

cop. f

JOURNAL
OF THE
House of Representatives
OF THE
THIRD CALLED SESSION
OF THE
FORTY-THIRD LEGISLATURE
BEGUN AND HELD AT
THE CITY OF AUSTIN, AUGUST 27, 1934



TEXAS STATE LIBRARY
Austin, Texas


PRESS OF VON BOECKMANN-JONES CO., AUSTIN, TEXAS

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following message from the Governor:

Executive Office,
Austin, Texas, August 27, 1934.

To the Forty-third Legislature in Third Called Session:

By proclamation duly dated, August 20, A. D. 1934, I have convened the Legislature in special session to meet at high noon on this date to pass such law or laws as may be necessary to provide for the issuance and sale of the remaining bonds proposed and permitted under the constitutional amendment submitted by the Legislature in 1933, and adopted by the voters of Texas at an election duly held on the 26th day of August, 1933, for the purpose of affording relief to the unemployed and indigent persons of the State, and to consider such other subjects as I, as Governor, may from time to time submit by message or otherwise.

In connection with this call I beg to advise that official discussion with the Texas Relief Director and his assistants develops the fact that the funds now available for relief will be fully exhausted by October 1, 1934. Further discussion develops the fact that the relief rolls are growing every day and it is now taking three and a half million dollars per month to afford only meager relief to the indigent people of the State.

It appears from the best information and estimates obtainable that beginning on the first of October it will take at least five million dollars a month to afford anything like adequate relief to the people. We need not be surprised if the amount reaches seven million dollars a month, and I do not think that there is any doubt but that it will reach five million dollars a month beginning October 1st. Therefore, assuming that it will take five million dollars a month for the months of October, November, December, January, February, March and April, the total sum to be in some way made available will be thirty-five million dollars. The issuance of the remaining nine and a half million dollars of relief bonds, which if matched by the Federal Government, will amount to only nineteen

million dollars or sixteen million dollars less than the amount which in all probability will have to be provided for. It will take in all probability full twenty million dollars to take care of the situation before funds could be made available by the regular session of the Legislature in 1935, and for that reason it will take all the remaining nine and a half million dollars of bonds and an equal sum from the Federal Government to take care of the situation until the convening of the Legislature in regular session in 1935.

The issuance of these bonds at this time for the reason stated is highly imperative and I trust that the Legislature will act in the premises with prompt dispatch. By so doing we may have time to consider other important matters. I again assure you of my desire to co-operate with you in the interest of the public need at this perilous hour.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

MESSAGE FROM THE GOVERNOR

Mr. John H. Davis, Secretary to the Governor, appeared at the Bar of the House, and being duly announced, presented a message from the Governor, which was read to the House, as follows:

Executive Office,
Austin, Texas, August 30, 1934.

To the Members of the Forty-third
Legislature in Third Called Ses-
sion:

By request, I hereby submit for your consideration a bill hereto attached, to be entitled

"An Act validating certain bonds and the tax levies made for the payment thereof issued by certain independent school districts (created by Special Act) where the proceedings for the election to issue such bonds and levy such tax were irregular or defective, in that no petition or legally sufficient petition was filed requesting such election, or where the order or resolution of the governing body calling such election, and the notice given of such election, did not specify the maturity dates of the bonds to be issued, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following message from the Governor:

Executive Office,
Austin, Texas, August 31, 1934.

To the House of Representatives,
Forty-third Legislature, in Called
Session:

Responding to H. S. R. No. 9, I wish to say that the estimate submitted in my message to you under date of August 27, 1934, concerning relief needs, was based upon information furnished by the Director of the Texas Relief Commission and members of his staff, as well as information furnished by mayors of some of our larger cities and others interested in the administration of relief in Texas, and I have no further data to submit to you at this time.

Official duties of my office make it difficult for me to sit with your committee in consideration of House Bill No. 1; however, if there is any information which you desire and which I am able to furnish, I shall be very glad to do so.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following message from the Governor:

Executive Office,
Austin, Texas, September 4, 1934.

To the Forty-third Legislature in
Third Called Session:

By request of Hon. W. E. Pope, I submit for your consideration the attached bill, being "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before August 1, 1934, due the State, any county, common school district, road district, levee improvement district, water improvement district, and water control and improvement district, irrigation district, and other defined subdivisions of the State; and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

MESSAGES FROM THE GOVERNOR

Mr. John H. Davis, secretary to the Governor, appeared at the Bar of the House, and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Executive Office,
Austin, Texas, September 17, 1934.

To the Forty-third Legislature in
Third Called Session:

Upon request of Representatives Duvall, Greathouse, Patterson, Shannon and Renfro, I submit for your consideration the attached bill to be entitled "An Act to provide a more adequate manner of compensating county judges in counties which have a population of not less than 195,000 and not more than 200,000, according to the 1930 United States Census, and providing for the employment of a stenographer and other help for such judges, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 17, 1934.

To the Forty-third Legislature in
Third Called Session:

By request of Representatives Hankamer, Clayton and Jackson, and Senators Duggan, Reagan and Stone, I submit for your consideration the attached bill to be entitled "An Act amending Section 3, of Chapter 67, Acts of the First Called Session of the Forty-third Legislature, same being Senate Bill No. 52, and as amended by Chapter 29, Acts of the Second Called Session of the Forty-third Legislature, same being House Bill No. 79, so as to provide the method of prorating the funds provided in said chapter, fixing date for filing claims under said appropriation; etc., and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 17, 1934.

To the Forty-third Legislature in
Third Called Session:

At the request of Senator A. P. Duggan, I submit for your consideration the attached bill to be entitled "An Act to declare a closed season on the killing of blue quail, bobwhites, and doves in Terry County for a period of five years, prescribing a penalty therefor, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 15, 1934.

To the Forty-third Legislature in
Third Called Session:

By request of Representatives Moore, Morse, Bradley, Mathis, Holland, and Senator Woodul, I submit for your consideration a bill hereto attached to be entitled "An Act to amend Section 2, Chapter 8, of the General Laws of the Thirty-fourth Legislature, passed at its First Called Session, as amended by Senate Bill No. 143, Section 2, Chapter 24, of the General Laws of the Forty-first Legislature, passed at its Regular Session in 1929; also providing for an official court reporter of the County Court at Law No. 2 of Harris County, Texas, fixing the duties and compensation of said reporter, conferring civil as well as criminal jurisdiction upon said court, providing for filing and docketing and transferring causes, and fixing effective date."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 15, 1934.

To the Forty-third Legislature in
Third Called Session:

By request of Representatives Davidson, Hodges, Harman and Ford, I submit for your consideration the attached bill to be entitled "An Act making it unlawful to kill wild fox, or take or have in one's possession for barter or sale, the pelts of wild fox, in certain counties, providing a penalty for violation of this Act, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 15, 1934.

To the Forty-third Legislature in
Third Called Session:

By request, I submit for your consideration the attached bill to be entitled "An Act defining 'oleomargarine' and other terms used in this Act; imposing a tax of ten cents per pound on certain oleomargarine, prescribing the method for collecting said tax; etc., and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

MESSAGES FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following messages from the Governor:

Executive Office,
Austin, Texas, September 17, 1934.

To the Forty-third Legislature in
Third Called Session:

By request of Senator Duggan, I submit for your consideration the attached bill being: "An Act validating, ratifying, and approving ordinances of all Home Rule Cities in this State having a population of more than twenty thousand (20,000) and less than twenty-one thousand (21,000) inhabitants, according to the last preceding Federal Census; relinquishing, discontinuing, and segregating territory in the corporate limits of said Home Rule Cities."

By request of Representatives Leonard, Celaya, Glass, Young, and others, I submit for your consideration the attached bill being: "An Act to provide that cities with a population of more than nine thousand and seventy (9,070) and less than nine thousand and eighty (9,080) inhabitants, according to the last preceding Federal Census, may mortgage and encumber their abattoirs and the income thereof, for the purpose of constructing, acquiring, or improving the same; etc., and declaring an emergency."

By request, I submit for your consideration the attached bill being: "An Act to amend Chapter 95 of the General Laws of the State of Texas, passed by the Regular Session of the

Thirty-ninth Legislature, approved March 19, 1925, creating the Commission in Aid of the Court of Criminal Appeals of Texas, as amended; etc., and declaring an emergency."

By request of the Railroad Commission, I submit for your consideration the attached bill being: "An Act further prescribing the powers and duties of the Railroad Commission of Texas in respect to the conservation of oil and gas, and the regulation of the production, storage, transportation, sale, and handling thereof; amending Section 14 of Chapter 26 of the Acts of the First Called Session of the Forty-second Legislature; prohibiting the purchase, transportation, sale, or handling of crude petroleum oil or natural gas produced in violation of any statute or any rule; etc., and declaring an emergency."

By request of Representative Merritt, I submit for your consideration the attached bill being: "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 900 square miles and not less than 875 square miles and a population of not less than 8,500 and not more than 8,650 inhabitants, according to the last preceding Federal Census, authorizing them to condemn land for school purposes; etc., and declaring an emergency."

By request of Representative John Laird, I submit for your consideration the attached bill being: "An Act providing for an open season on squirrels in Tyler County, providing a penalty, and declaring an emergency."

By request of Representatives Reader and Kayton, I submit for your consideration the attached bill being: "An Act making appropriation for the continuation of malaria control by the State Board of Health, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 17, 1934.

To the Forty-third Legislature in
Third Called Session:

At the request of Senators Stone, Sanderford, Poage, and others, I sum-

mit for your consideration the attached bill to be entitled "An Act to aid the Brazos River Conservation and Reclamation District in preparing the necessary plans, specifications and data and in making the necessary surveys, and in acquiring the necessary lands, leases, easements and/or acquittances, and in building or having built and/or co-operating in the building of proper structures, reservoirs and levees suitable for the control, in so far as practicable, of the flood waters of the Brazos River watershed, declared to be a public calamity, and declaring an emergency."

At the request of Representative Hartzog, I submit for your consideration the attached bill being "An Act authorizing cities and towns with a population of more than one thousand and located on the coast of Texas or any bay, gulf or inlet and in which commercial fishing and shrimping is an established industry to build or purchase municipal fish markets, and declaring an emergency."

By the request of the Commissioner of the General Land Office of Texas, I submit herewith for your consideration a bill to be entitled "An Act to extend the time for the payment of notes or obligations executed prior to November 1, 1901, by purchasers of school land for the unpaid balance of principal due the State thereon, such extensions to be for a period of ten years from and after the passage of this Act, and declaring an emergency."

By request of Representative Gordon Burns, I submit for your consideration the attached bill, being "An Act making it a penal offense for any officer or employe of the Texas Prison System, or any other person, to instigate, connive, attempt to cause, assist in or conspire with others to cause any mutiny or riot, or in any manner aid in the escape of any prisoner from the Texas penitentiary, from any prison farm, or from any prison transfer truck, or who in any manner, either directly or indirectly, furnishes aid to or harbors and conceals any prisoner who has escaped from such penitentiary, prison farm, or prison transfer truck; providing the penalty and punishment therefor, and declaring an emergency."

At the request of Honorable George H. Sheppard, Comptroller of Public Accounts, I submit for your consideration the attached bill, being "An Act amending Sections 1, 4, 6, and 8, of Chapter 162, House Bill No. 154, Acts of the Regular Session of the

Forty-third Legislature, and Sections 2, 3, 5 and 9, of Chapter 162, House Bill No. 154, as amended by Chapter 12, House Bill No. 55, Acts of the First Called Session of the Forty-third Legislature, defining certain words and terms; providing for a levy of occupation tax on oil produced; providing for credit for taxes paid by mistake; providing that tax levied shall be a liability on producer, first purchaser and subsequent purchaser; providing that first purchaser shall pay tax levied; providing that failure of first purchaser to pay tax does not relieve others liable for the tax; providing for payment of tax on oil produced but not sold; etc., and declaring an emergency."

By request of Representatives Caven and Holloway, I submit for your consideration the attached bill, being "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 48,600 and not more than 49,000, according to the last Federal Census, and declaring an emergency."

By request of Senator J. W. E. H. Beck, I submit for your consideration the attached bill, being "An Act to prohibit the sale of barbituric acid or derivatives and compounds thereof under any copyrighted or chemical names except to wholesale drug houses, chemical houses and dispensing pharmacies or practicing physicians; providing that the same may not be dispensed except by a practicing physician or retail pharmacy on prescriptions written by a legally qualified practicing physician; providing certain rules and regulations; prescribing a penalty for the violation of this Act, and declaring an emergency."

At the request of Representatives Bradley, Holland, Morse, Mathis, and Moore, I submit for your consideration the attached bill, being "An Act amending Chapter 19, House Bill No. 88, Acts of the Second Called Session of the Forty-third Legislature, declaring the policy of the Legislature to provide for the general welfare by co-operation with the Federal Government in making effective the provisions of the National Agricultural Adjustment Act and the National Recovery Act within the State of Texas with reference to producers, distributors and processors of milk and milk products, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

MESSAGES FROM THE GOVERNOR

Mr. John H. Davis, secretary to the Governor, appeared at the Bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Executive Office,
Austin, Texas, September 17, 1934.

To the Forty-third Legislature in
Third Called Session:

By request from Senators Regan, Rawlings, Stone, and others, I submit for your consideration the attached bill, being

"An Act authorizing water control and improvement districts to assign water contracts for a period of not exceeding forty years, or to assign the revenues accruing or to accrue under such contract, and to receive therefor either a lump sum in cash or outstanding bonds of said district; to sell or contract to sell water for generation of electric power over a period of not exceeding forty years; to issue negotiable refunding bonds for exchange for outstanding indebtedness or to sell same and redeem a like amount of outstanding indebtedness; to enter into escrow agreements relative to payment of its bonds and to pledge its revenues to the payment thereof; to provide and agree to provide for an emergency fund for repairs to its irrigation system; to enter into contract for the operation and maintenance of its irrigation system for such period of years as may be specified in the assignment of such system; providing that the statutes of limitations shall not run against any refunding bonds of such districts hereafter issued; authorizing the issuance of improvement bonds, and levying a tax therefor; authorizing the levy and collection of special assessments, and providing the method of such levy and collection; authorizing the refunding of such improvement bonds; authorizing the cancellation of any bonds heretofore authorized by an election, providing the method therefor; providing that any outstanding past due interest coupons of any bonds of such districts shall be received at par in payment of taxes due such districts and due on or before January 31, 1934; repealing Chapter 22 of the General Laws of the Third Called Session of the Forty-

second Legislature; declaring the intent of this Act; providing that the invalidity of any section, provision or part of this Act shall not affect the remainder of this Act; providing that the provisions of this Act shall be construed as being in addition to existing statutes and not as repealing same; and declaring an emergency"; provided, however, that the attached bill be amended as follows:

Amend the attached bill by inserting after the word "amended," in line four (4) of Section One (1), the following: "Located wholly within one county, such county having a population of not less than 5,000 nor more than 7,500, according to the last preceding Federal Census," and amend the caption to conform.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 18, 1934.

To the Forty-third Legislature in
Third Called Session:

By request of Senators Neal, Pace, Woodul, and others, I am submitting for your consideration the attached bill, being

"An Act authorizing cities having more than sixteen thousand inhabitants as shown by the last Federal Census, preceding such action, and containing a junior college within their corporate limits, to establish community centers consisting of all land and buildings or structures necessary therefor, including gymnasiums, auditoriums, natatoriums, and dormitories to furnish residence to teachers and students attending schools and college in any such city; authorizing such cities to issue bonds or notes to purchase, construct or improve the properties and facilities comprising such community centers and to mortgage and encumber all such properties and facilities, the income therefrom, and everything pertaining thereto, to secure payment of such bonds or notes; etc., and declaring an emergency."

I also submit for your consideration, at the request of Senator Joe M. Moore, the attached bill, being

"An Act amending Article 198, Title 8, Revised Civil Statutes of 1925, as amended by Chapter 38, of the Forty-second Legislature at its

Third Called Session, by placing Hunt County within, to compose a part of, both the Fifth (5th) and Sixth (6th) Supreme Judicial Districts of Texas, and regulating the filing, in the respective courts of civil appeals established in said districts, cases appealed from the trial courts of Hunt County, and declaring an emergency."

By request of the State Treasurer, I am submitting, for your consideration, the attached bill, being

"An Act to amend Article 4368 of the Revised Civil Statutes of Texas for 1925, relating to the official bond of the State Treasurer, and providing that the State Treasurer shall enter into such bond as may be required by an Act of Congress to protect any Federal funds which shall have been received or which may hereafter be received by the State of Texas and deposited with the State Treasurer; etc., and declaring an emergency."

At the request of Senator Frank H. Rawlings, I submit, for your consideration, the attached bill, being

"An Act validating the creation and changes in boundaries of all independent school districts having within their limits a city with a population of one hundred sixty thousand (160,000) or more, according to the last preceding Federal Census; validating all elections in such districts authorizing the issuance of bonds; validating bonds heretofore voted in such districts, and tax levies made to pay the principal and interest of such bonds; providing that such validation shall not apply to any district or any bonds now involved in litigation; providing that the unconstitutionality of any part of this Act shall not affect the remaining parts thereof, and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,

Governor of Texas.

Executive Office,

Austin, Texas, September 18, 1934.

To the Forty-third Legislature in Third Called Session:

By request of Representative Harlee Morrison, I submit, for your consideration the attached bill, being

"An Act relating to any city which has not less than 8,700 nor more than 8,800 inhabitants, as shown by the Federal Census last preceding the action herein authorized; providing that the governing body of any such city,

in making up the annual appropriation of the income and revenue of any waterworks system, electric light plant or system, sewer system, or other public utility system, service or enterprise, now or hereafter owned and operated by any such city, shall first provide for maintenance and operating expenses of such system, service or enterprise, shall then provide for payment of principal and interest of any indebtedness outstanding against such system, service or enterprise; etc., and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,

Governor of Texas.

Executive Office,

Austin, Texas, September 18, 1934.

To the Forty-third Legislature in Third Called Session:

By request of Senator Regan and Representative Jackson, I submit, for your consideration the attached bill, being

"An Act to provide for the cession by the State of Texas to the United States of America of all right, title, and interest which the State of Texas may have in and to certain lands in El Paso County and Hudspeth County, comprising the bed and banks of the Rio Grande; retaining jurisdiction as to certain of such lands in the State of Texas for certain purposes; reserving the rights of the State of Texas and residents and citizens thereof to waters of the Rio Grande, and in the use thereof, and in the access thereto, and declaring an emergency."

By request of Representatives Latham, Holloway, Dunagan, and others, I submit for your consideration the attached bill, being

"An Act amending Article 3902 of the Revised Civil Statutes of 1925, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature, and as amended by Chapter 59 of the Second Called Session of the Forty-third Legislature; providing for salaries that may be paid to certain assistants to certain officers in certain counties; and amending Article 3886 of Revised Civil Statutes of 1925, as amended by Chapter 20, Acts of Regular Session of Forty-first Legislature, Fourth Called Session, and as amended by Chapter 110, Acts

of Forty-third Legislature, First Called Session, and as amended by Chapter 49, Acts of Forty-third Legislature, First Called Session, and as amended by Chapter 18, Acts of Forty-third Legislature, Second Called Session, and as amended by Chapter 40, Acts of Forty-third Legislature, First Called Session; etc., and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

MESSAGES FROM THE GOVERNOR

Mr. John H. Davis, secretary to the Governor, appeared at the Bar of the House, and, being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Executive Office,

Austin, Texas, September 18, 1934.

To the Forty-third Legislature in Third Called Session:

By request of Representative Jefferson, I submit for your consideration the attached bill, being "An Act amending Chapter 19, House Bill No. 88, Acts of the Second Called Session of the Forty-third Legislature, declaring the policy of the Legislature to provide for the general welfare by co-operation with the Federal Government in making effective the provisions of the National Agricultural Adjustment Act and the National Recovery Act within the State of Texas with reference to producers, distributors and processors of milk and milk products; defining certain terms used in the bill; providing for application to the Commissioner of Agriculture by groups engaged in the milk industry in counties having a population not less than 290,000 and not more than 300,000; for the setting up of a code, codes or agreement; authorizing local milk industry boards in said counties after hearing to set up and promulgate a code, codes or agreements for fair competition for the milk industry; etc., and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,

Governor of Texas.

Executive Office,

Austin, Texas, September 18, 1934.

To the Forty-third Legislature in Third Called Session:

At the request of Representative Homer L. Leonard and others, I submit for your consideration the attached bill to be entitled "An Act authorizing municipalities, political subdivisions and taxing districts to proceed under the provisions of Fed-

eral bankruptcy laws enacted for the relief of such municipalities, political subdivisions and taxing districts, and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,

Governor of Texas.

MESSAGES FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following messages from the Governor:

Executive Office,
Austin, Texas, September 19, 1934.

To the Forty-third Legislature in
Third Called Session:

By request of Representatives Palmer, Harman, Weinert, and others, I submit, for your consideration, the attached bill, being "An Act authorizing the State Parks Board to locate, designate, and suitably mark the historic spots in Texas, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 19, 1934.

To the Forty-third Legislature in
Third Called Session:

By request, I herewith submit, for your consideration, a bill hereto attached, to be entitled "An Act authorizing the State Highway Commission, as defined herein, to construct toll bridges and approaches thereto on State highways, with funds procured from the United States Government, all set forth in said bill, to which reference is here made."

This legislation is submitted without prejudice to navigation and without prejudice to the right of disapproval.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

MESSAGES FROM THE GOVERNOR

The Speaker laid before the House and had read the following messages from the Governor:

Executive Office,
Austin, Texas, September 19, 1934.

To the Forty-third Legislature in
Third Called Session:

By request of Representative Dungan, I submit, for your consideration, the attached bill, to be entitled "An Act amending Senate Bill No. 209, General Laws of the Forty-third Legislature, and amending Article 3883, of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 340, Acts of the Regular Session, Forty-second Legislature, so as to provide that counties containing as many as 22,296 and not more than 22,580 inhabitants, according to the last Federal Census, the assessor and collector of taxes shall receive \$4,500, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 19, 1934.

To the Forty-third Legislature in
Third Called Session:

By request of Representative Laird, I submit, for your consideration, the attached bill, to be entitled "An Act to validate the organization and creation of all county line consolidated independent school districts, county line rural high school districts, and/or consolidated common school districts, whether created by the vote of the people or by the county boards of trustees, or commissioners courts or by judgments of district courts, where such county line consolidated independent school districts, county line rural high school districts and consolidated common school districts are formed by the consolidation of districts or parts of districts lying in three adjoining counties; etc., and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 19, 1934.

To the Forty-third Legislature in
Third Called Session:

At the request of Senator Greer, I submit, for your consideration, the attached bill, to be entitled "An Act designating fur-bearing animals, declaring them the property of the State, declaring a three (3) year closed season on wild fox in Henderson County; and providing a penalty for violation of this Act."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following message from the Governor:

Executive Office,
Austin, Texas, September 21, 1934.

To the Forty-third Legislature in
Third Called Session.

By request of Representative Stubbeman, I submit for your consideration the attached bill, being "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 the Permanent School Fund, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

MESSAGES FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following messages from the Governor:

Executive Office,
Austin, Texas, September 21, 1934.

To the Forty-third Legislature in Third Called Session:

By request of Representative Dwyer, I submit for your consideration the attached bill, being "An Act to amend Section eleven (11) of the Acts of 1927, Fortieth Legislature, Regular Session, Chapter 22, page 26, House Bill No. 80, as amended by the Acts of 1933, Forty-third Legislature, Chapter 50, page 61, Special Laws, House Bill No. 435, so as to provide by this Act and as an amendment of said Act of the Forty-third Legislature, that the two judges of the County Courts at Law Nos. 1 and 2 of Bexar County, Texas, shall not be required to furnish bonds, but shall each take the oath of office prescribed by the Constitution of Texas, and that certain fees shall be collected by the clerk of said courts and by him paid into the county treasury of Bexar County, Texas, and that the two judges of the County Courts at Law Nos. 1 and 2 of Bexar County, Texas, shall each receive an annual salary of five thousand dollars (\$5,000), and providing for the payment of said salaries; etc., and declaring an emergency."

By request of Representatives Dwyer, Nicholson, Celaya and others, I submit for your consideration the attached bill, being "An Act to amend Article 6078 of the 1925 Revised Statutes, dealing with public parks."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, September 21, 1934.

To the Forty-third Legislature in Third Called Session:

At the request of Representative McCullough, I submit, for your consideration, the attached bill, being "An Act providing for a jury wheel, and the selection of juries and drawing of venires by means thereof in all counties having a population of at least forty-five thousand, or having

therein a city containing a population of at least twenty thousand, as shown by the preceding Federal Census, and amending Article 2094, as amended by Acts of the Forty-first Legislature (1929), Regular Session, Chapter 43, page 89, and Articles 2095, 2096, 2097, 2098, 2099, 2100, of Chapter 7, Title 42, of the Revised Civil Statutes of Texas; repealing Articles 2141, 2146, and 2150, of Chapter 7, Title 42, of the Revised Civil Statutes of Texas, in so far as same are applicable to counties having a population of at least forty-five thousand or having therein a city containing a population of at least twenty thousand, as shown by the preceding Federal Census; repealing Articles 593 and 595, of Chapter 2, Title 8, of the Revised Code of Criminal Procedure of Texas, in so far as said articles apply to said counties; and providing for penalties for the violation of any provision of this Act, and declaring an emergency."

By request, I submit, for your consideration, the attached bill, being "An Act to amend Chapter 6, Article 2092, of the Revised Civil Statutes, pertaining to certain district court rules, practice and procedure thereunder; etc., and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

MESSAGES FROM THE GOVERNOR—	
Message from in regard to relief work	26
Message from in regard to issuance of relief bonds	6
Submitting subject releasing penalties on delinquent taxes	46
Submitting subject relative to terms of district court in Nolan, Mitchell, etc., counties	90
Submitting appropriation in regard to State hospitals	90
Submitting subject in regard to validating certain revenue bonds	90
Submitting validation of resolution granting permission to sue the State	90
Submitting subject in regard to validation of certain bonds in regard to water improvement districts	90
Submitting subject to provide relief for distressed debtors	91
Submitting subject relative to Colorado River Authority	91
Submitting subject of compensation of county judges in certain counties	122
Submitting subject of amending House Bill No. 79, of Second Called Session, Forty-third Legislature	123
Submitting subject of court reporter in Harris County	123
Submitting subject relative to "oleo-margarine"	123
Submitting validation of ordinances of home rule cities	125
Submitting subject relative to the mortgage of abattoirs by cities	125
Submitting subject in regard to creating Commission in aid of Court of Criminal Appeals	125
Subject submitted relative to conservation of oil and gas	125
Submitting subject relative to the duties of county boards of trustees	125
Subject submitted authorizing certain water contracts	149
Subject submitted regarding establishment of community centers	149
Submitting subject to place Hunt County in certain judicial district	149
Submitting subject of bond for State Treasurer	149
Submitting subject in regard to change of boundaries of independent school districts	150
Submitting subject relative to public utilities of cities and towns	150
Submitting subject relative to cession of certain land in El Paso County to the United States	151
Submitting subject to regulate production of milk in certain county	175
Submitting subject in regard to Federal Bankruptcy Law	175
Submitting subject of marking historic spots	209
Submitting subject relative to salaries of assessor and collector of taxes in certain counties	222
Submitting subject of validation of creation of certain independent school districts	223
Submitting game law for Henderson County	223
Submitting subject relative to security of bonds by water control and improvement districts	247
Submitting subject creating certain special judicial district	247
Submitting subject	284
Submitting subject	297
Submitting subject	304, 305

JOURNAL
OF THE
SENATE OF TEXAS

BEING THE
Third Called Session

OF THE
FORTY-THIRD LEGISLATURE

BEGUN AND HELD AT
The City of Austin, August 27, 1934



MARY GREER RUGELEY, JOURNAL CLERK.
MELFORD S. DICKERSON, ASSISTANT JOURNAL CLERK.

Message from the Governor.

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

Executive Office,
Austin, Texas, August 27, 1934.
To the Forty-third Legislature in Third Called Session:

By proclamation duly dated August 20th, A. D., 1934, I have convened the Legislature in special session to meet at high noon on this date to pass such law or laws as may be necessary to provide for the issuance and sale of the remaining bonds proposed and permitted under the constitutional amendment submitted by the Legislature in 1933 and adopted by the voters of Texas at an election duly held on the 26th day of August, 1933, for the purpose of affording relief to the unemployed and indigent persons of the State, and to consider such other subjects as I, as Governor, may from time to time submit by message or otherwise.

In connection with this call I beg to advise that official discussion with the Texas Relief Director and his assistants develops the fact that the funds now available for relief will be fully exhausted by October 1st, 1934. Further discussion develops the fact that the relief rolls are growing every day and it is now taking three and a half million dollars per month to afford only meagre relief to the indigent people of the State.

It appears from the best information and estimates obtainable that beginning on the first of October it will take at least five million dollars a month to afford anything like adequate relief to the people. We need not be surprised if the amount reaches seven million dollars a month, and I do not think that there is any doubt but that it will reach five million dollars a month beginning October 1st. Therefore, assuming that it will take five million dollars a month for the months of October, November, December, January, February, March and April, the total sum to be in some way made available will be thirty-five million dollars. The issuance of the remaining nine and a half million dollars of relief bonds, which if matched by the federal government, will amount to only nineteen million dollars or six-

teen million dollars less than the amount which in all probability will have to be provided for. It will take in all probability full twenty million

dollars to take care of the situation before funds could be made available by the Regular Session of the Legislature in 1935, and for that reason it will take all the remaining nine and a half million dollars of bonds and an equal sum from the federal government to take care of the situation until the convening of the Legislature in regular session in 1935.

The issuance of these bonds at this time for the reason stated is highly imperative and I trust that the Legislature will act in the premises with prompt dispatch. By so doing we may have time to consider other important matters. I again assure you of my desire to cooperate with you in the interest of the public need at this perilous hour.

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Messages from the Governor.

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

Executive Office,

Austin, Texas, Sept. 11, 1934.

To the Forty-third Legislature in Third Called Session:

Without prejudice I submit for your consideration the subject of validation of revenue bonds issued by cities and towns to purchase additional water powers, riparian rights, or to build, improve, enlarge, extend or repair any light system, water system or sewer system owned or operated by any such city or town.

Without prejudice and by request I submit for your consideration the attached bill being "An Act validating all concurrent resolutions adopted at previous sessions of the Legislature granting to persons, firms and corporations permission to sue the State through any of its courts upon claims against the State, providing that nothing therein shall operate to create any cause of action against the State, providing that same shall be effective both as to suits already filed and pending and as to suits hereafter filed by authority of said concurrent resolutions and declaring an emergency."

Without prejudice I submit for your consideration the attached bill being "An Act providing that whenever any water control and improvement district, embracing lands in two or more counties, and containing not less than one hundred and twenty-five thousand (125,000) acres, has entered into contract with the Federal Emergency Administration of Public Works, or other agency of the United States, for the sale of its bonds, and the original engineering plans in respect of such district's irrigation project have been amended or changed in accordance with requirements and conditions prescribed by the engineers for the Federal Emergency Administration of Public Works, or other agency of the United States, the Attorney General is authorized to approve said district's bonds to be issued and sold pursuant to such contract, without requiring approval of such amended plans by the Texas State Board of

Water Engineers and without requiring approval of the issuance of such bonds by said board; and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,

Austin, Texas, Sept. 12, 1934.

To the Forty-third Legislature in Third Called Session:

I herewith submit for your consideration a bill to be entitled "An Act creating Colorado River Authority, a governmental agency, body politic and corporate, as a water control and conservation district under Section 59 of Article 16 of the Constitution," all of which being more fully set out in said bill hereto attached.

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,

Austin, Texas, Sept. 12, 1934.

To the Forty-third Legislature in Third Called Session:

By request of Governor Witt and Senator Poage, I submit for your consideration the question of providing relief for distressed debtors whose assets for the time being are what might be called frozen because not capable of being disposed of for their normal value; for debtors not in fact insolvent but for the time being unable to meet current obligations although possessed of property sufficient under normal conditions to do so; so that the assets of such debtors may not be sacrificed and their businesses destroyed, but such assets conserved, businesses saved and employees continued in employment and thereby unemployment and future distress prevented, and consideration of the bill hereto attached covering said matters is submitted.

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,

Austin, Texas, Sept. 8, 1934.

To the Forty-third Legislature in Third Called Session:

At the request of Representatives Merritt and Scott I submit the bill hereto attached to be entitled "An Act to amend Subdivision 32 of Article 199, Title 8, of the Revised

Civil Statutes of the State of Texas, 1925, amended by Acts 1931, Forty-second Legislature, First Called Session, page 27, Chapter 14, Section 1, amended by Acts 1933, Forty-third Legislature, Regular Session, page 371, Chapter 145, so as to change the time and terms of holding the terms of district court in Nolan, Mitchell, Scurry and Borden Counties, constituting the Thirty-second Judicial District of Texas; etc."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, Sept. 10, 1934.
To the Forty-third Legislature in
Third Called Session:

Upon the request of various Senators and because of the crowded condition of our State hospitals, I am submitting herewith as an emergency measure a bill making appropriation for additional buildings and equipment for said hospitals to the following institutions:

San Antonio State Hospital, San Antonio, Texas.

Austin State Hospital, Austin, Texas.

Wichita Falls State Hospital, Wichita Falls, Texas.

Terrell State Hospital, Terrell, Texas.

Austin State School, Austin, Texas.

Rusk State Hospital, Rusk, Texas.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Messages From the Governor.

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

Austin, Texas, Sept. 17, 1934.
To the Forty-third Legislature in Third Called Session:

Upon the request of Representatives Duvall, Greathouse, Patterson, Shannon and Renfro, I submit for your consideration the attached bill to be entitled: "An Act to provide a more adequate manner of compensating county judges in counties which have a population of not less than 195,000 and not more than 200,000, according to the 1930 United States census, and providing for the employment of a stenographer and other help for such judges, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 15, 1934.
To the Forty-third Legislature in Third Called Session:

By request of Representatives Moore, Morse, Bradley, Mathis, Holland and Senator Woodul, I submit for your consideration a bill hereto attached to be entitled: "An Act to amend Section 2, Chapter 8, of the General Laws of the Thirty-fourth Legislature, passed at its First Called Session, as amended by Senate Bill No. 143, Section 2, Chapter 24, of the General Laws of the Forty-first Legislature, passed at its Regular Session in 1929; also providing for an official court reporter of the County Court at Law No. 2 of Harris County, Texas, fixing the duties and compensation of said reporter, conferring civil as well as criminal jurisdiction upon said courts, providing for fixing and docketing and transferring causes, and fixing effective date."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 15, 1934.
To the Forty-third Legislature in Third Called Session:

By request I submit for your consideration the attached bill to be entitled "An Act defining 'oleomar-

garine' and other terms used in this Act: imposing a tax of ten cents per pound on certain oleomargarine, prescribing the method for collecting said tax; * * *, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 17, 1934.
To the Forty-third Legislature in Third Called Session:

By request of Representatives Hankamer, Clayton, Jackson and Senators Duggan, Regan and Stone, I submit for your consideration the attached bill to be entitled: "An Act amending Section 3 of Chapter 67, Acts of the First Called Session of the Forty-third Legislature, same being Senate Bill No. 52, and as amended by Chapter 29, Acts of the Second Called Session of the Forty-third Legislature, same being House Bill No. 79, so as to provide the method of prorating the funds provided in said chapter, fixing date for filing claim under said appropriation * * * and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 17, 1934.
To the Forty-third Legislature in Third Called Session:

At the request of Senator A. P. Duggan, I submit for your consideration the attached bill to be entitled: "An Act to declare a closed season on the killing of blue quail, bob whites, and doves in Terry County for a period of five years, prescribing a penalty therefor, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 15, 1934.
To the Forty-third Legislature in Third Called Session:

By request of Representatives Davidson, Hodges, Harmon and Ford, I submit for your consideration the attached bill to be entitled: "An Act making it unlawful to kill wild fox, or to take or have in one's possession for barter or sale the pelts of wild fox, in certain counties; providing a penalty for violation of this Act; and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Messages from the Governor.

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

Executive Office,
Austin, Texas, Sept. 17, 1934.
To the Forty-third Legislature in Third Called Session.

By request from Senators Regan, Rawlings, Stone and others, I submit for your consideration the attached bill, being: "An Act authorizing water control and improvement districts to assign water contracts for a period of, not exceeding forty years, or to assign the revenues accruing or to accrue under such contract, and to receive therefor either a lump sum in cash or outstanding bond of said district; to sell or contract to sell water for generation of electric power over a period of not exceeding forty years; to issue negotiable refunding bonds for exchange for outstanding indebtedness or to sell same and redeem a like amount of outstanding indebtedness; to enter into escrow agreements relative to payment of its bonds and to pledge its revenues to the payment thereof; to provide and agree to provide for an emergency fund for repairs to its irrigation system; to enter into contract for the operation and maintenance of its irrigation system for such period of years as may be specified in the assignment of such system; providing that the statutes of limitations shall not run against any refunding bonds of such districts hereafter issued; authorizing the issuance of improvement bonds, and levying a tax therefor; authorizing the levy and collection of special assessments, and providing the method of such levy and collection; authorizing the refunding of such improvement bonds; authorizing the cancellation of any bonds heretofore authorized by an election, providing the method therefor; providing that any outstanding past due interest coupons of any bonds of such districts shall be received at par in payment of taxes due such districts and due on or before January 31st, 1934; repealing Chapter 22 of the General Laws of the Third Called Session of

the Forty-second Legislature; declaring the intent of this Act; providing that the invalidity of any section, provision or part of this Act shall not affect the remainder of this Act; providing that the provisions of this Act shall be construed as being in addition to existing statutes and not as repealing same; and declaring an emergency."

Provided, however, that the attached bill be amended as follows:

Amend the attached bill by inserting after the word "amended" in line four (4) of Section One (1) the following:

"located wholly within one county, such county having a population of not less than 5,000 nor more than 7,500, according to the last preceding Federal census," and amend the caption to conform.

Respectfully submitted,

MIRIAM A. FERGUSON,

Governor of Texas.

Austin, Texas, Sept. 18, 1934.

To the Forty-third Legislature in Third Called Session.

By request of Senator Regan and Representative Jackson, I submit for your consideration the attached bill being: "An Act to provide for the cession by the State of Texas to the United States of America of all right, title and interest which the State of Texas may have in and to certain lands in El Paso County and Hudspeth County, comprising the bed and banks of the Rio Grande; retaining jurisdiction as to certain of such lands in the State of Texas for certain purposes; reserving the rights of the State of Texas and residents and citizens thereof to waters of the Rio Grande, and in the use thereof, and in the access thereto, and declaring an emergency."

By request of Representatives Latham, Holloway, Dunagan and others, I submit for your consideration the attached bill, being: "An Act amending Article 3902 of the Revised Civil Statutes of 1925, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature, and as amended by Chapter 59 of the Second Called Session of the Forty-third Legislature; providing for salaries that may be paid to certain assistants to certain

officers in certain counties; and amending Article 3886 of Revised Civil Statutes of 1925 as amended by Chapter 20 of Acts of Regular Session of Forty-first Legislature, Fourth Called Session and as amended by Chapter 110, Acts of Forty-third Legislature, First Called Session and as amended by Chapter 49, Acts of the Forty-third Legislature, First Called Session, and as amended by Chapter 18, Acts of Forty-third Legislature, Second Called Session and as amended by Chapter 40, Acts of Forty-third Legislature First Called Session * * *; and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 18, 1934.

To the Forty-third Legislature in Third Called Session.

By request of Senators Neal, Pace, Woodul and others, I am submitting for your consideration the attached bill being: "An Act authorizing cities having more than sixteen thousand inhabitants as shown by the last Federal census, preceding such action, and containing a junior college within their corporate limits, to establish community centers consisting of all land and buildings or structures necessary therefor, including gymnasiums, auditoriums, natatoriums and dormitories to furnish residence to teachers and students attending schools and college in any such city; authorizing such cities to issue bonds or notes to purchase, construct or improve the properties and facilities comprising such community centers and to mortgage and encumber all such properties and facilities, the income therefrom, and everything pertaining thereto, to secure payment of such bonds or notes * * *; and declaring an emergency."

I also submit for your consideration at the request of Senator Joe M. Moore the attached bill being: "An Act amending Article 198, Title 8, Revised Civil Statutes of 1925, as amended by Chapter 38, of the Forty-second Legislature at its Third Called Session, by placing Hunt County within, to compose a part of, both the Fifth (5th) and Sixth (6th) Supreme Judicial Districts of Texas, and regulating the filing, in the re-

spective Courts of Civil Appeals established in said districts, cases appealed from the trial courts of Hunt County, and declaring an emergency."

By request of the State Treasurer, I am submitting for your consideration the attached bill being: "An Act to amend Article 4368 of the Revised Civil Statutes of Texas for 1925, relating to the official bond of the State Treasurer, and providing that the State Treasurer shall enter into such bond as may be required by an Act of Congress to protect any Federal funds which shall have been received or which may hereafter be received by the State of Texas and deposited with the State Treasurer * * *; and declaring an emergency."

At the request of Senator Frank H. Rawlings, I submit for your consideration the attached bill being: "An Act validating the creation and changes in boundaries of all independent school districts having within their limits a city with a population of one hundred sixty thousand (160,000) or more, according to the last preceding Federal census, validating all elections in such districts authorizing the issuance of bonds, validating bonds heretofore voted in such districts, and tax levies made to pay the principal and interest of such bonds, providing that such validation shall not apply to any district or any bonds now involved in litigation, providing that the unconstitutionality of any part of this Act shall not affect the remaining parts thereof, and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 18, 1934.

To the Forty-third Legislature in Third Called Session.

By request of Representative Harlee Morrison, I submit for your consideration the attached bill being: "An Act relating to any city which has not less than 8700 nor more than 8800 inhabitants as shown by the Federal census last preceding the action herein authorized; providing that the governing body of any such city, in making up the

annual appropriation of the income and revenue of any waterworks system, electric light plant or system, sewer system, or other public utility system, service or enterprise, nor or hereafter owned and operated by any such city, shall first provide for maintenance and operating expenses of such system, service or enterprise, shall then provide for payment of principal and interest of any indebtedness outstanding against such system, service or enterprise * * *, and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 18, 1934.

To the Forty-third Legislature in Third Called Session.

At the request of Representative Homer L. Leonard and others I submit for your consideration the attached bill to be entitled "An Act authorizing municipalities, political subdivisions and taxing districts to proceed under the provisions of Federal bankruptcy laws enacted for the relief of such municipalities, political subdivisions and taxing districts; and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 18, 1934.

To the Forty-third Legislature in Third Called Session.

By request of Representative Jefferson, I submit for your consideration the attached bill being: "An Act amending Chapter 19, House Bill No 88, Acts of the Second Called Session of the Forty-third Legislature, declaring the policy of the Legislature to provide for the general welfare by co-operation with the Federal Government in making effective the provisions of the National Agricultural Adjustment Act and the National Recovery Act within the State of Texas with reference to producers, distributors and processors of milk and milk products; defining certain terms used in the bill; providing for application to the Commissioner of Agriculture by groups engaged in the milk industry in counties having a population not less than 290,000 and not more than 300,000; for the setting up of a

code, codes or agreement; authorizing local milk industry boards in said counties after hearing to set up and promulgate a code, codes or agreements for fair competition for the milk industry * * *; and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Messages from the Governor.

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

Executive Office,
Austin, Texas, Sept. 19, 1934.
To the Forty-third Legislature in
Third Called Session:

By request I herewith submit for your consideration a bill hereto attached to be entitled "An Act authorizing the State Highway Commission as defined herein to construct toll bridges and approaches thereto on State Highways with funds procured from the United States Government, all set forth in said bill to which reference is here made.

This legislation is submitted without prejudice to navigation and without prejudice to the right of disapproval.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 19, 1934.
To the Forty-third Legislature in
Third Called Session:

By request of Representatives Palmer, Harmon, Weinert and others, I submit for your consideration the attached bill being: "An Act authorizing the State Parks Board to locate, designate and suitably mark the historic spots in Texas repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 19, 1934.
To the Forty-third Legislature in
Third Called Session:

By request of Representative Laird I submit for your consideration the attached bill to be entitled "An Act to validate the organization and creation of all county line consolidated independent school districts, county line rural high school districts and/or consolidated common school districts, whether created by the vote of the people or by the county boards of trustees, or commissioners' courts or by judgments of district courts,

where such county line consolidated independent school districts, county line rural high school districts and consolidated common school districts are formed by the consolidation of districts or parts of districts lying in three adjoining counties . . .; and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 19, 1934.
To the Forty-third Legislature in
Third Called Session:

By request of Representative Dunagan I submit for your consideration the attached bill to be entitled "An Act amending S. B. No. 209, General Laws of the Forty-third Legislature, and amending Article 3883 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 340, Acts of the Regular Session, Forty-second Legislature, so as to provide that counties containing as many as 22,296 and not more than 22,580 inhabitants, according to the last Federal census, the Assessor and Collector of Taxes shall receive \$4,500, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 19, 1934.
To the Forty-third Legislature in
Third Called Session:

At the request of Senator Greer I submit for your consideration the attached bill to be entitled "An Act designating fur bearing animals, declaring them the property of the State, declaring a three (3) year closed season on wild fox in Henderson County; and providing a penalty for violation of this Act."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Messages from the Governor.

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

Executive Office,
Austin, Texas, Sept. 20, 1934.
To the Forty-third Legislature in
Third Called Session:

By request of Representatives Latham, Barron, Turlington and Holloway, I submit for your consideration the attached bill, being: "An Act to create a special criminal judicial district composed of the counties of Rusk, Gregg, Smith and Upsur in the State of Texas; and creating and establishing a special criminal judicial district court for said district; limiting the jurisdiction of said court to criminal cases, felony and misdemeanor, and to civil injunctions and penalty suits filed by the State; designating the name for such courts * * *; and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 20, 1934.
To the Forty-third Legislature in
Third Called Session:

By request of Senator Rawlings, I submit for your consideration the attached bill, being: "An Act amending Chapter 25 of the Acts of the Thirty-ninth Legislature, Regular Session, adding thereto a section to be 'Section 90a,' and, in substance to provide: That certain water control and improvement districts (in addition to, or in lieu of, securing their bonds by the levy and collection of taxes, as now provided), may enter into contracts pledging their net revenues for security of their bonds * * *; and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 20, 1934.
To the Forty-third Legislature in
Third Called Session:

At the request of Honorable W. E. Pope I submit for your consideration the attached bill:

1. Being "An Act withdrawing from sale or lease for minerals or

otherwise all lands situated in the bed of the Nueces River between the lower boundary of La Fruta Dam, now being maintained by the City of Corpus Christi, and the junction of the Nueces River with the eastern boundary line of McMullen County * * *; and declaring an emergency."

2. Being "An Act to amend Section 6-A of Section 27, of the General Laws of the Forty-third Legislature, First Called Session, so as to reduce registration license fees on commercial motor vehicles, without trailers or semi-trailers, when same are used exclusively by the owner thereof * * *; and declaring an emergency."

3. Being "An Act to amend subdivision 3 of Article 3883 of Section 1 of Chapter 220 of Acts of Forty-third Legislature of Regular Session 1933, page 734, by raising the salaries of justice of peace and constables in certain counties * * *; and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 20, 1934.
To the Forty-third Legislature in
Third Called Session:

By request of Representative Celaya and others, I submit for your consideration the bill hereto attached to be entitled "An Act validating the organization and bonds of water improvement districts which have been converted into water control and improvement districts and which have thereafter issued bonds voted before such conversion, validating such conversion, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 20, 1934.
To the Forty-third Legislature in
Third Called Session:

By request of Senator Woodruff, I submit for your consideration the attached bill to be entitled "An Act repealing Chapter 209 of the General Laws of Texas enacted by the Forty-third Legislature, Regular Session, 1933, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Messages From the Governor.

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

Austin, Texas, Sept. 21, 1934.

To the Forty-third Legislature in Third Called Session:

By request of Representative Stubbsman, I submit for your consideration the attached bill, being "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 the Permanent School Fund, and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 21, 1934.

To the Forty-third Legislature in Third Called Session:

At the request of Representative McCullough, I submit for your consideration the attached bill, being "An Act providing for a jury wheel, and the selection of juries and drawing of venires by means thereof in all counties having a population of at least forty-five thousand or having therein a city containing a population of at least twenty thousand, as shown by the preceding Federal census, and amending Articles 2094, as amended by Acts of the Forty-first Legislature (1929), Regular Session, Chapter 43, page 89, and Articles 2095, 2096, 2097, 2098, 2099, 2100 of Chapter 7, Title 42, of the Revised Civil Statutes of Texas; repealing Articles 2141, 2146 and 2150 of Chapter 7, Title 42, of the Revised Civil Statutes of Texas insofar as same are applicable to counties having a population of at least forty-five thousand or having therein a city containing a population of at least twenty thousand, as shown by the preceding Federal census; repealing Articles 593 and 595 of Chapter 2, Title 8, of the Revised Code of Criminal Procedure of Texas, insofar as said articles apply to said counties; and providing for penalties for the violation of any provision of this Act; and declaring an emergency."

By request, I submit for your consideration the attached bill, being: "An Act to amend Chapter 6, Article 2092, of the Revised Civil Statutes pertaining to certain district court rules, practice and procedure thereunder * * *, and declaring an emergency."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.

Austin, Texas, Sept. 21, 1934.

To the Forty-third Legislature in Third Called Session:

By request of Representative Dwyer, I submit for your consideration the attached bill, being "An Act to amend Section Eleven (11) of the Acts of 1927, Fortieth Legislature, Regular Session, Chapter 22, page 26, H. B. No. 80, as amended by the Acts of 1933, Forty-third Legislature, Chapter 50, page 61, Special Laws, H. B. No. 435, so as to provide by this Act and as an amendment of said Act of the Forty-third Legislature, that the two judges of the County Courts at Law Nos. 1 and 2, of Bexar County, Texas, shall not be required to furnish bonds, but shall each take the oath of office prescribed by the Constitution of Texas, and that certain fees shall be collected by the clerk of said courts and by him paid into the county treasury of Bexar County, Texas, and that the two judges of the County Courts at Law Nos. 1 and 2 of Bexar County, Texas, shall each receive an annual salary of five thousand (\$5,000.00) dollars, and providing for the payment of said salaries * * *; and declaring an emergency."

By request of Representatives Dwyer, Nicholson, Celaya and others, I submit for your consideration the attached bill, being "An Act to amend Article 6078 of the 1925 Revised Statutes, dealing with public parks."

Respectfully submitted,

MIRIAM A. FERGUSON,
Governor of Texas.