was amended to conform with the body of the bill as amended.

Senate Bill No. 58 failed to pass to engrossment.

Senate Bill 150 on Second Reading

Senator Carney moved to suspend the regular order of business to take up Senate Bill No. 150 for consideration at this time.

The motion prevailed by the following vote:

Yeas—18

Brown	Kelly of Tarrant
Carney	Knight
Cousins	Lane
Crawford	Moffett
Hardeman	Morris
Harris	Parrish
Hazlewood	Proffer
Jones	Ramsey
Kelley of Hidalgo	Tynan

Nays—5

Aikin	Strauss
Bullock	Taylor
Phillips	

Absent

York

Absent-Excused

Chadick	Vick
Mauritz	Weinert
Stanford	Winfield

The President then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 150, A bill to be entitled "An Act amending House Bill No. 17, Acts of the Regular Session of the Forty-sixth Legislature, so as to provide that such Act shall be administered by the 'Texas Real Estate Commission,' providing for the appointment of such Commission and the qualifications and tenure of the members; providing for an Administrator, defining the powers, duties and responsibilities of the Commission and the Administrator and the compensation of the Commission and the Administrator; providing for a bond by the Administrator; making provision for the transfer of records from the Secretary of State to the 'Texas Real Estate Commission'; making provisions for licenses already issued; making provision for process, notices, applications, orders and other instruments issued or filed at the time this Act becomes effective; making provisions for pending suits; providing that the 'Texas Real Estate Commission' shall stand in lieu of Secretary of State and the Administrator of the Securities Division in so far as House Bill No. 17, Acts of the Regular Session of the Forty-sixth Legislature, is concerned; making certain exceptions thereto; providing a savings clause; and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

Adjournment

On motion of Senator Strauss, the Senate, at 4:20 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

FIFTY-FIFTH DAY

(Tuesday, April 22, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called and the following Senators were present:

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Hazlewood, and by unanimous consent, the reading of the Journal of proceedings of yesterday, was dispensed with and the Journal approved.

Leaves of Absence Granted

Senator Vick was granted leave of absence for today on account of im-

portant business on motion of Senator Aikin.

Senator Chadick was granted leave of absence for today on account of important business on motion of Senator Carney.

Reports of Standing Committees

Senator Knight submitted the following report:

Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred House Bill No. 770, 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.

KNIGHT, Chairman.

Senator Crawford submitted the following report:

Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Veteran's Affairs, to whom was referred H. C. R. No. 53, 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.

CRAWFORD, Chairman.

Senator Kelly of Tarrant submitted the following report:

Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred House Bill No. 551, 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.

KELLY of Tarrant, Chairman.

Senator Knight submitted the following report:

Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on Labor, to whom was referred House Bill No. 22, instructs me to report it back to the Senate with the recommendation that it do pass and be printed.

KNIGHT, Chairman.

Senator Jones submitted the following report:

Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 375, have had the same under consideration and beg to report back favorably to the Senate that the bill do pass, be mimeographed and not otherwise printed.

JONES, Chairman.

Senator Taylor submitted the following report:

Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred Senate Bill No. 162, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute, attached hereto, do pass in lieu thereof and be mimeographed.

TAYLOR, Chairman.

C. S. S. B. No. 162 was read first time.

Senator York submitted the following report:

Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred House Bill No. 420, 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.

YORK, Chairman.

Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred House Bill No. 778, 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.

JONES, Chairman.

Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred House Bill No. 618, 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.

JONES, Chairman.

Senator Knight submitted the following report:

Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Labor to whom was referred House Bill No. 521, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments, and be not printed.

KNIGHT, Chairman.

Resolution Adopted by Assembly of the State of California

The President pro tempore laid before the Senate, and directed the Secretary to read the following resolution:

House Resolution No. 150

Relative to extending sympathy concerning the disastrous explosion of chemical plants in Texas

Whereas, The Members of this Assembly are profoundly shocked to learn of a series of explosions of chemical plants, which explosions have brought disaster to the Gulf Coast of Texas, with an estimated loss of over 1,000 lives, many more thousands of persons injured, and still other thousands homeless; and

Whereas, In this disaster the people of sister states commiserate with those of Texas, with hearts torn by the intermingled news of suffering and heroism, and deeply moved to witness the courage and fortitude with which the people of Texas are meeting this devastating experience; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly, on behalf of the people of the State of California, extend to the people of Texas profound sympathy in this hour of trial, and urge Californians everywhere to lend to the people of Texas whatever of aid and comfort may be possible to alleviate the sufferings of those in the stricken areas; and be it further

Resolved, That the Chief Clerk of the Assembly immediately transmit copies of this resolution to the President of the Senate and the Speaker of the House of the Texas Legislature, and to the Governor of the State of Texas, and the Mayor of the City of Texas City.

On motion of Senator Aikin, the resolution was ordered printed in the Journal.

Senator Aikin moved that the President pro tempore appoint a committee to acknowledge receipt of the resolution.

The motion prevailed.

Accordingly, the President pro tempore announced the appointment of the following committee:

Senators Aikin, Hardeman and Phillips.

Senate Resolution 87

(Extending Sympathy to Parish of Reverend William A. Roach)

Senator Phillips offered the following resolution:

Whereas, Our beloved State has just suffered a disaster of colossal magnitude; and

Whereas, During this tragedy there were many acts of heroism, all of which should be regarded and revered by the people of Texas, this resolution is offered in particular respect to the brave clergymen who, during the holocaust, and without regard for their own personal safety, administered last rites and otherwise brought solace to the hundreds of injured and dying; and

Whereas, Reverend William A. Roach, St. Mary's Catholic Church, Texas City, Texas, perished; and

Whereas, Reverend Roland P. Hood, First Baptist Church, Texas City, Texas, and Reverend Ervin Jackson, First Methodist Church, Texas City,

Texas, suffered grave injuries in conducting these Christian responsibilities, thereby extending God's ordinance according to their understanding, without prejudice as to creed or race; and because the assurance of man's resurrection is the greatest consolation in hours of peril and pain; and because these courageous gentlemen of the cloth, disciples of the Lord, if you please, administered courage, patience, and the hope of Heaven at an hour when all earthly things seemed Hell; and because their faith and devotional perseverance unquestionably extended consolation of the highest character to the suffering and dying; and because they rendered these Christian services at sacrifice of life and limb; now, therefore, be it

Resolved, That the Texas Senate, in solemn assembly, recognizes and honors the bravery, courage and fortitude of these heroic ministers of the Gospel. That, on behalf of the people of the State of Texas, this body extends its sympathies to the congregation and parish of Reverend William A. Roach; that it extends its sympathies and hopes for early recovery of Reverend Ervin Jackson and Reverend Roland P. Hood; that it is resolved that this body cherishes the nobleness of self-sacrifice; considers the bravery of these men exemplary of the Christian courage so demonstrated by our Savior; that it pauses to consider again the philosophy indicated in the words: "Greater love hath no man than that he lay down his life for his friend."

The resolution was read and was adopted by a rising vote of the Senate.

Senate Concurrent Resolution 29

Senator Carney offered the following resolution:

S. C. R. No. 29, Commending the officers and directors of the Lone Star Steel Company.

Whereas, The Lone Star Steel Company of Texas has successfully concluded negotiations with agencies of the Federal Government for permanent operation of facilities at Daingerfield, Texas, for the development of East Texas iron ore; and

Whereas, The officers and directors of the Lone Star Steel Company have worked tirelessly for several years against great odds in an effort to build a steel industry in the Southwest and to utilize the vast deposits of iron ore in East Texas which have remained dormant these many years; and

Whereas, Said officials of the Lone Star Steel Company have successfully overcome the efforts of major steel industries of this country who have opposed and fought the development of a steel industry in the Southwest; and

Whereas, There is a vital need for pig iron and other products for small industries in the Southwest as well as in the Veteran's Housing Program throughout the Nation; and

Whereas, Lone Star Steel Company has now concluded negotiations with the Federal Government and it appears that Lone Star Steel Company will now be able to proceed with the operation of Daingerfield facilities; be it

Resolved, Both Houses of the Legislature of Texas do hereby commend the officers and directors of the Lone Star Steel Company for their untiring efforts in behalf of the industrial and economic development of the State of Texas; and be it further

Resolved, That a copy of this Resolution be furnished the officers and directors of said Lone Star Steel Company.

The resolution was read and was adopted.

Senate Resolution 88

(Welcoming the Senior Class of Rockspring High School)

Senator Winfield offered the following resolution:

Whereas, Mr. M. E. Noble, Superintendent of the High School of Rocksprings, Edwards County, Texas, and Mrs. Lowell Hankins, a teacher of the Rockspring School System, is in the gallery with eleven members of the Senior Class; and

Whereas, This group has come to the State Capitol on an official visit; and

Whereas, All members of the Legislature are interested in the high school students of Texas; now, therefore, be it

Resolved, By the Senate of the State of Texas, that we bid welcome to Superintendent Noble, Mrs. Hankins, and the Senior Class; and we trust that their visit to the Capital City of Texas will be pleasant, profitable, instructive.

The resolution was read and was adopted.

Senate Concurrent Resolution 27

On motion of Senator Hardeman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. C. R. No. 27, Authorizing R. J. Fulton to sue the State.

The resolution was read and was adopted.

Senate Bill 395 on Second Reading

On motion of Senator Hardeman, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 395, A bill to be entitled "An Act amending Chapter 25, Acts of the 39th Texas Legislature, Regular Session of 1925, as amended, being Chapter 3A of Title 128, Revised Civil Statutes of the State of Texas, by providing that districts operating thereunder may lease all or part of irrigation systems, may pay the rentals required by such leases solely from revenue received from the sale of water, authorizing such districts to enter into appropriate agreements and convenants to secure the payment of sums due under such leases, authorizing the appointment of a receiver for the leased properties in event of a default in any such lease, authorizing such districts to acquire property subject to existing mortgage or encumbrance and provide for the payment of the amounts due under such mortgage or encumbrance, providing for elections where such payment is to be made from tax or bond proceeds; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 395 on Third Reading

Senator Hardeman moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 395 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Absent-Excused

Chadick	Vick
Mauritz	Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Absent-Excused

Chadick	Vick
Mauritz	Weinert

Senate Bill 230 on Second Reading

On motion of Senator Phillips, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 230, A bill to be entitled "An Act creating an additional district court for Brazoria, Fort Bend, Matagorda and Wharton Counties, Texas, to be known as 130th District Court; adjusting the business of the 23rd District Court to the business thereof; providing for the appointment of a district judge thereof; amending Section 23 of Article 199 of the Revised Civil Statutes of the State of Texas so as to change the terms of

court for the 23rd District Court in each of said counties; providing the terms of the 130th District Court created hereby; providing that the official court reporter for the 23rd District Court shall also be the official court reporter for the 130th District Court; authorizing said court reporter to employ assistants when the services of a court reporter are required in both the 130th and 23rd District Court at the same time, authorizing the payment therefor; making an appropriation to pay the salary of the Judge of the 130th District Court; repealing all laws in conflict herewith to the extent of such conflict only; providing for a vacation for the Judge of the 23rd and 130th District Court; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 230 on Third Reading

Senator Phillips moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 230 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Absent-Excused

Chadick	Vick
Mauritz	Weinert

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Senator Phillips offered the following amendment to the bill:

Amend S. B. No. 230 by striking out all before and after the enacting clause and inserting in lieu thereof the following:

A BILL

To Be Entitled

"An Act creating an additional district court for Brazoria, Fort Bend, Matagorda and Wharton Counties, Texas, to be known as 130th District Court; adjusting the business of the 23rd District Court to the business thereof; providing for the appointment of a District Judge therefor; amending Section 23 of Article 199 of the Revised Civil Statutes of the State of Texas so as to change the terms of court for the 23rd District Court in each of said counties; providing the terms of the 130th District Court created hereby; providing that the official court reporter for the 130th District Court; authorizing said court reporter to employ assistants when the services of a court reporter are required in both the 130th and the 23rd District Court at the same time; authorizing the payment therefor; providing for a vacation for the Judge of the 23rd and 130th District Court; providing for the transfer of cases from the 23rd Judicial District Court to the 130th District Court without the entry of order upon the minutes of either court; providing that this act shall not prevent the holding and closing under present laws of any term of court that may be in session when this act takes effect; repealing all laws in conflict herewith to the extent of such conflict only; and declaring an emergency."

Section 1. An additional District Court is hereby created in and for the Counties of Brazoria, Fort Bend, Matagorda and Wharton, Texas, the limits of which district shall be coextensive with the limits of said counties. Said court shall be known as the 130th District Court.

Sec. 2. Immediately upon passage of this law the Governor shall appoint a suitable person, having the qualifications provided by the Constitution and Laws of Texas for District Judges, as Judge of the 130th District Court. He shall hold office as such judge until the next general election, and until his successor shall be duly elected and qualified. Thereafter such judge shall be elected as provided by the Constitution and Laws of the State of Texas.

Sec. 3. There shall be two terms of the District Court of the 130th District in each of said counties each

year. In Brazoria County the first term shall be known as the January-June term and shall begin each year on the first Monday in January and shall continue until and including Saturday before the first Monday in July; the second term of said Court in Brazoria County, Texas, which shall be known as the July-December term shall begin each year on the first Monday in July and shall continue until and including Saturday before the first Monday in the following January.

In Fort Bend County the first term shall be known as the February-July term, and shall begin each year on the first Monday of February and shall continue until and including Saturday before the first Monday in August; the second term, which shall be known as the August-January term, shall begin each year on the first Monday in August and continue until and including Saturday before the first Monday in the following February.

In Matagorda County the first term shall be known as the March-August term, and shall begin each year on the first Monday in March and shall continue until and including Saturday before the first Monday in September; and the second term shall be known as the September-February term and shall begin each year on the first Monday in September and shall continue until and including Saturday before the first Monday in the following March.

In Wharton County the first term shall be known as the April-September term and shall begin each year on the first Monday in April and shall continue until and including Saturday next before the first Monday in October of each year; and the second term, which shall be known as the October-March term, shall begin each year on the first Monday in October and shall continue until and including Saturday before the first Monday in the following April.

The judge of said court, in his discretion, may hold as many sessions of court in any term of the court in any county as is deemed by him proper and expedient for the dispatch of business.

Sec. 4. The Clerk of the District Court in each of the respective counties included in said Judicial District shall also be Clerk of the District Court of the 130th District in such respective counties.

Sec. 5. There shall be one general docket for the 23rd District and the 130th District in each of the counties of Brazoria, Matagorda, Wharton and Fort Bend. All suits and other proceedings instituted in any county in the district of which the District Court has jurisdiction shall be addressed to the District Court of the county in which the said or other proceeding is instituted. The judge of either the District Court of the 23rd District or the 130th District may hear and dispose of any suit or other proceeding on the general docket of the District Court of the county in which the suit or other proceeding is instituted without the necessity of transferring the suit or other proceeding form one court to another. Every judgment and order shall be entered in the Minutes of the District Court of the county in which the proceedings are pending and the Clerk of the District Court in said county shall keep one set of Minutes in which shall be recorded all the judgments and orders of the 23rd District Court and the 130th District Court. All citations and other process issued by the District Clerk and all notices, restraining orders and other process authorized to be issued by the Judge of the 23rd District Court of the 130th Distirct Court shall be returnable to the District Court of the County in which suit or other proceeding is pending, without reference to the number of the District Court, and on the return of such process a hearing or trial shall be presided over by the Judge of either the 23rd District Court or the 130th District Court.

Sec. 6. The official court reporter for the 23rd Judicial District shall also be the official court reporter for the 130th Judicial District, providing that at any time his services may be required in both the 130th and 23rd District Courts at the same time, he shall be, and he is hereby, authorized and empowered to employ some competent qualified person to act for him in one of said District Courts, which said person so employed shall receive the same compensation for such services as is provided by law for the official court reporter for the 23rd Judicial District, and shall be paid for such services out of the same fund and in the same manner

as the court reporter for the 23rd Judicial District.

Sec. 7. So much of Section 23 of Arictle 199 of the Revised Civil Statutes of Texas providing for the terms of court of the 23rd Judicial District of Texas, be, and the same is hereby, amended to red as follows:

There shall be two terms of the 23rd Judicial District Court in each of the Counties of Brazoria, Matagorda, Fort Bend and Wharton, Texas.

In Brazoria County the first term shall be konwn as the April-September term and shall begin each year on the first Monday in April and shall continue until and including Saturday before the first Monday in October of each year; the second term of said court in Brazoria County, Texas, which shall be konwn as the October-March term, shall begin each year on the first Monday in October and shall continue until and including Saturday before the first Monday in the following April.

In Fort Bend County the first term shall be known as the May-October term and shall begin each year on the first Monday in May and shall continue until and including Saturday before the first Monday in November; the second term, which shall be known as the November-April term, shall begin each year on the first Monday in November and contiue until and including Saturday before the first Monday in the following May.

In Matagorda County the first term shall be known as the June-November term and shall begin each year on the first Monday in June and shall contiuue until and including Saturday before the first Monday in December; the second term, which shall be known as the December-May term, shall begin each year on the first Monday in December and shall continue until and including Saturday before the first Monday in the following June.

In Wharton County the first term shall be known as the July-December term and shall begin each year on the first Monday in July and shall continue until and including Saturday next before the first Monday in the following January; and the second term, which shall be known as the January-June term, shall begin each year on the first Monday in January and shall continue until and including Saturday before the first Monday in the following July.

The Judge of said court, in his discretion, may hold as many sessions of Court in any term of the Court in any County as is deemed by him proper and expedient for the dispatch of business.

Sec. 8. The Judges of the 23rd and the 130th District Courts shall sign the minutes of each term of said courts in each of said counties within thirty days after the end of each term, and shall also sign the minutes at the end of each column of the minutes, and each Judge sitting in said court shall sign the minutes of each proceedings as were had before him.

Sec. 9. The judge of the 23rd District Court and of the 130th District Court may each take a vacation and not attend court for six weeks in each year; the judges of said courts shall by agreement between themselves, take their vacations alternately so that there shall at all times be at least one of said Judges in the Judicial District composed of Brazoria, Fort Bend, Matagorda and Wharton Counties.

Sec. 10. There is hereby appropriated out of the funds of the Treasurer of the State of Texas not otherwise appropriated the sum of Six Thousand ($6,000.00) Dollars, or so much thereof as may be necessary to pay the salary of the Judge of the 130th District Court until September 1st, 1947.

Sec. 11. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed to the extent of such conflict only; as to all other laws and parts of laws this Act shall be cumulative. This Act shall not prevent the holding and closing under present laws of any term of court that may be in session when this Act takes effect.

Sec. 12. The crowded conditions of the dockets existing in the District Court of Brazoria, Fort Bend, Matagorda and Wharton Counties, Texas, create an emergency and an imperative public necessity requiring that the Constitutional rule that all bills be read on three several days in each House, be, and the same is hereby, suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Absent-Excused

Chadick	Vick
Mauritz	Weinert

The bill was then passed by the following vote:

Yeas—23

Brown	Moffett
Bullock	Parrish
Carney	Phillips
Cousins	Proffer
Crawford	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York
Lane	

Nays—3

Aikin	Morris
Hardeman	

Absent-Excused

Chadick	Vick
Mauritz	Weinert

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

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

H. C. R. No. 89, Authorizing the correction of a typographical error in House Bill No. 129.

H. B. No. 42, A bill to be entitled "An enabling act to carry into effect Section 49-b of Article III of the Constitution; to bring into being the (Veterans' Land Board) and provide procedures for the operation thereof; to create a Veterans' Land Fund by providing for the issuance of bonds in an amount not exceeding $25,000,000, and providing for the sale and retirement of such bonds; to provide, during a period of eight years from the effective date of the Constitutional Amendment, for the purchase of lands by the Veterans' Land Board and the subsequent resale thereof to Texas Veterans of World War II as defined; and declaring an emergency."

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Bill 381 on Second Reading

On motion of Senator Taylor, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 381, A bill to be entitled "An Act making an emergency appropriation in the sum of twelve hundred dollars ($1200.00) to the Texas State Board of Dental Examiners for the remainder of the current fiscal year ending August 31, 1947. Said appropriation to be from the Dental Registration Fund; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 381 on Third Reading

Senator Taylor moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 381 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Absent-Excused

Chadick	Vick
Mauritz	Weinert

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Absent-Excused

Chadick	Vick
Mauritz	Weinert

Senate Concurrent Resolution 30

Senator Lane offered the following resolution:

S. C. R. No. 30, Recalling Senate Bill No. 367 from Governor's office.

Whereas, Senate Bill No. 367 has passed both the Senate and the House of Representatives, and is now in the Governor's office; and

Whereas, There is a typographical error in said bill; and

Whereas, It is necessary that said bill be recalled to the Senate for correction; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the bill be recalled from the Governor's office in order that the Enrolling Clerk may correct the typographical error in said bill.

The resolution was read and was adopted.

Committee Substitute Senate Bill 162 on Second Reading

Senator Taylor moved to suspend the constitutional rule requiring bills to be read on three several days, and that C. S. S. B. No. 162 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Absent-Excused

Chadick	Vick
Mauritz	Weinert

The President pro tempore then laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 162, A bill to be entitled "An Act making an emergency supplemental appropriation in the amount of $328,067.80 from the State Treasury for the support, operation, maintenance and salaries of employees of the Medical Branch of The University of Texas, including hospitals and clinics at Galveston for the remainder of the present fiscal year ending August 31, 1947, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Committee Substitute Senate Bill 162 on Third Reading

Senator Taylor moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 162 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Jones
Brown	Kelley of Hidalgo
Bullock	Kelly of Tarrant
Carney	Knight
Cousins	Lane
Crawford	Moffett
Hardeman	Morris
Harris	Parrish
Hazlewood	Phillips

Proffer	Taylor
Ramsey	Tynan
Stanford	Winfield
Strauss	York

Absent-Excused

Chadick	Vick
Mauritz	Weinert

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Hazlewood	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York
Lane	

Nays—1

Harris

Absent

Jones	Proffer

Absent-Excused

Chadick	Vick
Mauritz	Weinert

Senate Bill 294 on Second Reading

Senator Stanford moved to suspend the regular order of business to take up Senate Bill No. 294 for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Lane
Brown	Moffett
Bullock	Parrish
Carney	Phillips
Cousins	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York
Knight	

Nays—1

Morris

Absent-Excused

Chadick	Vick
Mauritz	Weinert

The President pro tempore then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 294, A bill to be entitled "An Act appropriating Five Thousand ($5,000.00) Dollars to the State Banking Department out of the General Revenue Fund supplementing the item of traveling expenses for the Bank Department in Senate Bill No. 317, Acts of the Regular Session of the 49th Legislature; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 294 on Third Reading

Senator Stanford moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 294 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Absent-Excused

Chadick	Vick
Mauritz	Weinert

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Carney
Brown	Cousins
Bullock	Crawford

Hardeman	Parrish
Harris	Phillips
Hazlewood	Proffer
Jones	Ramsey
Kelley of Hidalgo	Stanford
Kelly of Tarrant	Strauss
Knight	Taylor
Lane	Tynan
Moffett	Winfield
Morris	York

Absent-Excused

Chadick	Vick
Mauritz	Weinert

Motion to Reconsider Vote on Senate Bill 58

Senator Harris moved to reconsider the vote by which Senate Bill No. 58 failed to pass to engrossment, and asked to have the motion to reconsider spread on the Journal.

Senate Bill 341 on Second Reading

Senator Proffer moved to suspend the regular order of business to take up Senate Bill No. 341 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Aikin	Lane
Brown	Moffett
Bullock	Parrish
Carney	Phillips
Cousins	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Winfield
Kelley of Hidalgo	York
Knight	

Nays—1

Morris

Absent

Kelly of Tarrant	Tynan

Absent—Excused

Chadick	Vick
Mauritz	Weinert

The President pro tempore then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 341, A bill to be entitled "An Act amending Article 2922a, Chapter XIX-A of the Revised Civil Statutes authorizing the creation of Rural High Schools, under certain conditions; providing for the appointment of a temporary board of trustees to serve until the following trustee election; providing for the election of the board of trustees; fixing the terms of office; prescribing the duties and functions of said board; providing for the abolishing of a rural high school; repealing all laws or parts of laws in conflict herewith; providing a savings clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 341 on Third Reading

Senator Proffer moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 341 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Absent—Excused

Chadick	Vick
Mauritz	Weinert

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Absent—Excused

Chadick	Vick
Mauritz	Weinert

Senate Resolution 89

(Address by Honorable Fritz Lanham)

Senator Kelly of Tarrant offered the following resolution:

Whereas, The Honorable Fritz G. Lanham, distinguished Congressman from the 12th Congressional District of Texas, is in the Capitol today; now, therefore, be it

Resolved, That he be made welcome by the Senate of Texas; that he be invited to address the Senate and extended the privileges of the floor for the day.

The resolution was read and was adopted.

Upon the direction of the President pro tempore, Honorable Fritz Lanham was escorted to the President's rostrum by Senator Kelly of Tarrant, who introduced the Honorable Fritz Lanham to the Senate.

Congressman Lanham then addressed the Senate briefly.

Committee Substitute
Senate Bill 131 on Second Reading

The President pro tempore laid before the Senate, as a special order for this hour, on its second reading and passage to engrossment:

C. S. S. B. No. 131, A bill to be entitled "An Act amending Chapter 116 of House Bill 189 passed by the 44th Legislature in Regular Session, and Chapter 469, House Bill 127 passed by the 44th Legislature, Second Called Session, to make it unlawful for a shop to employ an unlicensed operator; providing definitions of hairdresser, cosmetologist, school, manicurist, operator, instructor, shop, student, demonstrator, and the Board; providing qualifications for Board; providing terms for Board members; defining a quorum; providing for Board officers; providing for employment of an executive secretary; providing for salaries and expenses for Board members and secretary; providing for requirement of bond by executive secretary; providing for examination place and dates; etc., and declaring an emergency."

The bill was read second time.

Senator Hazlewood offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill No. 131 by striking out everything below the enacting clause and substituting in lieu thereof the following, to-wit:

Section 1. Article 734b, Vernon's Annotated Criminal Statutes of the State of Texas, Penal Code, Revision of 1925, shall hereafter read as follows:

"Sec. 1. That it shall be unlawful for any person to perform any of the operations of, or engage in the practice or occupation of, a hairdresser or cosmetologist or to conduct a hairdressing or cosmetologist establishment or schools as defined in this Act unless such person shall have first obtained a certificate of registration, and/or license as provided under this Act, and it shall be unlawful for the owner, owners and/or manager of any hairdressing or cosmetologist shop to employ any person as a hairdresser. cosmetologist, or manicurist who has not first obtained a certificate of registration and/or license as provided under this Act.

"Sec. 2. (a) It shall be unlawful for any person, firm or corporation to operate a beauty shop within this State, unless such shop is at all times under the direct supervision of an operator licensed under this Act.

(b) It shall be unlawful for any person, firm or corporation to operate a beauty school within this State, unless such school is at all times under the direct supervision of an instructor licensed under this Act.

"Sec. 3. (a) Any person who engages in or performs any one or any combination of the following practices, to-wit; arranging, dressing, curling, waving, cleansing, singeing, bleaching, coloring, or any work upon the hair or any person by any means, shall be construed to be practicing the occupation of a hairdresser.

(b) Any person who with hands or mechanical or electrical apparatus or appliances, or by use of cosmetologist preparations, antiseptics, tonics, lotions, or creams, engages in or performs any one or combination of the following practices, to-wit: cleansing, beautifying or any work of the scalp, face, neck, arms, bust, or upper part of the body or manicuring the nails of any person, shall be construed to be practicing the occupation of a cosmetologist.

(c) Any person, firm, institution or corporation, who shall hold himself or itself out as a school to teach and train, or any person, firm institution or corporation who shall teach and train any other person or persons in the art, business or trade of hairdressing, cosmetology, or manicuring, as provided in this Act, is hereby declared to be a beauty culture school, and is subject to the provisions and restrictions contained in this Act.

(d) Any person who engages in, or performs, only the practice of manicuring the nails of any person shall be known as a manicurist.

(e) An operator is a person who engages in, or performs, any of the practices of hairdressing and/or cosmetology as defined in this Act.

(f) An instructor is any person engaged in teaching any of the practices of beauty culture as defined in this Act.

(g) A hairdressing or cosmetologist shop is that part of any building where or whereupon hairdressing or cosmetology as defined in this Act is performed or practiced. For the purposes of this Act, a hairdressing or cosmetologist shop shall be synonymous with beauty parlor, beauty shop, beauty salon or studio of beauty.

(h) Any person who is being instructed in a licensed and/or registered school of beauty culture as defined in this Act is a student.

(i) Any person who engages in behalf of a manufacturer, jobber, wholesaler, distributor, or retailer in demonstrating the use of any machine, appliances, solutions or beauty supplies in connection with or pertaining to, hairdressing or cosmetology with or without charge to the person subject to demonstration, is a demonstrator. Nothing herein shall apply to persons participating in Beauty Trade Shows.

(j) All references in this Act to the Board are construed to mean the Texas State Board of Hairdressers and Cosmetologists.

"Sec. 4. (a) The State Board of Hairdressers and Cosmetologists shall be composed of three (3) members; such members shall be appointed by the Governor and confirmed by the Senate; such members shall be at least twenty-five (25) years of age and shall have had at least five (5) years practical experience in the majority of the practices of hairdressing and cosmetology in Texas as a hairdresser or cosmetologist and/or instructor under a license issued by the Board, and shall be a citizen of this State. No member of the Board shall be a member of, nor affiliated with, nor shall have any financial interest in any such school of hairdressing or cosmetology while in office, nor shall any two (2) members of said Board be graduates of the same school. If it be proved to the Governor of Texas by reliable and satisfactory evidence that any member of such Board is affiliated with or has any financial interest in any such school, then the Governor shall declare the office vacant and shall immediately appoint a new member to fill the unexpired term.

(b) Each member of said Board shall serve a term of six (6) years, or until his or her successor is appointed and qualified. The present members of the Board shall serve until their respective terms expire and one member shall be appointed biennially thereafter. The members of said Board shall take the oath provided by law for public officials. Vacancies shall be filled by the Governor for the unexpired portion of the term.

(c) The majority members of the Board shall constitute a quorum for the transaction of business. The Board shall prescribe the rules for its government and have a seal with which to authenticate its acts.

"Sec. 5. (a) The members of the Board shall annually elect from its members a President, a Vice-President and a Secretary.

(b) The Board shall employ an Executive Secretary who shall not be a member of the Board. The compensation of such Secretary shall be fixed by the Board. His or her necessary expenses actually incurred in the discharge of the duties of the office shall be paid by direction of the Board. Such Executive Secretary before entering upon the duties of the office shall give a bond signed by some surety company authorized to do business in Texas, in the sum of Ten Thousand Dollars ($10,000.00), payable to the State of Texas, conditioned for the faithful performance of his or her duties, such bond to be filed with the Secretary of State.

"Sec. 6. The State Treasurer of the State of Texas is hereby designated as custodian of all revenues derived under the provisions of this Act, and all such funds shall be cred-

ited by the State Treasurer to the 'State Board of Cosmetologists Fund.'

"Sec. 7. The members of the Board shall each receive a salary of Three Thousand Six Hundred Dollars ($3,600.00) per year, payable in equal monthly payments, together with actual expenses incurred in the performance of their official duties, providing such expenses shall be allowed if and when audited, approved and allowed by the State Auditor and Efficiency Expert. Such salary of the Board members and the Executive Secretary, as well as all other expenses incidental to the discharge of their duties, shall be allowed, including reasonable expenses in attending schools for the purpose of taking post graduate courses in beauty culture only for a period of not more than two (2) weeks at a time; and conventions of beauty culturists both State and National; provided that no more than one (1) member of the Board shall be absent from their regular duties as a Board member at any time for such purpose; and, that no Board member shall attend (or take) more than one (1) such post graduate course during any calendar year; providing in no event shall such expenses for any one Board member exceed the sum of One Hundred Dollars ($100.00) for any one convention attended within the State, nor more than Two Hundred Dollars ($200.00) for any convention attended without the State. All salaries and expenses shall be paid out of the fund in the State Treasury to the credit of the Texas Board of Cosmetology on requisition signed by the President and Secretary of the Board and a warrant of the State Comptroller.

"Sec. 8. The said Board shall keep a record of its proceedings. It shall keep a register of applicants for certificates showing the name of the applicant, the name and location of his place of occupation or business, and whether the applicant was granted or refused a certificate. The books and records of the Board shall be prima facie evidence of matters therein contained and shall constitute public records.

"Sec. 9. (a) The Board shall hold regular meetings for the examination of applicants in the capital of the State on the first Tuesday in February, May, August and November of each year. All applicants for examination, before filing such application with the Board, must furnish the Board a birth certificate showing applicant to be past sixteen (16) years of age, also must have completed the hours and months of instruction required by this Act in a school licensed, and/or registered and duly recognized by the Board, or hold either a current or expired license of this State or of a State having requirements as provided in this Act. Such examination shall be conducted under the rules provided by said Board and shall include practical demonstration and written and/or oral tests in reference to the practices for which a license is applied for and such related subjects as the Board may determine necessary for the proper and efficient performance of such practices, and such examination shall include sanitation and hygiene, and the use of cosmetics, and application of electrical and mechanical equipment and appliances, anatomy, and dermatology, and such other kindred subjects as may be necessary and prescribed by the Board to determine one's fitness and qualifications as a hairdresser or cosmetologist.

(b) All applications for examination for operators, instructors, or manicurists license and renewal of any such license as well as applications for demonstrator's license shall be accompanied by a health certificate issued and personally signed by a licensed doctor of medicine showing the applicant to be free from any contagious or infectious disease as determined by a general examination and by a Wasserman blood test, and shall have complied with all requirements of this Act. The Board shall not issue a license or certificate of renewal of license to any operator, instructor, demonstrator, or manicurist whose health certificate shows him or her to be infected with any contagious or communicable disease. Any such doctor who shall issue or sign any such health certificate without having actually made a physical examination for the purpose of ascertaining if the applicant shall have any contagious or communicable disease; or if any such doctor shall issue or sign any such health certificate without having actually made a Wasserman blood test. shall be guilty of a misdemeanor, and on conviction therefor, shall be fined not less than Fifty Dollars ($50.00) nor more than Two Hundred ($200.00).

(c) If an applicant for examination passes such examination to the satisfaction of the Board and in accordance with the rules promulgated by said Board, the Board shall issue a certificate to that effect, signed by the President and Secretary and attested with its seal. Such certificate shall be evidence that the person to whom it is issued is entitled to follow the practices, occupation, or occupations stipulated therein, as prescribed in this Act. Such certificates shall be conspicuously displayed in his or her place of business or employment, provided however, that where the applicant is a graduate of some school of beauty culture in the State of Texas duly licensed and recognized by the Board, then such applicant, by complying with, and after passing an examination as provided for in subsections 9 (a), (b) and (d) shall be given a certificate.

(d) The Board may refuse to grant a certificate to any person who shall fail to make a grade of seventy-five (75) in all subjects upon which they are examined, or to any person guilty of fraud in passing the examination and obtaining a certificate of authority to operate under the provisions of this Act at any time.

"Sec. 10. (a) The said Board shall, with the approval of the State Board of Health and in compliance with the Sanitary Provisions contained in Article 728-734 of the Penal Code of the State of Texas, prescribe such sanitary rules as it may determine necessary to be employed to prevent the spread of infectious and contagious disease. Any person who fails to comply with such sanitary rules shall be subject to the penalties provided for in this Act. It shall be unlawful for a person, firm or corporation to operate a beauty shop or a beauty school as defined in this Act unless the same is a bona fide establishment with a permanent and definite location completely and permanently separated by solid walls with no openings from rooms used wholly or in part for residential or sleeping purposes. Provided a person may have a shop in his or her home where the requirements, provisions, and sanitary rules of this Act are complied with.

(b) The said Board shall have the authority to employ and fix the salary of such clerical help, and inspectors for the purpose of enforcing compliance with this law, as may be necessary. Provided, however, that all the expense of such help and inspectors shall be paid out of the funds derived from the fees provided for by this Act and not otherwise. And no salaries, compensation, and/or expenses provided by any part of this Act shall, in any event, exceed the salaries, compensation, and/or expenses allowed for like service in the Comptroller's Department by the General Appropriation Bill.

(c) No person shall be employed by the Board as an inspector unless such person is at least twenty-five (25) years of age, and has had at least five (5) years actual experience as a cosmetologist and a hairdresser and/or as an instructor under a license issued by the Texas State Board, and shall be a citizen of this State.

(d) The said Board, or any duly appointed agent, shall have authority to inspect any beauty shop, beauty parlor, or school, at any time during business or school hours.

"Sec. 11. (a) Any person, firm or corporation applying to the Board for an original certificate of license or registration as a school of beauty culture shall make such application in the form prescribed by the Board, giving the data and information required by the Board. The Board shall, in such applications, require such data, information and facts as it deems necessary to determine such applicant's compliance with this Act and fitness to conduct and maintain such school. No applicant for an original school license shall hereafter be granted an original certificate of license or registration unless it shall have a location approved by the Board, having therein a minimum space of not less than Three Thousand Five Hundred (3,500) square feet of floor space in a modern fireproof building of a permanent type of construction, such space shall be divided into three separate departments, viz., a theory class room, a room for practical work for seniors, and a room for practical work for juniors, and shall have not less than two (2) modern sanitary toilets in separate rooms, and shall possess and have installed the minimum equipment and apparatus required and approved by the Board, sufficient to train and properly and fully instruct a minimum of fifty (50) students at one time in all subjects of its curriculum; and such schools shall thereafter maintain such

school premises, minimum equipment and apparatus; and such applicants shall furnish evidence to the Board of their financial ability to continue the possession of such minimum requirements and to operate such school. Should any such applicant after the passage of this Act not meet such minimum requirements and/or fail to furnish satisfactory evidence to the Board of his financial ability to continue the possession and maintenance thereof and to operate such school, the Board shall not issue a certificate of license and/or registration to such applicant; however, the requirement as the floor space and number of licensed instructors shall not apply to Public Vocational Schools.

(b) No school of beauty culture shall be granted a license and/or registration unless it shall maintain a sanitary establishment and employ and maintain on its staff not less than two instructors who have been licensed as instructors by the Texas State Board, and shall keep a daily record of attendance of students, and shall maintain a regular class and instruction hours, establish grades and hold examinations before issuing diplomas, and shall require a school term of not less than six (6) months, and not less than one thousand (1,000) hours of instruction for a complete course of the practices of hairdressing and cosmetology, and shall require a school term of not less than six (6) weeks, and not less than one hundred fifty (150) hours instruction for a complete course in manicuring, and no student shall receive credit for more than eight (8) hours of instruction in any one (1) day, or for more than six (6) days in any one (1) calendar week.

(c) No school shall enroll any person as a student who has not acquired a seventh grade education or its equivalent and be at least sixteen (16) years of age.

(d) All applicants for a teacher's license shall have had at least three (3) years experience as an operator under a license from the Texas State Board, shall have a current operator's license at the time of applying, shall have a high school education or its equivalent, and shall be required to pass an examination conducted by the Board to determine their fitness as teachers. A licensed instructor from another State is eligible for Texas instructor's examination after first having successfully passed the examination herein provided for an instructor, and upon presentation of their instructor's license from their respective State.

"Sec. 12. (a) No school shall be permitted to charge for work done by any student who has not completed fifty per cent (50%) of the required number of hours, as provided for in Section 11, Subsection (b); and no school shall be permitted to charge for work done by a licensed instructor.

(b) No school and shop shall be conducted in the same quarters or upon the same premises unless they are separated by walls of permanent construction with no openings between them; and no school shall employ any licensed operator to perform the services of a hairdresser, cosmetologist, or manicurist as defined in this Act.

"Sec. 13. Each applicant to conduct a beauty parlor as defined in this Act, shall accompany such application with a cashier's check or post office money order for Ten Dollars ($10.00), and the certificate issued such applicant shall entitle the person to practice the occupation or occupations of hairdressing or cosmetology, provided he or she can meet the requirements for such practice as stipulated in this Act; and, each application for examination as an operator to work in any beauty parlor shall be accompanied by a cashier's check or post office money order for Ten Dollars ($10.00); and each application for examination to work as a manicurist shall be accompanied by a cashier's check or post office money order of Ten Dollars ($10.00); and each application for examination as an instructor shall be accompanied by a cashier's check or post office money order of Ten Dollars ($10.00). The application of any person for a license as a demonstrator shall be in writing, and accompanied by a letter from his or her employer stating applicant's qualifications, which shall be attested to by a Notary Public. Such applications shall be on forms furnished by the Board.

"Sec. 14. (a) No certificate or license shall be issued for a longer period than one (1) year and shall expire on the thirty-first (31st) day of August, of the year for which it is issued, unless renewed prior to that date. A licensed instructor, operator or manicurist, whose license has expired, may, within thirty (30) days

thereafter, and not later, have his or her certificate or license restored by making proper application to the Board, supported by his or her personal affidavit stating the reasons, which, in the opinion of the Board, will excuse the applicant for having failed to renew his or her certificate within the time required by this Act, a reinstatement fee of Five Dollars ($5.00) being required thereafter. Provided, however, where an instructor, operator, or manicurist retires from the active practice as defined in this Act for not more than five (5) years, he or she may have his or her license reinstated without examination upon proper application to the Board accompanied by each year's annual renewal fee; and provided further that such person shall furnish the Board with a health certificate as provided for under other provisions of this Act; and provided further, however, that the Board may refuse to issue or renew such license for any of the causes set forth under Section 17 of this Act.

(b) The annual license fee for conducting a beauty parlor shall be the sum of Five Dollars ($5.00), and the annual license fee for operators to work at the trade or practice of beauty culture shall be the sum of Three Dollars ($3.00), and the annual registration fee for a manicurist shall be Two Dollars and Fifty Cents ($2.50) and the annual registration fee for an instructor shall be Ten Dollars ($10.00), and the annual registration fee to conduct a beauty school shall be One Hundred Dollars ($100.00).

(c) The establishment of itinerant shops is hereby expressly prohibited, and it shall be unlawful for any person, firm or corporation to operate a beauty shop as defined in this Act, unless the same is a bona fide establishment with a permanent and definite location. Any license granted under the terms of this Act shall permit the licensee to practice in only such bona fide established beauty shop, provided, however, that nothing in this Act shall prohibit the removal or change of location of a beauty shop, provided such move or change is made in good faith with the intention of definitely and permanently locating elsewhere. Provided, further, that nothing in this Act shall prohibit the establishment of chain beauty shops which have a definite and permanent location and have complied with all the other terms of this law.

"Sec. 15. That the Board shall neither refuse to issue nor to renew, nor shall it suspend nor revoke, any certificate of registration, for any of the causes enumerated in this Act, except for failure of applicant to furnish the Board with a health certificate and Wasserman test, as required by Section 9 (b) of this Act, showing such applicant and/or licensee to be free from contagious or infectious disease as determined by a general examination and such test, unless the person accused has been convicted of violation of the provisions of this Act in a court of competent jurisdiction; however, upon any such conviction, the Board may suspend or revoke any such certificate of license or registration after giving the person so convicted at least twenty (20) days written notice of time and place of hearing before the Board for such purpose. Upon the hearing of such proceeding the accused shall have the right to be represented by counsel. The Board shall have the power to summon witnesses and to require the production of books, records, and prepare for the purpose of such hearing, and to administer oaths. Any district court or any judge of such court in this State, in term time or in vacation, upon application by the accused or of the Board or a member thereof, may, by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Board, in any hearing relating to the refusal, suspension, renewal, or revocation, or issuing of a certificate of registration and may order the sheriff or any other peace officers of the county wherein said order is made and entered to serve such process as may be issued in order to compel the attendance of witnesses before said Board, for which services so rendered by such officer or officers the fees and mileage of the sheriff and of witnesses shall be the same as allowed in criminal cases and shall be paid from the fund of the Board as herein provided for; as other expenses of the Board are paid; however, the officers shall make claim for fees as in criminal cases and be paid upon warrant drawn by the Comptroller as in criminal cases. If the accused shall prevail at such hearing the Board shall grant him the proper relief without delay. Any investigation, inquiry, or

hearing thus authorized may be entertained or held by or before a majority of the members of the Board and the finding or order of such members, when approved, and confirmed by the Board, shall be deemed a finding or order of the Board, and at such hearing the Board may be represented by the district attorney or county attorney, or the Attorney General of Texas.

"Sec. 16. If the Board suspends, revokes or refuses to issue or renew such certificate of registration or license at said hearing, then such person may file suit to prevent same or to appeal from said order. Any and all suits filed hereunder shall be filed within twenty (20) days from the same date of the order of said Board in any of the district courts of Travis County, Texas and not elsewhere.

"Sec. 17. The Board may either refuse to issue or to renew, or may suspend or revoke any certificate of registration or license for failure to furnish the Board with a health certificate and Wasserman test, as required by Section 9 (b) of this Act, showing such applicant and/or licensee to be free from contagious or infectious disease as determined by a general examination and such test, or for any one or combination of the following causes:

(a) Conviction of a felony shown by a certified copy of the record of the trial wherein the conviction was held;

(b) Gross malpractice or gross incompetency, after having been convicted thereof in a court of competent jurisdiction;

(c) Continued practice by a person knowingly having an infectious or contagious or communicable disease, when such is shown by medical certificate or Wasserman test;

(d) Advertising by means of knowingly making false or deceptive statements, after having been convicted thereof in a court of competent jurisdiction;

(e) Advertising, practicing, or attempting to practice under another's trade name or another's name;

(f) Habitual drunkenness or habitual addiction to the use of morphine, cocaine, or other habit-forming drugs;

(g) Immoral conduct; and

(h) Violation of any of the regulations described in this Act after conviction thereof by a court of competent jurisdiction.

"Sec. 18. Nothing in this Act shall prohibit service in case of emergency or domestic administration nor service by person authorized under the laws of this State to practice medicine, surgery, dentistry, chiropody, osteopathy, registered nurses, nor service by any licensed barber, engaged in the usual and ordinary duties of their vocations, and nothing herein contained shall be construed to mean that a barber, working in a beauty shop in the capacity of a hair cutter only, shall be subject to the provisions of this Act. Provided that any person who works in a beauty shop in the capacity of a hair cutter shall be a licensed barber and any person who works in a barber shop in the capacity of a manicurist as herein defined shall be licensed as a manicurist. Provided, further, that nothing in this Act shall prohibit a person licensed under this Act from performing duties as prescribed by this Act in the home of a customer in cases of emergency when sent by a shop owner.

"Sec. 19. That each of the following offenses shall constitute a misdemeanor punishable on conviction in a court of competent jurisdiction by a fine of not less than Twenty-Five Dollars ($25.00), nor more than One Hundred Dollars ($100.00).

(a) The violation of any of the provisions of this Act;

(b) Obtaining or attempting to obtain a certificate of registration or license by fraudulent representation;

(c) The willful failure to display a certificate of registration or license as required by this Act.

"Sec. 20. That the willful making of any false statement as to material matter in any oath or affidavit which is required by the provisions of this Act to be made is false swearing and punishable as such under the laws of this State."

Section II. All laws and parts of laws in conflict herewith are hereby repealed.

Section III. Should any section, paragraph, sentence, clause, phrase or word contained in this Act be held invalid, the same shall not affect any other section, paragraph, clause, phrase or word hereof, and any other section, paragraph, sentence, clause, phrase or word not affected by such holding shall remain in full force and effect.

Section IV. The fact that the law governing the operation of beauty shops and beauty schools and the performing of beauty work at the present time is inadequate and unenforceable creates an emergency and an imperative public necessity that the Constitutional Rule requiring that bills be read on three several days be suspended and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Senator Aikin offered the following amendment to the amendment:

(1)

Amend amendment to Senate Bill 131 by striking out all of Section 7 and insert in lieu thereof the following:

All salaries and expenses shall be as fixed in the Departmental Appropriation Bill.

The amendment to the amendment was adopted.

Senator Aikin offered the following amendment to the amendment:

(2)

Amend Amendment No. 1 to Senate Bill 131 by striking out Sec. 3(i) of Section I.

Amend Amendment No. 1 to Senate Bill 131, Sec. 7 of Section I by striking out words "Auditor and Efficiency Expert" on line No. 5 and inserting in lieu thereof the word "Comptroller."

The amendment to the amendment was adopted.

Senator Aikin offered the following amendments to the amendment:

(3)

Amend Amendment No. 1 to Senate Bill 131 by striking out the following words in the first sentence of Sec. 9(b): "as well as applications for demonstrator's license."

(4)

Amend Amendment No. 1 to Senate Bill 131 by striking out all words after the word "equivalent" in Sec. 11(c) of Section I.

(5)

Amend Amendment No. 1 to Senate Bill 131 by striking out the last two sentences of Sec. 13 of Section I.

(6)

Amend Amendment No. 1 to Senate Bill 131 by striking out the words "to issue nor" in the first sentence of Sec. 15 of Section I.

(7)

Amend Amendment No. 1 to Senate Bill 131 by adding Sec. 18(a) as follows:

"Nothing in this Act shall be construed so as to prevent bonafide salesmen from demonstrating any preparations herein referred to."

Question—Shall the amendments to the amendment be adopted?

Senator Morris moved to reconsider the vote by which the first amendment to the amendment by Senator Aikin, was adopted.

The motion to reconsider was lost by the following vote:

Yeas—13

Brown	Moffett
Bullock	Morris
Cousins	Parrish
Crawford	Phillips
Hazlewood	Stanford
Jones	York
Kelley of Hidalgo	

Nays—13

Aikin	Proffer
Carney	Ramsey
Hardeman	Strauss
Harris	Taylor
Kelly of Tarrant	Tynan
Knight	Winfield
Lane	

Absent—Excused

Chadick	Vick
Mauritz	Weinert

Question then recurring on the amendments to the amendment, they were severally adopted.

The amendment, as amended, was then adopted.

On motion of Senator Hazlewood and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

(Senator Aikin in the Chair.)

The bill was then passed to engrossment.

Committee Substitute Senate Bill 131 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be sus-

pended and that C. S. S. B. No. 131 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Absent—Excused

Chadick	Vick
Mauritz	Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Senator Hardeman offered the following amendment to the bill:

Amend amendment No. 1 to S. B. 131 by striking out Sec. 16 and inserting in lieu thereof as follows:

Sec. 16. If the board suspends, revokes, or refuses to issue or renew such certificate of registration or license at said hearing then such person may file suit to prevent same or to appeal from said order and shall be entitled to a trial de novo in the district court of the county in which the person whose certificate of registration or license resides. Any and all suits filed hereunder shall be filed within 20 days from the date of the order of said Board.

The amendment was adopted by the following vote:

Yeas—26

Aikin	Kelly of Tarrant
Brown	Knight
Bullock	Lane
Carney	Moffett
Cousins	Morris
Crawford	Parrish
Hardeman	Phillips
Harris	Proffer
Hazlewood	Ramsey
Jones	Stanford
Kelley of Hidalgo	Strauss
Taylor	Winfield
Tynan	York

Absent—Excused

Chadick	Vick
Mauritz	Weinert

C. S. S. B. No. 131 was then passed.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

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

H. C. R. No. 43, Providing for the appointment of certain persons to investigate and make recommendations to the Department of Agriculture and the Livestock Sanitary Commission relative to the prevention and spread of the Foot and Mouth Disease from Mexico into the State of Texas.

H. C. R. No. 88, Memorializing the Congress of the United States of America to propose an amendment to the Constitution of the United States relative to the personal right of the individual to work at a gainful occupation regardless of membership or non-membership in a labor union.

H. C. R. No. 90, Authorizing and directing the Board of Control to secure a certain hospital area for the State of Texas.

The House has adopted the Conference Committee Report on S. J. R. No. 4 by a vote of 110 yeas, 28 nays.

S. C. R. No. 30, Recalling S. B. No. 367 from the Governor's office for correction.

H. J. R. No. 24, Proposing an amendment to Section 1-a of Article VIII of the Constitution of Texas forbidding any ad valorem tax levy upon any property within this State for State purposes, with certain provisos.

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

Senate Bill 153 on Second Reading

Senator Ramsey moved to suspend the regular order of business to take up Senate Bill No. 153 for consideration at this time.

The motion prevailed by the following vote:

Yeas—24

Aikin	Lane
Brown	Moffett
Carney	Morris
Cousins	Parrish
Crawford	Phillips
Hardeman	Proffer
Harris	Ramsey
Hazlewood	Stanford
Jones	Strauss
Kelley of Hidalgo	Taylor
Kelly of Tarrant	Tynan
Knight	York

Nays—2

Bullock	Winfield

Absent—Excused

Chadick	Vick
Mauritz	Weinert

The Presiding Officer then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 153, A bill to be entitled "An Act to appropriate the sum of $26,106.66, or so much thereof as may be necessary, to pay the principal amount of the judgment rendered against the State of Texas in favor of J. I. Case Company, in cause No. 75,293, in the 98th District Court of Travis County, Texas, such judgment now being final; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 153 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 153 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Carney
Brown	Cousins
Bullock	Crawford
Hardeman	Parrish
Harris	Phillips
Hazlewood	Proffer
Jones	Ramsey
Kelley of Hidalgo	Stanford
Kelly of Tarrant	Strauss
Knight	Taylor
Lane	Tynan
Moffett	Winfield
Morris	York

Absent—Excused

Chadick	Vick
Mauritz	Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Cousins	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York
Lane	

Nays—1

Knight

Absent—Excused

Chadick	Vick
Mauritz	Weinert

(President pro tempore in the Chair.)

Senate Bill 253 on Second Reading

Senator Winfield moved to suspend the regular order of business to take up Senate Bill No. 253 for consideration at this time.

The motion prevailed by the following vote:

Yeas—24

Aikin	Hardeman
Brown	Harris
Bullock	Hazlewood
Carney	Jones
Cousins	Kelley of Hidalgo
Crawford	Kelly of Tarrant

Knight	Stanford
Moffett	Strauss
Parrish	Taylor
Phillips	Tynan
Proffer	Winfield
Ramsey	York

Nays—2

Lane	Morris

Absent—Excused

Chadick	Vick
Mauritz	Weinert

The Presiding Officer then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 253, A bill to be entitled "An Act making an appropriation of $7,748,30 to the College of Mines and Metallurgy, a branch of The University of Texas, at El Paso, Texas, for the purpose of constructing and equipping buildings and other permanent improvements at said College; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 253 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 253 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Absent—Excused

Chadick	Vick
Mauritz	Weinert

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Absent—Excused

Chadick	Vick
Mauritz	Weinert

Senate Bill 350 on Second Reading

Senator Cousins moved to suspend the regular order of business to take up Senate Bill No. 350 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Brown	Morris
Bullock	Parrish
Carney	Phillips
Cousins	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York
Lane	

Nays—3

Aikin	Moffett
Crawford	

Absent—Excused

Chadick	Vick
Mauritz	Weinert

The President pro tempore then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 350, A bill to be entitled "An Act appropriating the sum of $1,200.00 or so much as may be necessary to satisfy, according to the terms thereof, the judgment rendered against the State of Texas in favor

of A. M. H. Stark in Cause No. 8451 in the District Court of Orange County, Texas. Said judgment having become a final judgment; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Morris asked to be recorded as voting "nay" on the engrossment of the bill.

Senate Bill 350 on Third Reading

Senator Cousin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 350 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Brown	Lane
Bullock	Moffett
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Nays—2

Aikin	Morris

Absent—Excused

Chadick	Vick
Mauritz	Weinert

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—18

Brown	Phillips
Carney	Proffer
Cousins	Ramsey
Crawford	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Parrish	York

Nays—8

Aikin	Knight
Bullock	Lane
Hardeman	Moffett
Harris	Morris

Absent—Excused

Chadick	Vick
Mauritz	Weinert

Senate Bill 74 on Second Reading

Senator Kelley of Hidalgo moved to suspend the regular order of business to take up Senate Bill No 74 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Brown	Parrish
Bullock	Phillips
Carney	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Winfield
Knight	York

Nays—6

Aikin	Lane
Harris	Moffett
Kelly of Tarrant	Morris

Absent—Excused

Chadick	Vick
Mauritz	Weinert

The President pro tempore then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 74, A bill to be entitled "An Act granting aid to the property in and inhabitants of Hidalgo County, Texas, and to Hidalgo County made necessary by reason of its location on the Gulf Coast and by reason of calamitous overflows, floods, storms and freezes which cause great destruction of property and loss of life; remitting, releasing, granting and donating to the property in and inhabitants of said County and to Hidalgo County all State ad valorem taxes for general revenue purposes levied or to be levied on property in said county limiting the rolling stock of railroads and three-fourths of the State occupation taxes, for the years 1924 to 1958, both inclusive; provid-

ing that if any part of this Act be held unconstitutional it shall not affect any other part of this Act, and declaring an emergency."

The bill was read second time.

Senator Kelley of Hidalgo offered the following amendment to the bill:

Amend Senate Bill No. 74 by striking out all below enacting clause and substituting the following:

Section 1. That Section 3 of Chapter 401, Acts of the First Called Session of the Forty-fourth Legislature be and the same is hereby amended so as to hereafter read as follows:

Sec. 3. That all State ad valorem taxes for general revenue purposes levied or to be levied on the property in Hidalgo County, Texas, for the years 1935 to 1954, both inclusive, including the rolling stock of railroads, to be and the same are hereby remitted, released, granted and donated to the inhabitants of the property in Hidalgo County, Texas, and to Hidalgo County, Texas.

Sec. 2. That Section 4 of Chapter 401, Acts of the First Called Session of the Forty-fourth Legislature be and the same is hereby amended so as to hereafter read as follows:

Sec. 4. That three-fourths of the State occupation taxes levied or to be levied for the years 1935, to 1954, both inclusive, upon persons, firms, companies, and associations of persons doing business in the County of Hidalgo be and the same are hereby remitted and released, granted and donated to the inhabitants of and property in Hidalgo County, Texas, and to Hidalgo County, Texas.

Sec. 3. The fact that the inhabitants of Hidalgo County, and the owners of property in said County, have not as yet recovered from the disastrous results incident to the calamitous occurrences hereinbefore enumerated, 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 hereby suspended, and that this Act shall take effect and be in full force from and after its passage, and it is so enacted.

The amendment was adopted.

Senator Kelley of Hidalgo offered the following amendment to the bill:

Amend S. B. No. 74 by striking out all above the enacting clause and substituting the following:

A BILL

To Be Entitled

"An Act amending Section 3 and Section 4 of Chapter 401 of the Acts of the First Called Session of the Forty-fourth Legislature of the State of Texas, relating to the remission of certain taxes on all property in Hidalgo County by changing the period in said Act from the years 1935 to 1948, both inclusive, to the years 1935 to 1954, both inclusive, and declaring an emergency."

The amendment was adopted.

The bill was passed to engrossment.

Record of Votes

Senators Morris, Harris, Aikin and Kelly of Tarrant asked to be recorded as voting "nay" on the passage of the bill to engrossment.

Motion to Place Senate Bill 74 on Third Reading

Senator Kelley of Hidalgo moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 74 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—19

Brown	Parrish
Bullock	Phillips
Carney	Ramsey
Cousins	Stanford
Crawford	Strauss
Hardeman	Taylor
Hazlewood	Tynan
Jones	Winfield
Kelley of Hidalgo	York
Knight	

Nays—7

Aikin	Moffett
Harris	Morris
Kelly of Tarrant	Proffer
Lane	

Absent—Excused

Chadick	Vick
Mauritz	Weinert

House Concurrent Resolution 90

Senator York moved to suspend the regular order of business to take up

H. C. R. No. 90 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Brown	Parrish
Carney	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Winfield
Knight	York

Nays—5

Aikin	Moffett
Bullock	Morris
Lane	

Absent

Cousins

Absent—Excused

Chadick	Vick
Mauritz	Weinert

The President pro tempore then laid before the Senate for consideration at this time:

H. C. R. No. 90, To direct the Board of Control to secure Hospital area for the State of Texas.

The resolution was read second time.

Senator Taylor offered the following amendment to the resolution:

Amend H. C. R. No. 90 by striking out the words "and directed" in the resolving clause and amend the caption to conform.

The amendment was adopted.

The resolution was then adopted.

Senate Bill 401 on First Reading

By unanimous consent, the following local bill was introduced, read, and referred to the Committee on Counties and County Boundaries:

By Senator Stanford:

S. B. No. 401, A bill to be entitled "An Act authorizing the creation of the Llano County Independent School District: providing for petitions, order for elections and canvassing returns; defining who may vote; requiring metes and bounds; providing for the election of trustees, their duties and qualifications; providing for terms of office of trustees to fill vacancies at the next general election of trustees; providing for authority to hold tax elections; fixing tax rates; managing the schools; prescribing the method of taxation for maintenance and bonds until an equalized tax may be voted and bonds assumed; providing for the abolishment of the county board of trustees of Llano County; providing that the superintendent of Llano County Independent School District perform duties of ex officio county superintendent of schools and eliminating deduction from per capita apportionment for county administration; providing for payment for costs of elections, and declaring an emergency."

Motion to Adjourn

Senator Moffett moved that the Senate adjourn until 10:30 o'clock a. m., tomorrow.

Yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—13

Brown	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Kelly of Tarrant	Tynan
Lane	York
Moffett	

Nays—13

Aikin	Knight
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Hazlewood	Proffer
Jones	Winfield
Kelley of Hidalgo	

Absent—Excused

Chadick	Vick
Mauritz	Weinert

Senate Bill 120 on Second Reading

The President pro tempore laid before the Senate, as a special order for this hour, on its second reading and passage to engrossment:

S. B. No. 120, A bill to be entitled "An Act to amend Article 773, Revised Penal Code of 1925 of the State

of Texas, as amended by the Acts 1931, 42nd Leg., 2nd C. S., p. 18, ch. 10, Section 1, so as to re-enact Article 773 as amended, and, so as to make it unlawful for any physician, surgeon, chiropodist, masseur, optometrist, or any other person who practices medicine, optometry, or the art of healing the sick, with or without medicine, to advertise, circulate, or cause to be advertised or circulated, through the means hereinafter mentioned, any statement concerning himself or any other person who practices any one or more of the professions herein mentioned, containing any fact, information or belief as to any one or more of the skill, method of practice, professional superiority, performance of professional service in a superior manner, personal professional qualification, definite or indefinite fee, price, cut rate, bargain, special value, guarantee, legal consideration, comparative sale of professional service, free examination or other free professional service or material furnished, use of any superior quality medicine, material, appliance or device in the performance of professional service, or to be used or worn by any person or patient, and to make it unlawful for any person, firm or corporation to accept or agree to accept any payment, fee or reward, or anything of value, to circulate, advertise, or cause to be circulated or advertised, any statement in violation of this Act, providing that each act prohibited, and each payment, fee, reward, or anything of value paid, accepted or agreed to be paid or accepted, and that each day of such advertising or circulating or such conduct as herein prohibited, shall be a separate offense, providing a penalty for a violation of this Act, providing the manner and means by which such prohibited acts shall be restrained and enjoined, repealing Article 774, Revised Penal Code of 1925 of the State of Texas, as amended by the Acts of 1931, 42nd Leg., 2nd C. S., page 18, ch. 10, Section 2, repealing all laws and parts of law in conflict herewith, providing a saving clause; and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

Bill and Resolution Signed

The President pro tempore signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolution:

C. S. S. B. No. 36, "An Act amending Article 1583 of the Penal Code of Texas, 1925, by adding another article thereto to be designated 'Article 1583-2' providing for compensation for firemen and policemen in certain cities, and providing a penalty for city officials violating the provisions of this Act; repealing all laws in conflict herewith; providing a severability and saving clause; and declaring an emergency."

H. C. R. No. 85, Pertaining to annual musters of A. & M. College ex-students on San Jacinto Day.

House Bill and Resolutions on First Reading

The following House bill and resolutions received from the House today, were laid before the Senate, read first time, and referred to the committees indicated:

H. B. No. 42, to Committee on State Affairs.

H. C. R. No. 88, to Committee on Constitutional Amendments.

H. C. R. No. 43, to Committee on Stock and Stock Raising.

H. J. R. No. 24, to Committee on Constitutional Amendments.

Adjournment

Senator Moffett moved that the Senate adjourn until 10:30 o'clock a. m. tomorrow.

Yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—15

Brown	Moffett
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Kelly of Tarrant	Tynan
Knight	Winfield
Lane	

Nays—11

Aikin	Morris
Bullock	Parrish
Carney	Phillips
Hazlewood	Proffer
Jones	York
Kelley of Hidalgo	

Absent—Excused

Chadick	Vick
Mauritz	Weinert

The Senate, accordingly, at 1:15 o'clock p. m. adjourned until 10:30 o'clock a. m. tomorrow.

FIFTY-SIXTH DAY

(Wednesday, April 23, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Ramsey
Harris	Stanford
Hazlewood	Strauss
Jones	Taylor
Kelly of Tarrant	Tynan
Knight	Winfield

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Strauss, and by unanimuos consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

Leaves of Absence Granted

Senator Chadick was granted leave of absence for today on account of important business on motion of Senator Carney.

Senator Kelley of Hidalgo was granted leave of absence for today on account of important business on motion of Senator Kelly of Tarrant.

(President pro tempore in the Chair.)

Reports of Standing Committees

Senator Jones submitted the following reports:

Austin, Texas,
April 23, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill 401, instructs me to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 613, 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.

JONES, Chairman.

Senator Tynan submitted the following report:

Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred House Bill No. 40, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

TYNAN, Chairman.

Senator Bullock submitted the following report:

Austin, Texas,
April 22, 1947.

Hon. Allan Shivers, President of the Senate.

We, your Committee on Education, to whom was referred House Bill No. 788, 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.

BULLOCK, Chairman.

Senate Resolution 90

(Extending Good Wishes to Mrs. W. Lacy Stewart)

Senator Crawford offered the following resolution:

Whereas, Today the Senate of the Fiftieth Legislature of the State of Texas will have the pleasure of welcoming Mrs. W. Lacy Stewart to its membership; and

Whereas, The voters of the Sixteenth Senatorial District have selected Mrs. Stewart as their choice of a worthy successor to her husband,