

JOURNAL
OF THE
House of Representatives
OF THE
SECOND CALLED SESSION
OF THE
Forty-fourth Legislature

BEGUN AND HELD AT
THE CITY OF AUSTIN, OCTOBER 16, 1935




CAPITAL PRINTING CO., INC.

MESSAGE FROM THE GOVERNOR

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

Executive Office,
Austin, Texas, October 23, 1935.

To the Members of the Forty-fourth Legislature.

(In Second Called Session):

In view of the progress made in connection with old age pension legislation, I am submitting to you the matter of substituting salaries for fees as provided in the constitutional amendment adopted on August 24th.

I am sure I need not emphasize the importance of action on this subject during this session.

I also submit for your consideration the following matters:

1

House Bill 15, by Knetsch, reducing the period for calling school elections from three weeks to ten days.

I am advised by PWA authorities that more than 150 applications for Federal funds are affected by this requirement. The bill has already passed the House.

2

A bill by Olsen to authorize the Yoakum school district to qualify for Federal funds.

Respectfully submitted,

JAMES V. ALLRED,
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, October 30, 1935.

To the Members of the Forty-fourth Legislature.

(In Second Called Session):

I congratulate you upon the progress you are making and the evident diligence of a vast majority of the membership of both Houses in attending to the people's program.

Both Houses have passed an old age pension bill, and it is now in free conference. Of course, revenues to support same have not been provided, but various tax measures are pending in the House, and the Senate cannot act on same until a tax bill comes from the House. The salary bill has been before both Houses and will likely go to conference shortly.

Liquor Regulation

In view of the progress made and the urgent necessity for prompt and effective action, I hereby submit to you the matter of carrying out the people's will by proper regulation of the liquor traffic.

Since long committee hearings were held during the First Called Session and these matters were thoroughly thrashed out, I trust there will be no undue delay in this legislation. Failure to act not only leaves the liquor traffic unregulated, but is costing the State conservatively at least \$10,000.00 a day in revenues which should be applied toward retiring the present State deficit and to provide funds for old age assistance.

Local and Uncontested Bills

During the First Called Session I submitted to you a number of local and uncontested bills of tremendous importance to various subdivisions of the Government. These bills did not require a great deal of time and most of them were disposed of in night sessions. A number of additional matters have arisen, which I trust will

be disposed of without contest and, if possible, at night sessions for the purpose. I therefore submit to you the following specific matters (and this submission is expressly limited to the matters enumerated).

1

At the request of the Centennial Commission of Control, I submit the matter of authorizing the condemnation of sites for the construction of centennial buildings, monuments and other centennial celebration purposes.

2

House bill by Bourne to authorize the refunding of warrants and scrip for Red River County.

3

House bill by Rogers, of Ochiltree, validating and approving all actions and proceedings of the commissioners court and the county judge in the matter of the creation and incorporation of wind erosion conservation districts.

4

A bill to authorize the application of library fees, student activity fees, athletic fees, hospital or health fees, to the payment of bonded or mortgage indebtedness that may be contracted by the governing boards of several of the State educational institutions, provided the amount of each of such fees shall never exceed \$2.00 for any one semester and \$2.00 for any summer term, and that no athletic fees shall be charged or collected except from students using the athletic facilities of the institution.

This bill is submitted for the same purposes as other bills submitted to you dealing with local institutions so as to meet the obligations of various Federal agencies where loans have been tentatively approved subject to these corrective measures.

5

A local school bill by Dickison, of Bexar, authorizing school trustees in counties of not less than 290,000 or more than 320,000 people to issue interest bearing warrants in payment of salaries of employees.

6

A local bill for Jones County, by Lindsey, dealing with traveling expenses for members of the commissioners court.

7

A bill by Harris of Archer, and Lemens to authorize the payment of salaries of ex-officio county superintendents from the county available school fund rather than the general fund.

Drivers' License Law

In connection with liquor regulation and in view of the alarmingly increasing fatalities on our public highways, I submit to you the matter of a drivers' license, or drivers' regulation law.

Any such act will not, of course, be perfect, and will not entirely eliminate injuries and accidents. If it will even tend to reduce them, however, the passage of such a law will be a signal accomplishment for this Legislature.

Respectfully submitted,
JAMES V. ALLRED,
Governor of Texas.

MESSAGE FROM THE
GOVERNOR

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

Executive Office,
Austin, Texas, November 7, 1935.
To the Members of the Forty-fourth Legislature.

(In Second Called Session):

I hereby submit to you for consideration the following specific matters, which I trust may be disposed of in night sessions:

1

A bill by Good and others to create the Sulphur River Conservation and Reclamation District, with no remission of taxes and no appropriation.

2

A local bill by Gibson and Latham validating election proceedings, with particular reference to Gladewater, Gregg County.

3

A local validation act to provide for fresh water supply districts, by Stinson.

4

A local bill by Spears to change the terms of district court in Bexar County.

5

A bill by Lindsey to validate ad valorem tax levies in incorporated cities and towns.

6

A public works eminent domain law. This was submitted during the closing days of the First Called Session.

7

A bill by Spears to increase the powers of the City of San Antonio so that it can qualify for the Public Works Administration loan issuing bonds payable out of the revenues from the improvements secured.

8

A bill by Clayton, Hankamer and Jackson to authorize the City of El Paso to qualify for Public Works Administration loan.

9

A bill by Latham and Gibson providing for optional additional methods of selecting jury panels in counties having two or more district courts and not having a jury wheel system.

10

A bill by Small and Worley authorizing administrators of estates under certain conditions to pledge, with the approval of the court, the assets of such estates as security for necessary loans.

11

A bill by Mauritz to correct and clarify certain provisions of House Bill No. 373, Acts of the Forty-fourth Legislature.

I do not wish to open up the general subject of appropriations, but I deem it absolutely imperative to submit the following specific appropriations with the express request that you do not consider any other appropriations than those submitted, since I would feel constrained to veto any other appropriations:

1

A bill by Thornton, Mrs. Moore and Holbrook to correct the appropriation made during the regular session in Chapter 352 making appropriation of \$75,000.00 for the remodeling and re-equipping of the crippled children's hospital building at Galveston, by providing that such \$75,000.00 instead of being used for the repair of the present building be applied on a new building, together with an additional appropriation of \$35,000.00.

The fact of the matter is the present building is not worth repairing, and to spend \$75,000.00 upon it would be a waste whereas by adding \$35,000.00 to same we can secure an outright grant of \$90,000.00 from the Federal Government for the building of a permanent, worth while hospital unit to replace the present building.

2

An appropriation of \$50,000.00 for the State Parks Board for the purchase of materials to be used in State parks.

This item was submitted during the First Called Session, passed the Senate but failed to muster the four-fifths necessary for suspension in the House. It is my judgment that this appropriation is highly important. The Federal Government has already definitely allocated over two million dollars to be expended through the director of the National Youth Administrator for labor in the State parks. The only requirement from the State is that we appropriate not exceeding \$50,000.00 for the purchase

of materials. It will result in permanent improvement of our parks, our highways, and our schools.

It will put thousands of young men and young women to work.

We can't afford to pass up this investment.

3

A bill by McKinney to appropriate not exceeding \$15,000.00 to the State Penitentiary System to cure discrepancies in the salaries provided in the general appropriation during the Regular Session.

Respectfully submitted,

JAMES V. ALLRED,
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, November 7, 1935.

To the Members of the Forty-fourth Legislature. (In Second Called Session):

I am submitting the following particular subject matters for your consideration:

(1). A bill to authorize an advance of \$200,000.00 to the Brazos River Conservation and Reclamation District, to be repaid to the state out of the first proceeds of the bonds sold by such district.

This bill has been signed by 26 members of the Senate and over one hundred members of the House.

(2). House Bill by Cowley dealing with a common school district in Hill County.

Respectfully submitted,

JAMES V. ALLRED,
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, November 12, 1935.

To the Members of the Forty-fourth Legislature.

(In Second Called Session):

At the request of Senator Will D. Pace and Representatives W. M. Craddock, Tom Cooper, Otis Dunagan and Sidney Latham, I respectfully submit for your consideration the following local bill:

To abolish the office of district attorney of the 7th Judicial District at the expiration of the term of the present incumbent, and confer the duties of said office upon the county attorneys of Smith, Wood and Upshur Counties.

Respectfully submitted,

JAMES V. ALLRED,

Governor of Texas.