

MESSAGE FROM THE GOVERNOR

Mr. Edward Clark, secretary to the Governor, appeared at the bar of the House, and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,

Austin, Texas, March 25, 1935.

To the House of Representatives of the Forty-fourth Legislature:

I am vetoing and returning herewith House Bill No. 81 because, according to the opinion of the Attorney General, it is clearly unconstitutional, and being in contravention of Section 56, Article III of the Constitution of Texas. In connection with this veto, I make the following statement:

The caption of said House Bill No. 81 reads:

"An Act extending and enlarging the territorial boundaries and corporate limits of the City of Texas City, so as to include within such boundaries and limits an uninhabited parcel of land owned by said city and contiguous to the present boundaries thereof, and declaring an emergency."

It is plainly evident that said House Bill No. 81 specifically deals with only one city in the State of Texas and that is the City of Texas City to which specific reference is made.

Section 56, Article III of the Constitution of Texas, reads in part as follows:

"The Legislature shall not, except as otherwise provided in this Constitution, pass any local or special law, authorizing: * * * Regulating the affairs of counties, cities, towns, wards, or school districts; * * *"

In response to a written request from me, the Attorney General has furnished me with a written opinion wherein he advises me that in his opinion House Bill No. 81 violates Section 56, Article III of the Constitution of Texas, citing City of Fort Worth vs. Bobbitt, Attorney General, 36 S. W. (2d) 470.

In view of the opinion of the Attorney General and the holding of the court in the above mentioned case, I am of the opinion that this bill is so clearly unconstitutional that it is my duty to veto same.

Respectfully submitted,

JAMES V. ALLRED,
Governor of Texas.

Mr. Leonard moved that the House, adjourn until 9:30 o'clock a. m., tomorrow.

Mr. James moved that the House, adjourn until 10 o'clock a. m., tomorrow.

Mr. Quinn moved that the House recess to 9 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Leonard, it was lost.

Question next recurring on the motion of Mr. James, it was lost.

Question recurring on the motion by Mr. Quinn, it was lost.

BILL LAID ON TABLE SUBJECT TO CALL

On motion of Mr. James, House Bill No. 137 was laid on the table subject to call.

RECESS

On motion of Mr. Keefe, the House, at 5:30 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolution as follows:

Appropriations: House Bills No. 731 and 739.

Claims and Accounts: House Bill No. 353.

Constitutional Amendments: Senate Joint Resolution No. 3.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, March 21, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 251, A bill to be entitled "An Act to amend Section 28, as heretofore amended by Chapter 5, page 6, of the Special Laws of the Regular Session of the Forty-third Legislature, of Chapter 5, page 14, of the Special Laws of the Regular Session of the Forty-second Legislature, of Chapter 36, page 359, of the Acts of the Thirty-first Legislature, approved March 15, 1909, entitled 'An Act to validate the Wichita Falls Independ-