting.

DeBerry.	Small.
Pace.	

Absent.

Duggan.	Westerfeld.
Sanderford.	

Absent—Excused.

Blackert.	Holbrook.
Fellbaum.	Hopkins.

Point of Order.

Senator Hornsby raised the Point of Order that the rules of the Senate were not being enforced.

The Chair sustained the Point of Order.

Motion to Table.

Senator Moore moved to table the amendment by Senator Hill.

The motion to table prevailed by the following vote:

Yeas—16.

Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Shivers.
Duggan.	Small.
Hornsby.	Stone.
Moore.	Van Zandt.
Neal.	Woodruff.

Nays—8.

Beck.	Martin.
DeBerry.	Oneal.
Hill.	Poage.
Isbell.	Sulak.

Absent.

Pace.	Westerfeld.
Sanderford.	

Absent—Excused.

Blackert.	Holbrook.
Fellbaum.	Hopkins.

Senator Burns sent up the following amendments:

Amend C. S. H. B. No. 266, page 14, line 30, after the word repealed, by striking out all the balance of said Section 25.

BURNS.

Read.

Motion to Table.

Senator Hornsby moved to table the amendment.

The motion prevailed by the following vote:

Yeas—18.

Beck.	Pace.
Davis.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Hornsby.	Regan.
Isbell.	Small.
Moore.	Stone.
Neal.	Van Zandt.
Oneal.	Woodruff.

Nays—6.

Burns.	Martin.
Collie.	Shivers.
Hill.	Sulak.

Absent.

Cotten.	Westerfeld.
Sanderford.	

Absent—Excused.

Blackert.	Holbrook.
Fellbaum.	Hopkins.

Amend C. S. H. B. No. 266, page 14, section 23, line 16, by adding after the word "attorney," the following, "when joined by the Attorney General of Texas."

BURNS.

Read and adopted.

Amend C. S., H. B. No. 266, page 13, by striking out all of Section 21.

BURNS.

Read.

Motion to Table.

Senator Hornsby moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—18.

Beck.	Hornsby.
Davis.	Isbell.
DeBerry.	Moore.
Duggan.	Neal.

Oneal.
Poage.
Rawlings.
Redditt.
Regan.

Burns.
Collie.
Hill.

Blackert.
Cotten.
Fellbaum.
Holbrook.

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Hill.
Pace.

Oneal. Shivers.
Poage. Small.
Rawlings. Stone.
Redditt. Van Zandt.
Regan. Woodruff.

Nays 6.

Burns. Martin.
Collie. Pace.
Hill. Sulak.

Absent—Excused.

Blackert. Hopkins.
Cotten. Sanderford.
Fellbaum. Westerfeld.
Holbrook.

Motion to Order the Previous Question.

Senator DeBerry moved that the previous question be ordered on the pending amendments and the engrossment of the bill.

The motion was seconded.

The motion prevailed by viva voce vote.

Senator Rawlings sent up the following amendment:

Amend subdivision (e) of Section 7 so that as amended the same shall read as follows:

(e) The extraction of natural gasoline therefrom when the residue is returned to the horizon from which it is produced; provided that wells producing one barrel of petroleum products to 100,000 cubic feet of gas shall be considered an oil well as herein defined.

RAWLINGS.

Read.

Points of Order.

Senator Redditt raised the point of order that the amendment was the same as had previously been offered and tabled.

Overruled.

Senator Hornsby raised the point of order that the Senate was operating under the previous question and that the Senator from Hill was out of order.

Sustained.

The amendment by Senator Rawlings was lost by the following vote:

Yeas—14.

Hill. Rawlings.
Pace. Sulak.

Nays—4.

Beck. Oneal.
Collie. Redditt.
Davis. Regan.
DeBerry. Shivers.
Duggan. Small.
Hornsby. Stone.
Isbell. Van Zandt.
Neal.

Absent.

Burns. Westerfeld.
Sanderford.

Absent—Excused.

Cotten.

(Pairs Recorded.)

Senator Martin (present), who would vote yea with Senator Fellbaum (absent), who would vote nay.

Senator Moore (present), who would vote yea with Senator Hopkins (absent), who would vote nay.

Senator Poage (present), who would vote nay with Senator Holbrook (absent), who would vote yea.

Senator Woodruff (present), who would vote nay with Senator Blackert (absent), who would vote yea.

Senator Hornsby sent up the following amendment:

Amend Committee Substitute to House Bill No. 266, Section 19, page 13, line 4, after the word "reservoir" to include the following:

"Provided, however, that all the acreage in each zone that is underlaid with natural gas shall be considered in making such allocation."

HORNSBY.

Read.

The amendment failed of adoption by the following vote:

Yeas—3.

Hornsby. Rawlings.
Martin.

Nays 20.

Beck. Hill.
Collie. Isbell.
Davis. Moore.
DeBerry. Neal.
Duggan. Oneal.

Pace.
Poage.
Redditt.
Regan.
Shivers.

Small.
Stone.
Sulak.
Van Zandt.
Woodruff.

Absent.

Burns.

Absent—Excused.

Blackert.
Cotten.
Fellbaum.
Holbrook.

Hopkins.
Sanderford.
Westerfeld.

Senator Redditt sent up the following amendment:

Amend S. C. S. to House Bill No. 266 by striking out sub-section (j) of Section 3, and lettering the following subsections accordingly, and by adding a new section to be numbered Section 7a, as follows:

"Section 7a. The prohibitions contained in subsection (1) (b) of Section 7 shall not apply to any carbon black plant constructed or under construction on the first day of April, 1935, where the capacity of such plant is in excess of the available supply of casing head gas and/or sour gas, but any such plant may use any gas to supplement its supply to the capacity of such plant; provided that the withdrawals from gas wells shall not be in excess of the percentage fixed herein.

REDDITT.

Read.

The amendment failed of adoption by the following vote:

Yeas—8.

Burns.
Cotten.
Hill.
Martin.

Poage.
Redditt.
Stone.
Sulak.

Nays—17.

Beck.
Collie.
Davis.
DeBerry.
Duggan.
Hornsby.
Isbell.
Moore.
Neal.

Oneal.
Pace.
Rawlings.
Regan.
Shivers.
Small.
Van Zandt.
Woodruff.

Absent—Excused.

Blackert.
Fellbaum.
Holbrook.

Hopkins.
Sanderford.
Westerfeld.

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

Senator Moore asked unanimous consent that the caption be amended to conform to the body of the bill. Senator Hill objected.

Point of Order.

Senator DeBerry raised the point of order that the previous question had been voted on and the bill had been voted on, on engrossment, and that the question was on the third reading of the bill.

Sustained.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 266 was put on its third reading and final passage by the following vote:

Yeas—26.

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

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

Nays—1.

Hill.

Absent—Excused.

Blackert.
Fellbaum.

Holbrook.
Hopkins.

Senator Small moved to amend the caption to conform to the body of the bill.

The motion prevailed by two-thirds vote.

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

Yeas—22.

Beck.
Burns.

Collie.
Cotten.

Davis.
DeBerry.
Duggan.
Hornsby.
Isbell.
Moore.
Neal.
Oneal.
Pace.

Hill.

Blackert.
Holbrook.

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Hornsby.	Regan.
Isbell.	Shivers.
Moore.	Small.
Neal.	Stone.
Oneal.	Van Zandt.
Pace.	Woodruff.

Nays—1.

Hill.

Absent—Excused.

Blackert.	Hopkins.
Holbrook.	Sanderford.

(Pairs Recorded.)

Senator Sulak (present), who would vote yea with Senator Westerfeld (absent), who would vote nay.
 Senator Martin (present), who would vote nay with Senator Fellbaum (absent), who would vote yea.

Motion to Reconsider.

Senator Van Zandt moved to reconsider the vote by which H. B. No. 266 was finally passed.

Motion to Table.

Senator Hornsby moved to table the motion to reconsider.
 The motion prevailed by viva voce vote.

Motion to Adjourn.

Senator Collie at 11:20 o'clock p. m. moved that the Senate adjourn until 10 o'clock a. m. Monday.
 The motion prevailed by viva voce vote.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,
 Austin, Texas, April 25, 1935.
 Hon. Walter F. Woodul, President of the Senate.
 Sir: We, your Committee on Enrolled Bills, have had S. B. No. 467 carefully examined and compared and find same correctly enrolled.
 POAGE, Chairman.

Committee Room,
 Austin, Texas, April 25, 1935.

Hon. Walter F. Woodul, President of the Senate.
 Sir: We, your Committee on Enrolled Bills, have had S. B. No. 268 carefully examined and compared and find same correctly enrolled.
 POAGE, Chairman.

Committee Room,
 Austin, Texas, April 25, 1935.
 Hon. Walter F. Woodul, President of the Senate.
 Sir: We, your Committee on Enrolled Bills, have had S. B. No. 141 carefully examined and compared and find same correctly enrolled.
 POAGE, Chairman.

Committee Room,
 Austin, Texas, April 25, 1935.
 Hon. Walter F. Woodul, President of the Senate.
 Sir: We, your Committee on Enrolled Bills, have had S. B. No. 502 carefully examined and compared and find same correctly enrolled.
 POAGE, Chairman.

Committee Room,
 Austin, Texas, April 25, 1935.
 Hon. Walter F. Woodul, President of the Senate.
 Sir: We, your Committee on Enrolled Bills, have had S. B. No. 4 carefully examined and compared and find same correctly enrolled.
 POAGE, Chairman.

Committee Room,
 Austin, Texas, April 25, 1935.
 Hon. Walter F. Woodul, President of the Senate.
 Sir: We, your Committee on Enrolled Bills, have had S. B. No. 169 carefully examined and compared and find same correctly enrolled.
 POAGE, Chairman.

Committee Room,
 Austin, Texas, April 25, 1935.
 Hon. Walter F. Woodul, President of the Senate.
 Sir: We, your Committee on Enrolled Bills, have had S. B. No. 482 carefully examined and compared and find same correctly enrolled.
 POAGE, Chairman.

Committee Room,
 Austin, Texas, April 25, 1935.
 Hon. Walter F. Woodul, President of the Senate.
 Sir: We, your Committee on Enrolled Bills, have had S. B. No. 87

carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, April 25, 1935.

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

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 267 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, April 24, 1935.

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

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 491 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, April 25, 1935.

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

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 489 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, April 25, 1935.

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

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

H. B. No. 68, A bill to be entitled "An Act authorizing counties, districts, cities or towns, or other municipalities or defined subdivisions of this State, to sell bonds or other securities, warrants, notes, obligations, or other evidence of indebtedness of any other county, district, city, town or other municipality or defined subdivision of this State, to the Reconstruction Finance Corporation, or any other agency or department of the Federal Government, at such a price, whether or not less than the par value or face amount thereof, as shall seem to the governing body of the seller to be reasonable and for the best interests of the seller; repealing laws in conflict therewith, 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.

RAWLINGS, Chairman.

Committee Room,

Austin, Texas, April 26, 1935.

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

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

H. B. No. 846, A bill to be entitled "An Act to declare it unlawful to take, hunt, trap, ensnare, kill or attempt to kill by any means whatsoever any wild deer, buck, doe, fawn or wild turkey in Palo Pinto and Stephens Counties for a period of four (4) years from and after the passage of this Act; providing for the protection of crops and gardens being destroyed by deer; providing a penalty therefor, 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.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, April 26, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

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

H. B. No. 749, A bill to be entitled "An Act amending Section 1, Section 2, Section 4, Section 5, etc., H. B. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature; fixing the venue of any suit, injunction or criminal prosecution under this Act; providing that whoever knowingly shall transport any motor fuel, casing-head gasoline, drip gasoline, or natural gasoline without possessing or exhibiting on demand a manifest therefor, or whoever shall refuse to surrender his truck and cargo for impoundment when ordered to do so by proper persons, etc., shall be guilty of a felony punishable by confinement in the State Penitentiary, etc., and declaring an emergency."

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

PACE, Chairman.

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Hon. K. M.

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Sir: We,

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Committee Room,
Austin, Texas, April 26, 1935.
Hon. K. M. Regan, President Pro
Tem. of the Senate.

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

H. B. No. 755, A bill to be entitled
"An Act defining certain words,
terms, phrases; imposing an occu-
pation or excise tax on first sale of
cigarettes according to weight with
certain exception; providing pay-
ment of tax shall be evidenced by
stamps affixed to each individual
package, said stamps to be purchased
in unbroken sheets of one hundred
(100) stamps only from Treasurer,
etc., and declaring an emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with the
recommendation that it do pass as
amended by amendments Nos. 1-7,
inclusive, and be printed.

PACE, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 755, page 22,
line 7 of the engrossed copy, by add-
ing a new sentence to read as fol-
lows:

"Provided, however, that any dis-
tributor manufacturing, importing,
or acquiring in any other manner,
cigarettes for his own personal use
or consumption and not to be dis-
posed of by sale, gift, or otherwise
shall not be required to obtain a
distributor's permit but shall be re-
quired to comply with all other pro-
visions of this Act affecting a dis-
tributor; provided, further, that the
Treasury shall be authorized to sell
stamps to such distributors acquir-
ing cigarettes for their own personal
use or consumption and not for sale
or other disposal, in lesser quan-
tities than unbroken sheets of one
hundred (100) stamps."

Committee Amendment No. 2.

Amend H. B. No. 755, page 35,
line 24 of the engrossed copy, by
inserting between the words "or-
ders," and "bills" the word "in-
voices."

Committee Amendment No. 3.

Amend H. B. No. 755, page 42 of
the engrossed copy, by striking out
all of the last paragraph.

Committee Amendment No. 4.

Amend H. B. No. 755, page 44,

line 20 of the engrossed copy, by
striking out the words and figures
"for ten (10) days."

Committee Amendment No. 5.

Amend H. B. No. 755, page 45,
line 17 of the engrossed copy, by in-
serting between the words "publica-
tion" and "in" the words "two
times."

Committee Amendment No. 6.

Amend H. B. No. 755, page 46,
line 8 of the engrossed copy, by in-
serting between the words "offense"
and "under" the word "committed."

Committee Amendment No. 7.

Amend H. B. No. 755, page 52 of
the engrossed copy, by striking out
all of Section 31 and inserting in
lieu thereof the following:

"Sec. 31. That three per cent
(3%) of the gross amount of taxes,
permit and license fees and other
funds derived under the provisions
of this Act shall be set aside in a
special fund subject to the use of
the Comptroller and so much of said
fund as may be necessary shall be
expended in the administration and
enforcement of the provisions of this
Act and so much of said proceeds of
three per cent (3%) of said tax and
funds shall be and the same is here-
by appropriated for said purposes,
same to be paid monthly as needed;
provided that payment for the manu-
facturing or printing of the cigarette
tax stamps and for any expenses in-
curred by the Board incident thereto
shall be made from revenue derived
from the cigarette tax before such
fund is allocated under the provi-
sions of this Act; any unexpended
portion of said fund so specified shall
at the end of each biennium be paid
in the proper proportion to the funds
to which the cigarette tax fund shall
be apportioned.

"Providing that the Director of
the Cigarette Tax Division shall, in
addition to the duties of supervising
and directing the administration and
enforcement of the provisions of this
Act, personally supervise the print-
ing or manufacturing of all cigarette
tax stamps and he shall have posses-
sion and custody of, and be responsi-
ble for, all specification plans, photo-
graphs, impressions, drawings, elec-
troplates, printing stones and any

and all other property or equipment that may provide a means of reproducing, manufacturing or printing of cigarette tax stamps in the design selected by the Cigarette Tax Stamp Board. The said Director shall also be charged with the responsibility of inspecting the stamps after such stamps have been manufactured or printed and all sheets of stamps that do not meet the specifications required in the contract shall be rejected and destroyed by or under the direct personal supervision of said Director; and the Director shall have control of said stamps and be responsible therefor until delivery is made to the Treasurer.

"Provided that the salaries of the assistant director, auditors, accountants, investigators, tax supervisors, and other employees shall be at the prevailing rate paid for the service performed by the same class of employees in the motor fuel division of the Comptroller's Department."

Committee Room,

Austin, Texas, April 26, 1935.

Hon. Ken. M. Regan, President Pro Tem. of the Senate.

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

S. B. No. 521, A bill to be entitled "An Act providing that no person shall inherit or take any property either under the laws of descent and distribution or under a will or testa-

ment, who as the principal or as an accomplice wilfully brings about the death of the owner of such property and declaring an emergency."

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

SMALL, Chairman.

Committee Report.

Committee Room,

Austin, Texas, April 26, 1935.

Hon. Ken. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 395, A bill to be entitled "An Act amending Article 6674Q, Subsection 7, Revised Statutes of the State of Texas, enacted by the Third Called Session of the Forty-second Legislature, 1932, in Chapter 13, as amended by the Acts of the Forty-third Legislature, 1933, of the State of Texas, Chapter 136, by further defining what road districts shall be eligible to the benefits provided for in said article, 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.

HOPKINS, Chairman.

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Forty-fourth Legislature—Regular Session.

AUSTIN, TEXAS, MONDAY APRIL 29, 1935.

PROCEEDINGS

FORTY-FIFTH DAY.

Senate Chamber,
Austin, Texas,
April 29, 1935.

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

The roll call disclosed a quorum, the following Senators being present:

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

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Isbell.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Senators Excused.

Senator Hopkins was excused for the day on account of important business on motion of Senator Rawlings.

Senator Small was excused on account of important business on motion of Senator Moore.

H. C. R. No. 99.

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

H. C. R. No. 99, recalling H. B. No. 257 from the Governor's office for further consideration.

Senator Hornsby moved that the Senate Rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 99 be taken up and considered at this time. The motion prevailed.

Senator Van Zandt asked unanimous consent that the resolution be amended so as to allow the Lieutenant Governor and Speaker of the House to erase their signatures.

Unanimous consent was granted.

H. C. R. No. 99 was adopted by viva voce vote.

S. C. R. No. 44.

Senator Poage sent up the following resolutions:

Whereas, In the summer of 1932, Mrs. Rozella Graves, a feme sole, and Mrs. Alice Graves Tirey and husband, Frank B. Tirey, did grant to the State of Texas, through the State Highway Department of Texas, an easement through 155 acres of land situated in McLennan County, Texas, in the Thos. D. LaVega Survey, for the construction of State Highway No. 6; and

Whereas, At the time of the granting of said easement by the said Rozella Graves, Alice Graves Tirey and Frank B. Tirey to said State Highway Department, it was definitely understood and agreed that the granting of said easement was based on the condition that the said State Highway Department would construct its road across and through said land in such manner as not to cause the waters of Tehuacana Creek or flood waters of said creek to concentrate

and to flow over or change the course of such waters in such way as to injure said farm; and

Whereas, Said Highway Department did build, construct and supervise the building and construction of said new Highway No. 6 through said property which caused the waters that had heretofore in its natural course spread out and run over other lands before it reached said 155 acres of land to flow over about 90 acres of tillable land on said farm; that on or about April 5, 1933, there was an overflow on said creek, same being the first overflow and the last one up to date since said road was constructed, and that on account of the negligent construction of barrow pits and the failure to leave sufficient openings in said roadbeds on the north side of Tehuacana Creek and in changing the channel of said creek, said flood waters were collected and concentrated where said road crosses the creek and caused to overflow the land of the said Mrs. Rozella Graves, Mrs. Alice Graves Tirey and Frank B. Tirey in such a manner as to wash off the soil of about 90 acres of said farm and to damage said farm in the sum of \$5,000.00; and

Whereas, The said Rozella Graves, Alice Graves Tirey and Frank B. Tirey have never been compensated for damages done to said property as above set out in the sum of \$5,000.00, nor any other sum. Now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the said Mrs. Rozella Graves, Mrs. Alice Graves Tirey and Frank B. Tirey, be and they are hereby granted permission to bring suit against the State of Texas in a court of competent jurisdiction in McLennan County, Texas, in order to determine what compensation, if any, they are entitled to receive by reason of such damages, and in case such suit be filed that service of citation or any other necessary process that may be had upon the State Highway Commission, and the Attorney General of the State of Texas, as made and provided for in civil suits.

POAGE.

Read and referred to the Committee on State Affairs.

S. C. R. No. 45.

Whereas, It is alleged that on or about October 15th, 1928, W. C.

Davis, while in the employment of the State Highway Department of Texas, sustained and suffered serious and permanent bodily injury while in line of duty, working as a common laborer in a gravel pit for said State Highway Department near the City of Waco in McLennan County, Texas. Said injury is alleged to have been received and sustained by said Davis as a result of being caught in a cave-in of dirt while he was on duty as an employee of said State Highway Department; and

Whereas, It is alleged that as a result of said accident the said W. C. Davis suffered and sustained a fractured hip bone, which has left him permanently crippled and has greatly reduced his capacity to make a livelihood for himself and family. He is alleged to be permanently barred from doing hard manual labor by reason of such accident. His ability to earn money as a laborer has been materially reduced; and

Whereas, It is alleged that the said W. C. Davis has never been compensated by the State of Texas for the damage resulting from said injury. Now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the said W. C. Davis, his heirs, executors and administrators, be, and they are hereby granted permission to bring suit against the State of Texas and against the Highway Department of the State of Texas, in any court of competent jurisdiction in Travis County, Texas, in order to ascertain, fix and award the amount of money, if any, the said W. C. Davis, his heirs, executors and administrators are entitled to receive from the State of Texas and the Highway Department of the State of Texas as compensation on account of such injury and resulting damages, and that in case such suit be filed, service of citation, or other necessary process shall be had upon the Chairman of the State Highway Commission of Texas, and that the same have the same force and effect as made and provided in civil cases, and that either one of the parties to said suit shall have the right to appeal.

POAGE.

Read and adopted.

Senator Poage moved that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 45 be taken up and considered at this time.

The motion
S. C. R.
viva voce vote

Senator
following resolution

Be It Resolved,
Texas, the
concurring,
Robertson,
cial District
he is hereby
be absent from
at such interval
as he may see
the months of
the years 1933
Read.

Senator W.
Senate rule
be referred
pending, and
be taken up
time. The
S. C. R.
viva voce vote

Message

The Chairman
keeper, who
from the Governor
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Austin, Texas,
To the Senate
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I respectfully
sent and con
to the following

To be met
Directors of
ervation Division

To Serve
R. C. Davis
County.

P. K. Bird
G. M. Sellers
T. J. Ramey
W. I. Davis
A. J. Deason
C. K. Deason
Paul Sanders
D. H. Porter
Roscoe L. H.
W. C. R.
County.
Guy Blount

The motion prevailed.
S. C. R. No. 45 was adopted by
viva voce vote.

S. C. R. No. 46.

Senator Westerfeld sent up the
following resolution:

Be It Resolved, by the Senate of
Texas, the House of Representatives
concurring, That Honorable W. F.
Robertson, Judge of the 126th Judi-
cial District Court of Texas, be, and
he is hereby granted permission to
be absent from the State of Texas
at such intervals, and for such time
as he may see fit and proper during
the months of July and August, in
the years 1935 and 1936.

Read.

WESTERFELD.

Senator Westerfeld moved that the
Senate rule requiring resolutions to
be referred to a Committee be sus-
pended, and that S. C. R. No. 46
be taken up and considered at this
time. The motion prevailed.

S. C. R. No. 46 was adopted by
viva voce vote.

Message From the Governor.

The Chair recognized the Door-
keeper, who introduced a messenger
from the Governor with the follow-
ing message:

Executive Office.

Austin, Texas, April 29, 1935.

To the Senate of the 44th Legisla-
ture:

I respectfully ask the advice, con-
sent and confirmation of the Senate
to the following appointments:

To be members of the Board of
Directors of the Sabine-Neches Con-
servation District:

To Serve Six-Year Terms:

R. C. Downs, San Augustine
County.

P. K. Birdwell, Smith County.

G. M. Sells, Orange County.

T. J. Ramey, Hopkins County.

W. I. Davis, Shelby County.

A. J. Deason, Rusk County.

C. K. De Busk, Cherokee County.

Paul Sanderson, Trinity County.

D. H. Porter, Bowie County.

Roscoe L. Perry, Angelina County.

W. C. Richards, Henderson
County.

Guy Blount, Nacogdoches County.

To Serve Four-Year Terms:

R. Hughes, Van Zandt County.

Knox Bass, Camp County.

Charles Woolridge, Anderson
County.

Claude Brown, Houston County.

R. M. Kelley, Gregg County.

O. L. Steger, Rockwall County.

Ernest Haney, Hunt County.

W. W. Baird, Kaufman County.

Hugh Carney, Cass County.

E. C. Clabaugh, Jr., Panola
County.

To Serve Two-Year Terms:

E. A. Lindsey, Newton County.

H. D. Puckett, Wood County.

John Alford, Rains County.

Mark Sims, Collin County.

T. D. Rowell, Sr., Marion County.

F. B. Braswell, Jasper County.

Hal Winsborough, Harrison
County.

Thurman T. Taylor, Polk County.

Henry Temple, Sabine County.

L. M. Coe, Upshur County.

To be members of the State
Board of Veterinary Medical Exam-
iners:

Paul P. Boriskie, Port Arthur, Jef-
ferson County.

A. C. Burns, Cleburne, Johnson
County.

L. J. Lauraine, Gonzales, Gon-
zales County.

F. A. Murray, Austin, Travis
County.

Archie Stalling, Houston, Harris
County.

P. P. Starr, Gainesville, Cooke
County.

O. E. Wolfe, Big Spring, Howard
County.

To be Pilot Commissioners for
Sabine Pass, River and Tributaries:

Walter Glass, Port Arthur, Jeffer-
son County.

A. E. Edwards, Port Arthur,
Jefferson County.

Ira Jones, Beaumont, Jefferson
County.

W. C. Kelley, Beaumont, Jefferson
County.

George Colburn, Orange County.

Respectfully submitted,

JAMES V. ALLRED,

Governor of Texas.

Read and referred to the Com-
mittee on Governor's Nominations.

S. J. R. No. 19.

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

S. J. R. No. 19, A joint resolution "Proposing amendment to Section 2 of Article 5 of the Constitution of the State of Texas, so as to provide that the Supreme Court shall consist of a Chief Justice and eight Associate Justices with power to call in not more than six Court of Civil Appeals Judges or District court judges to assist in the work of the Supreme Court if the docket of said Court should at any time become congested; to provide the means of electing said Judges to said Supreme Court, a quorum therein, the number of Judges sitting at any one time and their terms of office; and proposing an amendment to Article 5 of the Constitution of the State of Texas, by adding thereto another section to be known as Section 6-a, to give the members of the Court of Civil Appeals, when a member of that Court has been called to assist in the work of the Supreme Court, the power to call a district judge from that Supreme Judicial District to take the place of the member of the Court of Civil Appeals while he is serving on the Supreme Court."

(With committee substitute.)

ONEAL.

Senator Oneal sent up the following amendments:

Amend Section 1 of C. S. S. J. R. No. 19, by striking out of the first line of Section one the word "to" and inserting in lieu thereof the word "of."

ONEAL.

Read and adopted.

Amend C. S., S. J. R. No. 19, by striking out the word "Section" after the word "that" and before the figure "5" in line one of Section 2 and inserting in lieu thereof the word "Article."

ONEAL.

The committee substitute as amended was adopted.

The resolution was read second time and passed to engrossment by the following vote:

Yeas—26.

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

Absent.

Beck.

Absent—Excused.

Blackert.	Hopkins.
Fellbaum.	Small.

On motion of Senator Oneal the constitutional rule requiring joint resolutions to be read on three several days was suspended and S. J. R. No. 19 was put on its third reading and final passage by two-thirds vote.

Read third time and finally passed by the following vote:

Yeas—27.

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

Absent—Excused.

Blackert.	Hopkins.
Fellbaum.	Small.

S. J. R. No. 23.

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

S. J. R. No. 23, A joint resolution "Proposing an amendment to Article 5 of the Constitution of the State of Texas, by adding a new section to be known as Section 3-a, providing

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Burns.

DeBerry.

Blackert.
Fellbaum.

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how interlocutory injunctions, sustaining or restraining enforcement, operation or execution of any Statute of this State or of the United States, based upon the ground of the unconstitutionality of such Statute, may be issued; and providing for appeal from order issuing or refusing to issue such interlocutory injunction; and providing that temporary restraining orders in such cases may be granted under the rules and regulations prescribed by the Supreme Court; and providing for appeal to the Supreme Court of the order granting or denying such interlocutory injunction."

ONEAL.

The resolution was read second time and passed to engrossment by the following vote:

Yeas—25.

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

Nays—1.

Burns.

Absent.

DeBerry.

Absent—Excused.

Blackert.	Hopkins.
Fellbaum.	Small.

On motion of Senator Oneal the constitutional rule requiring joint resolutions to be read on three several days was suspended and S. J. R. No. 23 was put on its third reading and final passage by two-thirds vote:

Senator Oneal received unanimous consent to insert in the blank left for the date as the general election in 1936, being the first Tuesday after the first Monday in November, and to amend the caption to conform.

S. J. R. No. 23 was read third time as amended and finally passed by the following vote:

Yeas—25.

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

Nays—1.

Burns.

Absent.

DeBerry.

Absent—Excused.

Blackert.	Hopkins.
Fellbaum.	Small.

Messages from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, April 29, 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:

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

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."

H. B. No. 731, A bill to be entitled "An Act making the appropriation out of the General Revenue of the State of Texas for the State Board

of Water Engineers to pay the salary of two (2) assistant engineers; for certain supplies, travel expenses, and auto maintenance, and declaring an emergency."

H. B. No. 972, A bill to be entitled "An Act authorizing the State Tax Board to use any unexpended portion of an appropriation of \$8,400 for traveling expenses for the fiscal year ending August 31, 1935, for the payment of court costs and expenses incident to defending the suit of Atlantic Pipe Line Company vs. Brown County, et al, No. 206 Equity pending in the United States District Court for the Northern District of Texas, and providing for deposit with the clerk of the court for the future cost, and declaring an emergency."

H. B. No. 978, A bill to be entitled "An Act authorizing the creation and incorporation of wind erosion conservation districts coextensive with the area of any county in this State; prescribing the methods for the creation of same, and designating the powers and duties of such districts; prescribing that the county judge and commissioners court shall constitute the governing body and that the county treasurer and county clerk shall be the treasurer and clerk of such districts; etc., and declaring an emergency."

H. C. R. No. 100, Permitting Hon. W. F. Robertson, Judge of the 126th Judicial Court of Texas to be absent from the State during the months of July and August in the years 1935 and 1936.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 29, 1935.

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

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

S. B. No. 49, A bill to be entitled "An Act amending Article 297 of the Penal Code providing for the compulsory attendance of children in the public schools, and declaring an emergency."

(With amendments.)

The House by a vote of 62 yeas and 55 nays laid on the table the following bill:

H. B. No. 895, A bill to be entitled

"An Act to promote public morals, by abolishing certain causes of action, practices and proceedings, which are commonly used as means of extortion; abolishing civil causes of action for alienation of affections, criminal conversation, and seduction; abolishing causes of action for breach of contract to marry; fixing the operation, effect, status, and character of acts hereafter done within this State, and of contracts to marry which shall hereafter be made within this State, etc., and declaring an emergency."

The House has concurred in Senate amendments to H. C. R. No. 99 by a viva voce vote.

The House has concurred in Senate amendments to H. B. No. 405 by a vote of 128 yeas, 0 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 29, 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:

H. B. No. 479, A bill to be entitled "An Act to amend Chapter 212, Sections 3, 5, 8, of the General Laws of the Fortieth Legislature, Regular Session; providing for the reorganization of the Texas Prison Board; fixing their terms of office; providing for their regular meeting place; providing for special meetings and providing for a quorum of the Texas Prison Board; providing for the control of the Texas Prison System by the Texas Prison Board through the general manager selected by the Prison Board, and declaring an emergency."

H. B. No. 674, A bill to be entitled "An Act to amend Chapter 175, page 252, Acts of the Fortieth Legislature, 1927, so as to permit the adding of an additional section to permit the Highway Commission of Texas to acquire, construct, and maintain interstate bridges without the joinder of the highway commissions of the adjoining states, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

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Sir: I
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Hall of the House of Representatives,
Austin, Texas, April 29, 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 resolution:

S. J. R. No. 26, A joint resolution
"Proposing an amendment to Article
XVI of the Constitution of the State
of Texas by adding a new section to
be numbered Section 61, vesting all
the power heretofore conferred upon
the Governor by Section 11, Article
IV of the Constitution relating to
granting reprieves, commutations of
punishments and pardons in all crim-
inal cases in a board to be known and
designated as the Board of Pardons
and Paroles, and providing that such
board shall be composed of three (3)
members who are citizens of the
State of Texas, one of which mem-
bers is to be appointed by the Gov-
ernor, one by the Chief Justice of
the Supreme Court, and one by the
presiding Justice of the Court of
Criminal Appeals; and providing the
members of said board shall serve
for a term of two (2) years and pro-
viding for the appointment of their
successors, and the filling of vacan-
cies in office and providing that the
board shall be domiciled and hold its
meetings at the main State Peniten-
tiary located at Huntsville, Walker
County, Texas, and providing for an
election upon such proposed consti-
tutional amendment and making an
appropriation therefor."

(With amendments.)

Respectfully submitted.

LOUISE SNOW PHINNEY.

Chief Clerk, House of Representatives.

S. J. R. No. 25.

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

S. J. R. No. 25, A joint resolution
Proposing to repeal Article V of the
Constitution of the State of Texas,
the same being the Article creating
the Judiciary Department of the
State and to adopt and enact a new
Article V in lieu thereof, reorganiz-
ing the Judiciary Department of the
State of Texas.

Sulak and Westerfeld.

Senator Sulak sent up the follow-
ing amendment:

Amend by striking out "2/3"

wherever same occurs and inserting
in lieu thereof "majority."

SULAK.

Read and adopted.

S. J. R. No. 25 pending.

Senate Resolution No. 91.

Senator DeBerry received unani-
mous consent to suspend the regular
order of business and sent up the
following resolution:

Whereas, The Commander of the
German Cruiser, now stationed at
Houston, Texas, is within the State
Capitol. Now, therefore, be it

Resolved that this distinguished
officer be invited to address the Sen-
ate, and that his party be given the
privileges of the floor.

DeBERRY.

The resolution was adopted unani-
mously.

Lieutenant Governor Walter F.
Woodul appointed Senators DeBerry,
Pace and Redditt to escort the dis-
tinguished visitor to the rostrum.

Lieutenant Governor Woodul pre-
sented Captain Junther Luetjens of
the German training ship "Karls-
rue," to the Senate.

He addressed the Senate briefly.

Motion to Recess.

Senator Rawlings, at 11:55 o'clock
a. m., moved that the Senate stand
at recess until 2 o'clock p. m.

Motion to recess pending.

Senator Rawlings, by unanimous
consent, yielded to Senator Poage.

Motion to Suspend Rule.

Senator Poage moved that the
constitutional rule regarding the in-
troduction of general bills be sus-
pended and that he be permitted to
introduce a bill.

The motion prevailed by the fol-
lowing vote:

Yeas—29.

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

Hill.
Holbrook.
Hornsby.
Isbell.
Martin.
Moore.
Neal.
Oneal.

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

Absent—Excused.

Fellbaum. Hopkins.

Senate Bill No. 523.

Senator Poage sent up the following bill:

By Senator Poage.

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

Read and referred to the Committee on State Affairs.

Bills Referred.

H. B. No. 87, referred to the Committee on Finance.

H. B. No. 972, referred to the Committee on Finance.

H. B. No. 731, referred to the Committee on Finance.

H. B. No. 181, referred to the Committee on Finance.

H. B. No. 978, referred to the Committee on Mining, Irrigation and Drainage.

H. B. No. 479, referred to the Committee on Penitentiaries.

H. B. No. 674, referred to the Committee on Highways and Motor Traffic.

H. C. R. No. 100.

The Chair, Lieutenant Governor Woodul presiding, laid before the Senate on its first reading, H. C. R. No. 100.

H. C. R. No. 100, "Permitting Judge W. F. Robertson, Judge of the 126th Judicial District to be absent from the State at such times and intervals as he may see fit during months of July and August."

Senator Rawlings moved that the

Senate rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 100 be taken up and considered at this time.

The motion prevailed.

H. C. R. No. 100 was adopted.

Senate Bill No. 501.

Senator Davis received unanimous consent to suspend the regular order of business and to take up S. B. No. 501.

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

By Senators Davis and Beck:

S. B. No. 501, A bill to be entitled "An Act authorizing the creation of The Texas National Guard Armory Board, defining its personnel, the duties and functions of said board, making an appropriation, and declaring an emergency."

(With committee substitute.)

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

The committee substitute was adopted.

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

On motion of Senator Davis the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 501 was put on its third reading and final passage by the following vote:

Yeas—28.

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

Absent—Excused.

Fellbaum. Small.
Hopkins.

Read third time and finally passed by the following vote:

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

DeBerry.

Fellbaum.
Hopkins.

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Pending
No. 25.

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Yeas—27.

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

Nays—1.

DeBerry.

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

Recess.

The motion to recess prevailed at 12:10 o'clock p. m., by viva voce vote.

After Recess.

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

S. J. R. No. 25.

Pending business was S. J. R. No. 25.

Motion to Lay on Table Subject to Call.

On motion of Senator Sulak, S. J. R. No. 25 was laid on the table subject to call.

Senate Resolution No. 92.

Senator Rawlings sent up the following resolution:

Be it resolved by the Senate, That the President of the Senate appoint a committee of five to arrange and submit back to the Senate a calendar of non-contested bills. Be it further

Resolved That said committee shall have the authority to define and classify non-contested bills, and to make temporary rules to expedite their speedy consideration and passage.

RAWLINGS.

Read and adopted.

(Vote Recorded.)

Senator DeBerry asked to be recorded as voting "no" on the adoption of S. R. No. 92.

Committee Appointed.

The Chair appointed the following committee in conformity with S. R. No. 92: Senators Rawlings, DeBerry, Cotten, Regan and Holbrook.

Senate Bill No. 149.

Senator Redditt received unanimous consent to suspend the regular order of business and take up S. B. No. 149.

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

By Senator Redditt:

S. B. No. 149, A bill to be entitled "An Act making appropriations to pay deficiency appropriations granted by the Governor during the fiscal years ending August 31, 1934, and August 31, 1935, respectively, and declaring an emergency."

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 engrossment by viva voce vote.

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 149 was put on its third reading and final passage by the following vote:

Yeas—29.

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

Absent—Excused.

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

Yeas—27.

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

Nays—1.

Collie.

Absent.

DeBerry.

Absent—Excused.

Fellbaum.

Small.

Senate Bill No. 494.

Senator Redditt received unanimous consent to suspend the regular order of business and take up S. B. No. 494.

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

By Senator Redditt:

S. B. No. 494, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue of the State Treasury of the State of Texas for certain State Eleemosynary Institutions for additional support and maintenance of said institutions for the fiscal year ending August 31, 1935; 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 engrossment.

On motion of Senator Redditt, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 494 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Burns.
Blackert.	Collie.

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

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

Read third time and finally passed
by the following vote:

Yeas—27.

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

Absent.

DeBerry.

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

Senate Bill No. 41.

Senator Rawlings moved that the Senate do concur in House amendments to S. B. No. 41.

The motion prevailed by the following vote:

Yeas—27.

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

Stone.
Sulak.
Van Zandt.

DeBerry.

Fellbaum.
Hopkins.

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Holbrook.
Hornsby.
Isbell.
Martin.
Moore.

Stone.
Sulak.
Van Zandt.

Westerfeld.
Woodruff.

Absent.

DeBerry.

Absent—Excused.

Fellbaum. Small.
Hopkins.

Senate Bill No. 257.

Senator Redditt received unanimous consent to suspend the regular order of business and take up S. B. No. 257.

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

By Senator Redditt:

S. B. No. 257, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue of the State of Texas to supplement appropriations made by the Regular Session of the Forty-third Legislature for the maintenance and administration of the judiciary to pay expenses of district judges and district attorneys as per Article 6820, R. C. S., 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 engrossment by viva voce vote.

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 257 was put on its third reading and final passage by the following vote:

Yeas—28.

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

Absent—Excused.

Fellbaum. Small.
Hopkins.

Read third time and finally passed by the following vote:

Yeas—28.

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

Absent—Excused.

Fellbaum. Small.
Hopkins.

Senate Bill No. 259.

Senator Redditt received unanimous consent to suspend the regular order of business and take up S. B. No. 259.

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

By Senator Redditt:

S. B. No. 259, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue of the State of Texas, to supplement appropriations made by the Regular Session of the Forty-third Legislature for the maintenance and administration of the judiciary, and for traveling expenses of the Judges of the Courts of Civil Appeals when on exchange of benches, to pay deficiency certificates already issued against such appropriations, and declaring an emergency."

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

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

On motion of Senator Redditt, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 259 was put

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

Yeas—28.

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

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

Read third time and finally passed by the following vote:

Yeas—28.

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

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

Senate Bill No. 179.

Senator Redditt received unanimous consent to suspend the regular order of business and take up S. B. No. 179.

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

By Senator Redditt:

S. B. No. 179, A bill to be entitled "An Act making appropriations to pay all of the interest now due, or to become due on or before August 31, 1937, on bonds of the State of Texas, held by certain permanent funds of the State of Texas, author-

izing the payment of certain warrants issued pursuant to this Act and of all warrants issued pursuant to Chapter 64, General and Special Laws of the Second Called Session of the Forty-third Legislature, at face value and out of their regular order, authorizing certain things to be done in connection with the refunding of bonds pursuant to Chapter 65, General and Special Laws of the Second Called Session of the Forty-third Legislature, and declaring an emergency."

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 engrossment by viva voce vote.

On motion of Senator Redditt, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 179 was put on its third reading and final passage by the following vote:

Yeas—28.

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

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

Read third time and finally passed by the following vote:

Yeas—28.

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

Regan.
Sanderford.
Shivers.
Stone.

Fellbaum.
Hopkins.

Senator
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No. 369.

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Collie.
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Davis.
DeBerry.
Duggan.
Hill.
Holbrook.
Hornsby.
Isbell.
Martin.
Moore.

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

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

Senate Bill No. 369.

Senator Redditt received unanimous consent to suspend the regular order of business and take up S. B. No. 369.

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

By Senator Holbrook:

S. B. No. 369, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas the sum of six thousand one hundred forty-eight dollars and eighty cents (\$6,148.80) not otherwise appropriated, to cover taxes due by the State of Texas to the Sugar Land Independent School District covering the years from 1918 to 1927, inclusive; and declaring an emergency."

(With committee substitute.)

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

The committee substitute was adopted.

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

On motion of Senator Redditt, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 369 was put on its third reading and final passage by the following vote:

Yeas—28.

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

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

Read third time and finally passed by the following vote:

Yeas—28.

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

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

S. J. R. No. 16.

The Chair laid before the Senate in regular order S. J. R. No. 16.

S. J. R. No. 16, A joint resolution "Proposing an amendment to the Constitution of the State of Texas by adding to Article 16 another section, Section 61, providing for four-year term for all elective State, district, county and precinct officers, except where otherwise provided in the Constitution the term of office is fixed at more than four years; providing for the submission of same to the qualified voters of the State; providing for the necessary proclamation and making appropriation to defray the expenses of the proclamation, publication and election."

HORNSBY.

Senator Duggan sent up the following amendment:

Amend S. J. R. No. 16, Section 1, line 20, by adding between the words "years" and "except" the following: "Except the office of State Senator which shall be for a term of six years, and"

DUGGAN.

Read and adopted.

Vote Recorded.

The following Senators asked to be recorded as voting "no" on adoption

of the amendment by Senator Duggan to S. J. R. No. 16:

Westerfeld, Oneal, Collie, Poage, Moore, DeBerry and Isbell.

Senator Hornsby moved the engrossment of S. J. R. No. 16.

S. J. R. No. 16 as amended was read the second time and passed to engrossment by the following vote:

Yeas—14.

Burns.	Pace.
Cotten.	Rawlings.
Davis.	Regan.
Duggan.	Sanderford.
Hornsby.	Shivers.
Moore.	Stone.
Neal.	Sulak.

Nays—9.

Blackert.	Oneal.
Collie.	Poage.
DeBerry.	Redditt.
Isbell.	Westerfeld.
Martin.	

Absent.

Beck.	Van Zandt.
Hill.	Woodruff.
Holbrook.	

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

Senate Bill No. 72.

Senator Burns called from the Journal the motion to print on minority report S. B. No. 72.

The motion prevailed by the following vote:

Yeas—20.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Redditt.
DeBerry.	Regan.
Holbrook.	Shivers.
Hornsby.	Sulak.
Isbell.	Westerfeld.
Martin.	Woodruff.

Nays—4.

Davis.	Rawlings.
Moore.	Stone.

Absent.

Duggan.	Sanderford.
Hill.	Van Zandt.

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

House Bill No. 77.

Senator Davis received unanimous consent to suspend the regular order of business and asked unanimous consent to take up out of order a House bill.

Consent was granted.

House Bill No. 77.

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

By Mr. Jones of Runnels, Mr. Bradbury, and Mr. Fisher:

H. B. No. 77, A bill to be entitled "An Act creating a conservation and reclamation district to be known as the Upper Colorado River Authority, pursuant to and for the purposes set forth in Section 59 of Article 16, of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate without power to mortgage or encumber any of its property, or to alienate any property necessary to its business, or to levy taxes or assessments or to create any indebtedness payable out of taxes or assessments, or to pledge the credit of the State, fixing boundaries thereof, conferring thereon all powers, rights, privileges and functions conferred by general law upon districts created pursuant to said Section 59, except as expressly limited; etc., and declaring an emergency."

(With committee amendments.)

The committee amendments were adopted.

Senator Poage sent up the following amendment:

Amend House Bill No. 77 by adding at the end of Section 2, page 5, between lines 10 and 11, Subsection "R" to read as follows:

"R" This district and/or the Brazos River Conservation and Reclamation District heretofore created by act of the Legislature of the State of Texas, Chapter 13,

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Davis, Po

Special Laws, second called session of the Forty-first Legislature, shall have the authority and it is hereby authorized to issue its negotiable revenue bonds secured only by pledge of the sums granted and/or donated by the State of Texas and/or out of any other current revenues of the district in any such amount as may be authorized by the directors of such district, which sums shall be paid to the legal holders of said bond.

Poage, Stone, Sanderford.
Read and adopted.

The committee report recommending that the bill be no 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. 77 was put on its third reading and final passage by the following vote:

Yeas—25.

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

Nays—3.

DeBerry. Sulak.
Oneal.

Absent—Excused.

Fellbaum. Small.
Hopkins.

Senator Poage sent up the following amendment:

Amend H. B. No. 77, Section 17a, by adding after the words "and/or advancement" and before the words "has been received" the following:

"In the sum of at least \$2,000,000.00 and in event such sum is not available at such time Subsection 'R' of Section 2 shall remain in full force and effect notwithstanding."

Davis, Poage, Stone, Shivers.

Read and adopted by unanimous vote on third reading.

Senator Oneal sent up the following amendment:

Amend H. B. No. 77 by striking out Section No. 21 and renumbering following sections to conform.

ONEAL.

Read.

The amendment was lost by the following vote:

Yeas—12.

Blackert.	Oneal.
Collie.	Poage.
DeBerry.	Rawlings.
Hill.	Sulak.
Isbell.	Westerfeld.
Martin.	Woodruff.

Nays—12.

Burns.	Pace.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hornsby.	Shivers.
Moore.	Stone.

Absent.

Beck.	Neal.
Holbrook.	Van Zandt.

Absent—Excused.

Fellbaum. Small.
Hopkins.

The caption was amended to conform by unanimous consent.

Read third time and finally passed by the following vote:

Yeas—21.

Blackert.	Moore.
Burns.	Neal.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Stone.
Hornsby.	Sulak.
Isbell.	Westerfeld.
Martin.	

Nays—5.

DeBerry.	Redditt.
Oneal.	Woodruff.
Pace.	

Absent.

Beck. Van Zandt.

Absent—Excused.

Fellbaum. Small.
Hopkins.**Reason for Vote.**

I vote "aye" for final passage of H. B. No. 77 with the following explanation: I am opposed to all tax exemption measures, having voted against engrossment of this bill, I feel however that since the necessary number of votes were secured to engross and finally pass the bill, that it should be made immediately effective.

BLACKERT.

Reason for Vote.

I voted "yea" on H. B. No. 77 because it has sufficient votes to become a law without my vote, and it is only to make it become effective immediately that I changed my vote to "yea."

SULAK.

Senate Bill No. 18.

The Chair laid before the Senate on its second reading the following bill which had been set as special order.

By Senators Oneal, Collie and Beck:

S. B. No. 18, A bill to be entitled "An Act amending Article 710 of the Code of Criminal Procedure of the State of Texas, and declaring an emergency."

Amend S. B. No. 18 by striking out of said bill all of line 16 after the word "State" and lines 17, 18, 19, 20, and 21.

MARTIN.

Read and pending.

Laid on the table subject to call.

Senator Collie received unanimous consent to lay S. B. No. 18 on the table subject to call.

Senate Bill No. 244.

Senator Collie sent up out of regular order S. B. No. 244.

The Chair laid before the Senate on its second reading the following bill which was set as special order.

By Senators Collie, Beck, and Poage.

S. B. No. 244, A bill to be entitled "An Act amending Article 710 of the Criminal Procedure of the State of Texas, and declaring an emergency."

Senator Collie sent up the following amendments:

Amend S. B. No. 244, Section 2, by striking out lines 25 and 26 and adding in lieu thereof the following:

"That Article 711 of the Code of Criminal Procedure of the State of Texas, and all laws in conflict herewith, be and the same are hereby repealed."

COLLIE.

Read and pending.

Motion to Recess.

Senator Rawlings at 4:35 o'clock p. m., moved that the Senate recess until 10 o'clock a. m., Tuesday.

The motion lost by viva voce vote.

Point of "No Quorum."

Senator Woodruff raised the point of "no quorum."

Senator Collie moved that a call of the Senate be ordered to secure and maintain a quorum.

The motion was seconded.

The motion prevailed by viva voce vote.

Call of the Senate.

The Chair requested the Secretary of the Senate to furnish the Sergeant-at-Arms with a list of the absentees and that they be brought in.

Senators Excused.

Senator Rawlings asked unanimous consent that Senators Hopkins and Small be excused from the call. Consent was granted.

Senate Called to Order.

The Chair called the Senate to order at 4:40 o'clock p. m., a quorum having been secured.

Senate Bill No. 244.

The pending amendment by Senator Collie to S. B. No. 244 was adopted by viva voce vote.

Amend the caption to S. B. No. 244 so that it will read as follows:

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Read and

"An Act amending Article 710 of the Code of Criminal Procedure of the State of Texas, repealing Article 711 of the Code of Criminal Procedure, and all laws in conflict with this Act, and declaring an emergency."

COLLIE.

Read and adopted.

Senator Martin sent up the following amendment:

Amend S. B. No. 244 by striking out of line 19, after the word "State" and all to end of section.

MARTIN.

Read.

Motion to Table.

Senator Collie moved to table the amendment by Senator Martin.

The motion prevailed by the following vote:

Yeas—12.

Beck.	Neal.
Collie.	Oneal.
DeBerry.	Poage.
Duggan.	Redditt.
Hornsby.	Sanderford.
Isbell.	Westerfeld.

Nays—12.

Burns.	Moore.
Cotten.	Pace.
Davis.	Rawlings.
Hill.	Shivers.
Holbrook.	Sulak.
Martin.	Woodruff.

Absent.

Blackert.	Stone.
Regan.	Van Zandt.

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

The Chair, Lieutenant Governor Walter F. Woodul, voted "yea" to break the tie.

Senator Rawlings sent up the following amendment.

Amend S. B. No. 244 by adding after the word "case" on line 16 of the printed bill the following:

"or considered by the jury."

RAWLINGS.

Read and pending.

Message from the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Executive Office,

Austin, Texas, April 29, 1935.

To the Senate of the Forty-fourth Legislature.

I ask the advice, consent and confirmation of the Senate to the following appointment:

To be Associate Justice of the Supreme Court for the unexpired term of Judge Wm. Pierson, deceased:

Richard Critz, of Williamson County.

Respectfully submitted,

JAMES V. ALLRED,

Governor of Texas.

Read and referred to the Committee on Governor's Nominations.

S. J. R. No. 26.

On motion of Senator Burns the Senate refused to concur in House amendments to S. J. R. No. 26 and requested the appointment of a conference committee to adjust the differences between the two houses.

Bills and Resolution 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 resolution:

S. B. No. 227. S. B. No. 497.
H. B. No. 405. H. C. R. No. 100.

Senate Bill No. 244.

The question recurred on the adoption of the pending amendment by Senator Rawlings to S. B. No. 244.

Motion to Table.

Senator Collie moved to table the amendment.

The motion lost by the following vote:

Yeas—10.

Beck.	Oneal.
Collie.	Poage.
DeBerry.	Sanderford.
Isbell.	Stone.
Neal.	Westerfeld.

Nays—15.

Burns.	Pace.
Cotten.	Rawlings.
Davis.	Redditt.
Hill.	Regan.
Holbrook.	Shivers.
Hornsby.	Sulak.
Martin.	Woodruff.
Moore.	

Absent.

Blackert.	Van Zandt.
Duggan.	

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

Motion to Adjourn.

Senator Rawlings at 5:55 o'clock p. m., moved that the Senate adjourn until 10 o'clock a. m., Tuesday.

Senator Pace moved that the Senate recess until 8 o'clock.

Senate Bill No. 524.

Senator Redditt sent up the following local bill:

By Senator Fellbaum:

S. B. No. 524, A bill to be entitled "An Act to provide for fees for constables whose precincts lie in counties having a population of more than 200,000 and less than 300,000 by the last preceding Federal census and whose precincts lie in whole or in part in an incorporated city or town having a population of more than 10,000 by the last preceding Federal census, such fees to be the same as those now allowed to sheriffs and like fees allowed such officers in all cases where the defendant is convicted or pleads guilty and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Bill No. 408.

Senator Davis sent up the following conference committee report:

Committee Room,

Austin, Texas, April 24, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives,
Hon. K. M. Regan, President Pro Tem. of the Senate.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and the

Senate on House Bill No. 408 beg leave to report that we have considered the same and recommend that it do pass in the form as attached hereto.

Respectfully submitted,

DAVIS,
BURNS,
PACE,
RAWLINGS,

On the part of the Senate.

LEATH,
BUTLER of Karnes,
RUSSELL,
JAMES,

On the part of the House.

A BILL

To Be Entitled

An Act to amend Article 2350, Title 44, Revised Civil Statutes of the State of Texas, 1925, as amended by the Acts of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1; and as amended by Act of the Fortieth Legislature, page 435, Chapter 290, Section 1; and as amended by Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section 1; and as amended by Act of the Forty-third Legislature, Regular Session, Chapter 216; and as amended by Act of the Forty-third Legislature, First Called Session, Chapter 83, page 220; and so as to provide the salaries of county commissioners in certain counties; providing that if any part of this Act be declared unconstitutional it shall not affect any remaining part; and declaring an emergency.

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

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

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same is hereby amended so as to hereafter read as follows:

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

Assessed Valuations	Salaries to be paid each Commissioner
\$4,500,000 and less than \$6,500,000	not to exceed \$1,200.00
\$6,500,001 and less than \$8,500,000	not to exceed 1,350.00
\$8,500,001 and less than \$10,500,000	not to exceed 1,650.00
\$10,500,001 and less than \$14,500,000	not to exceed 1,800.00
\$14,500,001 and less than \$20,000,000	not to exceed 2,000.00
\$20,000,001 and less than \$30,000,000	not to exceed 2,400.00
\$30,000,001 and less than \$60,000,000	not to exceed 2,800.00
\$60,000,001 and less than \$80,000,000	not to exceed 3,200.00
\$80,000,001 and less than \$110,000,000	not to exceed 3,400.00
\$110,000,001 and less than \$150,000,000	not to exceed 3,600.00
\$150,000,001 and over	4,200.00

In counties having assessed valuations of less than \$4,500,000, each commissioner shall receive Five (\$5.00) Dollars per day for each day served as commissioner, and a like amount when acting as ex-officio road superintendent in his commissioner's precinct, provided in no event shall his total compensation exceed Nine Hundred (\$900.00) Dollars in any one year.

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

Sec. 3. That all laws and parts of laws in conflict herewith are hereby expressly repealed.

Sec. 4. If any section, clause, sentence, or other part of this Act shall for any reason be declared unconstitutional that shall not affect in any way the constitutionality of the remaining provisions hereof.

Sec. 5. The importance of simplifying the laws now governing the salaries of the various commissioners of the several counties of the State creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is suspended and this Act shall take effect from and after its passage.

The motion to adjourn lost by the following vote:

Yeas—10.

Isbell.	Rawlings.
Martin.	Sanderford.
Moore.	Shivers.
Oneal.	Stone.
Poage.	Westerfeld.

Nays—16.

Beck.	Hornsby.
Burns.	Neal.
Collie.	Pace.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sulak.
Hill.	Van Zandt.
Holbrook.	Woodruff.

Absent.

Blackert. Duggan.

Absent—Excused.

Fellbaum. Small.
Hopkins.

Motion to Adjourn.

Senator Sanderford moved that the Senate adjourn until 9:30 o'clock a. m., Tuesday.

The motion lost by the following vote:

Yeas—13.

Beck. Poage.
Collie. Rawlings.
Hornsby. Sanderford.
Isbell. Shivers.
Martin. Stone.
Moore. Westerfeld.
Oneal.

Nays—13.

Burns. Pace.
Cotten. Redditt.
Davis. Regan.
DeBerry. Sulak.
Hill. Van Zandt.
Holbrook. Woodruff.
Neal.

Absent.

Blackert. Duggan.

Absent—Excused.

Fellbaum. Small.
Hopkins.

The Chair voted "nay" to break the tie.

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 Governor Walter F. Woodul.

House Bill No. 319.

Senator Beck was recognized and received unanimous consent to suspend the regular order of business and take up H. B. No. 319.

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

H. B. No. 319, A bill to be entitled "An Act granting to Willis Fountain of New Boston, Bowie County, Texas, permission to bring suit against the State of Texas and the State Highway Department in the District Court of Bowie County, Texas, for damages sustained to his property by the construction of dams on each side of Highway No. 8, which runs between the towns of New Boston and Corley, in Bowie County, diverting the water on the farm of Willis Fountain, etc., and declaring an emergency."

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

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

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

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 319 was put on its third reading and final passage by the following vote:

Yeas—27.

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

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

Read third time and finally passed by the following vote:

Yeas—26.

Beck. Martin.
Blackert. Neal.
Burns. Oneal.
Collie. Pace.
Cotten. Poage.
Davis. Rawlings.
Duggan. Redditt.
Hill. Regan.
Holbrook. Sanderford.
Hornsby. Shivers.
Isbell. Stone.

Sulak.
Van Zandt.

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Moore.

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DeBerry.
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No. 668.

The Chair
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H. B. No.
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Neal.

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Moore.

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DeBerry.
Fellbaum.

Sulak. Westerfeld.
Van Zandt. Woodruff.

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

House Bill No. 668.

Senator Blackert received unanimous consent to suspend the regular order of business and take up H. B. No. 668.

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

H. B. No. 668, A bill to be entitled "An Act governing the use of pasture or grazing land owned by two or more parties under one fence or enclosure, providing for the recovering of damages, punishment and penalties, and declaring an emergency."

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

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

On motion of Senator Collie, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 668 was put on its second reading by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

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

On motion of Senator Blackert, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 668 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

Read third time and finally passed by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

Senate Bill No. 328.

Senator Burns received unanimous consent to suspend the regular order and take up S. B. No. 328.

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

By Senator Burns:

S. B. No. 328, A bill to be entitled "An Act amending Section 19 of H. B. No. 122, Chapter 116, Acts of the Regular Session, Forty-third Legislature, 1933, and declaring an emergency."

Read and referred to the Committee on Criminal Jurisprudence.

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 engrossment by viva voce vote.

On motion of Senator Burns, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 328 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

House Bill No. 340.

Senator Collie received unanimous consent to suspend the regular order and take up H. B. No. 340.

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

By Mr. Davisson of Eastland and Mr. Lotief:

H. B. No. 340, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas which levies are unenforceable because of failure of the governing bodies of such respective incorporated cities and towns to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, or where the city council, city commission or other governing body of such incorporated city or town have acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; making this Act applicable only to counties having a population of thirty-four thousand, one hundred fifty-six (34,156) to thirty-four thousand, three hundred (34,300) according to the last preceding United States census; and declaring an emergency."

Amend H. B. No. 340, line 8, page 2, by inserting between the words "towns" and "in" by adding the following:

"having a population of less than twelve hundred (1200) inhabitants and situated"

COLLIE.

Read and adopted.

Amend the caption to H. B. No. 340, line 11, between the words "to" and "counties" by adding the following:

"incorporated cities and towns having a population of less than twelve hundred (1200) inhabitants and situated in"

COLLIE.

Read and adopted.

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

The committee report recommend-

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The bill adopted by amended a ing.

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ing that the bill be not printed was
adopted by unanimous consent.

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

On motion of Senator Collie the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 340 was put
on its third reading and final passage
by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed
by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Senate Bill No. 510.

Senator Cotten received unanimous

consent to suspend the regular order
and take up S. B. No. 510.

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

By Senator Cotten:

S. B. No. 510, A bill to be entitled
"An Act providing for relief for the
Independence Common School Dis-
trict of Henderson and Kaufman
Counties, Texas, in order to aid said
district in rebuilding its properties
and equipping its school which was
destroyed by fire on the fourth day
of March, A. D., 1935; providing for
work relief; making an appropria-
tion to said District for said prop-
erty; and declaring an emergency."
(With committee substitute.)

Senator Hornsby sent up the fol-
lowing amendments:

Amendment No. 1.

Amend the caption of the com-
mittee substitute of S. B. No. 510,
so that it shall read as follows:

"A BILL

To Be Entitled

An Act providing for relief for the
Independent Common School Dis-
tricts of Henderson and Kaufman
Counties, and Algerita Common
School District No. 28, in San
Saba County, Texas, in order to
aid said Districts in the rebuilding
of their properties, and equipping
their schools which were destroyed
by fire on March 4th, A. D. 1935,
and on April 20th, A. D. 1935,
respectively; providing for work
relief; making an appropriation to
said Districts for said properties;
and declaring an emergency."

HORNSBY.

Read and adopted.

Amendment No. 2.

Amend committee substitute for
S. B. No. 510, by adding a new sec-
tion to be designated as Section 1-a:
"Section 1-a. The sum of Thirteen
Hundred (\$1,300.00) Dollars is
hereby appropriated from the Gen-
eral Fund of the State not otherwise
appropriated for the purpose of re-
building the school house in Algerita
Common School District No. 28, San
Saba County, Texas, which was de-
stroyed by fire on April 20, 1935."

HORNSBY.

Read and adopted.

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

The committee substitute was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Cotten the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 510 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed by the following vote:

Yeas—22.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Hornsby.	Stone.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Neal.	Woodruff.

Nays—1.

Collie.

Present—Not Voting.

Holbrook.	Poage.
Moore.	Sulak.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Senate Bill No. 508.

Senator DeBerry received unanimous consent to suspend the regular order and take up S. B. No. 508.

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

By Senator DeBerry:

S. B. No. 508, A bill to be entitled "An Act to amend Article 3810 of the Revised Civil Statutes relating to the sales of real estate under deeds of trust; requiring notice of such sales to be sent by registered mail to all persons having liens of record against the land to be foreclosed and providing that an affidavit made by the party sending a notice by mail shall be subject to registration and when recorded shall be prima facie evidence that the notice was sent, 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 DeBerry the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 508 was put on its third reading and final passage by the following vote:

Yeas—27.

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

Present—Not Voting.

Moore.

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

Read third time and finally passed by the following vote:

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

Pres

Moore.

Al

Fellbaum.
Hopkins.

Sen

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The Chair
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bill:

By Senat
S. B. No.
"An Act
Chapter 6,
Civil Statu
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S. B. No. 22
Chapter 31:
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Chapter 9
Called Sess
Legislature
by Chapter
Regular Se
Legislature,

Yeas—27.

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

Present—Not Voting.

Moore.

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

Senate Bill No. 493.

Senator Duggan received unanimous consent to suspend the regular order and take up S. B. No. 493.

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

By Senator Duggan:

S. B. No. 493, A bill to be entitled "An Act amending Article 6954, Chapter 6, Title 121 of the Revised Civil Statutes of Texas, 1925, as amended in Chapter 245 of the Acts of the Regular Session of the Forty-first Legislature of Texas, as amended in Chapter 5, of the Acts of the Regular Session of the Forty-first Legislature of Texas, and as further amended in Chapter 71 of the Acts of the First Called Session of the Forty-first Legislature of Texas, the latter being H. B. No. 120, passed by the First Called Session of the Forty-first Legislature, and further amended in Chapter 8, of the Acts of the Third Called Session of the Forty-first Legislature, S. B. No. 22, and further amended in Chapter 313 of the Acts of the Regular Session of the Forty-second Legislature, and as further amended by Chapter 9 of the Acts of the Third Called Session of the Forty-second Legislature, and as further amended by Chapter 48, of the Acts of the Regular Session of the Forty-third Legislature, with reference to the

mode of preventing horses and certain other animals from running at large in the counties named so as to include in said Article the County of Kent; 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 engrossment.

On motion of Senator Duggan the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 493 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

House Bill No. 778.

Senator Hill received unanimous consent to suspend the regular order of business and take up H. B. No. 778.

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

H. B. No. 778, A bill to be entitled "An Act prohibiting the use of a steel trap, snare, or deadfall; the taking of the pelt of a fur-bearing animal; the offering for sale the pelt of a fur-bearing animal, or the possession of a fur-bearing animal, dead or alive, in Shelby County for a period of two years following the passage of this Act, 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 on three several days was suspended and H. B. No. 778 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

Read third time and finally passed by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

Fellbaum. Small.
Hopkins.

Senate Bill No. 293.

Senator Hornsby received unanimous consent to suspend the regular order of business and take up S. B. No. 293.

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

By Senator Hornsby:

S. B. No. 293, A bill to be entitled "An Act making an appropriation of fifteen hundred (\$1500.00) dollars, or so much thereof as may be necessary, out of any money in the State Treasury not otherwise appropriated, to be used by the State Depository Board to pay rent for safety deposit boxes rented by the board from any bank located in the City of Austin for the purpose of depositing securities, where such obligations for rent have been incurred by the State Depository Board pursuant to Article 2530, Revised Statutes of 1925, as amended by the Acts of the Forty-third Legislature, Regular Session, or as amended by the Acts of the Forty-third Legislature, Second Called Session; and declaring an emergency."

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

The bill was read second time and passed to engrossment.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was

suspended on its third reading by the following vote:

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

Present.

Moore.

DeBerry.
Fellbaum.

Read third time and finally passed by the following vote:

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

Present.

Moore.

DeBerry.
Fellbaum.

Hornsby.

Senator Hornsby received unanimous consent to suspend the regular order of business and take up S. B. No. 293.

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

suspended and S. B. No. 293 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

House Bill No. 908.

Senator Isbell received unanimous consent to suspend the regular order of business and take up H. B. No. 908.

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

H. B. No. 908, A bill to be entitled "An Act to prohibit the use of a steel trap for taking fur-bearing animals in Cherokee County, with certain exceptions; providing a penalty; repealing all laws in conflict therewith, and declaring an emergency."

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

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

On motion of Senator Isbell the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 908 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

House Bill No. 265.

Senator Holbrook received unanimous consent to suspend the regular order and take up H. B. No. 265.

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

H. B. No. 265, A bill to be entitled "An Act amending Article 1583 of the Penal Code of Texas, 1925, relating to work and vacation of firemen and policemen in cities of more than 25,000 inhabitants and in cities of more than 30,000 inhabitants; providing penalties for violation of the provisions of this article, 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 Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 265 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Burns.
Blackert.	Collie.

Cotten.	Poage.
Davis.	Rawlings.
Duggan.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hornsby.	Shivers.
Isbell.	Stone.
Martin.	Sulak.
Neal.	Van Zandt.
Oneol.	Westerfeld.
Pace.	Woodruff.

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

House Bill No. 593.

Senator Martin received unanimous consent to suspend the regular order of business and take up H. B. No. 593.

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

H. B. No. 593, A bill to be entitled "An Act authorizing the county judge to employ a stenographer or clerk in any county of not less than forty-three thousand (43,000) and not more than forty-three thousand and one hundred (43,100) inhabitants, according to the last Federal census report; regulating the salary of said stenographer or clerk, providing for the payment of same, providing for his removal, 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 Martin, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 593 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Hill.
Blackert.	Holbrook.
Burns.	Isbell.
Collie.	Hornsby.
Cotten.	Martin.
Davis.	Neal.
Duggan.	Oneol.

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

Pro

Moore.

DeBerry.
Fellbaum.

Read th
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Beck.
Blackert.
Burns.
Collie.
Cotten.
Davis.
Duggan.
Hill.
Holbrook.
Hornsby.
Isbell.
Martin.
Neal.
Oneol.

Pro

Moore.

DeBerry.
Fellbaum.

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Senator
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The Cha
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bill:

By Sena
S. B. No.
"An Act
the intenti
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No. 546, p
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or in ena
No. 546, p
sion of th
to provide
more than
of bonds
000.00, pa

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed
by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Senate Bill No. 285.

Senator Neal received unanimous
consent to suspend the regular order
and take up S. B. No. 285.

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

By Senator Neal:

S. B. No. 285, A bill to be entitled
"An Act declaring that it was not
the intention of the Forty-third Leg-
islature of Texas in enacting S. B.
No. 546, passed at the Regular Ses-
sion of the Forty-third Legislature,
or in enacting Section 7 of S. B.
No. 546, passed at the Regular Ses-
sion of the Forty-third Legislature,
to provide that there should never be
more than \$466,000.00, par value,
of bonds issued out of the \$950,-
000.00, par value, of bonds author-

ized by the vote taken in Cameron
County Water Control and Improve-
ment District No. 19 and validated
in said Act; and declaring an emer-
gency."

The committee report recommend-
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 Neal, the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 285 was put
on its third reading and final passage
by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed
by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

Senate Bill No. 354.

Senator Davis received unanimous consent to suspend the regular order and take up S. B. No. 354.

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

By Senator Davis:

S. B. No. 354, A bill to be entitled "An Act to amend the law relating to Water Improvement Districts by amending Section 21 of Chapter 87 of the General Laws enacted by the Thirty-fifth Legislature of the State of Texas at its Regular Session, in order to better and further define the general powers of such districts by giving to such districts the powers to adopt and promulgate reasonable police ordinances or regulations, defining the limitations thereof, and objects to be accomplished thereby; and declaring an emergency."

(With committee substitute.)

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

The committee substitute was adopted.

Senator Davis moved to amend the caption to conform to the body of the bill.

The motion prevailed by viva voce vote.

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 S. B. No. 354 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

Read third time and finally passed by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

Senate Bill No. 12.

Senator Oneal was recognized and received unanimous consent to suspend the regular order and take up S. B. No. 12.

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

S. B. No. 12, A bill to be entitled "An Act creating a cause of legal action against a man for support of his wife or minor child; defining the same, giving remedies; providing a jurisdiction and procedure; declaring the remedies here given to be cumulative of others; repealing all laws in conflict therewith, 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 Oneal the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 12 was put

on its third reading by the following vote:

Beck.
Blackert.
Burns.
Collie.
Cotten.
Davis.
Duggan.
Hill.
Holbrook.
Hornsby.
Isbell.
Martin.
Neal.
Oneal.

Present.

Moore.

Absent.

DeBerry.
Fellbaum.

Read third time and finally passed by the following vote:

Beck.
Blackert.
Burns.
Collie.
Davis.
Duggan.
Hill.
Holbrook.
Hornsby.
Isbell.
Martin.
Neal.
Oneal.

Cotten.

Present.

Moore.

Absent.

DeBerry.
Fellbaum.

Viva.

Senator Ma.

Hous.

Senator Pa.
received unan.

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

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed by the following vote:

Yeas—24.

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

Nays—2.

Cotten.	Pace.
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Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Vote Recorded.

Senator Martin, "no."

House Bill No. 158.

Sneator Pace was recognized and received unanimous consent to sus-

pend the regular order and take up H. B. No. 158.

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

By Mr. Tennyson.

H. B. No. 158, A bill to be entitled "An Act to provide for attendance of rural pupils or of other pupils in high schools at the expense of their home districts and of the State; for certification of eligibility of pupils and districts for tuition privileges in the high schools, 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 Pace the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 158 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Hill.
Blackert.	Holbrook.
Burns.	Hornsby.
Collie.	Isbell.
Cotten.	Martin.
Davis.	Neal.
Duggan.	Oneal.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

House Bill No. 704.

Senator Rawlings received unanimous consent to suspend the regular order and take up H. B. No. 704.

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

By Mr. Duval and Mr. Smith:

H. B. No. 704, A bill to be entitled "An Act authorizing any city having a population of more than one hundred and sixty thousand (160,000) inhabitants to own, operate, and maintain, construct, improve, and enlarge an airport and for such purpose to borrow money and issue warrants payable from taxation and further payable from the revenues of such airport; providing the form and contents of such warrants; limiting the amount of warrants which may be issued by any city to not more than one hundred and twenty-five thousand dollars (\$125,000) providing that no election shall be necessary to authorize such warrants, but that the city shall comply with the provisions of Chapter 163, Acts of the Forty-second Legislature, etc., and declaring an emergency."

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

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

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 704 was put on second reading by the following vote:

Yeas—26.

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

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

The committee amendment was adopted.

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

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 704 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed by the following vote:

Yeas—26.

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

Neal.
Oneal.
Pace.
Poage.
Rawlings.
Redditt.
Regan.

Present

Moore.

Absent

DeBerry.
Fellbaum.

House

Senator R
mous consent
order of busi
No. 973.

The Chair
on its first
bill:

H. B. No. 9
"An Act ame
8, Revised Ci
heretofore an
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Judicial Dist
county withi
Judicial Distr
an emergency

The rule
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suspended by un

The comm
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adopted by u

On motion
constitutiona
be read on
suspended an
on its second
ing vote:

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

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

House Bill No. 973.

Senator Redditt received unanimous consent to suspend the regular order of business and take up H. B. No. 973.

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

H. B. No. 973, A bill to be entitled "An Act amending Article 198, Title 8, Revised Civil Statutes of 1925, as heretofore amended, by taking Cherokee County from the Sixth Supreme Judicial District and placing said county within the Ninth Supreme Judicial District; etc., and declaring an emergency."

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

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

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 973 was put on its second reading by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

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

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed by the following vote:

Yeas—25.

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

Nays—1.

Beck.

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

Senate Bill No. 255.

Senator Poage received unanimous consent to suspend the regular order and take up S. B. No. 255.

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

By Senator Poage.

S. B. No. 255, A bill to be entitled "An Act amending Article 2199 of the Revised Civil Statutes of this State so as to allow the jury to hear the Court Reporter read from his notes where there is any disagreement among the jury as to the statement of any witness, and declaring an emergency."

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

The bill was read second time and passed to engrossment.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 255 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

Read third time and finally passed by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

House Bill No. 614.

Senator Regan received unanimous consent to suspend the regular order and take up H. B. No. 614.

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

By Mr. Bradford.

H. B. No. 614, A bill to be entitled "An Act to provide for the renewal and extension of oil and gas permit No. 11,752 on a portion of the Pecos River bed, providing for the placing of all income therefrom, and for all income from oil and gas development from river beds in Texas, in Permanent School Fund, 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. 614 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Neal.
Oneal.
Pace.
Poage.
Rawlings.
Redditt.
Regan.

Present

Moore.

Absent

DeBerry.
Fellbaum.

Read third time and finally passed by the following vote:

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

Oneal.

Present

Moore.

Absent

DeBerry.
Fellbaum.

Senator

Senator S. B. No. 255 received unanimous consent to suspend the regular order and take up S. B. No. 255.

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

By Senator S. B. No. 255, A bill to be entitled "An Act providing for the public use of the State Highway and fix the several grades of mill defined in the

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.
Fellbaum.
Hopkins.
Small.

Read third time and finally passed
by the following vote:

Yeas—24.

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

Nays—2.

Oneal.
Poage.

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.
Fellbaum.
Hopkins.
Small.

Senate Bill No. 89.

Senator Shivers received unani-
mous consent to suspend regular
order and take up S. B. No. 89.

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

By Senator Shivers.
S. B. No. 89, A bill to be entitled
"An Act providing for the protection
of the public health; defining certain
terms used in the Act; authorizing
the State Health Officer to define
and fix the specifications for certain
grades of milk and milk products as
defined in the Act; authorizing the

State Health Officer and his repre-
sentatives to supervise and regulate
the labeling of milk and milk prod-
ucts; enabling cities and counties to
require all milk sold within their
boundaries to be graded and labeled;
forbidding the use of certain grade
labels except under certain condi-
tions and providing penalties and
remedies for violation of said pro-
vision; forbidding the use of grade
labels or other designs or device
misrepresenting the contents of any
container of milk or milk products;
providing remedies and penalties for
the enforcement of this Act; pro-
vided that if any portion of the
Act be held inoperative or invalid
the remainder of the Act shall be
unaffected thereby 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 engrossment.

On motion of Senator Shivers the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 89 was put
on its third reading and final pas-
sage by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry.
Fellbaum.
Hopkins.
Small.

Read third time and finally passed
by the following vote:

Yeas—25.

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

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

Nays—1.

Oneal.

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

House Bill No. 874.

Senator Rawlings was recognized and received unanimous consent to take up out of regular order H. B. No. 874.

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

By Mr. James:

H. B. No. 874, A bill to be entitled "An Act to create a more efficient road law for Lee County, providing for the payment of a tax of \$2.50 by all persons in said county, subject to road duty under the General Laws, or the performance of certain manual labor on the roads, in the discharge of said road duty; etc., and clearing an emergency."

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

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

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

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 874 was put on its third reading and final passage by the following vote:

Yeas—26.

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

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

Read third time and finally passed by the following vote:

Yeas—26.

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

Present—Not Voting.

Moore.

Absent—Excused.

DeBerry. Hopkins.
Fellbaum. Small.

Senate Bill No. 469.

Senator Sulak received unanimous consent to suspend the regular order and take up S. B. No. 469.

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

By Senator Sulak:

S. B. No. 469, A bill to be entitled "An Act providing for the relief of Ellinger Common School District No. 60 of Fayette County, Texas; to aid said school district to rebuild and reconstruct a public school building; appropriating Six Thousand (\$6,000.00) Dollars for rebuilding and reconstructing the public school building; prescribing the

manner in appropriated clearing an e The bill and failed of lowing vote

Beck.
Burns.
Davis.
Martin.
Neal.
Poage.

Blackert.
Collie.
Cotten.
DeBerry.
Duggan.
Hill.
Holbrook.
Hornsby.

Fellbaum.
Hopkins.

Senator M consent to s and take up

The Chair on its second bill:

By Mr. M H. B. No. "An Act to Title 34, Su Statutes of 875, Chapte and Special Forty-third lar Session county aud shall presc and reports with the rec county reve moneys rec county and include the attorney; pr all laws in viding that shall be dec shall not aff mainder, a gency."

The comm

manner in which the funds hereby appropriated shall be paid; and declaring an emergency."

The bill was read the second time and failed of engrossment by the following vote:

Yeas—12.

Beck.	Rawlings.
Burns.	Regan.
Davis.	Stone.
Martin.	Sulak.
Neal.	Westerfeld.
Poage.	Woodruff.

Nays—15.

Blackert.	Isbell.
Collie.	Oneal.
Cotten.	Pace.
DeBerry.	Redditt.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Van Zandt.
Hornsby.	

Absent—Excused.

Fellbaum.	Moore.
Hopkins.	Small.

House Bill No. 510.

Senator Moore received unanimous consent to suspend the regular order and take up H. B. No. 510.

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

By Mr. McCalla:

H. B. No. 510, A bill to be entitled "An Act to amend Article 1656a, Title 34, Subdivision 2, Revised Civil Statutes of Texas, being H. B. No. 875, Chapter 98, page 217, General and Special Laws enacted by the Forty-third Legislature at its Regular Session, 1933, providing that the county auditor in certain counties shall prescribe the system, forms, and reports to be used in connection with the receipt and disbursement of county revenues, funds, fees, and moneys received and disbursed by county and precinct officers, so as to include the district clerk and district attorney; providing for the repeal of all laws in conflict herewith; providing that if any part of this Act shall be declared unconstitutional it shall not affect the validity of the remainder, and declaring an emergency."

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 Moore the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 510 was put on its third reading and final passage by the following vote:

Yeas—27.

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

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Read third time and finally passed by the following vote:

Yeas—27.

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

Absent—Excused.

DeBerry.	Hopkins.
Fellbaum.	Small.

Senate Bill No. 469.

Senator Van Zandt moved to reconsider the vote by which S. B. No. 469 failed of engrossment and spread on the Journal.

Motion to Table.

Senator Holbrook moved to table. The motion to table lost by the following vote:

on its second reading the following bill:

By Senator Westerfeld:

S. B. No. 107, A bill to be entitled "An Act making it unlawful after January first, nineteen hundred and thirty-six to operate on any public highway or street, a motor vehicle manufactured or assembled after said date, designed or used to carry passengers for hire, or as a public conveyance to transport school children or others unless such vehicle be equipped with safety glass; and making it unlawful after July first, nineteen hundred and thirty six to operate on any public highway or street any motor vehicle registered in this state, and manufactured or assembled after said date unless such vehicle be equipped with safety glass; and defining the term "safety glass," and requiring the State Highway Commission to maintain a list of types of safety glass approved by it as conforming to this Act; and providing for the withholding of permits, licenses or registration certificates of motor vehicles not equipped with safety glass as required by this Act; and providing that the violation of this Act shall constitute a misdemeanor and prescribing the punishment therefor, and repealing all laws in conflict with this Act."

Senator Westerfeld sent up the following amendment:

Amend S. B. No. 107 by striking out Section 3 thereof and substituting therefor the following section:

"Sec. 3. The term 'safety glass,' as used in this Act shall be construed as meaning glass so treated or combined with other materials as to reduce, in comparison with ordinary sheet glass or plate glass the likelihood of injury to persons by objects from external sources or by glass when the glass is cracked or broken."

WESTERFELD.

Senator Regan sent up the following amendment:

Amend S. B. No. 107 so as to provide that the front doors on all automobile passenger cars be hinged from the front.

REGAN.

Read and adopted.

Senator Rawlings sent up the following amendment:

Amend S. B. No. 107:

"This Act shall not apply to V8 Fords."

RAWLINGS.

Read.

Motion to Table.

Senator Westerfeld moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—13.

Beck.	Poage.
Blackert.	Redditt.
Burns.	Regan.
Duggan.	Sulak.
Martin.	Westerfeld.
Oneal.	Woodruff.
Pace.	

Nays—8.

Collie.	Holbrook.
Cotten.	Hornsby.
Davis.	Rawlings.
Hill.	Van Zandt.

Absent.

DeBerry.	Sanderford.
Isbell.	Shivers.
Moore.	Stone.
Neal.	

Absent—Excused.

Fellbaum.	Small.
Hopkins.	

The bill was read the second time, as amended, and failed of engrossment by the following vote:

Yeas—10.

Beck.	Neal.
Blackert.	Poage.
Burns.	Regan.
Davis.	Sulak.
Duggan.	Westerfeld.

Nays—11.

Collie.	Pace.
Cotten.	Rawlings.
Hill.	Redditt.
Holbrook.	Van Zandt.
Hornsby.	Woodruff.
Martin.	

Present—Not Voting.

Oneal.

Absent.

DeBerry.	Sanderford.
Isbell.	Shivers.
Moore.	Stone.

Absent—Excused.

Fellbaum. Small.
Hopkins.

Senate Bill No. 404.

Senator Woodruff was recognized and received unanimous consent to suspend the regular order of business and take up S. B. No. 404.

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

By Senator Woodruff:

S. B. No. 404, A bill to be entitled "An Act amending Article 1019 of the Code of Criminal Procedure of the State of Texas, as amended by the Acts of the Forty-second Legislature, Chapter 205, 1931, providing for fees of officers of this State in certain felony and misdemeanor cases, 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 Woodruff, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 404 was put on its third reading and final passage by the following vote:

Yeas—26.

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

Absent.

DeBerry. Moore.

Absent—Excused.

Fellbaum. Small.
Hopkins.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Burns.
Blackert.	Collie.

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

Absent.

DeBerry. Moore.

Absent—Excused.

Fellbaum. Small.
Hopkins.

Senate Bill No. 107.

Motion to Reconsider.

Senator Pace moved to reconsider the vote by which S. B. No. 107 failed of engrossment and spread on the Journal.

Executive Session.

On motion of Senator Oneal the Senate went into Executive Session to consider Governor's nominations, at 10:10 o'clock p. m.

After Executive Session.

The Secretary of the Senate informed the Journal Clerk that the following action had been taken in Executive Session:

Committee Room,

Austin, Texas, April 29, 1935.

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

Sir: We, your Committee on Governor's Nominations, to whom was referred the following appointments, have had same under consideration, and I, as chairman of said committee, am instructed to report same back to the Senate with the recommendation that they be in all things confirmed.

To be Associate Justice of the Supreme Court for the unexpired term of Judge Wm. Pierson, deceased:

Richard Critz, of Williamson County.

To be members of the Board of Directors of the Sabine-Neches Conservation District:

To serve
R. C. I
County;
P. K. Bir
G. M. Sell
T. J. Ram
W. I. Dav
A. J. Dea
C. K. De
Paul San
D. H. Por
Roscoe L.
W. C.
County;
Guy Blou

To Serve
R. Hughe
Knox Bass,
Charles
County;

Claude B
R. M. Ke
O. L. Steg
Ernest Ha
W. W. B
Hugh Car
E. C. C
County.

To Serve
E. A. Lin
H. V. Pu
John Alfo
Mark Sim
T. D. Row
F. B. Bras
Hal Winsl
ty;

Thurman
Henry Te
L. M. Co

To be mem
of Veterinar
Paul P.
Jefferson Co
A. C. Bu
County;
L. J. Laur
County;
F. A. M
County;
Archie St
County;
P. P. St
County;
O. E. Wo
County.

Adopted.

To serve Six-Year Terms:
 R. C. Downs, San Augustine County;
 P. K. Birdwell, Smith County;
 G. M. Sells, Orange County;
 T. J. Ramey, Hopkins County;
 W. I. Davis, Shelby County;
 A. J. Deason, Rusk County;
 C. K. De Busk, Cherokee County;
 Paul Sanderson, Trinity County;
 D. H. Porter, Bowie County;
 Roscoe L. Perry, Angelina County;
 W. C. Richards, Henderson County;
 Guy Blount, Nacogdoches County.

To Serve Four-Year Terms:
 R. Hughes, Van Zandt County;
 Knox Bass, Camp County;
 Charles Wooldridge, Anderson County;

Claude Brown, Houston County;
 R. M. Kelley, Gregg County;
 O. L. Steger, Rockwall County;
 Ernest Haney, Hunt County;
 W. W. Biard, Kaufman County;
 Hugh Carney, Cass County;
 E. C. Clabaugh, Jr., Panola County.

To Serve Two-Year Terms:
 E. A. Lindsey, Newton County;
 H. V. Puckett, Wood County;
 John Alford, Rains County;
 Mark Sims, Collin County;
 T. D. Rowell, Sr., Marion County;
 F. B. Braswell, Jasper County;
 Hal Winsborough, Harrison County;
 Thurman T. Taylor, Polk County;
 Henry Temple, Sabine County;
 L. M. Coe, Upshur County.

To be members of the State Board of Veterinary Medical Examiners:
 Paul P. Boriskie, Port Arthur, Jefferson County;
 A. C. Burns, Cleburne, Johnson County;
 L. J. Lauraine, Gonzales, Gonzales County;
 F. A. Murray, Austin, Travis County;
 Archie Stalling, Houston, Harris County;
 P. P. Starr, Gainesville, Cooke County;
 O. E. Wolfe, Big Spring, Howard County.

ONEAL, Chairman.

Adopted.

Motion to Adjourn.

Senator Poage, at 10:20 o'clock p. m., moved that the Senate adjourn until 10 o'clock a. m., Tuesday.

The motion lost by the following vote:

Yeas—5.

Holbrook.	Rawlings.
Oneal.	Westerfeld.
Poage.	

Nays—16.

Beck.	Isbell.
Blackert.	Martin.
Burns.	Neal.
Collie.	Pace.
Cotten.	Regan.
Davis.	Sulak.
Duggan.	Van Zandt.
Hornsby.	Woodruff.

Absent.

DeBerry.	Sanderford.
Hill.	Shivers.
Redditt.	

Absent—Excused.

Fellbaum.	Small.
Hopkins.	Stone.
Moore.	

House Bill No. 502.

Senator Beck was recognized and received unanimous consent to suspend the regular order and take up H. B. No. 502.

The Chair laid before the Senate the following bill:

By Mr. Padgett and Mr. McConnell:

H. B. No. 502, A bill to be entitled "An Act amending Section 3 of Senate Bill No. 247, Chapter 158, page 400, Acts of the Regular Session of the Forty-third Legislature, 1933; empowering the Rehabilitation Division of the State Department of Education to take census, make surveys, and establish permanent records of crippled children, and to cooperate with the Department of Education in providing equipment for and instruction of same; authorizing such division to organize and supervise diagnostic clinics and to approve and select physicians, etc., and declaring an emergency."

(With committee amendments.)