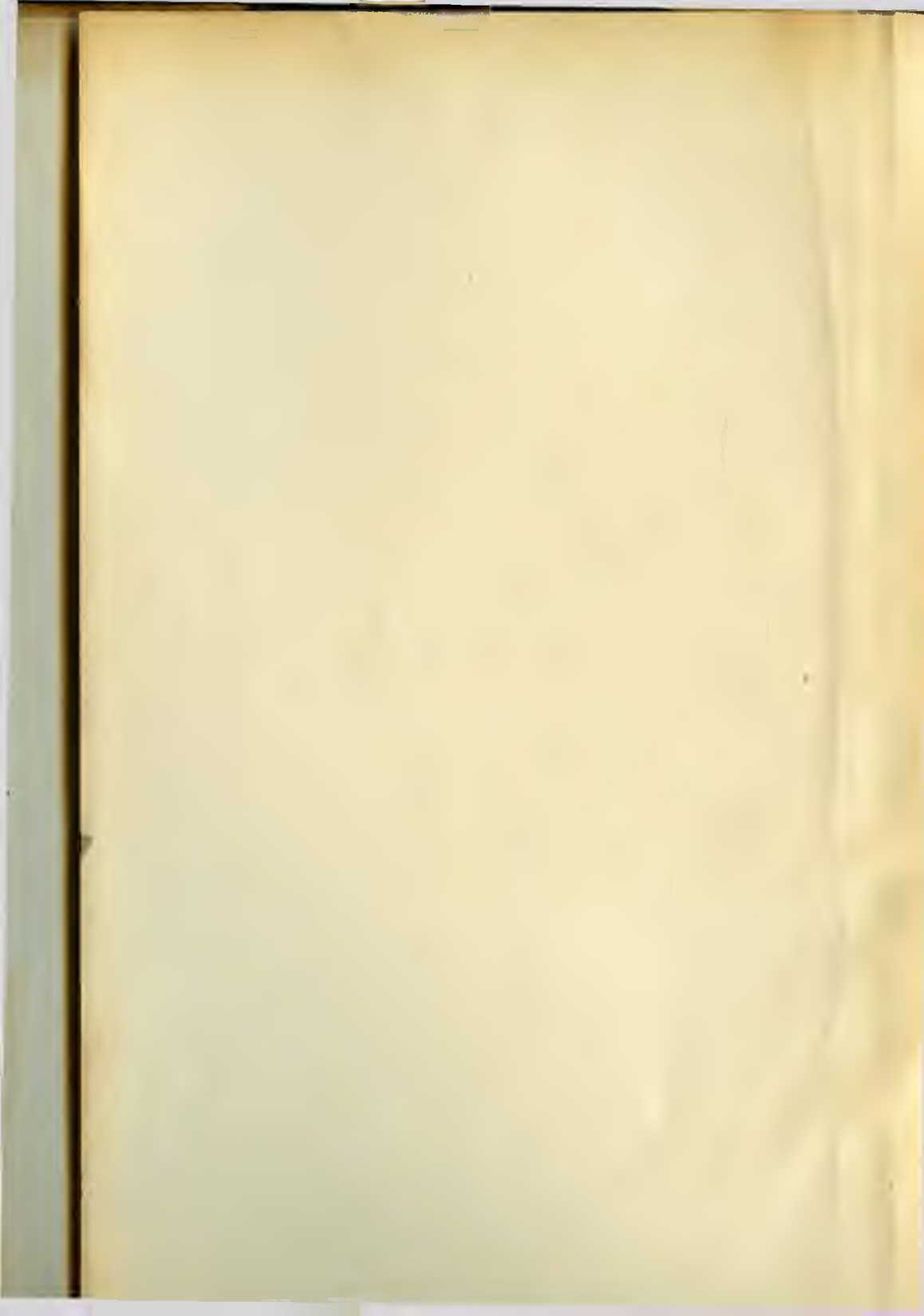


SENATE JOURNAL

REGULAR SESSION OF THE
Twelfth Legislature of Oklahoma
1929



JOURNAL
OF THE
SENATE
FOR THE
REGULAR SESSION
OF THE
TWELFTH LEGISLATURE
OF THE
State of Oklahoma



Tuesday, January 8, 1929, to Saturday, March 30, 1929

THE LEADER PRESS



OKLAHOMA CITY

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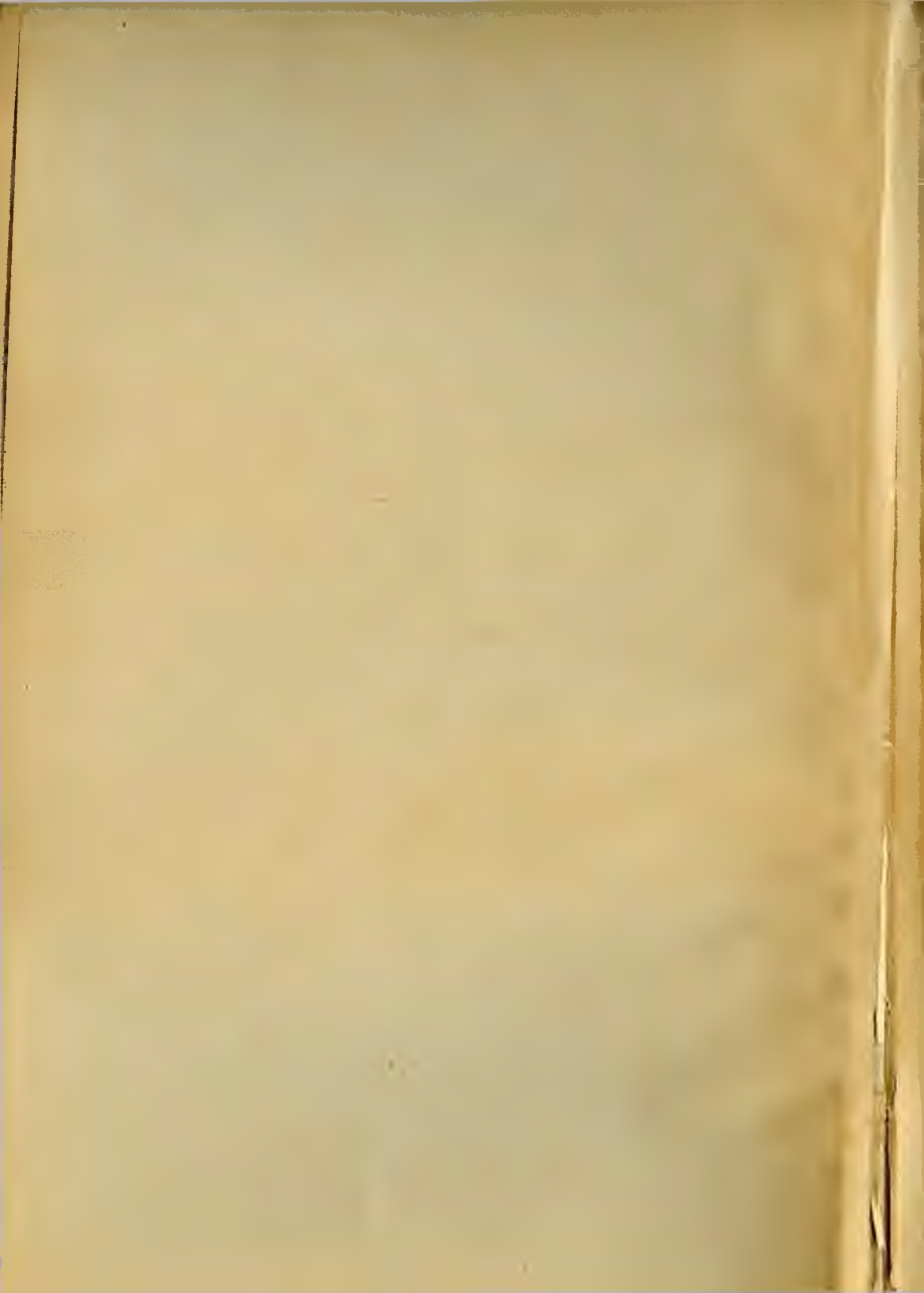
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MEMBERS OF THE SENATE

Dist.	Pol.	Counties	Address
1. Loofbourrow, Wade H.,	(D)	Beaver, Cimarron, Harper and Texas	Buffalo
2. Reed, E. M.,	(D)	Beckham, Dewey, Ellis, Roger Mills	Elk City
Moore, Alvin,	(D)	Beckham, Dewey, Ellis, Roger Mills	Cheyenne
3. Powers, D. H.,	(R)	Woods, Woodward	Freedom
4. Williams, W. M.,	(D)	Greer, Harmon	Mangum
5. Austin, W. C.,	(D)	Jackson, Tillman	Altus
6. Darnell, A. E.,	(D)	Custer, Kiowa, Washita	Clinton
Thomas, Grover,	(D)	Custer, Kiowa, Washita	Cordell
7. Hill, Ira A.,	(R)	Alfalfa, Major	Cherokee
8. Otjen, W. J.,	(R)	Garfield	Enid
9. Clark, W. T.,	(R)	Grant, Kay	Medford
10. Ferguson, Jo O.,	(R)	Noble, Pawnee	Pawnee
11. Johnson, Fletcher,	(D)	Creek, Payne	Bristow
12. Ewing, Amos A.,	(R)	Logan	Guthrie
13. Peck, Geo. D.,	(D)	Lincoln, Pottawatomie	Stroud
Johnson, Clarence	(R)	Lincoln, Pottawatomie	Macomb
14. Rice, John L.,	(D)	Canadian, Oklahoma	El Reno
Fidler, W. C.,	(D)	Canadian, Oklahoma	Okla. City
15. Gray, Gordon,	(D)	Caddo, Grady	Chickasha
Jolly, Harry,	(D)	Caddo, Grady	Carnegie
16. Kimerer, W. P.,	(R)	Blaine, Kingfisher	Dover
17. Storms, C. S.,	(D)	Comanche, Cotton, Jefferson, Stephens	Waurika
Boyer, Dave,	(D)	Comanche, Cotton, Jefferson, Stephens	Walters
18. Pullen, Jess L.,	(D)	Carter, Love Murray	Sulphur
Rexroat, U. T.,	(D)	Carter, Love Murray	Ardmore
19. George, E. V.,	(D)	Cleveland, Garvin McClain	Norman

	Williamson, Mac Q.,	(D)	Cleveland, Garvin McClain	Pauls Valley
20.	Nesbitt, J. N.,	(D)	Atoka, Bryan, Coal	Coalgate
	MacDonald, John A.,	(D)	Atoka, Bryan, Coal	Durant
21.	Harper, J. B.,	(D)	Latimer, LeFlore	Talihina
22.	Anglin, Tom,	(D)	Hughes, Okfuskee	Holdenville
23.	Smith, Lester E.,	(D)	Pontotoc, Seminole	Wewoka
24.	Stewart, Paul,	(D)	Choctaw, McCurtain, Pushmataha	Haworth
25.	Andrews, Guy L.,	(D)	Pittsburg	McAlester
26.	Ray, W. O.,	(D)	Johnston, Marshall	Tishomingo
27.	Gulager, W. M.	(D)	Haskell, McIntosh, Muskogee	Muskogee
	Stigler, W. G.,	(D)	Haskell, McIntosh, Muskogee	Stigler
28.	Patton, G. J.,	(R)	Adair, Sequoyah	Muldrow
29.	Wheatley, Richard L.,	(D)	Craig, Mayes	Vinita
30.	Commons, A. L.,	(D)	Cherokee, Delaware, Ottawa	Miami
31.	Terwilliger, C. H.,	(R)	Tulsa	Tulsa
32.	Blakely, T. T.,	(R)	Okmulgee, Wagoner	Okmulgee
33.	Graham, Gid,	(D)	Nowata, Rogers	Nowata
34.	Easter, A. C.,	(R)	Osage, Washington	Bartlesville



Senate Journal

REGULAR SESSION OF THE
TWELFTH LEGISLATURE
OF THE STATE OF OKLAHOMA

FIRST LEGISLATIVE DAY

TUESDAY, JANUARY 8TH, 1929

The Senate met at 12:00 o'clock, noon, and was called to order by the President, Lieutenant Governor W. J. Holloway.

The roll was called of the hold-over Senators, which resulted, as follows:

Present: Andrews, Austin, Clark, Darnell, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Loofbourrow, Nesbitt, Peck, Powers, Pullen, Reed, Rice, Smith, Storms, Terwilleger, Wheatley. Total, 22.

Upon motion of Senator Austin, a Credentials Committee of three, composed of Senators Darnell, Gulager and Powers, was appointed.

The Senate was declared at ease, pending the report of the Credentials Committee.

The Senate reassembled, with the President in the Chair.

Senator Darnell submitted the following Committee Report, which was adopted:

MR. PRESIDENT:

We, your Committee on Credentials, have the honor to report that we had under consideration the matter of the newly elected members of the Senate.

We find that the following are the duly elected Senators from the respective districts and that they are authorized and entitled to membership in the State Senate, upon taking the oath of office as provided by the Constitution of Oklahoma:

FROM THE:

- 2ND SENATORIAL DISTRICT—Alvin Moore
- 4TH SENATORIAL DISTRICT—H. D. Henry
- 6TH SENATORIAL DISTRICT—Grover Thomas
- 8TH SENATORIAL DISTRICT—William J. Otjen
- 10TH SENATORIAL DISTRICT—Jo O. Ferguson
- 12TH SENATORIAL DISTRICT—Amos A. Ewing
- 13TH SENATORIAL DISTRICT—Clarence Johnson
- 14TH SENATORIAL DISTRICT—W. C. Fidler
- 15TH SENATORIAL DISTRICT—Harry Jolly
- 16TH SENATORIAL DISTRICT—W. P. Kimerer
- 17TH SENATORIAL DISTRICT—Dave Boyer
- 18TH SENATORIAL DISTRICT—U. T. Rexroat
- 19TH SENATORIAL DISTRICT—Mac Q. Williamson
- 20TH SENATORIAL DISTRICT—John A. MacDonald

22ND SENATORIAL DISTRICT—Tom Anglin
24TH SENATORIAL DISTRICT—Paul Stewart
26TH SENATORIAL DISTRICT—W. O. Ray
27TH SENATORIAL DISTRICT—W. G. Stigler
28TH SENATORIAL DISTRICT—G. J. Patton
30TH SENATORIAL DISTRICT—A. L. Commons
32ND SENATORIAL DISTRICT—T. T. Blakely
34TH SENATORIAL DISTRICT—A. C. Easter

Respectfully submitted,

A. E. DARNELL
W. M. GULAGER
D. H. POWERS

Judge Thomas H. Doyle, of the Criminal Court of Appeals, administered the official oath of office to those of the newly elected Senators who were present, as shown by the following roll call:

Present: Anglin, Blakely, Boyer, Commons, Easter, Ewing, Ferguson, Fidler, Johnson (Pott.), Jolly, Kimerer, Moore, Otjen, Patton, Ray, Rexroat, Stewart, Stigler, Thomas, Williamson. Total, 20.

Absent: Henry, MacDonald. Total, 2.

Upon a roll call of the entire membership of the Senate the following were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray,

Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 42.

Absent: Henry, MacDonald. Total, 2.

The President announced a quorum present and the Senate duly organized.

Prayer was offered by Rev. Fisher, of Okemah, Oklahoma.

Upon motion of Senator Stewart, seconded by Senator Ferguson, the Senate proceeded with the matter of electing one of its members as President Pro Tempore.

Senator Austin placed before the Senate the nomination of Senator C. S. Storms, as President Pro Tempore.

Senator Hill placed before the Senate the nomination of Senator Jo O. Ferguson, as President Pro Tempore.

Prior to the announcement of the result of the following roll call, Senator Ferguson moved that the election of Senator Storms be made unanimous, which motion prevailed:

FOR STORMS: Andrews, Anglin, Austin, Boyer, Commons, Darnell, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Jolly, Loofbourrow, Moore, Nesbitt, Peck, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Thomas, Wheatley, Williamson.

FOR FERGUSON: Blakely, Clark, Easter, Ewing, Hill, Johnson (Pott.), Kimerer, Otjen, Patton, Powers, Storms, Terwilleger.

The President declared Senator Storms elected President Pro Tempore of the Senate.

Upon motion of Senator Stewart, a committee of three was appointed, composed of Senators Ferguson, George and Austin, to escort Senator Storms to the Chair, before assuming which the official oath was administered him by Judge Thomas H. Doyle, of the Criminal Court of Appeals.

The President introduced Senator Storms, who expressed deep appreciation for his election to the office of President Pro Tempore.

The President presiding.

Upon motion of Senator Stewart, the Senate Rules of the 11th Legislature were made the temporary Senate Rules for the 12th Legislature.

Upon motion of Senator Stewart, a committee of three, composed of Senators Rice, Ewing, and Graham, was appointed to notify the Governor that the Senate is organized and ready to transact business.

Upon motion of Senator Stewart, a committee of three, composed of Senators Smith, Kimerer and Jolly, was appointed by the President, to notify the Honorable House that the Senate is organized and ready to transact business.

Upon motion of Senator Stewart, a committee of three, composed of Senators Darnell, Thomas and Blakely was appointed as a Committee on Mileage.

Upon motion of Senator Stewart the Senate proceeded with the election of a temporary Secretary of the Senate, who should serve until a successor is elected.

Senator Stewart placed before the Senate the nomination of ex-Senator John E. Luttrell, of Norman.

Upon motion of Senator Ferguson, the election of Senator Luttrell, as Secretary of the Senate, was made unanimous.

Upon motion of Senator Stewart, a committee of four, composed of Senators Commons, Hill, Anglin and Rexroat, was appointed to escort the Secretary to the Chair, where Judge Thomas H. Doyle, of the Criminal Court of Appeals, administered the official oath.

Senator Smith, on behalf of the Committee appointed to notify the Honorable House that the Senate was organized and ready to transact business, reported the duty performed.

The report was received and the Committee discharged.

Upon motion of Senator Stewart, the election of a Sergeant-at-Arms was considered.

Senator Andrews placed before the Senate the nomination of Honorable Frank C. Carter, as Sergeant-at-Arms, his active duties not to begin until the termination of his present office of Corporation Commissioner, which motion prevailed.

Upon motion of Senator Stewart, the Senate proceeded with the choosing of permanent seats for this session, permitting the Chairman of the Democratic Caucus, the Chairman of the Republican Caucus, the President Pro Tempore and Chairman of the Appropriations Committee to first select their seats and setting aside the tier of seats on the north side of the Senate Chamber for the minority members.

Senator Graham, on behalf of the Committee appointed to notify the Governor that the Senate is organized and ready to transact business, reported the duty performed.

The report was received and the Committee discharged.

A Committee from the Honorable House, headed by Representative Kight, was received, who advised the Senate that the House is organized and ready to transact business.

Upon motion of Senator Stewart, the President appointed a committee of three, composed of Senators Harper, Pullen and Johnson (Pottawatomie), to advise the Honorable House that the Senate is ready to meet in Joint Session and suggests the hour of 2 o'clock p. m., be set aside for that purpose.

Senator Austin submitted the following Senate Resolution:

SENATE RESOLUTION NO. 1—By AUSTIN and DARNELL

A RESOLUTION OF RESPECT FOR AND IN MEMORY OF SENATOR H. D. HENRY.

BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA:

I.

That we express to the widow and relatives of Senator H. D. Henry, whose death at Rochester, Minnesota, is reported as of four o'clock a. m., this date, our sympathy in their bereavement.

II.

That we further express our appreciation for the personal life and for the integrity and ability of the Senator and note on the records of this body our sincere regret because of the loss of his counsel in our deliberations in the work of the Senate; that a copy of this resolution be spread upon our records and a copy forwarded to his widow.

Upon motion of Senator Austin, the rules were suspended and consideration given Senate Resolution No. 1.

Upon motion of Senator Austin, Senate Resolution No. 1 was adopted and referred to the Committee on Engrossed and Enrolled Bills for engrossment.

Senator Gulager moved that the President appoint a committee of seven or eight members of the Senate, to represent this Body at the funeral of Senator Henry, and that proper floral offering be sent.

The motion prevailed and the President requested time in which to appoint the Committee.

Senator Harper, on behalf of the Committee appointed to advise the House that the Senate was ready to meet in Joint Session and to suggest the hour of 2:00 o'clock p. m., for such purpose, reported the duty performed.

The report was received and Committee discharged.

The Senate was declared at ease until 1:55 o'clock p. m.

AFTERNOON SESSION

The Senate reassembled, at 1:55 o'clock p. m., and was called to order by the President.

Senator Otjen moved that, when the Senate does adjourn to-day, it adjourn until 1:30 o'clock p. m., Wednesday, January 9th, out of deference to Senators H. D. Henry and A. H. Culp, former members of the Senate, which motion prevailed.

Upon motion of Senator Stewart, the Senate recessed to meet at 3:00 o'clock p. m.

The Senate reassembled at 3:00 o'clock p. m., with the President presiding.

Senator Stewart moved that a Committee on Committees, composed of Senators Storms, Andrews, Harper, Peck, Williamson, Loofbourrow and Hill, be appointed, which motion prevailed.

Senator Stewart moved that a Committee on Employment, composed of Senators Wheatley, Smith, Johnson (Creek), Boyer, Darnell, Austin, Ray and Terwilleger, be appointed, which motion prevailed.

Upon motion of Senator Andrews, the Employment Committee was instructed not to employ any person to work or serve in the Senate who is related by birth or marriage to any officer or employee in the State Government, which motion was unanimously adopted.

Under Senate Joint Resolution No. 13, by Andrews, passed by the Eleventh Legislature, providing for a Board to revise and codify the Statutes of Oklahoma relating to Coal Mining and fixing their qualifications and compensation, making an appropriation therefor and declaring an emergency, the said Report was received by the Senate and ordered filed with the Secretary of the Senate.

Upon motion of Senator Stewart, the Senate adjourned to meet under the rules, out of respect to the memory of Senators H. D. Henry and A. H. Culp, former members of the Senate.

SECOND LEGISLATIVE DAY

WEDNESDAY, JANUARY 9TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson, (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 43.

Vacancy: Henry (Deceased).

The President announced a quorum present.

Prayer was offered by Rev. N. E. Mitchell, of Oklahoma City.

There being no corrections offered to the Senate Journal of the previous legislative day, President Holloway declared the Journal approved, as read.

Unanimous consent being granted, President Holloway announced unless corrections were offered to the daily Senate Journals, the readings thereof would be dispensed with and the Journals declared approved, from day to day.

A Committee, composed of Senators Otjen, Nesbitt and Johnson (Creek), was appointed by the President, to escort Senator John A. MacDonald to the rostrum, where Judge Thomas H. Doyle, of the Criminal Court of Appeals, administered to him the official oath of office, he having been absent on the first legislative day.

A Committee from the Honorable House, headed by Representative Cham Jones, was received, and announced that the House was ready to meet the Senate in Joint Session.

Upon motion of Senator Stewart, a committee of three was appointed, composed of Senators Stigler, Fidler and Easter, to notify the Honorable House that the Senate would be ready to meet in Joint Session at 2:00 o'clock p. m.

Upon motion of Senator Stewart, the election of a Chaplain was taken up for consideration.

Upon motion of Senator Stewart, Reverend N. E. Mitchell, of Oklahoma City, was elected as Chaplain of the Senate.

The Senate was declared at ease for 10 minutes.

The Senate reassembled, with the President presiding.

Senator Fidler, on behalf of the Committee, appointed to notify the Honorable House that the Senate would be ready to meet in Joint Session at 2:00 o'clock, p. m., reported the duty performed; and further reported that the hour of 2:00 o'clock, p. m., was satisfactory with the Honorable House.

The report was received and the Committee discharged.

The hour of 2:00 o'clock, p. m., having arrived the Senate repaired to the House Chamber, for the purpose of a Joint Session.

JOINT SESSION

The Senate and House of Representatives assembled in Joint Session, in the House Chamber, at 2:00 o'clock, p. m., for the purpose of canvassing the returns and publishing the results of the General Election, held throughout the State of Oklahoma, on the 6th day of November, 1928, as to State Officers, except members of the Legislature, and to receive the message of the Governor.

The President of the Senate presiding.

Upon a roll call of the Senate, the following were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 43.

Vacancy: Henry (Deceased).

The President of the Senate declared a quorum of the Senate present.

Upon a roll call of the House of Representatives, the following were present:

Present: Allen (Beaver-Harper), Allen (Washington), Belew, Black, Boydston, Briggs, Brown, Bunch, Butler, Byrum, Campbell, Carmack, Carmichael, Cartwright, Chambers, Chappell, Cloyd, Daniel, Dittmer, Dixon, Drake,

Dunning, Dyer, Eylar (Mrs.), Farr, Faulk, Ferguson, Fischl, Fry, Gibson, Graham, Harrower, Harvey, Head, Herschberger, Hester, Hines, Hoover, Houston, Howard, Hutchinson, Immell, Jacobs, Jones (Greer), Jones (Stephens), Keenan, Kenison, Kidd, Kight, King, Langley, Leecraft, Lester, Lewis, Logan, Lowrance, Lowry, McAdoo, McClintock, Marker, Matherly, Mauk, Maxwell, Mitchell, Moon, Street, Newberry, Noble, Odell, Orendorff, Orner, Owens, Parker, Patterson, Paul, Perryman, Phillips, Roe, Roper, Sams, Schlegel, Sears, Sherman, Skinner, Smith, Snoddy, Stanley, Stovall, Strickland, Thomas, Tillery, Trent, Wagner, Wasson, Watson, Webber, Whitaker, Whitt, Wimbish, Wilson, Mr. Speaker. Total, 101.

Absent: Babb, Barry, Busey. Total, 3.

The Speaker of the Honorable House declared a quorum of the House of Representatives present.

The President announced a quorum of both the Senate and House of Representatives present and the Joint Session duly organized, following which the Speaker of the House of Representatives proceeded to canvass the returns of the General Election, of November 6th, 1928, as certified to him by the Secretary of State, Honorable Graves Leeper, and published the same in the presence of a majority of each branch of the Legislature, assembled in Joint Session, as follows:

FOR U. S. REPRESENTATIVE,

Congressional District No. 1:

E. B. Howard	Dem	58,148
Charles O'Connor	Rep	63,641
Philip J. Dickerson	Soc	254

Charles O'Connor having received the highest number of votes cast for the office of U. S. Representative,

Congressional District No. 1, I, James C. Nance, Speaker of the House of Representatives, do declare the said Charles O'Connor duly elected to said office.

FOR U. S. REPRESENTATIVE,

Congressional District No. 2:

W. W. Hastings	Dem	31,287
E. L. Kirby	Rep	28,959
J. W. Moore	Soc	92

W. W. Hastings having received the highest number of votes cast for the office of U. S. Representative, Congressional District No. 2, I, James C. Nance, Speaker of the House of Representatives, do declare the said W. W. Hastings duly elected to said office.

FOR U. S. REPRESENTATIVE,

Congressional District No. 3:

Wilburn Cartwright	Dem	29,467
Robert N. Allen	Rep	21,804
Robert E. Lee	Soc	328

Wilburn Cartwright having received the highest number of votes cast for the office of U. S. Representative, Congressional District No. 3, I, James C. Nance, Speaker of the House of Representatives, do declare the said Wilburn Cartwright duly elected to said office.

FOR U. S. REPRESENTATIVE,

Congressional District No. 4:

Tom D. McKeown	Dem	37,191
Fred L. Patrick	Rep	36,151

L. A. Stanwood	Soc	223
C. M. Mills	FL	56

Tom D. McKeown having received the highest number of votes cast for the office of U. S. Representative, Congressional District No. 4, I, James C. Nance, Speaker of the House of Representatives, do declare the said Tom D. McKeown duly elected to said office.

FOR U. S. REPRESENTATIVE,

Congressional District No. 5:

F. B. Swank	Dem	42,856
U. S. Stone	Rep	44,814
Philip Kusler	Soc	361

U. S. Stone having received the highest number of votes cast for the office of U. S. Representative, Congressional District No. 5, I, James C. Nance, Speaker of the House of Representatives, do declare the said U. S. Stone duly elected to said office.

FOR U. S. REPRESENTATIVE,

Congressional District No. 6:

Jed Johnson	Dem	32,820
Walter C. Stevens	Rep	28,304
Joseph T. Dickerson	Soc	300
Otto Patzward	FL	82
Frank Dial	Ind	8

Jed Johnson having received the highest number of votes cast for the office of U. S. Representative, Congressional District No. 6, I, James C. Nance, Speaker of

the House of Representatives, do declare the said Jed Johnson duly elected to said office.

FOR U. S. REPRESENTATIVE,

Congressional District No. 7:

Jim V. McClintic	Dem	27,670
Walter S. Mills	Rep	21,758
W. L. Russell	Soc	381

Jim V. McClintic having received the highest number of votes cast for the office of U. S. Representative, Congressional District No. 7, I, James C. Nance, Speaker of the House of Representatives, do declare the said Jim V. McClintic duly elected to said office.

FOR U. S. REPRESENTATIVE,

Congressional District No. 8:

J. P. Battenberg	Dem	27,135
M. C. Garber	Rep	48,445
L. Dees	Soc	278
Anthony O'Brate	FL	61
Thomas P. Hopley	Ind	19
Dick J. Shive	Ind	19

M. C. Garber having received the highest number of votes cast for the office of U. S. Representative, Congressional District No. 8, I, James C. Nance, Speaker of the House of Representatives, do declare the said M. C. Garber duly elected to said office.

FOR CORPORATION COMMISSIONER,

Frank C. Carter	Dem	276,641
E. R. Hughes	Rep	294,283
Thomas L. Buie	Soc	3,174

E. R. Hughes having received the highest number of votes cast for the office of Corporation Commissioner, I, James C. Nance, Speaker of the House of Representatives, do declare the said E. R. Hughes duly elected to said office.

FOR JUDGE OF THE CRIMINAL COURT OF
APPEALS, Northern District

Thomas H. Doyle	Dem	285,366
Will H. Chappell	Rep	289,437

Will H. Chappell having received the highest number of votes cast for the office of Judge of the Criminal Court of Appeals, Northern District, I, James C. Nance, Speaker of the House of Representatives, do declare the said Will H. Chappell duly elected to said office.

FOR JUSTICE OF THE SUPREME COURT,

Third Supreme Court Judicial District:

James I. Phelps	Dem	283,144
James B. Cullison	Rep	284,214

James B. Cullison having received the highest number of votes cast for the office of Justice of the Supreme Court, Third Supreme Court Judicial District, I, James C. Nance, Speaker of the House of Representatives, do declare the said James B. Cullison duly elected to said office.

FOR JUSTICE OF THE SUPREME COURT,

Fourth Supreme Court Judicial District:

Jno. B. Harrison	Dem	260,919
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Charles Swindall	Rep	303,361
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Charles Swindall having received the highest number of votes cast for the office of Justice of the Supreme Court, Fourth Supreme Court Judicial District, I, James C. Nance, Speaker of the House of Representatives, do declare the said Charles Swindall duly elected to said office.

FOR JUSTICE OF THE SUPREME COURT,

Seventh Supreme Court Judicial District:

Fred P. Branson	Dem	235,026
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Thos. G. Andrews	Rep	331,927
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Thos. G. Andrews having received the highest number of votes cast for the office of Justice of the Supreme Court, Seventh Supreme Court Judicial District, I, James C. Nance, Speaker of the House of Representatives, do declare the said Thos. G. Andrews duly elected to said office.

Upon motion of Senator Stewart, the President of the Senate appointed Senators Reed, Rice and Clark, and the Speaker appointed Representatives Byrum, Stanley and Keenan, as a joint committee to notify the Governor that the Senate and House of Representatives were duly organized in Joint Session and ready to receive him and his message to the 12th Legislature.

The Joint Committee was instructed to escort the Governor to the Joint Assembly, at his convenience.

The following Resolution was submitted to the Joint

Session and, upon motion of Representative Graham, adopted:

JOINT SESSION RESOLUTION NO. 1—By MacDONALD, NESBITT (Senate) and LEECRAFT, SMITH (House).

A CONCURRENT RESOLUTION HONORING AND COMMENDING IRA C. EAKER, CAPTAIN, AIR SERVICE, UNITED STATES ARMY, AND HIS INTREPIDITY AND ABILITY EVIDENCED AS CHIEF PILOT OF THE UNITED STATES ARMY ENDURANCE FLIGHT PLANE, "QUESTION MARK."

WHEREAS, Ira C. Eaker, Captain, Air Service, United States Army, a native Oklahoman, and a former citizen of Durant and student of the Southeastern State Teachers' College, entered the army of the United States in the early part of 1917, since which time he has served with honor and ability that deserved for him promotion from the rank of Second Lieutenant to Captain; and

WHEREAS, Captain Ira C. Eaker was the chief pilot of the United States Army endurance flight plane, "Question Mark," which plane was designated by the Air Service of the Army of the United States for an endurance flight that resulted in breaking all previous records and in establishing the most historical and epoch-making record in the world's history of aviation by remaining in the air for 150 hours, 40 minutes and 15 seconds, under the chief pilotship of Captain Ira C. Eaker; and

WHEREAS, the said endurance flight and record established have presented to the aeronautical industry and to aviation in all of its phases revelations of a scientific and aeronautical nature that will prove to be of much

use and practical service to aviation in such a way as to insure its orderly advancement.

NOW, THEREFORE, BE IT RESOLVED BY THE JOINT ASSEMBLY OF THE LEGISLATURE OF OKLAHOMA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the State of Oklahoma extend to and does hereby transmit its heartfelt congratulations, appreciation and best wishes to Captain Ira C. Eaker for the distinguished services he has rendered to the army and to aviation, and the honors he has brought to himself, his Alma Mater and the State of Oklahoma.

The Committee, appointed to notify the Governor that the Joint Session was ready to receive him and his message, reported the duty performed and escorted Governor Johnston to the Speaker's desk, where he delivered the following address:

GOVERNOR JOHNSTON'S MESSAGE TO THE
TWELFTH LEGISLATURE OF THE
STATE OF OKLAHOMA

To the Joint Session and Fellow Citizens Assembled:

Section 3, of Article II, of the Constitution of the United States provides that the President:

"Shall from time to time give to Congress information as to the State of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient * * * "

In recognition of the peerless success of the Federal Constitutional model, most of the States of this Union

have adopted a like provision and in practice all follow the example.

In keeping with this honored and approved custom, the Oklahoma Constitution provides in Section 9 of Article VI:

“At every session of the Legislature, and immediately upon its organization, the Governor shall communicate by message, delivered to a joint session of the two Houses, upon the condition of the State; and shall recommend such matters to the Legislature as he shall judge expedient. He shall also transmit a copy to each House of the full report of each State officer and State commission.”

Obedient to this constitutional mandate and gladly embracing the opportunity to perform this public service I appear before you bringing greetings in the name of the State, and by this Message communicate to you upon the condition of our State and recommend for your consideration those matters which I judge expedient.

Upon your convocation and in preparation for your entrance into the solemn engagements with which your duties as officers vest you, let us first with adoration and gratitude for the abundant blessings of life invoke the guidance of Almighty God that our procedure may perpetuate to the people of our State the liberty they now enjoy and add to the peace, comfort and security of just and rightful government and operate to promote the welfare and happiness of our people and be a worthy example unto our posterity and reflect credit and honor upon that great nation of which our State is an integral and inseparable part.

INVESTIGATIONS

For many months, the public press and conversation

have been filled with rumors reflecting on many departments of government.

The public welfare would suffer by permitting these rumors to continue without verification or refutation.

This situation can be clarified only by a careful determination of the facts relating to such rumors. Such a determination has been placed in the hands of the Legislature, presumably composed of men free from attachments and obligations, and able to make a judicial inquiry into all the operations of all the departments of government.

I therefore recommend that the first activity of this session be a complete and thorough inquiry into the operations of all departments.

No charge or even rumor should be ignored. Such inquiry to be effective, should be conducted by committees composed of neither partisans nor enemies of the officers or departments investigated, and should be conducted openly, frankly and fearlessly to the end that any abuses actually existing may be eliminated, any officers guilty of misconduct in office be removed and punished, and all officers and departments found to be correctly and honorably functioning may receive the approval to which they are justly entitled.

The charges themselves are much less important than the uncertainty as to conduct of government created by them. It lies within your hands and your hands alone to eliminate this uncertainty and to secure fairness and justice for both the people of the State and those who have been charged with the administration of our Government.

Permit me to suggest one word of caution. There is a frequent tendency to take advantage of a general investigation in order to serve the personal purposes of malicious individuals, and to cause what should be a judicial inquiry to degenerate into a low type of persecution and muckraking. You should carefully guard your proceedings from this type of abuse, at the same time that you prevent friends of the accused from suppressing evidence or otherwise preventing a thorough-going search for the truth.

INITIATIVE AND REFERENDUM

Among the most precious provisions of the Oklahoma Constitution are the reservations of power which the people have retained in their own hands.

The electorate controls the elections and holds the power to change and amend the Constitution and to enact their laws thereunder.

Those who invoke its provisions are standing on sacred ground. The rights of the people, their confidence in government, the purity of public elections, the safety of the state are at issue each time this great fundamental power is invoked.

There is nothing so sacred but someone will pervert it to sordid uses; nothing so hallowed but someone will desecrate it.

In recent years abuses in the exercise of this power, and fraud, crookedness and venality have permeated numerous petitions. Organized forgery factories have operated to manufacture and create numerous counter-

feit but apparently genuine signatures. Hired agents would sit for hours writing names and addresses from a telephone directory, reducing the same to an apparent similitude of the genuine. Usually these things have been accomplished on a cash basis; one party would purchase, the other would forge and deliver. The money would pass and the signatures be exchanged for the price.

The greatest patriots on the payroll have been those who turned in the most forgeries, giving same more the appearance of being genuine. Fictitious circulators of petitions were created. Notaries public purported to take verifications from persons whom they did not see and solemnly and brazenly placed the jurat to common falsehood. Notaries made verifications for people who did not execute the petition.

In such cases perjury prevailed with as much brazen effrontery as the forgeries it was designed to cloak and serve. It is time to call a halt. I am now addressing the body of men who have the power to apply the remedy.

I call this to your attention that you may enact such remedial legislation as will eliminate the abuses that have grown up around this important function of government.

HIGHWAY DEPARTMENT

The method of financing the improvement of our state highway system, as provided by our present laws, is wrong in principle and has been productive of misunderstanding and needless friction. While it was the best that could be done at the time, perhaps, on account of the necessity for compromise between divergent opin-

ions and opposition to centralized authority, the fact is that it has proved to be wholly inadequate to meet the requirements and will result in postponing the completion of our highway system for twenty or twenty-five years unless radically amended.

A plan which contemplates that the State contribute funds only to those counties which supply a more or less equivalent amount, must necessarily fail to be satisfactory, for several reasons. It prevents the building of a continuous highway through the state unless and until all the counties along the route are able to and do actually provide their proportion of the expense. It invites the competition of counties for state aid far in advance of the state's ability to provide funds under the present revenue system. Nothing could result in more dissatisfaction and friction than such a plan of financing.

Furthermore, even in those counties which provide by bond issue or otherwise to meet state and federal aid, there are frequently local controversies which prevent the allocation of funds in accordance with a statewide policy and result in leaving gaps in routes of state and interstate importance until roads of more local significance are cared for. So long as the counties participate in paying for improvement of the state highways within their jurisdiction, they exercise a just right to participate in determining which of the state highways within their counties should first be given attention, their location and the type of construction.

Typical example of the local handicaps that the state has to contend with in constructing state highways with county aid may be cited in the case of Jefferson County where it was sought to improve U. S. Highway No. 81, traversing the county north and south. Prior to the call for a bond election an agreement was entered

into between the county commissioners and the highway commission whereby the state promised a dollar of state funds and a dollar of federal aid for each dollar supplied by the county from the proceeds of the proposed bond issue. The commissioners found later that it would be necessary, if the bonds were to be voted, to announce the exact location of U. S. Highway No. 81. Therefore, a map was prepared with written descriptions of the highways to be improved, and these were circulated freely among the voters. This, of course, was an undertaking to bind, through a local vote, both the state and federal governments as to exact location of the improvement, regardless of engineering problems and economy of construction.

After the bonds were voted, an engineer for the highway department, accompanied by one of the engineers from the U. S. Bureau of Public Roads, made a route inspection on U. S. Highway No. 81 through Jefferson County. It was revealed that the location specified in the bond advertising would cross the line of the Rock Island at grade three times north of Waurika, another railroad within the city of Waurika, at grade, and traverse a creek bottom, crossing at a point where at times the water overflows ten or twelve feet. The federal engineer declined to recommend this route. Another survey was made, however, which located a route that would touch or pass through all the towns named in the bond issue proceedings, would shorten the distance by three or four miles, cross the Rock Island but once, and then with an overpass, would avoid the menace to human life incident thereto, and result in a saving of at least \$200,000 in construction besides the continual saving in maintenance.

It became evident that, with the federal government refusing to participate in the cost of the route described

in the bond proceedings, the entire burden, except for the one-third supplied by the county, will have to be borne by the state if the route determined locally is followed. But the state could participate on a fifty-fifty basis with the federal government in building the highway on the shorter and safer route, give the county back its entire contribution, and save \$100,000 by the transaction. This is but one of many similar examples that might be cited.

Our financing system for completing the improvement of the present 6,281 miles of state highways, with provisions for reasonable additions in future, should eliminate the county aid feature with its participation in allocation of funds and determination of roads first to be improved. For, as a matter of reality, ours is a system of county aid for state highways rather than of state aid to county highways. The cart is before the horse.

State highways are designated by the state, to complete a system for accommodation of intrastate and interstate travel. They should be built by the state, with such help as may be afforded by the federal government on federal highways so designated. County participation, if any, should be gratuitous on these through highways, and in recognition of the local benefits to be derived. Most of the counties will have all they can do, reasonably, to improve and maintain the vast system of connecting roads which approximate ninety per cent of the road mileage in the state.

The present system for financing and building state roads became effective July 1, 1925. As far back as 1915, a law was passed creating a state highway department and providing for a commissioner; but no adequate system for raising funds for road building was included in the program, and the department had nothing to do but to supply

advice and engineering assistance to the counties. There was the provision, however, that a system of state highways should be evolved, by requiring such roads to meet at the various county lines. Meanwhile, the federal government authorized the "Federal Aid" plan, by which an amount was apportioned among the various states, contingent upon the state highway department supplying a proportionate amount for each state, respectively.

Before the Oklahoma Legislature could pass a resolution accepting the terms of the federal act, a considerable amount had accumulated to the credit of the state, and when this became available, together with some local funds provided, several hundred miles of gravel roads were built under the supervision of the department.

At a special session of the Legislature in 1924 a commission was established, consisting of three members, and a state fund was created for road construction into which was diverted 40 per cent of the automobile tax and $1\frac{1}{2}$ of the $2\frac{1}{2}$ cents per gallon tax on gasoline. In 1925 this was revised, so that the state received 40 per cent of the automobile tax and 2 cents of a 3-cent tax on gasoline. This was the beginning of a state highway fund, which during the first year produced about \$3,000,000.00 gross.

During the last calendar year, the income from these two sources amounted to, approximately, \$7,350,000.00. Federal aid allotted was \$1,750,000.00. This represented a total of \$9,100,000.00. From this must be deducted \$2,500,000.00 for maintenance of all state highways; \$900,000.00 for repairs and reconstruction of gravel roads, bridges, wash-outs, etc.; for equipment, administration, engineering, surveys, etc., \$600,000.00, including all departmental expense. This leaves \$5,100,000.00, in round numbers, for actual construction purposes. It is an amount wholly inadequate to meet the demands for grad-

ing and drainage, bridges, and hard surfacing of the state highways. These demands have reached more than three times this amount, and no highway department of any kind or character will ever be able to stretch a net revenue of \$5,100,000.00 into such a sum. This is a problem which the Legislature, alone responsible for the revenues, must solve.

Let us now consider the demands upon the department for funds:

Available records show that from 1910 up to the time that a state highways construction fund was established during the year 1924, when a total of \$25,254,000.00 in bonds for roads and bridges had been voted by the counties and townships of Oklahoma, to the beginning of 1927 there had been added \$4,322,000.00, all in round figures. This latter sum was asking for state and federal aid, and so was another and probably equal amount rising from surplus income in counties benefiting from oil and gas production. It not only absorbed the federal and state funds which were available, but involved commitments on the part of the highway department far in advance of the state's ability immediately to fulfill. These commitments were cumulative and were passed on to the present administration, and constituted an obligation of honor which we have assumed. Some of it has been met; the remainder must be.

But the year 1927, which was the first year of my responsibility as Governor of the State, proved to be a peak year for the voting of road bond issues. Piled upon the already outstanding commitments of the department, road bonds were authorized and approved in excess of \$8,000,000.00 by counties and townships, all asking for state and federal aid in the projects involved, at least to an equivalent amount and in many cases more. Augmenting this, a number of counties having a surplus of road

funds arising from oil and gas income, petitioned the department for state and federal aid. Such was the difficult problem which met the present highway commission, and it cannot be solved except through an act of the Legislature which will provide funds to meet all such demands.

At the beginning of 1927 and my administration, there were road improvement contracts outstanding and uncompleted to the amount of \$7,795,643.97. Commitments official but not contractual were of record which involved the expenditure of millions more. All these constituted an obligation of the state which could not in honor be evaded or modified. There were about \$2,000,000.00 in the treasury to the credit of the department. In the face of this, \$8,051,000 in local bonds were voted during the year with a view to having the amount matched, in equal or greater proportion, by the state; while counties which had previously voted bonds or provided by other means considerable sums for road construction were still knocking at the door for state aid. Manifestly, the state cannot spend more money than it has.

Augmenting the load for 1927, nearly twenty per cent was added to the state highway mileage; increasing the system from 5,187 miles on January 1, 1927, to 6,254 miles on January 1, 1928. This meant an additional twenty per cent in maintenance cost, to come out of the revenues for that year, and each year following. During 1928 another 27 miles were added to the system, bringing the present mileage requiring maintenance up to 6,281 miles.

On January 1, 1925, according to the department report of that date, the state highway mileage under maintenance of the department totaled 3,300 miles. It has been doubled in four years.

During the past two years the department has com-

pleted the contracts outstanding on January 1, 1927, in the amount of the \$7,795,643.97, in addition to which it has awarded contracts totaling in amount \$13,670,334.43, all for construction work. During the two years the construction has amounted to 280 miles of concrete, 116 miles of asphalt, 140 miles of gravel, 4 miles of brick, one-half mile of macadam, over 1,200 miles of grading and drainage which includes culverts, and also seventy-five bridges. This is approximately forty-five per cent increase over the actual construction of any previous biennium.

Under the system of county aid and local participation in financing as well as in locating and determining type of the improvement, these contracts have been scattered widely throughout the state and it has been impossible for the department to give proper regard to continuity or to major traffic requirements.

In 1927, for instance, the contracts awarded were distributed in 46 counties. Such a system, while it will eventually complete the state highways, is expensive because of scattered contracts, and is altogether undesirable in the matter of serving traffic.

The plain truth is this: The people along the entire state highway system are equally interested in surfacing the portion which traverses their respective communities; they all want their section completed first; they are willing to and frequently do provide their local share of the cost far in advance of the state's ability to provide its funds to match; and very naturally, they consider their particular fraction of the state road mileage as important as any other section of the system. With the state handicapped by limited funds, so that only a relatively small portion of the system can be improved each year, it is reasonable to assume that dissatisfaction will be developed. Nothing is blamable except the system of financing provided by our

state laws. I am asking you, as the law-making body, to supply the remedy.

No state has succeeded in building a connected system of state highways under a plan of co-operating with smaller units. It has been necessary to centralize and fix the responsibility, the funds, and the execution of the work. Yet, the proponents and advocates of the state system of highways in Oklahoma have had from the first to suffer the determined opposition of numerous local authorities, who have insisted upon a system of county roads rather than state highways. Every step which the state has taken toward a unified system under central direction has met stubborn opposition, as every one who has followed the development of road sentiment in this state knows. The existing patchwork plan, applied to improving state highways, is a result of this early and sustained fight on the part of many local authorities against surrendering any of their power even over roads that have been set aside for improvement by the state as best serving the people for inter-county and interstate traffic.

I know of no other way to remove the state system from the delays and annoyances that now encumber its progress than to sever the link now binding us to an archaic scheme that was outlawed with the coming of the automobile.

It has been quite unfortunate that in the enthusiasm for building good roads, and in the anxiety to accomplish the end more rapidly than the means permitted, pledges were entered into and commitments made which involved the state far beyond its financial provisions for the purpose. This practice seems to have originated with the establishment of the state highway fund under the 1924 law, while the returns from that law and the subsequent 1925 amendments were still uncertain. Once begun, it could not be discontinued without a show of favoritism.

The sum of these commitments in advance of revenues, still outstanding as an obligation of honor upon the state, is sufficient to absorb all the available funds of the department for several years to come, under the present system of financing.

It is not too much to say that with the present income of the highway commission it will require ten or twelve years to complete the agreements existing between the highway department and the various counties; and even then there would be no connected state system of highways, because of the scattered localities which these agreements affect.

For the purpose of elucidation let us examine a few instances in point:

Early in 1925 Grady County provided \$450,000.00 by bond issue to be used in road construction. An agreement was made by the county with the then highway commission by which eighty miles of state highways within the county were to be improved as follows: The county would contribute \$5,000.00 a mile, and the state would supply the remainder necessary to pave the eighty miles with a concrete slab. The cost of grading and drainage would approximately absorb the amount the county agreed to pay. There was left for the state an amount equal to the cost of bridges and of the concrete slab; so that while the county contributed \$400,000.00 the state was obligated to an amount of some \$2,250,000.00. Less than one-third of this work has been completed, the county bond money has been exhausted, and the balance of the full eighty miles will have to be done entirely by the state.

Stephens County, in 1924, voted \$800,000.00 for hard-surface roads. In April, 1926, an agreement was made with the highway commission whereby it was agreed that

the county funds would be matched dollar for dollar in the grading, bridging and paving of 95 miles of state highway within the county. Subsequently a purported oral agreement was made whereby the proceeds of bonds voted by three townships should be added to the local contribution, in which event the state would contribute dollar for dollar. In addition, when the local funds were expended, the state would proceed to complete the construction of all state highways in Stephens County, besides matching dollar for dollar. The situation is now that all of the county and township bond money has been exhausted, forty-eight miles of paving has been completed, and there are remaining forty-eight miles of graded road to be paved. This will involve an expenditure of more than \$1,000,000.00 by the State.

In Pontotoc County the agreement made in November, 1925, was to the effect that the state would make up a total of a million dollars, if the county would vote bonds and put up \$425,000.00 of this sum. The entire amount would not grade, bridge and pave more than a third of the state highway mileage within the county or less than half the 70 miles involved in the agreement. The county has, to date, turned over \$205,000 of the \$425,000 agreed to, as contracts were awarded.

In Pottawatomie County the commission agreed, in June, 1925, to match, 50-50, any funds turned over to the department from the proceeds of a bond issue for building state highways in that county; also, in addition, to provide funds equal to the amount required for their grading and drainage, estimated to be not less than \$350,000.00. Approximately 30 miles have been paved, and five additional miles graded, leaving a balance of 52 miles unimproved. It is estimated that the uncompleted obligations of the state, assuming that Pottawatomie County will continue to pay 50 per cent of the cost of

the state roads within its jurisdiction, will involve more than \$750,000.00.

In Lincoln County the commission agreed, in January, 1927, to hard surface all the state highway mileage in the county, if the county would make available \$900,000.00 from the proceeds of a bond issue. The county subsequently voted the bonds and fulfilled its part of the agreement, turning the money over to the department, and this money is being expended. The state's obligation will call for the expenditure of \$2,400,000.00 of state and federal aid funds.

Nowata County voted its bonds in 1924, and still has uncompleted agreements with the state which will require about \$150,000.00 of state funds.

Washita County arranged an agreement with the commission in November, 1926, and proceeded to vote bonds in the amount of \$800,000.00. Under the terms of this agreement the county is to contribute \$5,000.00 per mile toward the construction of sixteen miles of paved road on U. S. Highway No. 66 which must be met by about \$400,000.00 on the part of the state. Other obligations require \$800,000.00 more from state funds, making a total of \$1,200,000.00 state obligation.

In September, 1926, Canadian county agreed with the commission that \$500,000.00 of a contemplated bond issue of \$1,000,000.00 would be deposited with the State for its share of expense in improving the state highways within that county, totaling fifty-nine miles. The county is keeping its agreement, and work is now in progress; but at least \$1,000,000.00 of state and federal money will be required to finish the work.

In August, 1926, Noble county agreed to put up

\$450,000.00 from its bond money, the State to take this and furnish the remainder to build the seventy-seven miles of state road mileage in the county. The county contribution has been exhausted, and while considerable progress has been made in the building of these state roads, their completion with a hard surface as agreed will call for an additional \$900,000.00 on the part of the State.

An agreement with Payne County was made in September, 1926, for building the state highways in that county on a 50-50 basis. The county has advanced some \$250,000.00 more than its agreement calls for, to hasten completion of some of the principal mileage, which the state must pay back; and assuming that the remainder of this road improvement in the county is to be made on the equal basis agreed to, an additional \$900,000.00 will be required of the state. Payne County, however, will not have bond money available in the amount necessary to meet this \$900,000.00 to complete the system within its boundaries; so that the question will arise there, as it must in most of the other counties where these agreements have been entered into, whether unpaved gaps are to be left in the state highway system because of insufficient local funds to meet a share of the cost, or whether the state shall complete the state highway system, and if so, with what funds?

Caddo County voted \$1,225,000.00 in bonds, and agreed with the commission, in March, 1927, to deposit with the state \$750,000.00 of this sum as its share in the expense of grading, draining, bridging and light graveling of the 220 miles of state highway in that county. This was figured on the basis of the state putting up \$2.00 to the county \$1.00; but on account of the topography of the country, and the numerous bridges necessary, the completion of this agreement on the part of

the state will require more than \$2,000,000.00, which does not take into consideration any hard surface pavement which will be necessary on at least two of the main highways through the county.

These are given as examples of the type of agreement which has been entered into and which have unloaded obligations upon the highway commission which the limited revenues have been altogether inadequate to meet within the expected time. The revenues provided by the Legislature have never been sufficient to warrant all these agreements, specially if consideration is to be given in the least measure to other localities or to the completion of a connecting system. These counties have acted in good faith, however, and the agreements should be carried out, for which funds should be made available by this Legislature.

In addition to the instances above cited, similar agreements are in existence between the state and the counties of Pawnee, Beckham, Comanche, Grant, Oklahoma, Jefferson, Tillman, Jackson, Custer, Carter and Muskogee.

The above-mentioned counties are those which have voted bonds for the construction of state and county roads. There are many counties, however, which, through their gross production tax and from other sources of revenue, have been able to meet the state 50-50 on the construction of state roads in the respective counties without voting a bond issue. Kay, Osage and Seminole counties are three which have done and are doing a considerable amount of road work in that manner and paying one-half the cost of the state road construction undertaken. These counties are entitled to just as much consideration as those which have voted bonds. For example, Osage county in the past few years has deposited more

than \$800,000.00 county funds with the state as their share of state road construction. Kay County, in the past few years, has placed with the State Highway Commission \$1,377,000.00.

Consideration should also be given to the fact that many of the eastern counties in the past have voted their limit in bonds and that money has been spent in the construction of state roads. The increased amount of traffic which has multiplied several times, requires, from the standpoint of maintenance economy, that the cheaper types of surfacing be replaced with the pavement which will economically withstand present day traffic. Additional road mileage has had to be added to adequately serve this increased traffic. There are also counties of low valuation which are incapable of furnishing funds to help build the state roads within their borders and yet they frequently contain important links of interstate highways which the necessity of the entire state demands be improved. There is, therefore, real necessity for a certain amount of work to be done from year to year where county participation in the cost cannot be expected. Neither can the state afford to leave gaps in the cross state highways uncompleted when the county funds have been exhausted. The Federal Aid appropriation, which must be spent under the rules and regulations of the United States Department of Agriculture for construction only, amounts to \$1,750,000.00 per year. In the above discussion this is considered as a part of the State Highway Department's funds for road construction. After setting aside the minimum amount for maintenance, overhead and miscellaneous expenses, and including Federal Aid, the State Highway Commission will have a fund in 1929 of approximately \$7,000,000.00 to apply on construction and at the present rate of growth this will increase something less than 10% per year.

With such a fund there can be no thought of com-

pleting the state highway system, or even of building the portion of it already covered by obligations entered into with the scattered counties named, for a long time to come.

There are three alternatives before you:

First. Increase the revenues to a point sufficient to complete the system under the present pay-as-we-go plan within a reasonable time, with state funds supplemented by federal aid.

Second. Provide for submitting to the people a bond issue large enough to build the system speedily.

Third. Authorize the issuance of road improvement notes, drawn against future income from gasoline tax and automobile tax.

Now as to the first plan. It will be necessary to increase the current revenues at least two-fold in order to make the plan effective and relieve it from constant embarrassment through lack of funds to meet requirements. Fourteen states, including Oklahoma, collect a tax of 3 cents per gallon on gasoline; twelve states collect 4 cents, six states collect 5 cents, and one state collects 3½ cents. The present automobile tax appears to be reasonable, in the main; but some adjustments may be found advisable. Other proper sources of revenue may be drawn upon to supplement the fund, but this result should be accomplished without invading funds now assigned to the counties for county road purposes.

The second plan involves the submission of a bond issue to the voters of the State, in sufficient amount to complete the system as now laid out. This will require \$125,000,000.00 to \$150,000,000.00. Such bonds, if voted,

should be payable, together with the interest, out of a fund supplied by taxes levied on gasoline, motor vehicles, and such other proper subjects as may be included; but in no event should there be an ad valorem tax levied for this purpose. The issue should be sufficient to take up all unpaid county and other local bonds which have been issued to improve state highways within the respective counties.

The third plan is one which has been adopted by some of the states, and possesses excellent features. It is that of authorizing the issuance of highway improvement notes by the highway commission or whatever other agency may be established for that purpose, from time to time as required to supply needed funds for the construction of the state system; these notes to be secured by pledging the revenues accruing from future collections of gasoline and automobile tax and such other special taxes as may properly be placed in the fund for payment of these notes. This is a method by which future collections from these sources may be anticipated and used as needed for immediate construction of the system, instead of waiting for the collections to come in through a long period of years. It has the advantage of shortening the building period and giving the public the benefit of the improvement at an early date, applying the collections later to retiring the notes. It is the system which business men use in the course of their affairs. Under this plan, as in the bond plan, authorization should be made sufficient to take up the unpaid local obligations for state roads.

The first plan necessarily requires an increase in taxes or the resort to other fruitful sources of revenue.

Whatever plan may be adopted, the ad valorem taxpayers should be entirely relieved from any of the bur-

den. These state highways are being built for motor vehicle traffic, and it should contribute all the expense. It is the motor vehicle that depreciates and finally destroys the road, requiring its continued maintenance after being built; such vehicles pay no tax for any other purpose, not even for the public schools, and it is up to them to build and maintain these improved state highways. Development of this traffic in weight and speed is increasing the construction requirements as well as the cost of maintenance; and any modifications of the tax on motor vehicles should take this into consideration as well as the fact of the rapidly increasing use of the roads for commercial purposes.

As one of our great Presidents once remarked, we are confronted by a condition and not a theory. Quibbling, equivocation, nagging of public officials, backbiting and criticism will not answer the question here. No administration, no highway department, can build roads without funds available with which to build them.

To the Legislature is committed the responsibility for providing the ways and means for public improvements by the state. There is no more important matter to come before your present session than the task of making adequate provision for the unhampered and speedy completion of our state highway system, relieving it from the complications arising from mixed responsibilities, financial and others, and assuring the people of this State an early realization of their hope for a connected network of hard-surfaced roads.

I give you my assurance of co-operation in arriving at your solution of this great problem. All the information that I have, or that any department under my direction possesses, is at your disposal; and I earnestly hope that before you adjourn this session you will have pre-

sented to the State a constructive program which will prove an enduring monument to your wisdom.

CONVICT LABOR ON HIGHWAYS

We have for years employed convict labor on highways, but this has been limited to a few camps in some of the more difficult places of road building—more especially in the mountain districts. Nothing resembling system prevails.

Oklahoma needs the roads and must maintain her penal institutions. It is a matter of economy to bring these two great necessities together and cause one to supplement and relieve the other.

A higher and greater problem is the salvaging of humanity. We are wont to think of the criminal as being solely the architect of his own fortune. This is in part true, but only in part. Society, custom and condition have potent influence. The statistics of America prove beyond refutation that the more thoroughly wise and business-like is the industrial program and activity of the penal institution, the more reform it produces.

Chapter 843 of the Statutes and Amendments to the Codes for the State of California, Edition of 1921, contains a prison employment program which wrought magic in that state. Its distinct elements of service are road building, prison employment, reformation of the convicts and salvaging humanity. It is built on a wage system, caring for the dependents of prisoners, workmen's compensation, and enlisting the interest of each prisoner in preventing escapes.

Oklahoma is a favored state to work out such a sys-

tem. It means dollars saved to the taxpayers. Proper employment means roads constructed, bridges and culverts built, reformation of character, salvaging humanity, reduction of crime for the future, families relieved from distress and much industrial development for our state through hastening the completion of highways. I recommend that after giving careful study, not only to the California law, but to the methods and results of the administration of this system, that you work out and enact a statute carrying this plan into effect in our state.

PARDONS AND PAROLES

In the main, courts endeavor to do justice. Notwithstanding disparity in results, there is an abiding principle of right which ever prevails. The great human equation is always present, resulting in radical inequality and much injustice.

The ever-present safeguard of our nation against uprising among the people is the opportunity to be heard somewhere and to be heard again and again before some court, officer, board or commission.

It is because the exercise of executive clemency falls within the debated territory between justice and mercy, the contested line between the letter of the law and humanitarianism or in that field wherein reform and rehabilitation should supersede the ultimate fulfillment of the last need of the sentence of courts, and because an ultimate decision is a psychological concept or reaction within the breast of the executive, that governors, as others exercising the powers of clemency, not only frequently fall into error but usually give dissatisfaction because of being too harsh or too lax. They are almost universally misunderstood.

Every governor asks: "What does conscience say about this case? What should be done with this man and his family? What of his past? What of his future? What may or should I do that I may best serve my country and my God? Which way, the man or the court's decree?" Each case requires individual solution.

Applications for clemency occur from one-half dozen to ten or fifteen ordinarily, frequently twenty-five to thirty per day.

I am transmitting to you a compilation and report of the Pardon and Parole Office, setting out every case from January 10, 1927, to the night of December 25, 1928, wherein executive clemency or any other order affecting the status of convicted persons was rendered.

Temporary paroles were granted to one hundred and seventy-nine persons in the penitentiary and reformatory, twenty-eight from county jails. Owing to the fact that some were renewed, extended, or re-issued, the number of orders made was three hundred and twenty-five.

The foregoing is in full of all executive clemencies. All other orders were matters of executive details or administrative service or expiration pardons, commonly known as citizenship pardons. I have dealt with a convict population approximating 5,670.

The report contains no cases where clemency was denied. A summary of the result is as follows:

Pardons from state penitentiary.....	9
Pardons from reformatory.....	None
Pardons from training schools, etc.....	None

Paroles from state penitentiary.....	74
Paroles from reformatory.....	50
Paroles to persons not imprisoned.....	5
Paroles from county jails.....	15
Commutation of death sentence	1
Commutation—time reduction, penitentiary...	11
Commutation—time reduction, reformatory...	1
Commutation, jail sentence.....	2
Misdemeanor fine or cost remitted.....	11
Jail pardon	1

The above is a full list of all actual clemencies, except seven instances of leave of absence which by virtue of renewals savor of the nature of paroles.

In a few cases clemency has been granted because of special services rendered to the state.

Of the one hundred and thirty-nine paroles granted, the rendition of one hundred and twenty was in fact no clemency at all. In one hundred and twenty cases the good-time of the prisoner entitled him to be discharged in the near future, but by granting the parole we kept him under supervision during the unexpired part and as much longer as the executive should elect to hold the same over him.

In such cases should the convict violate the terms of his parole, violate the law, or give occasion therefor, he is immediately returnable to prison and must serve not only the balance of his sentence but that part also accredited and reduced by virtue of good behavior. This class of parole is in reality extension far beyond the

power of the state to obtain in any other way. The net result of the pardon and parole record is nine pardons and nineteen paroles, not based on the policy of extending state supervision, and in the nineteen cases, such policy prevails to a minor degree.

As to the one hundred and seventy-nine persons granted leave of absence, stays of execution or temporary paroles, all of which are in fact temporary paroles, and are herein, so stated, only three have defaulted in returning to prison on time.

Experience demonstrates that of all forms of executive clemency this is the fairest, which alleviates sad conditions, suffering and distress the most; and is the most rarely abused and has the greatest character-building value in the entire category.

A Supreme Court judge, attending strictly to the duties of his office does well to write a hundred opinions in a year, aided and assisted by full argument and briefs and the counsel of his fellows upon the bench.

No Constitution or legislative authority would impose the pardon and parole duties upon any judge or any other one man, and at the same time fail to provide more than one lone helper in the person of a master in chancery or a referee or a pardon officer, pardon or parole attorney, except such one man be the governor of the state.

This state has several hundred paroled persons who have by just and upright living, shown actual rehabilitation and return to good citizenship—yet they are not citizens and not voters. Many of them are fathers of children born since their parole; but this nightmare of youthful folly hangs over them. Some should have

executive clemency. I have neither the time nor machinery with which to make the investigation as to the cases in which the same should be granted. A few are leading exemplary lives in other states. In such cases, they are worse off than if they had served their time and received regular expiration pardons.

A few are in the prisons who, perhaps, should not have been convicted, but the state has no sufficient machinery or organization with which to act on such cases without dire hazard, or make needless mistakes. We have at least three or four hundred in the two prisons who are not of the professional criminal type and have genuinely reformed who perhaps should be paroled.

We need a board or tribunal; first, to sift the facts and learn the truth and become advised in the premises; to act as the eyes and ears and the fact-finder for the Governor. Second, to make a survey of those cases now at large and determine the ones that are leading a life of hypocrisy and should be returned to the institution; to discover those whose rehabilitation is such that they should be given their citizenship pardons. Third, to ascertain those cases wherein reformation and humanity should supersede the naked sentence of the law and liberate them upon parole for the purposes of more full restoration. Fourth, to survey the crimes committed by different convicts and ascertain the comparative severity as between different ones, to bring about at least a relative similarity or comparative degree of penalty where the facts fully justify.

I therefore recommend that an advisory pardon and parole board be established, providing for a clerk to keep a regular docket, providing that whenever application for clemency is made, for notice to be given to the county attorney and sheriff of the county where the crime was

committed, with a provision requiring the county attorney of such county to make a showing as the facts ascertainable by him appear to be just.

CRIMINAL LAW

OFFICIAL CORRUPTION; EMBEZZLEMENT

I recommend the amendment of the Statute of Limitations on crime providing that for the offense of accepting a bribe, or embezzlement or any other official corruption in office, that the Statute of Limitations shall not begin to run until the expiration of the term or terms of such officer and shall not begin to run until the perpetration of such offense is discovered by persons other than those interested in protecting the perpetrator, or having interest adverse to the prosecution thereof.

REFORMATION OF CRIMINAL CODE

We have an excellent criminal code and an excellent code of procedure, but it has some glaring defects and is capable of much improvement.

We are too lax in giving bond with too many straw bail escapes. A different rule should prevail in dealing with the professional criminal than with the ordinary convict. A man may commit a first or even a second offense, and be amenable to reform, but the punishment should be adjusted accordingly; and we should adopt the Habitual Offender Act now prevailing in some of our states.

Without going into detail, I recommend that you procure and study the recommendations of William Howard Taft, Chief Justice of the United States Supreme

Court, the different recommendations of the American Bar Association on crimes and punishments, and that you rewrite our criminal law and procedure act to substantially accord therewith, insofar as the same appertains to the vicious or professional criminal.

AGRICULTURE

Agriculture and stock raising, the greatest industries of the Mississippi Valley, are distinctly the great wealth producers of Oklahoma.

The revenues from the farms in 1927 aggregated more than \$520,000,000.00. The happiest feature of it all is that this wealth is spread out from north to south, from east to west, where its returns bless the whole state, and every city as well as country town exists and subsists thereby and therefrom.

The farm people are law-abiding, law-respecting, home-loving, industrious, virile and patriotic.

Much of the farm program is set out in various parts of this message, notably:

State aid for weak schools—

A better highway plan and program—

Sustaining the Corporation Commission battle for lower freight and express rates—

Lifting the burden of highway improvement from homes and other real estate and from personal property—

Conservation of forests, wild life and other natural resources—

Conservation of moisture; co-operation with the federal government in flood control, saving property and homes of riparian residents.

I further recommend that you provide for extending the activities of the market commission, and

That this Legislature launch a plan not only to disseminate information but to carry the Agricultural and Mechanical College to the farm.

Place the state actively, interestedly and financially in co-operation with livestock raisers, cotton growers, wheat growers, farmers' unions and other organizations in a defensive warfare against crop pests and in suppression of tuberculosis, anthrax and other deadly infections and contagions among domestic animals.

Soil conservation and restoration is not a matter of moment to the land owner alone; it is a public problem of the first magnitude. I suggest that you make possible co-operation of the state in a financial way in a broad program of terracing.

Varying soils and varying climatic conditions require different choice of crops and methods of cultivation for different sections of the state. The state has never fulfilled its full obligation in determining the crops nor the agricultural methods which are best suited to these varying sections. I recommend that you fully vitalize the provisions of the Constitution directing a soil survey to the end that the various agricultural agencies of the government may fully and correctly advise the farmers of the state in their personal and regional problems.

FLOOD CONTROL

The great Mississippi and Arkansas River disasters of 1927, covering and devastating approximately 12,575,000 acres of some of the best land in our country and playing havoc along the main channels, together with the floods along the Poteau, the Illinois, the Verdigris, the Canadian and Washita rivers, awakened the nation to the necessity of combating these floods at their source by the impounding of water.

A bloc of one hundred and twenty-five Congressmen and Senators in Washington determined that the Government should rescue or aid in rescuing all river inhabitants and riparian owners from a repetition of this great loss.

Five million dollars was appropriated last session of Congress and turned over to the use of the War Department for this purpose.

The stand Oklahoma has heretofore taken has put our State in the lead and on July 1st, 1928, the army engineers from the War Department entered Oklahoma to examine into what is known in Washington as "The Oklahoma Plan" of fighting the flood water menace.

Our Oklahoma Commission established some degree of co-operation with them and this is a gigantic movement which calls for genuine co-operation between the State and the Federal Government.

The next two years will be determining factors in this situation. It is important for Oklahoma to be among the first States to be recognized by the government and to constitute, if we may, the initial point for these great federal enterprises.

I therefore recommend to you the importance of fol-

lowing up our established organization by expanding same and providing sufficient appropriations for state and federal co-operation.

CONSERVATION OF NATURAL SCENERY, WILD LIFE, FORESTATION AND PARKS

Oklahoma is especially blessed with attractive scenery of natural beauty, but unless we embrace our present opportunities little will be left for the future general welfare and its enjoyment will be limited to persons of financial means.

Each biennium witnesses the rise in land values and the disappearance into permanent private ownership of vast tracts of desirable territory.

The good roads movement had its inception as a private enterprise, the public rendering an indifferent amount of help until an awakened and intelligent public sentiment resulted in a state and national movement.

Our country saw wild life fast disappearing when persons with varying motives stepped in to curtail the hunting privileges and to forestall wasteful and reckless destruction thereof.

The movement resulted in state and nation making it almost exclusively a public affair. In Oklahoma, the Game and Fish Department operates without a dollar's worth of expense to the State and has accomplished untold good.

Progressive and far-seeing persons conducted a campaign for the preservation of our forests. Eventually the salvation of these resources attracted the attention of both state and nation, with the result that

people generally are now interested in the preservation of forests and reforestation, and this is being accomplished through governmental agencies.

Many mountain states are engaged in preserving their natural scenery and thus are performing the noblest imaginable work for our age and the coming generation; and in addition this movement has great commercial value and significance.

Governor Pinchot of Pennsylvania states that out of eight hundred twenty-two million, two hundred thirty-eight thousand acres of virgin forests, less than one-eighth remains and the reason for the preservation of that one-eighth is largely due to governmental reservation; that the rest will be gone unless the state steps in to protect it. Thousands of acres of comparatively waste land in western Oklahoma could with small expense be seeded to forest trees. Their value would be to produce shade, cool the atmosphere, prevent hot winds, distribute the rainfall, fertilize the lands by leaf-mold and aid flood control by holding back the water in its rush to the rivers. Such forests would increase the supply of firewood and timber for posts and other uses, would give shelter to birds which destroy insects harmful to crops, and would make shelter for game birds and be of value in various other ways.

Much of this land already belongs to the state of Oklahoma and with the help of modern tractors it would not be difficult to seed such lands to various kinds of trees, including the valuable nut-bearing varieties.

Our neighboring states are engaged in a campaign of building upon the beauty of the natural scenery they possess. Constructing roadways and inducing

summer tourists to bring and leave much money as a result of their visits is one phase of development. Oklahoma should share the benefits by a like development and avoid the opprobrium of neglect which failure to provide accessibility will engender. With land values at this time reasonable and yet with a fixed certainty that they will rapidly advance, some far-seeing persons, notably the Eastern Oklahoma Playgrounds Association, have preserved and developed their "hills with a million thrills" and other health resorts of our state. In other places private enterprises maintain some semblance of an opportunity to "go back to nature."

I recommend that the Game and Fish Commission be given jurisdiction to act as a Forest and Park Commission for the purpose of aiding in the preservation of our available beauty spots, purchase the lands desirable therefor, establish thereon places of rest and refreshment for ourselves and future generations.

This need cost but little for the initial purchase price and its uses and enjoyments may be planned on a basis similar to that of the State Game and Fish Commission by providing a small license fee for the privilege of its use, being officered and maintained and patrolled in like manner as the game rangers now patrol the state for the preservation of wild life.

I recommend the fullest co-operation with the plan of the Federal Forestry Commission in developing the conservation of the forests and reforestation wherever necessary.

Whatever the policy for the preservation of this beauty may be, I urge upon you now to take the needful steps to secure parks and outdoor privileges reasonably accessible to all the people of the State.

EDUCATION

DEPARTMENT OF VOCATIONAL EDUCATION

The Sixth Legislature accepted the provision of the Federal Vocational Education Act by providing for the Board of Vocational Education and making appropriation to meet the Federal funds. The Tenth Legislature also accepted the provision of the Federal Civilian Rehabilitation Act, placing this under the State Board of Vocational Education. This department has rendered a service by providing courses in Agriculture, Trades and Industries, Home Economics, and civilian rehabilitation relief to the physically defective throughout the State.

The State Board of Vocational Education consists of the State Superintendent of Public Instruction, President of the Board of Agriculture, President of the State University, President of A. & M. College and one member appointed by the Governor, with the consent of the Senate, who is Secretary to the Board.

The State Department of Vocational Education deals primarily with secondary education, and as the State Department of Education is already charged with the direct supervision of the schools, it appears in the interest of economy and efficiency, to eliminate the overlapping duties, and that this department should be placed directly under the supervision of the State Superintendent and State Board of Education. This would combine all the educational activities of the State into one general department.

STATE AID TO WEAK SCHOOLS

Theoretically, Oklahoma makes equal provision for the education of all of her children. Actually, there is

the greatest variance in the facilities afforded by the different districts in the State.

The Constitution provides for a maximum levy of fifteen mills, when this amount is authorized by a vote of the people of the interested district. That this levy is insufficient, in hundreds of cases, to meet legitimate needs is evidenced by the necessity for financial assistance from the State in the cases of 1405 districts. On the other hand, there are many districts in the State which have an abundance of funds from a very small levy, or even no ad valorem levy at all.

These inequalities may be expressed in several other ways. One of the most common methods of making comparisons is by means of the taxable wealth for each child in the district. Records in the office of the State Superintendent show that four counties in the State have an assessed valuation of less than \$900.00 for each child residing therein while the wealth in three other counties is more than \$5,000.00 per child. The valuation of individual rural school districts, outside the cities, ranges from \$13,000.00 to \$7,000,000.00. Frequently the differences among districts within a county are as great as those among the counties themselves. An extreme case in point is: A certain rural district in Lincoln County has one-fourth of the total taxable wealth of the county. While the per capita cost of maintaining schools is not always a true index to the wealth of said districts, it is worthy of note that the schools in a number of districts in Oklahoma are maintained on a per capita cost of less than \$20.00, and in another case the per capita cost was, according to the annual report, \$641.00.

The average annual salary of teachers ranges from \$547.00 in one county to \$2,027.00 in another county

within the State. Such differences naturally make for a wide difference in the qualifications of teachers employed and indirectly affect the standards of the schools where such diversity exists.

The distribution of the State Aid Fund of \$1,500,000 has done much to alleviate the wretched condition of many rural schools in Oklahoma. This fund, however, provides an amount sufficient to aid weak districts to an average maximum figure of less than \$40.00 per child, based upon average daily attendance. When attention is called to the fact that the average for all schools in the State is \$64.00 and for the nation \$94.00, the inadequacy of the fund is immediately apparent. The comparisons made above include the money provided from this Weak School Aid Fund.

Since wealth tends to become concentrated in certain localities, the foregoing condition will be more acute than at present. This Legislature should make provision for a careful survey of the present situation, upon the basis of which such remedial legislation may later be passed, that all the schools can be supported in keeping with the needs of a rapidly growing State.

The school districts affected under the present district system are putting forth every effort possible and the only relief can come through legislation. The Legislature can, therefore, well devote its time and attention to the study of a plan to provide the necessary support from sources other than ad valorem tax under the district system and a more equitable method of distribution. During the time of this survey I urge you to provide support for the public schools as liberally as the revenues of the State will permit, that Oklahoma may actually offer as nearly equal educational opportunity to all of the children in the State as possible.

JUNIOR COLLEGE EDUCATION

Oklahoma has thirty thousand in attendance upon her colleges with nearly every college crowded to capacity, many overcrowded. There is urgent necessity to relieve this condition. There are thousands entitled to and desirous of entering college but who are unable to do so. Many more such students, having acquired the first two years at home, could arrange to finance themselves for their remaining two years of a college course.

Boys and girls are graduating from high school at fifteen, sixteen and seventeen years of age. Such students should remain in the environment of home and of parental care. Turning them from the home surroundings with its shelter and the confidences of parents and the association with the family, implants in them a laxness of loyalty to the home which registers in its social effects later in life, and accounts in a large measure for the rapidly changing attitude of our people toward the family and the family relationship.

The junior college movement has come into prominence within the last 10 to 12 years to relieve crowded college conditions. A much greater need is to provide for education in the home community in proximity to the family. I urge upon you now to pass appropriate legislation authorizing junior college instruction within high schools of specified standing in the state.

CRIPPLED CHILDREN

When the Eleventh Legislature made an appropriation for a Crippled Children's Hospital to be located on the grounds of the University Hospital, it was intended to provide accommodations for one hundred children.

The building was erected and the one hundred beds were provided, but the space inclosed and a part of the interior construction is sufficient for one hundred additional beds.

The State cannot engage in any more commendable undertaking than the salvaging of unfortunate children and making of them, happy, self-sustaining units of society.

A campaign of instruction and help on the part of three or four counties has brought to light many cases of malformation, facial and body deformity that could easily be remedied, and it is the duty of the State to enlighten all its people as to the accessibility of relief and to provide the means for its effectual accomplishment.

At this time all of the one hundred beds provided for by the Legislature are occupied and many other children are in the University Hospital.

I urge you to meet this need:

First, by making a sufficient appropriation to finish the extensions and provide the equipment for the building.

Second, by providing a means for taking an intelligent census of the defective children in the several counties of the State who are susceptible of improvement.

Third, provide adequate means to bring to the parents of such children that knowledge of the opportunities offered by the State, and that conviction of duty which will induce them to secure benefits for their children.

MEMORIAL BUILDING

By reason of the increase in population of our State and its consequent growth and development, the labor of the several commissions and departments has so greatly increased that the housing and accommodations provided for the public's business are entirely inadequate.

It is necessary to provide for this expansion and such provision should be so made that it will not separate related branches of state business nor remove one so far from the other as to necessitate the sacrifice of time of state officers and employees in making the journey from one department to the other.

I recommend the erection of a Memorial Building which shall have for its primary purpose the commemoration of the valor and honoring the names of American soldiers and sailors of all our wars, and more especially those of the World's Great War of 1914-1918.

In this building, provision should be made for quarters for the Oklahoma Historical Society with its priceless records and archives and for the Grand Army of the Republic, the Confederate Veterans, the American Legion, the Spanish-American War Veterans, and also to care for the trophies, relics, memorials and keepsakes belonging to these organizations and to the State, and for property which may be placed in its custody by the government or by patriotic individuals.

The appropriation and the building, if limited to the uses stated, would not be of size and dignity in conformity with its real intendment, but if other governmental uses are associated therewith, the total will justify a building of character and size appropriate to the dignity of the state.

My recommendation, therefore, is that in this building provision also be made for such other boards or commissions as may seem meet and proper in the premises.

STREET PAVING

PAVING

Under our present law, the cost of paving the streets falls on adjacent property owners. Paving, like other public improvement, is primarily a public service. Much injustice prevails in requiring property owners to pay the entire cost of street paving, more particularly that of the street intersections. There is a public use represented here wherein a per cent of the paving cost should be borne as a public charge. I recommend that the statute on city paving be amended to make proper provision to remedy this condition.

EPILEPSY PATIENTS

Doctors note a difference between insanity and epilepsy and feeble-mindedness, but for some reason, in practice, the two are intermingled in our various institutions.

We have two hundred epileptics in our Feeble Minded Institution and three hundred in the three Insane Asylums.

The epileptics need the outdoors and plenty of space. They are unsafe around factories and high-powered machinery, and while they can handle simple machinery it should be such as not to endanger them when unexpected collapses occur.

Suitable provision should be made for segregation either at one of these institutions or at some other to treat these people for the thing which ails them and to keep them separate from the feeble minded and the insane.

My purpose is not to create a new institution but to point out the harsh injustice with reference to this class of unfortunates and to urge upon you the importance of its proper solution.

CORPORATION COMMISSION

While the Corporation Commission has recently been the object of much attack from those who would cripple or abolish it, and while it may not be performing all the service for which it was planned, to those who remember conditions prevailing before it was created, a return to former conditions is unthinkable.

The Corporation Commission has saved much to the shippers and consumers of Oklahoma on the rates on freight and express within the state. Individual shippers who are not organized or are too poor or too weak to conduct freight rate fights before the Interstate Commerce Commission would be utterly helpless, were it not for the Corporation Commission of Oklahoma, which takes up their fight, appears before the Interstate Commerce Commission in behalf of all Oklahoma.

In the matter of shipments beyond the boundaries of the State, the farmers and other producers of Oklahoma have no other agency upon which to depend.

The Corporation Commission is now conducting three great fights in the interest of the shippers:

First, that for the reduction of freight rates on wheat.

Second, the reduction of freight rates on cotton.

Third, the rate on fruit, vegetables and garden products.

While there may be some functions of the Corporation Commission which are too extensive and some which should be curtailed, I especially warn you against doing so with a ruthless hand and urge that you appropriate to the uses of the Commission money enough to pay the cost and expenses of the freight and express rate litigation now in its charge.

May we not profit by the example of our Government?

BANK GUARANTY FUND

Following statehood for a period of about ten or twelve years, the banks of the state operated under what was commonly known as the Depositors' Guaranty Law. Because of numerous bank failures occurring in the years 1921 and 1922, it was deemed advisable in the course of the administration to change the policy, and in an effort to assist several weak banks that were showing signs of failure, to allow them to pay up guaranty fund assessments by promises in lieu of cash, and numerous other changes were made, including a modification of the order of claims against the fund.

In the course of time, the claims against the fund pyramided until to assess the banks to make cash payments would have been a staggering blow to the finan-

cial welfare of our state. Therefore in March, 1923, the Legislature repealed the law. There were about three million dollars in assets, consisting of real estate, notes, stockholders' liability and cash in this fund. Against the same was a heavy liability to depositors, including three classes of claims.

For practically six years this fund has been carried in this form and everyone in charge has been timorous and doubtful as to the course to pursue, and unwilling to take anything resembling decisive action without appropriate legislation on the same. You can well understand that the Bank Commissioner or other administrative officers should not take the risk of determining the same for himself and paying out the money on his own unsupported opinion.

In this form the fund has been held away from active participation in business. There is no advantage to the state, to any officer or creditor, in holding the fund in this condition. There is a decided handicap and loss in holding this enormous sum in idleness rather than releasing it to the people who are entitled to receive the same, and place it again in the channels of business.

I recommend that you pass proper legislation authorizing the determination of the rights and priorities of all claimants to said funds, and provide for the disbursement of the same.

TAXATION

TAX COMMISSION

The Constitution of the State of Oklahoma has given the Legislature great latitude in dealing with the

matter of taxation. But few limitations are found therein. It is the mature judgment of those who have made a life study of taxation, both from the standpoint of those who administer the laws governing the raising of revenues, as well as those who are taxed to meet the expenditures of government, that in the place of a state commission composed of state officers who have many other duties to perform and their work on such commission being secondary, there should be created a State Tax Commission who should be constantly in session, with the same powers and duties as are now given to our present state taxing board.

To accomplish this idea in Oklahoma, it would necessitate an amendment to the Constitution. We may, however, under the terms of our Constitution, create a tax commission by legislative enactment, clothed with sufficient authority to arrive at a just and equalized value of all property in the state, subject to taxation, subject of course to review and approval of the State Board of Equalization.

It is a well-known fact that in Oklahoma, millions and millions of taxable property is either not on the tax rolls or if on the rolls, at a very ridiculous value. Appropriations are growing by leaps and bounds. Additional values must be discovered.

To expect the Governor, the Attorney General, the Secretary of State, the State Treasurer, the State Auditor, the Examiner and Inspector, and the President of the Board of Agriculture to attend to their regular duties prescribed by law and at the same time assess all the public service properties justly, properly, and fairly equalize valuations as between counties, with satisfactory results, is expecting the impossible.

Our State Board of Equalization has neither the

time nor the experience necessary to cope with the problem, while a State Tax Commission, if composed of men who have had years of experience in tax matters, who know valuation, who can analyze balance sheets and who are in session from January to December, is bound to accomplish results so great that a more extensive program relative to our common school relief would soon obtain. My two years' experience on the State Board of Equalization leads me to recommend to you the creation of a Tax Commission composed of tax experts.

EXEMPTION FOR HEAD OF FAMILY AND MINOR CHILDREN

The present law in Oklahoma provides for \$100.00 tax exemption for the head of every family.

If a man is rich enough to pay income tax, he is allowed his personal exemption and in addition an exemption for each minor child.

I recommend that you amend our tax exemption law by providing for an additional exemption of fifty dollars for each minor child. In this respect, follow the provisions of the income tax law. In other words, treat the poor man as well as you do his more fortunate brother.

GROSS PRODUCTION TAX

Governmental benefits cannot be equal. They are determined by the status of the receiver, and are graduated not only so much per capita but so much per capita plus the station, wealth and activities of the persons, the business and the organizations and the property accumulations controlled or represented. No tax nor system of taxation is just which ignores or over-

looks this fact. Just taxes are graduated to the condition of the taxpayer.

Graduated inheritance taxes and graduated income taxes have become an accepted principle in the governmental functions of our country.

The gross production tax on oil and minerals in Oklahoma has missed this fundamental. It is now a blanket tax and falls on all alike; the one who has a mere showing of production, either oil or mineral, pays the same rate of taxes as the one who receives thousands of dollars per day.

If it is the disposition of the Legislature to modify the gross production tax law, I recommend the lifting of the chief weight of the burden from the small producer and small royalty owner and the adoption of the graduated tax theory by graduating and placing the chief burden on flush production and those persons and companies accumulating millions of dollars during the happy days of exhausting the natural resources of the State.

PROHIBITION

STATE AND FEDERAL CO-OPERATION

I recommend that this Legislature memorialize Congress to improve and extend prohibition enforcement activities of the government by:

FIRST: Increasing the appropriation by adding thereto an amount at least equal to the cost of one first-class battleship per year;

SECOND: Increasing the official forces directly acting thereon;

THIRD: Providing a number of junior federal judges with definite expiration tenure whose business shall be to handle only prohibition and minor criminal cases; and

FOURTH: By sufficiently policing the boundaries, more especially the Canadian and Mexican boundaries of the United States, against introducing smuggled or contraband liquor and narcotics into the United States.

The chief allies and consorts of crime and criminals in the State are the illegal vendors of liquors and narcotics.

Law enforcement in this State will always be impaired and handicapped until we more effectively combat the sale and handling of narcotics and alcoholic liquors.

During the years immediately following Statehood, the Governor had enforcement organizations and we were able to enforce the law better than at any time since. With the enactment of National Prohibition, the State lost much of its vigilance and turned the task to the United States. However, the responsibility for success in the enforcement of prohibition rests with the states and their local officers. This is a prohibition state; let us prove it by making provision for not only co-operating with the Federal Government but also by placing the power of the State into the enforcement of our own State Prohibition Laws.

STATE REVENUES AND APPROPRIATIONS

The budget of the different municipalities of the nation for 1928 amounts to about fifteen billion dollars.

The American people have passed the tithing point. They no longer give 10 per cent but are giving 12 per cent of their entire income to support the government. Three-sixths of the amount will be levied and spent by cities, counties and school districts; two-thirds by the United States government, the remaining one-sixth by the State.

In Oklahoma municipal activities and the modernization of public and private life tending strongly from local to state administration, have been and will continue to transfer more burdens to the state. Higher education is shifting from private and denominational supervision to state colleges. Common school budget is changing toward a state program. The highway and bridge building program falls chiefly upon the state. State welfare institutions and public health problems have registered marked shifting to state support.

During the past two years we have erected forty-five new buildings in addition to about fifteen other projects. Requests for appropriations run several million dollars beyond the potential income of the state. This will require very substantial pruning and reduction.

The potential income of the state under existing revenue laws is substantially fixed within certain limits. An intelligent survey of the sources of income with the probable amounts to be derived from each source should be made by committees of your respective bodies that your information may be as definite as possible. With the ascertainment of this information, work on the appropriations should commence and mature as you progress.

After you have provided for the mechanical necessities of the state government, may I suggest that

in appropriating the balance of the funds available to you that you apportion them as equitably among the various institutions and other governmental agencies requiring funds as their necessities may, in your mature judgment, seem to demand.

I am moved to make this suggestion because of the necessity that will exist for increasing the burden of taxes and the search for new sources of revenue and additional subjects of taxation, if appropriations exceed the present income. It is my fixed conviction that the people of Oklahoma are already too heavily burdened with taxes for governmental expense, and that there should be no general increase in them. Such amendments as may seem to be required to existing tax laws should not increase but take the form of equalizing the tax burden.

I shall, from time to time, transmit to your Honorable bodies other messages suggesting additional matters for your consideration, dealing with reports and activities of the State Departments, Boards and Commissions, together with such additional matters and recommendations as I deem worthy of your consideration.

In dealing with the many problems which concern the welfare of our state, your Honorable Bodies and the Governor's office have many functions in common. I beg to assure you of my most earnest good-will for the success of the undertaking we now begin, and of my intent to co-operate with you in every way possible for a successful performance of the duty which rests upon us.

Respectfully yours,

HENRY S. JOHNSTON,
Governor.

It was at the conclusion of the Governor's message that the Joint Session was dissolved, upon motion of Senator Darnell.

The Senate reassembled, in the Senate Chamber, with the President presiding.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 1—By REXROAT and REED—An Act amending Sections 7889 and 7904 Compiled Oklahoma Statutes, 1921, relating to the creating of domestic corporations for the transportation of Natural Gas and prescribing regulations for the transportation of Natural Gas in Interstate Commerce, and for other purposes; repealing Sections 7890, 7893, 7997, 7898 and 7899, of Article 1, Chapter 68, Compiled Oklahoma Statutes, 1921, and all Acts and parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 2—By RICE—An Act creating a Code Commission; providing for the appointment by the Governor of three Commissioners; prescribing their qualifications; fixing their salaries; prescribing their duties; providing for clerical assistance; making an appropriation to pay the salaries of said Commissioners and employees, and declaring an emergency.

SENATE BILL NO. 3—By STORMS and RICE—An Act providing for the retention by the County Judges of all fees collected for solemnizing marriage ceremonies in addition to all other compensation allowed by law, repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 1—By TER-WILLEGGER (Senate), and NEWBERRY, SEARS, MAXWELL, et al., (House).—A Resolution authorizing an extension of time of payment of the first half of 1928 ad valorem taxes in Tulsa County, Oklahoma, until February 15, 1929, and providing that the last half of the 1928 ad valorem taxes shall not become due until the 15th day of June, 1929, and relieving the taxpayer of all penalty of such taxes if the first half of such taxes is paid on or before February 15th, 1929, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 2—By GRAY—A Resolution proposing an amendment to the Constitution of the State of Oklahoma, and providing for the submission of the same to the people for their approval or rejection for the purpose of amending Section 31, Article 6, thereof, to provide for relieving the State Board of Agriculture of its duty as a Board of Regents of the State Agricultural and Mechanical College, and providing for a separate Board of Regents for the State Agricultural and Mechanical Colleges, and for all other State Agricultural and Mechanical Schools, and Colleges, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 3—By STORMS—A Joint Resolution appropriating Twelve Thousand (\$12,000.00) Dollars for the purpose of paying Oklahoma's share of the expenses in making a re-survey of the Boundary between the State of Texas and the State of Oklahoma, constituting the Eastern Boundary of the Panhandle of Texas and the main Western Boundary of Oklahoma, in accordance with a decision of the Supreme Court of the United States in Cause No. 6 original, wherein the State of Oklahoma was complainant and the State of Texas defendant, and the United States of America, intervenor.

SENATE JOINT RESOLUTION NO. 4—By STORMS—A Joint Resolution appropriating Eighteen Thousand (\$18,000.00) Dollars for the purpose of paying Oklahoma's share of the expense of making a Survey for the purpose of locating the line between Oklahoma and Texas along the South bank of Red River, pursuant to the decree of the Supreme Court of the United States under date of March 12, 1923, and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 1—By PULLEN—A Resolution directing the University Hospital of Oklahoma City to transmit to the Attorney General items of indebtedness due the Hospital, and directing the Attorney General to take such action as may be necessary for the collection thereof.

SENATE RESOLUTION NO. 2—By OTJEN—A Resolution providing for the appointment of a Committee to investigate Charges of Corruption against certain members of the State Senate of the State of Oklahoma, providing for an investigation thereof, authorizing the Committee to subpoena witnesses and hear testimony.

Upon motion of Senator Stewart, the Senate adjourned to meet under the rules.

THIRD LEGISLATIVE DAY

THURSDAY, JANUARY 10TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President.

Upon roll call, the following Senators were present:

Present: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 38.

Vacancy: Henry (Deceased). Total, 1.

Absent: MacDonald. Total, 1.

Excused: Andrews, Anglin, Ewing, Gulager. Total, 4.

The President announced a quorum present.

Prayer was offered by Rev. George Nuckols, pastor of a Methodist Church in Detroit, Michigan.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 4.—By AUSTIN and REXROAT

—(Special Request).—An Act regulating and fixing the salaries of the County officers of Harmon County, State of Oklahoma, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 5—By REX-ROAT, of the Senate, FISCHL, of the House.—A Joint Resolution providing for credit to be given by the State Auditor for gross production tax heretofore paid in error by Humble Oil & Refining Company to the State of Oklahoma, and declaring an emergency.

SENATE RESOLUTION NO. 3—By GULAGER—A Resolution requesting the several court clerks of the State of Oklahoma to forthwith furnish to the Senate of the State of Oklahoma information relating to civil and criminal docket of the District Court of their Counties.

Upon motion of Senator Darnell, the rules of the Senate were suspended and Senate Resolution No. 3, was given immediate consideration.

Upon motion of Senator Rexroat, further consideration of Senate Resolution No. 3 was deferred until its author, Senator Gulager, could be present.

SENATE RESOLUTION NO. 4—By COMMONS—A Resolution of respect for and in memory of Mrs. J. J. Smith, wife of Ex-Senator J. J. Smith.

Upon motion of Senator Commons, the rules of the Senate were suspended and immediate consideration given Senate Resolution No. 4, which was read at length:

SENATE RESOLUTION NO. 4—By COMMONS.

A RESOLUTION OF RESPECT FOR AND IN

MEMORY OF MRS. J. J. SMITH, WIFE OF EX-
SENATOR J. J. SMITH.

BE IT RESOLVED BY THE SENATE OF THE
STATE OF OKLAHOMA:

FIRST: That we express to the husband and relatives of Mrs. J. J. Smith, wife of Ex-Senator J. J. Smith, whose death at Miami, Oklahoma, is reported as of 8:45 a. m., this date, our sympathy in this hour of their bereavement.

SECOND: That a copy of this resolution be spread upon our record, and a copy forwarded to Ex-Senator J. J. Smith.

Upon motion of Senator Commons, Senate Resolution No. 4 was adopted, as read, and referred to the Committee on Engrossed and Enrolled Bills for engrossment

SENATE RESOLUTION NO. 5—By GULAGER—A Resolution calling on the Highway Commission to furnish certain information.

Upon motion of Senator Darnell, the rules of the Senate were suspended and immediate consideration given Senate Resolution No. 5, which was read at length:

SENATE RESOLUTION NO. 5—By GULAGER.

RESOLUTION CALLING ON THE HIGHWAY
COMMISSION TO FURNISH CERTAIN IN-
FORMATION.

BE IT RESOLVED BY THE SENATE:

That the State Highway Commission of the State of

Oklahoma furnish the Senate, on the application of the Secretary of the Senate, the following information:

1. The amount of cash to the credit of each individual county in the State and the amount due the State from each individual county upon their taking office in 1927.

2. The amount due each county for the matching of roads in each county and unexpended balance due each county July 1, 1927.

3. The amount promised by resolution to be matched by county funds, bond issues or otherwise, in State and Federal aid by each separate county.

4. Showing the cash balances to the credit of the State Highway fund, or any fund, or cash in their hands due from the Federal Government subject to their check July 1, 1927, and July 1, 1928, whether allocated or not.

5. Showing the amount of automobiles purchased in each separate month since their taking office, giving the names and kinds of cars purchased, number of cars sold, and the amount received therefrom in each month for the calendar years 1927 and 1928.

6. How much money, giving the amount, advanced to any county prior to July, 1927, or July, 1928, to construct highways and to be paid back to the highways after July 1, 1927, or July 1, 1928, by County Commissioners or counties, and particularly Cherokee County and Wagoner County.

Senator Williamson submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Resolution, line 1 of paragraph No. 3, by inserting after the word, "resolution," and before the word, "to," the words, "contract, agreement or motion."

WILLIAMSON.

Upon motion of Senator Darnell, Senate Resolution No. 5, as amended, was adopted, and referred to the Committee on Engrossed and Enrolled Bills for engrossment.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 1—By REXROAT and REED—
Referred to Committee on Oil and Gas.

SENATE BILL NO. 2—By RICE—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 3—By STORMS and RICE—Referred to Committee on Fees and Salaries.

SENATE JOINT RESOLUTION NO. 1—By TERWILLEGER (Senate), and NEWBERRY, SEARS, MAXWELL, et al., (House).—Referred to Committee on Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 2—By GRAY, —Referred to Committee on Constitution and Constitutional Amendments.

SENATE JOINT RESOLUTION NO. 3—By STORMS. —Referred to Committee on Appropriations.

SENATE JOINT RESOLUTION NO. 4—By STORMS —Referred to Committee on Appropriations.

GENERAL ORDER

Senator Otjen asked that consideration of SENATE RESOLUTION NO 2, by Otjen, be deferred until all members of the Senate are present, but asked unanimous consent, which was granted, to strike in lines 13 and 14 of the typewritten resolution, the language "that only Senators who did not participate in the Session of December, 1928," and insert the words, "any member of the Senate may be appointed."

Senator Pullen moved that consideration of Senate Resolution No. 2 be made a Special Order for 2:00 o'clock, p. m., Monday, January 14th.

Senator Smith, as a substitute, moved that the time for consideration of Senate Resolution No. 2 be left to the discretion of the author.

Senator Pullen asked unanimous consent, which was granted, to withdraw his motion.

On account of the death of a relative, Senator Nesbitt was excused for the remainder of this legislative day.

Senator Pullen asked unanimous consent, which was granted to have considered SENATE CONCURRENT RESOLUTION NO. 1, by Pullen, which was read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 1.—By PULLEN.

A RESOLUTION DIRECTING THE UNIVERSITY HOSPITAL OF OKLAHOMA CITY TO TRANSMIT TO THE ATTORNEY GENERAL ITEMS OF INDEBTEDNESS DUE THE HOSPITAL,

AND DIRECTING THE ATTORNEY GENERAL TO TAKE SUCH ACTION AS MAY BE NECESSARY FOR THE COLLECTION THEREOF.

WHEREAS certain indebtedness is now due the University Hospital of Oklahoma City by State Officials, State Employees and other individuals, which said institution has been unable to collect;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the University Hospital of Oklahoma City be directed to assemble and prepare in legal form all items of indebtedness now due said institution by State officials, employees of State government or other persons, and cause the same to be transmitted to the Attorney General for collection, and the Attorney General is hereby directed to take such action as may be necessary in collecting all such items of indebtedness now due the University Hospital.

Senator Pullen submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Concurrent Resolution No. 1, lines 2 and 9, by inserting after the word, "by," and before the word, "state," the words, "various Counties of the State."

PULLEN.

Upon motion of Senator Pullen, Senate Concurrent Resolution No. 1, as amended, was adopted, the roll call thereon being as follows:

Ayes: Blakely, Clark, Commons, Darnell, Easter,

Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimmerer, Loofbourrow, Moore, Otjen, Patton, Peck, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 33.

Nays: Rice. Total, 1.

Not Voting: Austin, Boyer, Nesbitt, Powers. Total, 4.

Excused: Andrews, Anglin, Ewing, Gulager. Total, 4.

Absent: MacDonald. Total, 1.

Vacancy: Henry (Deceased). Total, 1.

Senate Concurrent Resolution No. 1, as amended, was referred for engrossment.

Upon motion of Senator Stewart, the Secretary of the Senate was instructed to purchase and distribute to each Senator Ten Dollars worth of Stamps.

Under Senate Joint Resolution No. 13, by Andrews, passed by the Eleventh Legislature, passed for the purpose of drafting a mining code for submission to this Legislature, a Minority Report, over the signatures of two members of the Metal Mines Committee to recommend mining code, was submitted by Senator Commons.

The report was received and ordered filed with the Secretary of the Senate.

Senator Ray, on behalf of the Committee on Employment, submitted, the following report, which was adopted:

MR. PRESIDENT:

We, your Committee on Employment, beg leave to make the following partial report:

For:

Chief Engrossing and Enrolling Clerk—D. B. Collums.

Sergeant-at-Arms—Frank C. Carter.

Assistant Sergeant-at-Arms—T. T. Hutchison.

Postmaster—Mrs. H. H. West.

Secretary to President of the Senate — Eva Mae
Hodges.

Secretary to President Pro Tempore—Lorraine Wulff.

Chaplain—N. E. Mitchell.

Doorkeeper—Campbell LeFlore.

Property Man—Peter J. Coyne.

Cloak Room Attendant—D. W. Walker.

Page—J. W. Cleen.

Page—Walter Kehres.

Page—P. C. Keltner.

Stenographer—Emily Crouse.

Stenographer—Eloise Kilgore.

Stenographer—Edna Powell.

Stenographer—R. Denny.

Stenographer—Maxine Massey.

Stenographer—Marie Moore.

EXTRA EMPLOYES

Assistant Sergeant-at-Arms—E. E. England.

Auditor—L. M. Nichols.

Messenger—Charles McVey.

Doorkeeper—S. E. Veteto.

Doorkeeper—H. P. Ruff.

Doorkeeper—Green Stovall.

Night Watchman—J. W. Bridges.

Night Watchman—Jim Moon.

Page—William Kersey.

Page—W. K. Hilsweck.

Page—Charles Locke.

BOYER, Chairman.

RAY, Member.

A communication from Rev. Ernest C. Mobley, Pastor of the First Christian Church, Oklahoma City, was read, inviting members of the Senate to attend his church on next Sunday morning.

Upon motion of Senator Stewart, the Senate adjourned to meet under the rules.

FOURTH LEGISLATIVE DAY

FRIDAY, JANUARY 11TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Andrews, Blakely, Boyer, Clark, Commons, Easter, Ferguson, Fidler, Graham, Gray, Harper, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimmerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Pullen, Ray, Rice, Smith, Stewart, Storms, Thomas, Wheatley, Williamson. Total, 30.

Absent: George, MacDonald, Rexroat. Total, 3.

Excused: Anglin, Austin, Darnell, Ewing, Gulager, Hill, Powers, Reed, Stigler, Terwilleger. Total, 10.

Vacancy: Henry (Deceased). Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

MEMORIALS

Senator Stewart submitted a petition, signed by numerous citizens and taxpayers of Harmon County, Oklahoma, protesting against the passage of any law, the

purpose of which would be to increase the salaries of county officials of Harmon County.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE RESOLUTION NO. 6—By JOHNSON (Creek) and ANDREWS—A Resolution to authorize the investigation by a Committee of the Senate of certain charges made relative to the action of a Court of Impeachment in the year 1927; to appoint a committee to conduct such investigation; to empower said committee to perform its duties and setting forth the procedure in conducting such investigation and clothing the committee so appointed with power to conduct such investigation.

SENATE RESOLUTION NO. 7—By THOMAS.—A Resolution providing for and demanding immediate and open investigation by the Senate, sitting as a Committee of the Whole, of the abrupt adjournment of the Special Session of the Senate, sitting as a Court of Impeachment during the month of _____, and providing for the necessary expenses, and authorizing the subpoenaing of witnesses.

Senator Thomas moved that the rules of the Senate be suspended and Senate Resolution No. 7, be taken up for immediate consideration.

Senator Smith moved to table the Thomas motion, which he later withdrew, having gained unanimous consent of the Senate.

Senator Otjen, as a substitute, moved that the hour of 2 o'clock, p. m., Wednesday, January 16th, 1929, be set for the consideration of Senate Resolutions Nos. 2, 6, and

7, the subject matter of which is similar, which motion prevailed, Senator Thomas voting in the negative.

SENATE BILL NO. 5—By STEWART (Senate), GRAHAM (House)—An Act making appropriation to pay the mileage and per diem of members of the Senate and House of Representatives of the Twelfth Legislature, salaries of officers and employees and contingent expenses, and declaring an emergency.

SENATE BILL NO. 6—By FIDLER and RICE (Senate), STREET, GRAHAM, EYLAR, et al., (House)—An Act fixing the number of, and compensation of deputy sheriffs, undersheriffs, bookkeepers, jailors, clerks and matrons in the sheriff's office and jail in all counties in this State having a population in excess of One Hundred Sixteen Thousand inhabitants, as shown by the last preceding, or any future, regular, Federal Decennial Census; providing for additional deputies when necessary, fixing their salaries, providing for automobiles for use in said operations in said sheriff's office; repealing all Acts and parts of Acts in conflict, and declaring an emergency.

SENATE BILL NO. 7—By FIDLER and RICE (Senate), GRAHAM, EYLAR, MARKER and HOOVER (House).—An Act fixing the number of and compensation of assistant county attorneys, clerks, stenographers and evidence men in the office of county attorney in all counties in this state having a population in excess of One Hundred Sixteen Thousand inhabitants, as shown by the last preceding, or any future, regular, Federal Decennial Census; repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 8—By FIDLER—An Act amending Chapter 16, Session Laws of Oklahoma, 1923, same being, "An Act regulating the driving and operating of

motor vehicles, providing punishment therefor, etc.," repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

SENATE RESOLUTION NO. 8—By FIDLER and LOOFBOURROW—A Resolution requesting the State Highway Commission of the State of Oklahoma to furnish information concerning receipts and disbursements as required by law.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 4—By AUSTIN and REXROAT.

Upon motion of Senator Storms, the rules of the Senate were suspended and Senate Bill No. 4 was referred to the calendar, without reference to a Committee.

SENATE JOINT RESOLUTION NO. 5—By REXROAT of the Senate, and FISCHL of the House.—Referred to Committee on Revenue and Taxation.

Upon motion of Senator Stewart, the Secretary of the Senate was directed to purchase 50 sets of the Compiled Oklahoma Statutes, 1921, together with the Supplement thereto.

Upon motion of Senator Thomas, the property custodian was directed to furnish the office of the Attorney General with two copies each of the daily journals and calendars.

Upon motion of Senator Stewart, the Senate adjourned to meet under the rules, on Monday, January 14th, 1929.

SIXTH LEGISLATIVE DAY

MONDAY, JANUARY 14TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m. and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley. Total, 41.

Excused: Gulager, Williamson. Total, 2.

Vacancy: Henry (Deceased). Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

The following announcements, in substance, were read:

The Ohoyahoma Club meeting, Tuesday, January

15th, 2 o'clock, p. m., in the Blue Room. Wives, sisters or mothers of Senators urgently invited.

Bennie G. Owen, athletic director at O. U., extends Senate invitation, through Representative Richard L. Cloyd, to attend the O. U. vs. Ames, Iowa, basketball game at Norman, Saturday, January 19th, at 2 o'clock, p. m.

COMMITTEE REPORT

The following Committee Report was submitted and adopted, upon motion of Senator Andrews:

MR. PRESIDENT:

We, your Committee on Committees, beg leave to submit the following report:

COMMITTEE ASSIGNMENTS

AGRICULTURE

Gordon Gray (Chairman)	Stigler
Patton (Vice-Chairman)	Thomas
Smith	Reed
Clark	Rice
Blakely	Gulager
Austin	Loofbourrow
Nesbitt	Graham
Jolly	Storms

APPROPRIATIONS

Tom Anglin (Chairman)	Ray
Loofbourrow (Vice-Chm.)	Jolly
Commons	Easter
Moore	Peck
George	Powers
Andrews	Rexroat
Austin	Smith
Boyer	Stewart

Ferguson	Stigler
Fidler	Storms
Gray	Wheatley
Harper	Williamson
Hill	Darnell
Johnson (Creek)	MacDonald
Otjen	

BANKS AND BANKING

Ray (Chairman)	Peck
Powers (Vice-Chairman)	Williamson
Terwilliger	Anglin
Kimerer	Johnson (Creek)
Fidler	Gulager
Ferguson	Ewing
Loofbourrow	Commons

CODE REVISION

Pullen (Chairman)	Otjen
MacDonald (Vice-Chm.)	Moore
Rexroat	Hill
Loofbourrow	

COMMERCE AND LABOR

Commons (Chairman)	Nesbitt
Darnell (Vice-Chairman)	Thomas
Fidler	Clark
Terwilliger	Patton
Reed	Johnson (Pottawatomie)
Rice	

CONSTITUTIONAL AMENDMENTS

Otjen (Chairman)	Hill
Austin (Vice-Chairman)	Williamson
Anglin	Wheatley
Gray	

DRUGS AND PURE FOODS

Johnson (Pott.) Chm.	Patton
Nesbitt (Vice-Chairman)	Fidler
Pullen	Easter
Thomas	Graham

EDUCATION

Stigler (Chairman)	Smith
Jolly (Vice-Chairman)	Gray
Storms	Ewing
Commons	Boyer
Thomas	George
Austin	MacDonald
Rice	Ferguson
Loofbourrow	Kimerer
Clark	

ENROLLED AND ENGROSSED BILLS

Boyer (Chairman)	Gray
Jolly (Vice-Chairman)	Johnson (Pottawatomie)
Rexroat	

FEES AND SALARIES

Gulager (Chairman)	Wheatley
Easter (Vice-Chairman)	Storms
Anglin	Commons
Peck	Patton

FEDERAL RELATIONS

Rice (Chairman)	Johnson (Creek)
Kimerer (Vice-Chairman)	Austin
Gray	

FISH AND GAME

Hill (Chairman)	Blakely
Graham (Vice-Chairman)	Darnell
Harper	MacDonald
Moore	Ray
Stewart	Patton
Boyer	Stigler
Pullen	Andrews

HOSPITALS AND CHARITIES

Powers (Chairman)	Reed
George (Vice-Chairman)	Wheatley
Hill	Nesbitt
Darnell	Ewing
Easter	Graham
Pullen	

INDIAN AFFAIRS

Graham (Chairman)	Patton
Rexroat (Vice-Chairman)	Gulager
Stigler	MacDonald
Johnson (Creek)	

INSURANCE

Loofbourrow (Chairman)	Johnson (Creek)
Fidler (Vice-Chairman)	Otjen
Anglin	Ray
Blakely	Williamson
Peck	Wheatley
Storms	Easter
Stewart	Thomas

IRRIGATION, DRAINAGE AND GEOLOGICAL
SURVEY

Terwilleger (Chairman)	Blakely
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Stewart (Vice-Chairman)	MacDonald
Fidler	Ewing
Rice	Smith
Hill	Darnell
Storms	

JUDICIARY NO. 1

Austin (Chairman)	Anglin
Wheatley (Vice-Chairman)	Commons
MacDonald	Stigler
Andrews	Hill
Johnson (Creek)	

JUDICIARY NO. II

Darnell (Chairman)	Harper
Moore (Vice-Chairman)	Smith
Loofbourrow	Otjen
Williamson	

LEGAL ADVISORY

Smith (Chairman)	Clark
Otjen (Vice-Chairman)	Andrews
Pullen	Stigler

LEGISLATIVE AND JUDICIAL APPORTIONMENTS

Easter (Chairman)	Anglin
Loofbourrow (Vice-Chm.)	Hill
Gulager	Johnson (Creek)
Otjen	Rexroat
Andrews	Austin
Peck	Commons
Stewart	Ferguson
Stigler	Jolly

MILITARY AFFAIRS

Moore (Chairman)	Graham
Clark (Vice-Chairman)	George
Hill	Rice
Nesbitt	

MINES AND MANUFACTURING

Nesbitt (Chairman)	Blakely
Commons (Vice-Chairman)	Otjen
Harper	Fidler
Stigler	Andrews

MUNICIPAL CORPORATIONS

MacDonald (Chairman)	Rice
Fidler (Vice-Chairman)	Johnson (Pottawatomie)
Rexroat	Powers
Terwilleger	Darnell
Thomas	Graham

OIL AND GAS

Harper (Chairman)	Peck
Rexroat (Vice-Chairman)	Smith
Boyer	Terwilleger
Ferguson .	Blakely
Johnson (Creek)	Anglin
Storms	Easter
Williamson	Gray

PENAL INSTITUTIONS

George (Chairman)	Johnson (Pottawatomie)
Andrews (Vice-Chairman)	Ewing
Boyer	Anglin
Fidler	Peck
Williamson	Johnson (Creek)

PRIVATE CORPORATIONS

Wheatley (Chairman)	Darnell
Stigler (Vice-Chairman)	Pullen
Moore	Ray
Kimerer	Powers

PRIVILEGES AND ELECTIONS

Williamson (Chairman)	Stewart
Stigler (Vice-Chairman)	Storms
George	Jolly
Smith	Rice
Darnell	Patton
Harper	Ray
Ferguson	

PROHIBITION ENFORCEMENT

Ewing (Chairman)	Thomas
Boyer (Vice-Chairman)	Patton
Anglin	Reed
Gray	Easter

PUBLIC HEALTH

Thomas (Chairman)	Darnell
Johnson (Pott.) V.-Chm.	Kimerer
Austin	Nesbitt

PUBLIC BUILDINGS

Clark (Chairman)	Stewart
Gray (Vice-Chairman)	Gulager
Reed	

PUBLIC PRINTING

Jolly (Chairman)	Loofbourrow
Ferguson (Vice-Chairman)	Stewart

Storms
Peck

Smith
Ray

PUBLIC SERVICE CORPORATIONS

Johnson (Creek), (Ch'rman)	Stigler
Wheatley (Vice-Chairman)	Ewing
Andrews	Ray
Peck	Commons
Fidler	Kimerer
George	

ROADS AND HIGHWAYS

Andrews (Chairman)	Powers
Gulager (Vice-Chairman)	Pullen
Austin	Smith
Boyer	Rice
Fidler	Stigler
George	Storms
Harper	Terwilleger
Hill	Thomas
Johnson (Creek)	Williamson
Jolly	Blakely
Kimerer	Moore
Loofbourrow	Johnson (Pottawatomie)
Nesbitt	Ray
Otjen	Stewart
Peck	Reed

RULES AND PROCEDURE

Jolly (Chairman)	Williamson
Boyer (Vice-Chairman)	Anglin
Storms	Easter

SCHOOL LANDS

Reed (Chairman)	Jolly
Ray (Vice-Chairman)	Clark
Loofbourrow	Darnell
Moore	Pullen
Powers	Blakely

SENATE AND LEGISLATIVE AFFAIRS

Stewart (Chairman)	Williamson
Smith (Vice-Chairman)	Ewing
Peck	Harper
Terwilleger	

STATE AND COUNTY AFFAIRS

Rexroat (Chairman)	George
Harper (Vice-Chairman)	Ewing
Boyer	Johnson (Pottawatomie)
Moore	Smith
Thomas	Patton
Commons	

WAYS AND MEANS

Kimerer (Chairman)	Nesbitt
Reed (Vice-Chairman)	Pullen
Hill	MacDonald
Austin	

REVENUE AND TAXATION

Fidler (Chairman)	Ray
Johnson (Creek), (V-Chm.)	Pullen
Terwilleger	Powers
Austin	Harper
Commons	Storms
Wheatley	Peck
Ferguson	

SOLDIERS' RELIEF

Ferguson (Chairman)	Loofbourrow
Stigler (Vice-Chairman)	Johnson (Creek)
Wheatley	Moore
Ray	Hill
George	Otjen
Pullen	Commons
Smith	MacDonald
Williamson	

LIVESTOCK AND TENANT FARMING

Blakely (Chairman)	Gray
Rice (Vice-Chairman)	Patton
Gulager	Graham

Respectfully submitted,

ANDREWS, Chairman.

BILLS ON FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE RESOLUTION NO. 9—By WHEATLEY—
Calling on the State Examiner and Inspector to furnish certain information.

SENATE CONCURRENT RESOLUTION NO. 2—By DARNELL—A Resolution presenting Chief Justice Fred P. Branson his desk chair occupied by him during his term of office.

SENATE JOINT RESOLUTION NO. 6—By ANGLIN—A Joint Resolution to be entitled: A Resolution transferring and re-appropriating certain balances of funds appropriated at the Regular Session of the Eleventh Legislature of the State of Oklahoma, for the Bureau of preparation of budget, for the Fiscal Year ending June 30, 1928; declaring an emergency.

SENATE JOINT RESOLUTION NO. 7—By ANGLIN—A Joint Resolution to be entitled: A Resolution, providing for a temporary Title Examiner in the office of the Commissioners of the Land Office, to be filled in the manner now provided by law for like position; re-appropriating the appropriation made by the Eleventh Legisla-

ture for a Title Examiner for each of the Fiscal Years 1927-1928 and 1928-1929; and declaring an emergency.

SENATE JOINT RESOLUTION NO. 8—By ANGLIN (Senate), KIGHT (House)—A Resolution reappropriating the sum of \$86,786.18, unexpended balance in the appropriation provided for in Senate Bill No. 250, of the Eleventh Legislature, Chapter 52, Session Laws of Oklahoma 1927, so that the same may be used for salaries of officers and employees and contingent expenses of the Senate and House of Representatives of the Twelfth Legislature, and declaring an emergency.

SENATE BILL NO. 9—By FIDLER—An Act repealing Chapter 127 Session Laws of 1925, and declaring an emergency.

SENATE BILL NO. 10—By STORMS—An Act amending Section 1653, Compiled Oklahoma Statutes 1921, repealing all laws in conflict herewith and declaring an emergency.

BILLS ON SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 5—By STEWART (Senate), GRAHAM (House).

Upon motion of Senator Stewart, the rules of the Senate were suspended and Senate Bill No. 5 was ordered placed upon the calendar without reference to a Committee.

Upon motion of Senator Stewart, the rules of the Senate were suspended and Senate Bill No. 5 was advanced to engrossment and third reading.

SENATE BILL NO. 6—By FIDLER and RICE (Senate), STREET, GRAHAM and EYLAR et al., (House)—Referred to Committee on Fees and Salaries.

SENATE BILL NO. 7—By FIDLER and RICE (Senate), STREET, GRAHAM, EYLAR, MARKER and HOOVER (House)—Referred to Committee on Fees and Salaries.

SENATE BILL NO. 8—By FIDLER—Referred to Committee on Judiciary No. 1.

GENERAL ORDER

Senator Austin moved that Senate Bill No. 4, by Austin and Rexroat, be taken up for consideration.

Senator Gray, as a substitute, moved that Senate Bill No. 4 be stricken from the calendar and referred to the Committee on Fees and Salaries, which motion prevailed.

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 2—By CARMACK, entitled—An Act regulating and fixing the salaries of the County Officers of Harmon County, State of Oklahoma, and declaring an emergency,

and to inform you and through you, the Honorable Senate

that the same has been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith, for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 1—By STREET, HARROWER and SNODDY, entitled—A Concurrent Resolution endorsing Honorable Harry H. Rogers, for appointment in the Cabinet of President-elect Herbert Hoover,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House of Representatives and signed by the Speaker, in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Upon motion of Senator Otjen, the rules of the Senate were suspended and House Concurrent Resolution No. 1, by Street, Harrower and Snoddy, was taken up for immediate consideration, and read at length, as follows:

HOUSE CONCURRENT RESOLUTION NO. 1—By STREET, HARROWER and SNODDY.

A CONCURRENT RESOLUTION ENDORSING HONORABLE HARRY A. ROGERS, FOR APPOINTMENT IN THE CABINET OF PRESIDENT-ELECT HERBERT HOOVER.

WHEREAS, from reliable sources, it has become

known that the Honorable Harry A. Rogers, of Tulsa, Oklahoma, is being considered, by President-elect Herbert Hoover, for membership in his Official Cabinet; and,

WHEREAS, the said Harry A. Rogers is a native of our neighbor state, Missouri; lived in Oklahoma for twenty-five years, where he became and still is an outstanding leader; later, removed to Texas, where he became recognized as a leader to the extent of being persuaded to offer himself as a Republican candidate for Governor in that state; and,

WHEREAS, the said Harry A. Rogers never relinquished his Oklahoma connections; and,

WHEREAS, upon the death of Honorable James J. McGraw, President of the Exchange National Bank, of Tulsa, one of the largest institutions of its kind in the southwest, the said Harry A. Rogers was immediately made president of said bank; and,

WHEREAS, the said Harry A. Rogers is a past president of Rotary International, having served well in that capacity during the years 1926 and 1927; and,

WHEREAS, the said Harry A. Rogers, in former years, has served in numerous capacities, ranging from a stockman to the presidency of a railway company; and,

WHEREAS, the appointment of Honorable Harry A. Rogers to a Cabinet position would be a fitting recognition and sincere compliment not only to the States of Missouri, Oklahoma and Texas, but also to the forty-four (44) foreign countries, which help make Rotary International; and,

WHEREAS, it is the sense of the Twelfth Legislature of the State of Oklahoma, that the said Harry A. Rogers is worthy of any appointment;

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives, the Senate concurring therein, that the said Harry A. Rogers be and he is hereby endorsed for a Cabinet position in the administration of President-elect Herbert Hoover; and,

BE IT FURTHER RESOLVED that a copy of this Resolution, properly certified, be sent to United States Senators Pine and Thomas, and to each of the eight (8) United States Representatives from Oklahoma, and that an enrolled copy be sent to President-elect Herbert Hoover.

Senator Graham moved that the name of Honorable Pat J. Hurley, of Tulsa, be included along with that of Honorable Harry H. Rogers, which motion was tabled upon motion of Senator Anglin.

Upon motion of Senator Otjen, the rules of the Senate were suspended and House Concurrent Resolution No. 1 was adopted, as read.

The President Pro Tempore signed, in open session, Engrossed House Concurrent Resolution No. 1, and ordered the same returned to the Honorable House.

HOUSE BILLS ON FIRST READING

The following House Bill was received and read for the first time:

ENGROSSED HOUSE BILL NO. 2—By CARMACK, entitled:

An Act regulating and fixing the salaries of the County Officers of Harmon County, State of Oklahoma, and declaring an emergency.

Upon motion of Senator Stewart, the Senate adjourned, to meet under the rules.

SEVENTH LEGISLATIVE DAY

TUESDAY, JANUARY 15TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 41.

Excused: Gulager, MacDonald. Total, 2.

Vacancy: Henry (Deceased). Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

Upon motion of Senator Boyer, Chairman of the Employment Committee, the name of Helen Carswell, of Anadarko, as Clerk of the Appropriations Committee, was added to the report of the Committee on Employment, adopted on the 10th instant.

The President Pro Tempore administered the official oath of office to the following employees:

D. B. Collums, Frank C. Carter, T. T. Hutchison, Mrs. H. H. West, Eva Mae Hodges, Lorraine Wulff, N. E. Mitchell, Campbell LeFlore, J. W. Cleen, Walter Kehres, P. C. Keltner, Emily Crouse, Eloise Kilgore, R. Denny, Marie Moore, E. E. England, L. M. Nichols, Charles McVey, S. E. Veteto, H. P. Ruff, Green Stovall, J. W. Bridges, William Kersey, W. K. Hilsweck, Charles Locke, Helen Carswell.

COMMITTEE REPORTS

The following Committee Report was submitted and the bill ordered printed and placed on the calendar:

MR. PRESIDENT:

We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 4, by Austin and Rexroat, by special request, entitled:

An Act regulating and fixing the salaries of the County Officers of Harmon County, State of Oklahoma, and declaring an emergency,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass as amended, as follows:

By striking the first three lines after the word "to-wit" in Section 1 and substituting in lieu thereof:

"County Judge, per annum, \$2,250.00;

"County Attorney, per annum, \$2,250.00;

"Sheriff, per annum, \$2,250.00;"

EASTER, Vice-Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 5 correctly engrossed.

BOYER, Chairman.

A Message from the Honorable House, transmitting ENGROSSED HOUSE JOINT RESOLUTION NO. 1, by Maxwell, Owens, et al., was received and, upon motion of Senator Pullen, ordered returned to the House for correction, as to title of bill.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 11—By REXROAT—An Act relating to the distribution of the automobile license tax and the gasoline excise tax received in Carter County, Oklahoma, and declaring an emergency.

SENATE BILL NO. 12—By PULLEN—An Act repealing Sections 3,037 and 3,055, inclusive, of the Compiled Oklahoma Statutes of 1921, providing that the present elected Judges of the Criminal Court of Appeals perform the duties of the Commissioners of the Supreme Court during the remainder of their terms of office, and declaring an emergency.

SENATE BILL NO. 13—By FIDLER—An Act making an appropriation to reimburse Tom Cavnar for the expenses incurred while Sheriff of Oklahoma County, Oklahoma, in the arrest and return of Haywood Rector from

California on a charge of burning a Cotton Compress in Oklahoma, and declaring an emergency.

SENATE BILL NO. 14—By THOMAS (Senate) and HINES (House)—An Act amending Section 2119, of Compiled Oklahoma Statutes, and requiring all dealers in produce to keep a record of all purchases; affixing a penalty for the violation hereof, and declaring an emergency.

SENATE BILL NO. 15—By ANGLIN—An Act making an appropriation for the purpose of paying the traveling and living expenses of the Judges of the Court of Tax Review, and making an appropriation for the per diem traveling and living expenses, and making of transcripts for court reporters of said Court of Tax Review, when such judges and court reporters are outside of their counties of residence, and making appropriations for communication and supplies for the State Auditor, as Clerk of said Court of Tax Review, and declaring an emergency.

SENATE BILL NO. 16—By FERGUSON—An Act authorizing cities, towns, townships and school districts which have a surplus on hand in the sinking fund, against which no indebtedness exists, to transfer the same to the general fund of said municipalities, and declaring an emergency.

SENATE BILL NO. 17—By FERGUSON—An Act amending Section 9588 of Article 2, Chapter 84 of Compiled Oklahoma Statutes, 1921, fixing a tax on real estate mortgages; providing it be paid by the mortgagee without an increase in the rate of interest, commission, brokerage, or otherwise, and making the violation thereof a misdemeanor.

SENATE CONCURRENT RESOLUTION NO. 3—By CLARK, REXROAT and HARPER—Concurrent Resolu-

tion commending Frank Phillips, Bartlesville, Oklahoma, for his patriotic spirit manifest by having painted on the south panels of the corridor of the fourth floor of the Capitol Building a war memorial picture.

SENATE RESOLUTION NO. 10—By FIDLER and LOOFBOURROW—A Resolution requesting the State Highway Commission of the State of Oklahoma to defer action upon bids received on January 9, 1929, for the construction of highway projects in the State of Oklahoma, until February 9, 1929.

Upon motion of Senator Anglin, Senate Resolution No. 10 was ordered printed.

SECOND READING

The following bills and resolutions were read for the second time and ordered referred to the Committees indicated:

SENATE BILL NO. 9—By FIDLER—Referred to Committee on State and County Affairs.

SENATE BILL NO. 10—By STORMS—Referred to Committee on Judiciary No. 2.

SENATE JOINT RESOLUTION NO. 6—By ANGLIN—Referred to Committee on Appropriations.

SENATE JOINT RESOLUTION NO. 7—By ANGLIN—Referred to Committee on Appropriations.

SENATE JOINT RESOLUTION NO. 8—By ANGLIN (Senate) and KIGHT (House)—Referred to Committee on Appropriations.

HOUSE BILL NO. 2—By CARMACK.

Upon motion of Senator Anglin, the rules of the

Senate were suspended and House Bill No. 2 was ordered placed upon the calendar, without reference to a committee.

THIRD READING

SENATE BILL NO. 5 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley. Total, 36.

Nays: 0.

Excused: Gulager, MacDonald. Total, 2.

Not Voting: Otjen, Peck, Reed, Rice, Williamson. Total, 5.

Vacancy: Henry (Deceased). Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer,

Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley. Total, 36.

Nays: 0.

Excused: Gulager, MacDonald. Total, 2.

Not Voting: Otjen, Peck, Reed, Rice, Williamson. Total, 5.

Vacancy: Henry (Deceased). Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 5 and ordered the same transmitted to the Honorable House.

GENERAL ORDER

Upon motion of Senator Wheatley, SENATE RESOLUTION NO. 9, by Wheatley was taken up for consideration and read, as follows:

SENATE RESOLUTION NO. 9—By WHEATLEY.

CALLING ON THE STATE EXAMINER AND INSPECTOR TO FURNISH CERTAIN INFORMATION.

BE IT RESOLVED BY THE SENATE.

That the State Examiner and Inspector of the State

of Oklahoma furnish the Senate, on the application of the Secretary of the Senate, the following information:

1. The number and the names of the Deputy Examiners and Inspectors employed by said State Examiner and Inspector, from the date he assumed the duties of his office up to January 1, 1929.

2. The number of months each deputy has worked. In the event employment of any of the deputies has not been continuous, the exact date of his employment.

3. The salary or compensation paid each Deputy Examiner and Inspector. The exact date each Deputy Examiner and Inspector has been paid. The exact fund out of which said compensation or salary was paid. The exact date of the filing of each claim or voucher for salary or compensation by each Deputy Examiner and Inspector, and the exact date of the approval and payment of same.

4. The names of the deputies and employees that have been engaged in the audit of the State Highway Commission, the status of said audit, the amount of said audit as costs to date.

Senator Wheatley submitted the following amendment, which was adopted:

Mr. President: I move to amend Resolution No. 9, by adding paragraphs 5, 6 and 7, as follows:

"5. The number and names of deputy examiners and inspectors who have rendered services, for which compensation is due, and the reason they have not been paid.

"6. The number of county audits made by the office of the Examiner and Inspector, the date and cost of each.

"7. The number of county audits made for which the county has paid and on which no report has been made or returned to the county paying for same, if any, and the reason why no report has been made."

WHEATLEY.

Upon motion of Senator Wheatley, Senate Resolution No. 9, as amended, was adopted.

Senate Resolution No. 9, as amended, was referred for engrossment.

Upon motion of Senator Austin, the rules of the Senate were suspended and HOUSE BILL NO. 2, by Carmack, was taken up for consideration.

Section 1 was read.

Senator Easter submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 2, by striking the figures, "2500.00," after the office of Sheriff, County Attorney and County Judge, and inserting the figures "2250.00," in each instance.

EASTER.

Upon motion of Senator Austin, Section 1, as amended, was adopted.

Sections 2 and 3 were read and adopted.

Upon motion of Senator Austin, House Bill No. 2, as amended, was advanced to engrossment and third reading.

SENATE CONCURRENT RESOLUTION NO. 2—By Darnell, was taken up for consideration and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 2—By DARNELL.

A RESOLUTION PRESENTING CHIEF JUSTICE FRED P. BRANSON HIS DESK CHAIR OCCUPIED BY HIM DURING HIS TERM OF OFFICE.

WHEREAS, Justice Fred P. Branson, Chief Justice of the Supreme Court of the State of Oklahoma, will retire from the bench after six years of faithful and honorable service, and

WHEREAS, the Justices of the Supreme Court unanimously desire to present him with his desk chair used by him, as a token of their appreciation of his services;

AND THEREFORE BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA THE HOUSE CONCURRING THEREIN: That the chair used by Justice Branson as Chief Justice of the Supreme Court of the State of Oklahoma be committed to his care and keeping and presented to him as a token of esteem and appreciation of his services.

Senator Darnell moved the adoption of Senate Concurrent Resolution No. 2.

Senator Smith moved as a substitute motion that Senate Concurrent Resolution No. 2 be referred to a special

committee, for the purpose of redrafting, which motion was tabled, upon a motion of Senator Andrews.

Senator Smith submitted the following amendment:

Mr. President: I move to amend Senate Concurrent Resolution No. 2, by substituting after the title the following:

"WHEREAS, Justice Fred P. Branson of the Supreme Court of the State of Oklahoma will retire from the bench after six years of service; and,

WHEREAS, the Justices of the Supreme Court, unan-
imously desire to present him with his desk chair, used
by him during his term of office;

NOW, THEREFORE, BE IT RESOLVED BY THE
SENATE OF THE STATE OF OKLAHOMA, THE
HOUSE CONCURRING THEREIN, That the desk chair
used by Justice Fred P. Branson be presented to him in
token of his long service on the Supreme Bench."

SMITH.

Upon motion of Senator Wheatley, the Smith amendment was tabled.

The vote recurring on the Darnell motion, to adopt Senate Concurrent Resolution No. 2, as read, the same was adopted, the roll call thereon being as follows:

Ayes: Andrews, Anglin, Austin, Commons, Darnell, George, Graham, Gray, Harper, Johnson (Creek), Jolly, Moore, Nesbitt, Pullen, Ray, Reed, Rexroat, Smith, Stigler, Wheatley. Total, 20.

Nays: Blakely, Boyer, Clark, Easter, Ewing, Ferguson, Fidler, Hill, Johnson (Pott.), Kimerer, Loofbourrow, Otjen, Patton, Powers, Stewart, Storms, Terwilleger, Thomas. Total, 18.

Excused: Gulager, MacDonald. Total, 2.

Not Voting: Peck, Rice, Williamson. Total, 3.

Vacancy: Henry (Deceased). Total, 1.

Senate Concurrent Resolution No. 2 was referred for engrossment.

Senators Fidler and Loofbourrow sent up the following explanations of their votes:

Mr. President: In casting my vote "No," on Senate Concurrent Resolution No. 2, I do not intend in any way to pass judgment on any matter in this resolution, save that of giving away the property of the State.

FIDLER.

Mr. President: In casting my vote "No," on Senate Concurrent Resolution No. 2, I do so because, in my judgment, there is a plain constitutional inhibition against such action of the Senate.

LOOFBOURROW.

Upon motion of Senator Andrews, the following members of the Senate, were added to the Committees indicated opposite their names:

WHEATLEY to Roads and Highways.

JOHNSON (Pott.), to Education.

CLARK to Appropriations.

A communication from Mrs. E. E. Farley, Corresponding Secretary of the U. D. C., Chapter 1181, was read, inviting the Senate and wives of Senators, to a Robert E. Lee tea, in the home of Mrs. Richard A. Billups, 416 W. 17th Street, Saturday, January 19th, from 2 to 5 o'clock, p. m.

Upon motion of Senator Stewart, the Senate adjourned to meet under the rules.

EIGHTH LEGISLATIVE DAY

WEDNESDAY, JANUARY 16TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 42.

Excused: MacDonald. Total, 1.

Vacancy: Henry (Deceased). Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

In the matter of the correction of the Journal.

In the matter of the correction of the Journal, it was upon the motion of Senator Ferguson, that the Senate Journal for the 7th legislative day was corrected to show the roll call, on pages 116 and 117, thereof, as that on the

adoption of Senate Concurrent Resolution No. 2 instead of on the adoption of Senate Resolution No. 9, which was also adopted.

COMMITTEE REPORTS

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills, begs leave to report House Bill No. 2 correctly engrossed.

BOYER, Chairman.

FIRST READING

The following bills and Resolutions were introduced and read for the first time:

SENATE BILL NO. 18—By THOMAS (Senate) and HINES (House).—An Act amending Section 1855, Compiled Oklahoma Statutes, 1921, repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 19—By ANGLIN (Senate) and BUSEY (House).—An Act regulating the setting or placing of steel traps, deadfalls, and things of this nature, dangerous to the life or limb of dogs, sheep, hogs and other domestic animals, providing a penalty for the violation of the law, and declaring an emergency.

SENATE BILL NO. 20—By ANGLIN—A Bill to be entitled: An Act making appropriation to pay claims against Deficiency Certificates, numbers 10 to 34, inclusive, for fiscal year ending June 30, 1927; numbers 1 to 18, inclusive, for fiscal year ending June 30, 1928, and numbers 1 to 6, inclusive, for fiscal year ending June 30, 1929, as approved and certified to by the Governor under authority of Chapter 231, of the Session Laws of

Oklahoma 1915, as amended by Chapter 229, of the Session Laws of Oklahoma, 1919, and declaring an emergency.

SENATE BILL NO. 21—By STORMS and REED, By Request—An Act creating an Industrial Workshop for the blind, establishing the location thereof, providing a Commission to control said institution, providing the duties of said Commission, their qualifications and appointments, authorizing certain Acts to be done by said Commission, and certain employees to be employed, fixing their salaries and duties, providing who may be admitted to said workshop, appropriating Fifty Thousand (\$50,000.00) Dollars to carry said Act into effect, and to pay for the maintenance thereof, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 22—By AUSTIN—An Act authorizing County Appropriations and levies to provide funds for making certain refunds to County Treasurers, authorizing such refunds, and declaring an emergency,

SENATE BILL NO. 23—By LOOFBOURROW (Senate) and ALLEN (House).—An Act authorizing the appointment of a Deputy County Assessor in counties of this State having a population of not less than 7,610 and not more than 7,640, according to the Federal Census of 1920 or according to any succeeding Federal Census, and providing for the fixing of the salary thereof, and declaring an emergency.

SENATE BILL NO. 24—By LOOFBOURROW, RICE, FIDLER, KIMERER, REXROAT, AUSTIN, EWING, HILL and NESBITT—An Act providing for the construction of a building to be located on the State Capitol grounds in Oklahoma City for the use of the Oklahoma Historical Society and the organizations of all veteran soldiers and patriotic societies of the State, said building

to provide rooms for meetings and headquarters for all organizations of service men and auxiliary societies and associations, and providing for the use and occupancy of said building by the Oklahoma Historical Society and its Library, Museum and other effects and property, and for public meetings therein and its use for other public purposes. Providing for the construction of the building by the State Board of Public Affairs and for its location on the State Capitol grounds in accordance with the "Kessler Plan" and providing for the approval of the architect's plans by the Executive Committee of the Oklahoma Historical Society and making an appropriation for such purpose.

SENATE BILL NO. 25—By EWING (Senate) and HOUSTON (House)—An Act amending Section 4368 of the Compiled Oklahoma Statutes, Annotated, 1921, and repealing all Acts, and parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 26—By GRAHAM—An Act amending Section 8, Chapter 35, Session Laws of Oklahoma, 1927.

SENATE BILL NO. 27—By STEWART—An Act repealing Chapter 43, Oklahoma Session Laws of 1925, and declaring an emergency.

SENATE BILL NO. 28—By GULAGER—An Act amending Section 8580, Compiled Oklahoma Statutes, 1921, as amended by Senate Bill No. 268, Chapter 56, Session Laws of 1927, relating to the investment of sinking funds and the purchase and sale of city or town bonds by the Treasurer of such city or town; repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 29—By RAY.—An Act amending Section 1, Chapter 151, Oklahoma Session Laws, 1923, and Section 9747, Compiled Oklahoma Statutes, 1921, reducing the penalty on delinquent taxes to ten per cent per annum; repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

SENATE JOINT RESOLUTION NO 9—By FERGUSON and STORMS.—A Bill directing the State Highway Commission to complete all uncompleted contracts, promises and agreements with the various counties and townships in the State before entering into any further agreements to construct, maintain or improve roads or highways and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 11—By REXROAT.

Upon motion of Senator Rexroat, Senate Bill No. 11, by Rexroat, was ordered referred to the Calendar, without reference to a Committee.

SENATE BILL NO. 12—By PULLEN.—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 13—By FIDLER.—Referred to Committee on Appropriations.

SENATE BILL NO. 14—By THOMAS (Senate) and HINES (House).—Referred to Committee on Agriculture.

SENATE BILL NO. 15—By ANGLIN.—Referred to Committee on Appropriations.

SENATE BILL NO. 16—By FERGUSON.—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 17—By FERGUSON.—Referred to Committee on Judiciary No. 1.

THIRD READING

HOUSE BILL NO. 2 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Jolly, Loofbourrow, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 38.

Nays: Johnson (Pott.), Kimerer, Otjen. Total, 3.

Not Voting: Gray. Total, 1.

Excused: MacDonald. Total, 1.

Vacancy: Henry (Deceased). Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson, (Creek), Jolly, Loofbourrow, Moore, Nesbitt, Patton, Powers, Peck, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 38.

Nays: Johnson (Pott.), Kimerer, Otjen. Total, 3.

Not Voting: Gray. Total, 1.

Excused: MacDonald. Total, 1.

Vacancy: Henry (Deceased). Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President, in open session, signed the engrossed amendments to and Engrossed House Bill No. 2, and ordered the same transmitted to the Honorable House.

GENERAL ORDER

SENATE RESOLUTION NO. 3, by Gulager, was taken up for further consideration, and read at length as follows:

SENATE RESOLUTION NO. 3—By GULAGER.

A RESOLUTION REQUESTING THE SEVERAL COURT CLERKS OF THE STATE OF OKLAHOMA TO FORTHWITH FURNISH TO THE SENATE OF THE STATE OF OKLAHOMA INFORMATION RELATING TO CIVIL AND

CRIMINAL DOCKET OF THE DISTRICT
COURT OF THEIR COUNTIES.

BE IT RESOLVED BY THE SENATE OF THE
STATE OF OKLAHOMA:

That the Court Clerks of the several counties in the State of Oklahoma, forthwith furnish to the said Senate the following information:

1. The number of civil district court cases filed in the office of the Court Clerk since January 1st, 1927, to January 1st, 1929, and

2. An approximate percentage of the district court jury cases filed in said office since January 1st, 1927, to January 1st, 1929.

3. The number of criminal cases filed in said Clerk's office, beginning January 1st, 1927, to January 1st, 1929, triable in the District Court.

4. The number of criminal cases tried by the jury in the District Court of the county, beginning January 1st, 1927, and down to January 1st, 1929.

5. The number of criminal cases now pending in the District Court of said county.

6. The number of civil cases now pending in the District Court of said county.

7. The number of days of jury court held in said county beginning January 1st, 1927, to January 1st, 1929.

8. The number of days of District Court without a jury held in said county since January 1st, 1927, to January 1st, 1929.

9. Has the Court fund of your county ever been ex-

hausted whereby you were unable to hold a jury term of court, if so when and to what extent were you delayed in the trial of your jury cases from January 1st, 1927, to January 1st, 1929?

10. How many of your civil cases filed from January 1st, 1927, to January 1st, 1929, were contested divorce cases?

11. How many default divorce cases filed from the 1st day of January, 1927, to January 1st, 1929?

12. If more than one District Judge, give number of cases decided by each, separately, stating number of jury and non-jury matters by each Judge disposed of.

Senator Johnson (Creek) submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Resolution No. 3, by inserting the word, "District," wherever shown in the resolution, the words, "and Superior."

JOHNSON (Creek).

Upon motion of Senator Gulager, Senate Resolution No. 3, as amended, was adopted.

Senate Resolution No. 3, as amended, was referred for engrossment.

Upon motion of Senator Stewart, 100 copies of Senate Resolution No. 3, as amended, were ordered printed.

SPECIAL ORDER

The hour of 2 p. m., having arrived, consideration was given SENATE RESOLUTIONS NOS. 2, by Otjen; 6, by Johnson (Creek) and Andrews; and 7, by Thomas.

Senator Williamson moved that the President of the Senate appoint a Special Committee, consisting of 6, composed of the authors of the Resolutions, together with Senators Harper and Stigler, for the purpose of incorporating in one resolution the subject matters contained in Senate Resolutions Nos. 2, 6, and 7, which motion prevailed.

Senator Stigler moved to amend the Williamson motion, by adding the words, "with instructions to report back to the Senate today," which was adopted.

Senator Harper moved that it be the sense of the Senate that the Committee hearings be held in the Senate Chamber, open to all, which motion prevailed.

President Pro Tempore Storms presiding.

GENERAL ORDER

Upon motion of Senator Rexroat SENATE BILL NO. 4, by Austin and Rexroat, was stricken from the calendar.

SENATE CONCURRENT RESOLUTION NO. 3, by Clark, Rexroat and Harper, was taken up for consideration and read at length:

SENATE CONCURRENT RESOLUTION NO. 3—By CLARK, REXROAT and HARPER.

CONCURRENT RESOLUTION COMMENDING
FRANK PHILLIPS, BARTLESVILLE, OKLAHOMA, FOR HIS PATRIOTIC SPIRIT MANIFESTED BY HAVING PAINTED ON THE SOUTH PANELS OF THE CORRIDOR OF THE FOURTH FLOOR OF THE CAPITOL BUILDING A WAR MEMORIAL PICTURE.

WHEREAS, Frank Phillips, of Bartlesville, Oklahoma, has at his own expense had painted on the panels of the fourth floor of the corridor of the State Capitol Building a war memorial picture, and

WHEREAS, Such patriotic spirit displayed by said Frank Phillips in the interest of his State is deserving of the commendation of the people of the State of Oklahoma.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA AND THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the people of Oklahoma through the Legislature now in session express their gratitude to Frank Phillips, of Bartlesville, Oklahoma, for the patriotic spirit displayed in the interest of his State and hereby express their appreciation of his acts as a citizen of the State.

BE IT FURTHER RESOLVED, That a copy of this resolution be properly engrossed and presented to Frank Phillips, of Bartlesville, Oklahoma, and also a copy be furnished the Historical Society of the State.

Senator Clark asked unanimous consent, which was granted, to place the names of Senators Graham and Easter as joint authors of Senate Concurrent Resolution No. 3.

Upon motion of Senator Clark, Senate Concurrent Resolution No. 3, as amended, was adopted.

Senate Concurrent Resolution No. 3 was referred for engrossment.

SENATE RESOLUTION NO. 8, by Fidler and Loof-bourrow, was considered and read at length:

SENATE RESOLUTION NO. 8—By FIDLER and LOOF-BOURROW.

A RESOLUTION REQUESTING THE STATE HIGHWAY COMMISSION OF THE STATE OF OKLAHOMA TO FURNISH INFORMATION CONCERNING RECEIPTS AND DISBURSEMENTS AS REQUIRED BY LAW.

WHEREAS, Section 105, Compiled Oklahoma Statutes, 1921, requires that all officers who shall collect or expend on behalf of the State, any money, shall make a detailed, itemized statement of all funds expended by them, and shall render a detailed, itemized statement to the Governor, showing the character of funds collected by them, and from whom collected, and

WHEREAS, the Governor is required to cause to be printed a sufficient number of copies thereof to furnish each member of the Legislature and other State officials with such copy, and

WHEREAS, the State Highway Commission have heretofore caused to be published a purported report which fails to conform to the laws of the State, in that said report fails wholly to give a detailed, itemized account of all moneys expended, showing the dates of such expenditure, to whom such expenditures were made, and the purpose for which the funds were expended, and

WHEREAS, such report is necessary and indispensable to the members of this body in arriving at a just and

practical understanding of the needs of said Department, and

WHEREAS, it is altogether proper that a Department of State handling such large sums of money should and ought to be required to furnish detailed report of its activities and expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Senate of the State of Oklahoma, that the State Highway Commission be and it is hereby required to prepare and forward to this Body a detailed, itemized statement of all funds collected by it, from whom collected, and for what purpose, and a detailed, itemized statement of all funds expended by it, showing the date of such expenditures, the purpose for which such expenditures were made, and to whom such funds were expended.

Upon motion of Senator Fidler, Senate Resolution No. 8 was adopted.

Senate Resolution No. 8 was referred for engrossment.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolutions Nos. 1, 4, 5, 9; Senate Concurrent Resolutions Nos. 1 and 2, correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Resolutions Nos. 1, 4, 5, and 9, and ordered the same referred for enrollment; also, Engrossed

Senate Concurrent Resolutions Nos. 1 and 2 and ordered the same transmitted to the Honorable House for consideration.

The following Message from the Honorable House was received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED HOUSE JOINT RESOLUTION NO. 1
—By MAXWELL, OWENS, et al., entitled:

A Resolution authorizing an extension of the time of payment of the First Half of the 1928 ad valorem taxes in Oklahoma until March 15, 1929, and providing that the Last Half of the 1928 ad valorem taxes shall not become delinquent until the 15th day of June, 1929, and relieving the taxpayer of all penalty of such taxes if the First Half of such taxes is paid on or before March 15, 1929, and declaring an emergency,

and to inform you and through you, the Honorable Senate, that the same has been corrected and passed by the House of Representatives and signed by the Speaker in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Senator Austin, on behalf of the Special Committee appointed under Senate Resolutions Nos. 2, 6 and 7, submitted the following report.

MR. PRESIDENT:

We, your Committee, appointed to reconcile Senate Resolutions Nos. 2, 6 and 7, beg leave to report as follows:

That Senate Resolution No. 6, by Andrews and Johnson (Creek), be adopted, as amended.

Respectfully submitted,

AUSTIN, Chairman
ANDREWS
HARPER
JOHNSON (Creek)
STIGLER
OTJEN
HILL
THOMAS.

Senate Resolution No. 6, by Andrews and Johnson (Creek), as amended by the Committee, was read as follows:

SENATE RESOLUTION NO. 6—By JOHNSON (Creek) and ANDREWS.

A RESOLUTION TO AUTHORIZE THE INVESTIGATION BY A COMMITTEE OF THE SENATE OF CERTAIN CHARGES MADE RELATIVE TO THE ACTION OF THE COURT OF IMPEACHMENT IN THE YEAR, 1927; TO APPOINT A COMMITTEE TO CONDUCT SUCH INVESTIGATION; TO EMPOWER SAID COMMITTEE TO PERFORM ITS DUTIES AND SETTING FORTH THE PROCEDURE IN CONDUCTING SUCH INVESTIGATION AND CLOTHING THE COMMITTEE SO APPOINTED WITH POWER TO CONDUCT SUCH INVESTIGATION

WHEREAS, heretofore on the 28th day of December, 1927, a Court of Impeachment assembled, voted to quash purported Articles of Impeachment presented to it, and thereafter voted to adjourn, and,

WHEREAS, following such action it was charged in the public prints that some unnamed individuals had been induced to vote to quash the purported bills of impeachment and to adjourn by reason of money paid to various members of the Court of Impeachment, whose names were not given, nor were the amounts given, but such amount in gross was alleged to be the sum of \$100,000.00, and;

WHEREAS, further, many of those participating in such Court of Impeachment and voting to quash such information and to adjourn are now members of this Senate, and the statements so made cast doubt upon the honesty and sincerity of all those so voting, and,

WHEREAS, these charges, if true, should be made definite, so that those innocent should not be made to bear the burden of such wrong-doing, and if false should be shown so to be;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, duly assembled:

1st: That the President of the Senate be and he is hereby empowered, authorized and directed to appoint a committee to be composed of five (5) members of the Senate to investigate such charges and to determine the truth or falsity thereof; and that he is further authorized, empowered and directed to name one of such five members as Chairman of such Investigating Committee. The Chairman shall preside over the meeting of said Committee. A majority of such committee shall constitute a quorum for the transaction of business.

2nd: The said Committee is hereby empowered, authorized and directed to forthwith proceed to examine into the truthfulness or falsity of the charges so made, and to that end is empowered to issue all process known to Courts of Record to produce evidence and to bring before them witnesses and all records that may be necessary for a full, fair and complete investigation of such charges. Such process shall be issued under the hand of the Chairman of the Investigating Committee, whose signature shall be attested by the Secretary of the Senate. The Chairman, or a majority of the Committee shall be empowered to cause process to issue, and the Chairman is hereby authorized and empowered to administer oaths to witnesses.

3rd: Such committee is hereby required to have all evidence taken before it transcribed, and all hearings shall be public.

4th: In event any witness shall refuse to attend when summoned, or to produce any document or record when required so to do, or to testify when attending, or to answer any question propounded to him, the Chairman of the Committee herein provided for shall immediately report such action, together with the name of the witness and the nature of his refusal to the Senate in open session, so that such witness may be dealt with as may seem just and proper to the Senate.

5th: When the investigation shall have been completed, or from time to time, if it so desires, the committee shall make full report of its actions and findings to the Senate, together with recommendations, if any it may have, as to the charges or persons affected by such findings, together with a summary of the evidence upon which such findings are based.

6th: Such committee is hereby directed to proceed with such hearings as promptly as may be to the end that proper action be not delayed.

7th: The sessions of the Committee shall be held in the Senate Chamber in the presence of the Senate.

8th: The Secretary of the Senate is hereby authorized, empowered and directed to furnish the committee with all necessary clerical help and such other assistants, including an Assistant Sergeant-at-Arms, as will expedite such hearing and the conclusion of the labors of such committee.

Senator Gulager submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Resolution No. 6, by adding a new Section, known as Section 8, to read as follows:

“Section 8. Any publisher of a newspaper or any other person accused of making slanderous statements against any Senator, or against the Senate as a whole, shall have the right to demand that any person, firm or corporation may be called upon by regular process issued

by the Senate to give testimony and to produce books and papers the same as a defendant under criminal charge in the District Courts of the State, and such accused shall have the right to be represented by counsel.”

GULAGER.

Upon motion of Senator Austin, Section 8 in the original resolution was shown as Section 9.

Upon motion of Senator Austin, Senate Resolution No. 6, as amended, was adopted.

Senate Resolution No. 6, as amended, was referred for engrossment.

The President presiding.

The President asked that he be given until tomorrow, in which to decide on the appointment of the Committee, under Senate Resolution No. 6, which request was granted him.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

The following House Joint Resolution was received and read for the first time:

ENGROSSED HOUSE JOINT RESOLUTION NO. 1
—By MAXWELL, OWENS, et al., entitled:

A Resolution authorizing an extension of the time of payment of the First Half of the 1928 ad valorem taxes in Oklahoma until March 15, 1929, and providing that the Last Half of the 1928 ad valorem taxes shall not become delinquent until the 15th day of June, 1929, and relieving the taxpayer of all penalty on such taxes if the First Half of such taxes is paid on or before March 15, 1929, and declaring an emergency.

Upon motion of Senator Stewart, the Senate adjourned, to meet under the rules.

NINTH LEGISLATIVE DAY

THURSDAY, JANUARY 17TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 41.

Excused: Johnson (Creek), Loofbourrow. Total, 2.

Vacancy: Henry (Deceased). Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

In keeping with Senate Resolution No. 6 by Andrews and Johnson (Creek), adopted on yesterday, the President appointed Senators Austin, Chairman, Williamson, Commons, Hill and Terwilleger, as the Special Committee thereunder.

The President Pro Tempore presiding.

COMMITTEE REPORTS

The following Committee Reports were submitted, adopted, and the bills and resolutions ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 15, by Anglin, entitled:

An Act making an appropriation for the purpose of paying the traveling and living expenses of the Judges of the Court of Tax Review, and making an appropriation for the per diem, traveling and living expenses and making of transcripts for Court Reporters of said Court of Tax Review, when such Judges and Court Reporters are outside of their counties of residence and making appropriations for communications and supplies for the State Auditor, as Clerk of said Court of Tax Review, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Joint Resolution No. 3 by Storms, entitled:

A Joint Resolution appropriating Twelve Thousand Dollars for the purpose of paying Oklahoma's share of the expenses in making a re-survey of the boundary between the State of Texas and the main Western Boundary of Oklahoma, in accordance with a decision of the Supreme Court of the United States in Cause No. 6, original wherein the State of Oklahoma was complainant and the State of

Texas defendant, and the United States of America, intervenor, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Joint Resolution No. 4—By Storms, entitled:

A Joint Resolution appropriating Eighteen Thousand Dollars for the purpose of paying Oklahoma's share of the expense of making a survey for the purpose of locating the line between Oklahoma and Texas along the south bank of Red River, pursuant to the decree of the Supreme Court of the United States under date of March 12, 1923, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Joint Resolution No. 6—By Anglin, entitled:

A Resolution transferring and re-appropriating certain balances of funds appropriated at the Regular Session of the Eleventh Legislature of the State of Oklahoma for the Bureau for Preparation of the Budget for the fiscal year ending June 30, 1928, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Joint Resolution No. 8—By Anglin (Senate) and Kight (House), entitled:

A Resolution appropriating the sum of \$86,786.18 unexpended balance in the appropriation provided for in Senate Bill No. 250, of the Eleventh Legislature, Chapter 52, Session Laws of Oklahoma, 1927, so that the same may be used for salaries of officers and employees and contingent expenses of the Senate and House of Representatives of the Twelfth Legislature, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

Senator Darnell submitted the following Committee Report, which was adopted:

MR. PRESIDENT:

We, your Committee on Mileage, beg leave to report that we had the same under consideration, and herewith report as follows:

Name	District No.	Miles	Total
Andrews, Guy L.	No. 25	240.4	\$24.04
Anglin, Tom	22	152.2	15.22
Austin, W. C.	5	324	32.40
Blakely, T. T.	32	254.2	25.42
Boyer, Dave	17	218	21.80
Clark, W. T.	9	234.4	23.44
Commons, A. L.	30	416.8	41.68
Darnell, A. E.	6	200	20.00
Easter, A. C.	34	292.2	29.22
Ewing, A. A.	12	62.8	6.28

Ferguson, Jo O.	10	206	20.60
George, E. V.	19	35.4	3.54
Graham, Gid	33	350.2	35.02
Gray, Gordon	15	116.4	11.64
Gulager, W. M.	27	315	31.50
Harper, J. B.	21	420.8	42.08
Hill, Ira A.	7	257.2	25.72
Johnson (Creek)	11	166.6	16.66
Johnson (Pottawatomie)	13	106.2	10.62
Jolly, Harry	15	168	16.80
Kimerer, W. P.	16	121	12.10
Loofbourrow, Wade H.	1	470	47.00
MacDonald, John A.	20	297.8	29.78
Moore, Alvin	2	304.8	30.48
Nesbitt, J. N.	20	265.8	26.58
Patton, G. J.	28	441.6	44.16
Peck, George D.	13	129.6	12.96
Powers, D. H.	3	400	40.00
Otjen, W. J.	8	173.6	17.36
Pullen, Jess L.	18	180	18.00
Ray, W. O.	26	266.2	26.62
Reed, E. M.	2	246	24.60
Rexroat, U. T.	18	200.2	20.02
Rice, John L.	14	53.4	5.34
Smith, Lester E.	23	136	13.60
Stewart, Paul	24	510.8	51.08
Stigler, W. G.	27	418.8	41.88
Storms, C. S.	17	210.6	21.06
Terwilleger, C. H.	31	237.6	23.76
Thomas, Grover	6	223.2	22.32
Wheatley, R. L.	29	365.2	36.52
Williamson, Mac Q.	19	110	11.00

Respectfully submitted,

DARNELL,
THOMAS,
BLAKELY.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills, begs leave to report Senate Resolutions Nos. 3, 6, 8 and Senate Concurrent Resolution No. 3, correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Resolutions Nos. 3, 6 and 8, and referred the same for enrollment; signed, also, in open session, Senate Concurrent Resolution No. 3 and ordered the same transmitted to the Honorable House for consideration.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 30.—By REXROAT.—An Act relating to County Government in the State of Oklahoma, and providing for the adoption of the County Manager form of Government.

SENATE BILL NO. 31.—By TERWILLEGER.—An Act amending Section 4721 of Article 16, Chapter 29, Compiled Oklahoma Statutes, Annotated 1921, relating to the jurisdiction of Municipal Criminal Courts, and declaring an emergency.

SENATE BILL NO. 32.—By STEWART.—An Act amending Section 7, of Senate Bill No. 341, Chapter 113, Regular Session Laws of Oklahoma, 1923, relating to liability of insurance companies for negligent acts of motor carriers insured by them, and regulating suits brought on policies or bonds, and declaring an emergency.

SENATE BILL NO. 33.—By REED and MOORE.—An Act creating additional positions in the office of the Commissioners of the Land Office, fixing the salaries therefor, making an emergency appropriation for salaries to June 30th, 1929, and declaring an emergency.

SENATE BILL NO. 34.—By REED.—An Act providing for the appraisement of State School and other State Lands, and providing for appraisers and clerical and fixing the annual rental, and making an appropriation therefor.

SENATE BILL NO. 35.—By DARNELL, GRAY, REED and GEORGE.—An Act relating to the introduction into this State of Tuberculous Cattle and to the prevention and eradication of Tuberculosis in cattle; authorizing the State Board of Agriculture to promulgate and enforce rules and regulations relating thereto; providing for the killing of tubercular cattle and for compensating the owners thereof; permitting counties to provide a fund to be used in co-operating with the State and United States Departments of Agriculture County Area Plan; repealing Chapter 127, Oklahoma Session Laws, 1923-24, and all other Acts or parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 36.—By GULAGER, WHEATLEY, GRAHAM, REXROAT, STIGLER, PATTON and COMMONS of the Senate, and PATTERSON, et al, of the House.—An Act authorizing County Clerks, or Register of Deeds, to register designated homesteads, under Act of Congress passed and approved May 10, 1928, and declaring an emergency.

SENATE BILL NO. 37.—By THOMAS.—An Act fixing Temperance Day in the Public Schools of Oklahoma.

SENATE BILL NO. 38.—By CLARK.—An Act amending Section 2119, Compiled Oklahoma Statutes, 1921, and declaring an emergency.

SENATE BILL NO. 39.—By GRAHAM and MacDONALD.—An Act amending Section 2119, Compiled Oklahoma Statutes, 1921, and providing that the Trial Judge, in cases involving a violation of this Act, may not suspend judgment and sentence passed upon any person who violates the provisions hereof, repealing all laws in conflict herewith, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 10.—By ANGLIN, AUSTIN, STORMS and STEWART.—A Resolution authorizing the Senate of the State of Oklahoma to employ temporary help and assistance, making an appropriation therefor, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 11.—By FERGUSON (Senate) and WEBBER (House).—A Joint Resolution appropriating certain monies from the State Treasury to reimburse the Pawnee Tribe of Indians for oil and gas bonuses and rental and agricultural rentals collected on tribal land by the Commissioners of the Land Office, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 12.—By FIDLER, OTJEN (Senate) and MARKER, EYLAR, GRAHAM and LEECRAFT (House).—A Joint Resolution appropriating and authorizing the payment of funds in the State Treasury not otherwise appropriated in the sum of Thirteen Hundred Dollars to E. G. Spilman, and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 18.—By THOMAS (Senate) and HINES (House).—Referred to Committee on Public Health.

SENATE BILL NO. 19.—By ANGLIN (Senate) and BUSEY (House).—Referred to Committee on Agriculture.

SENATE BILL NO. 20.—By ANGLIN.—Referred to Committee on Appropriations.

SENATE BILL NO. 21.—By STORMS and REED, By Request.—Referred to Committee on Appropriations.

SENATE BILL NO. 22.—By AUSTIN.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 23.—By LOOFBOURROW (Senate) and ALLEN (House).—Referred to Committee on State and County Affairs.

SENATE BILL NO. 24.—By LOOFBOURROW, RICE, FIDLER, KIMERER, REXROAT, AUSTIN, EWING, HILL and NESBITT.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 25.—By EWING (Senate) and HOUSTON (House).—Referred to Committee on Fish and Game.

SENATE BILL NO. 26.—By GRAHAM.—Referred to Committee on Fish and Game.

SENATE BILL NO. 27.—By STEWART.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 28.—By GULAGER.—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 29.—By RAY.—Referred to Committee on State and County Affairs.

SENATE JOINT RESOLUTION NO. 9.—By FERGUSON and STORMS.—Referred to Committee on Roads and Highways.

HOUSE JOINT RESOLUTION NO. 1.—By MAXWELL, OWENS, et al.

Upon motion of Senator Terwilleger, the rules of the Senate were suspended and House Joint Resolution No. 1, by Maxwell, Owens, et al., was ordered placed upon the calendar, without reference to a Committee.

Upon motion of Senator Stewart, the Senate adjourned, to meet under the rules.

TENTH LEGISLATIVE DAY

FRIDAY, JANUARY 18TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 41.

Excused: Johnson (Creek), Loofbourrow. Total, 2.

Vacancy: Henry (Deceased). Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

By unanimous consent, Senator Easter was added as a joint author of Senate Bill No. 30 and Senate Concurrent Resolution No. 3.

Upon motion of Senator Andrews, the name of Senator Gulager was added as a member of the Committee on Appropriations.

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 5—By STEWART (Senate) and GRAHAM (House), entitled:

An Act making appropriation to pay the mileage and per diem of members of the Senate and House of Representatives of the Twelfth Legislature, salaries of officers and employees and contingent expenses, and declaring an emergency,

and to advise you and through you, the Honorable Senate that the same has been passed by the House and signed by the Speaker in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bill No. 5 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 3—By KIGHT, SNODDY and MOON, entitled:

A Resolution directing the State Highway Commission of the State of Oklahoma to defer action upon bids

received on January 9, 1929, for the construction of Highway projects in the State of Oklahoma until February 9, 1929, and,

ENGROSSED JOINT SESSION RESOLUTION NO. 1—By MacDONALD and NESBITT of the Senate, and SMITH and LEECRAFT of the House, entitled:

A Resolution honoring and commending Ira C. Eaker, Captain, Air Service, United States Army, and his intrepidity and ability evidenced as Chief Pilot of the United States Army Endurance Flight Plane, "Question Mark."

and to inform you and through you, the Honorable Senate that same have been adopted by the House of Representatives and signed by the Speaker.

Respectfully,

BERT McDONEL, Chief Clerk.

COMMITTEE REPORTS

Senator Austin submitted the following Special Committee Report, which was adopted and ordered printed in the Journal:

MR. PRESIDENT:

We, your Committee appointed under Senate Resolution No. 6, passed and approved January 16, 1929, beg leave to submit the following preliminary report:

Your Committee duly assembled and organized on January 17, 1929, and adopted tentative rules of procedure and transacted certain other business, incidental to the organization.

We submit, herewith, as part of this report, a copy of all such proceedings and rules.

Very respectfully submitted,

AUSTIN, Chairman.

SENATE INVESTIGATING COMMITTEE MINUTES

January 17, 1929

Special Committee appointed by President of the Senate, as provided in Senate Resolution Number 6, met in Room 420, of the Capitol Building, at 3:30 o'clock, p. m., January 17, 1929.

Present: Senator Austin, Chairman, Senators Williamson, Hill, Commons, and Terwilleger, Committee members. Committee duly organized for performance of its duties, as outlined.

The following expression of policy was unanimously adopted by this Committee:

It shall be the policy of this Committee, throughout its hearings and in all of its deliberations to conduct the same in keeping with the highest standards of Judicial Ethics and decorum, and in keeping with the highest traditions of Senatorial dignity and honor.

Motion made by Senator Williamson, that Miss Beulah Dickinson be appointed temporary Secretary of this Committee, was seconded by Senator Hill, and carried.

Motion, by Senator Williamson that Secretary of Senate be instructed to communicate with, and is duly authorized to engage the services of Guy Huff, or any other competent or qualified Court Reporter, for the purpose of recording the evidence and proceedings, as re-

quired by Committee, seconded by Senator Commons, carried.

Motion by Senator Commons, that Mr. Sam Turner, be employed as assistant Sergeant-at-Arms, seconded by Senator Williamson, and carried.

Motion by Senator Williamson that a page be appointed, and carried. Secretary Luttrell, was authorized to select page.

Motion made by Senator Williamson that Secretary of Senate be instructed to secure and deliver to this Committee, copies of Oklahoma News to be procured from Historical Society, beginning with December 15th, 1927. Motion seconded by Senator Terwilleger, and was unanimous.

A motion for rules to be made and adopted by the Committee, carried.

RULES

Rule 1. The Chairman shall ascertain and express the will of the Committee on all questions raised in course of inquiry.

Rule 2. Any Senator may propound questions to witnesses but as to all Senators, who are not members of this Committee, such questions shall be reduced to writing unless otherwise ordered by Committee, and shall be submitted to Chairman, who may, if question be deemed pertinent, propound same.

Rule 3. With exception of hearsay rule, the general rules of evidence prevailing in Courts of Record in this state, shall in so far as applicable, prevail in the course

of this hearing, unless otherwise specifically ordered by the Committee.

Rule 4. The rule in regard to the exclusion of witnesses as applied in Courts of record may be granted or invoked at the discretion of the Committee.

Rule 5. Secretary of Senate is directed to prepare and submit to this Committee all necessary forms of subpoenas, and other process.

Rule 6. It is the sense of this Committee that members thereof shall refrain from discussion of any matter relevant to this investigation, with any person or persons only in Committee hearings, provided this shall not apply to the issuance of process, or other matters, not affecting the merits of the investigation.

Rule 7. The fees to be paid to witnesses shall be the same as is now provided by law for witnesses attending District Court.

Rule 8. All claims for fees, salaries, or other expenses, in connection with this investigation, shall be presented, audited and paid in same manner as is now provided for the payment of other expenses of the Senate. Provided that all such claims shall bear the approval of this Committee.

Rule 9. The ordinary rules of Judicial Ethics shall be observed by each member of the Committee, and at all times obeyed.

Rule 10. Special meetings of this Committee may be called by the Chairman or a majority of the Committee.

INVESTIGATION COMMITTEE MINUTES

January 18th, 1929

Senate Investigating Committee reconvened, in Room 420, of Capitol Building, at the hour of 10:30 o'clock, a. m., January 18th, 1929, with all members present.

A quorum being present, session was declared ready for business.

Motion made by Senator Commons, seconded by Senator Terwilleger, authorizing the Secretary of the Senate to conclude agreement with Mr. Guy Huff, as Reporter for this Committee, carried.

Motion by Senator Commons that form of subpoena submitted by Secretary of Senate, be adopted for service on witnesses, seconded by Senator Williamson, and carried.

Motion made by Hill and seconded by Commons, that a formal opening of this investigation be set for the hour of 10:00 o'clock, a. m., Tuesday, January 22, 1929, in Senate Chamber. Carried.

Motion by Senator Williamson that the Chairman be directed to issue subpoena of this committee, directed to Mr. Carl C. Magee, of Oklahoma City, directing him to appear before this committee, at 10:00 o'clock, a. m., Tuesday, January 22nd, 1929. Motion seconded by Commons and carried.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 5 correctly enrolled.

BOYER, Chairman.

Senate Bill No. 5 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore, and ordered transmitted to the Honorable House for the signature of the Speaker.

By unanimous consent, Senators Andrews, Austin, Commons and Wheatley were excused for the remainder of this legislative day.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 40.—By PULLEN—A Bill to be entitled an Act requiring Court Clerks in the several counties, in the State of Oklahoma, to furnish a transcript of the proceedings filed in Probate matters wherein the deceased, minor or incompetent was the owner of real estate in more than one county to each and every Court Clerk of the counties in which the deceased, minor or incompetent was the owner of real estate, and declaring an emergency.

SENATE BILL NO. 41.—By RICE and REED.—An Act providing the time of holding primary elections, repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 42.—By WHEATLEY.—An Act authorizing Corporations to barter, sell or otherwise dispose of all or any part of their rights, assets and other property either real or personal, and regulating such barter, sale or disposition.

SENATE BILL NO. 43.—By COMMONS (Senate), and ROPER (House).—An Act to amend Section 4236, Article 1, Chapter 25, Compiled Oklahoma Statutes, 1921,

relating to the establishment of a Fiscal Agency, and providing for the method of apportionment of interest received on funds deposited with such agency.

SENATE BILL NO. 44.—By THOMAS.—An Act providing for two lights on all vehicles used at night on the public roads and fixing a penalty for the violation thereof.

SENATE BILL NO. 45.—By MacDONALD.—An Act repealing Chapter 102, Session Laws of Oklahoma of 1925, relating to the business of furnishing power, light, heat, gas, electricity, or water in cities and towns; authorizing the surrender of municipal franchises in exchange for revocable permits; requiring certificates of convenience and necessity and providing for the determination and issuance thereof; and repealing acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 46.—By MacDONALD.—An Act authorizing counties in the State of Oklahoma, to purchase lands and construct buildings thereon for Free Fair purposes, authorizing the issuance of bonds for such purpose, providing the manner of holding the bond election and declaring an emergency.

SENATE BILL NO. 47.—By MacDONALD.—An Act amending Section 3780, Compiled Oklahoma Statutes, 1921, pertaining to adulteration of stock food, repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 48.—By BOYER.—An Act requiring and providing for the calling and convening of a Grand Jury in every county of the State of Oklahoma at least once each year, and declaring an emergency.

SENATE BILL NO. 49.—By BOYER.—An Act authorizing the State Highway Commission to carry work-

men's compensation insurance on their employees who are engaged in manual or mechanical work or labor in the construction or maintenance of State Highways, to pay the premium for said insurance out of the State Highway Construction and Maintenance Fund, and declaring an emergency.

SENATE BILL NO. 50.—By BOYER.—An Act amending subdivision "B," Section 8, Chapter 48, Oklahoma Session Laws of 1923-24, limiting the expenditure of the State Highway Construction and Maintenance Fund on State Highways which are constructed in part by the use of county highway funds, providing that such counties must pay all of certain costs in constructing the same, and declaring an emergency.

SENATE BILL NO. 51.—By ANGLIN.—A Bill to be entitled.—An Act making general appropriation for the budget of the Legislative, Executive and Judicial Departments of the State and for the principal and interest of the public debt, for the fiscal years ending June 30th, 1930, and June 30th, 1931, by functions of each department in accordance with the budget classification adopted by the Governor, and declaring an emergency.

SENATE BILL NO. 52.—By ANGLIN.—A Bill to be entitled.—An Act appropriating \$500,000.00 from the General Revenue Fund in the State Treasury to be placed into the Special Common School Equalization Fund, and apportioned by the State Board of Education among the various school districts in accordance with the terms and provisions of House Bill No. 241, of Session Laws, 1927, for the remainder of fiscal year, ending June 30, 1929, and declaring an emergency.

SENATE RESOLUTION NO. 11.—By FIDLER.—A Resolution authorizing the Attorney General of the State

of Oklahoma to institute appropriate action to revoke the pardon granted to R. D. Crosthwaite, by the Governor of the State of Oklahoma.

Senator Fidler moved that the rules of the Senate be suspended and Senate Resolution No. 11 be taken up for immediate consideration.

Senator Anglin, as a substitute, moved that further consideration of Senate Resolution No. 11 be deferred, until a time when a greater number of the Senators are present.

By unanimous consent, Senator Fidler withdrew his motion.

The President Pro Tempore administered the official oath to Sam Turner, an employee of the Senate.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 30.—By REXROAT.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 31.—By TERWILLEGER.—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 32.—By STEWART.—Referred to Committee on Insurance.

SENATE BILL NO. 33.—By REED and MOORE.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 34.—By REED and MOORE.—Referred to Committee on School Lands.

SENATE BILL NO. 35.—By DARNELL, GRAY, REED, and GEORGE.—Referred to Committee on Agriculture.

SENATE BILL NO. 36.—By GULAGER, WHEATLEY, GRAHAM, REXROAT, STIGLER, PATTON, et al.

Upon motion of Senator Gulager, the rules of the Senate were suspended and Senate Bill No. 36 was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 37.—By THOMAS.—Referred to Committee on Prohibition and Prohibition Enforcement.

SENATE BILL NO. 38.—By CLARK.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 39.—By GRAHAM and MacDONALD—Referred to Committee on Judiciary No. 1.

SENATE JOINT RESOLUTION NO. 10—By ANGLIN, AUSTIN, STORMS and STEWART.

Upon motion of Senator Anglin, the rules of the Senate were suspended and Senate Joint Resolution No. 10 was ordered placed upon the calendar, without reference to a committee.

Upon motion of Senator Anglin, the rules of the Senate were suspended and Senate Joint Resolution No. 10 was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Anglin.

Section 2 was read.

Senator Otjen submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 10, by striking the words and figures, "Fifty Thousand (\$50,000.00)," and inserting the words and figures, "Thirty-five Thousand (\$35,000.00)."

OTJEN.

Upon motion of Senator Anglin, Section 2, as amended, was adopted.

Upon motion of Senator Anglin, Senate Joint Resolution No. 10, as amended, was advanced to engrossment and third reading.

SENATE JOINT RESOLUTION NO. 11—By FERGUSON (Senate) and WEBBER (House)—Referred to Committee on Appropriations.

SENATE JOINT RESOLUTION NO. 12—By FIDLER and OTJEN (Senate), and MARKER, EYLAR, GRAHAM and LEECRAFT (House)—Referred to Committee on Appropriations.

GENERAL ORDER

Upon motion of Senator Rexroat, Senate Bill No. 11, by Rexroat, was stricken from the calendar.

SENATE JOINT RESOLUTION NO. 6, By Anglin, was taken up for consideration and read at length.

Upon motion of Senator Anglin, Senate Joint Resolution No. 6 was advanced to engrossment and third reading.

SENATE JOINT RESOLUTION NO. 4, by Storms, was taken up for consideration and read at length.

Upon motion of Senator Anglin, Senate Joint Resolution No. 4 was advanced to engrossment and third reading.

SENATE JOINT RESOLUTION NO. 3, by Storms, was taken up for consideration and read at length.

Upon motion of Senator Anglin, Senate Joint Resolution No. 3, was advanced to engrossment and third reading.

SENATE JOINT RESOLUTION NO. 8, by Anglin of the Senate, and Kight of the House, was taken up for consideration and read at length.

Upon motion of Senator Anglin, Senate Joint Resolution No. 8 was advanced to engrossment and third reading.

SENATE BILL NO. 15, by Anglin, was taken up for consideration and read at length.

Upon motion of Senator Anglin, Senate Bill No. 15 was advanced to engrossment and third reading.

Upon request of Senator Fidler, consideration of SENATE RESOLUTION NO. 10, by Fidler, and Loofbourrow, was deferred for this legislative day.

HOUSE JOINT RESOLUTION NO. 1 by Maxwell, et al., of the House and Terwilleger of the Senate, was taken up for consideration.

Section 1 was read.

Senator Terwilleger submitted the following amendment, which was adopted:

Mr. President: I move to amend House Joint Resolution No. 1, line 4, page 1, by striking after the word, "March," the figures, "15," and inserting the figure, "1."

TERWILLEGER.

Senator Terwilleger submitted the following amendment, which was adopted:

Mr. President: I move to amend House Joint Resolution No. 1, line 3, Section 1, by striking the figures, "15th," and inserting the figure, "1st."

TERWILLEGER.

Upon motion of Senator Terwilleger, Section 1, as amended, was adopted.

By unanimous consent, the title of House Joint Resolution No. 1 was amended to conform with the resolution.

Upon motion of Senator Terwilleger, House Joint Resolution No. 1, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Gulager, the rules of the Senate were suspended, and House Joint Resolution No. 1 was considered engrossed and placed upon third reading and final passage.

HOUSE JOINT RESOLUTION NO. 1 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Anglin, Blakely, Boyer, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilliger, Thomas, Williamson. Total, 32.

Nays: 0.

Not Voting: Clark, Fidler, Peck, Ray, Rice. Total, 5.

Excused: Andrews, Austin, Commons, Johnson (Creek), Loofbourrow, Wheatley. Total, 6.

Vacancy: Henry (Deceased). Total, 1.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Resolution become an emergency measure?" and the roll was called with the following results:

Ayes: Anglin, Blakely, Boyer, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilliger, Thomas, Williamson. Total, 32.

Nays: 0.

Not Voting: Clark, Fidler, Peck, Ray, Rice. Total 5.

Excused: Andrews, Austin, Commons, Johnson (Creek), Loofbourrow, Wheatley. Total, 6.

Vacancy: Henry (Deceased). Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

House Joint Resolution No. 1, as amended, was referred for engrossment.

The following message from the Honorable House was received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 5—By STEWART (Senate) and GRAHAM (House), entitled—An Act making appropriation to pay the mileage and per diem of the members of the Senate and House of Representatives of the Twelfth Legislature, salaries of officers and employees and contingent expenses, and declaring an emergency,

and to advise you and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker of the House of Representatives in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bill No. 5 was referred to the Governor for his consideration.

HOUSE BILLS AND RESOLUTIONS ON
FIRST READING

The following Resolutions were received and read for the first time:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 3—By KIGHT, SNODDY and MOON, entitled—A Resolution directing the State Highway Commission of the State of Oklahoma to defer action upon bids received on January 9, 1929, for the construction of Highway Projects in the State of Oklahoma until February 9, 1929.

ENGROSSED JOINT SESSION RESOLUTION NO. 1—By MacDONALD and NESBITT (Senate), and SMITH and LEECRAFT (House) entitled—A Resolution honoring and commending Ira C. Eaker, Captain, Air Service, United States Army, and his intrepidity and ability evidenced as Chief Pilot of the United States Army endurance flight plane, "Question Mark."

Senator Stewart moved that the Senate adjourn to meet at 10:00 o'clock, a. m., Monday, January 21st, 1929.

Senator Otjen, as a substitute moved that the Senate adjourn to meet under the rules, on Monday, January 21, 1929, which motion prevailed.

TWELFTH LEGISLATIVE DAY

MONDAY, JANUARY 21ST, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 43.

Vacancy: Henry (Deceased). Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

The following messages were received and read:

To the Honorable Senate and
House of Representatives of
the 12th Legislature:

I have the honor to advise that I have this day ap-

proved, signed and transmitted to the Secretary of State Senate Bill No. 5, entitled:

"An Act making appropriation to pay the mileage and per diem of members of the Senate and House of Representatives of the 12th Legislature, salaries of officers and employees and contingent expenses, and declaring an emergency."

HENRY S. JOHNSTON,
Governor.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 2—By HOOVER, SNODDY, GRAHAM (House) and FIDLER, ANDREWS and COMMONS (Senate), entitled—A Resolution authorizing Joint Session at 2 p. m., February 4, 1929, for the purpose of hearing the address of the Grand Exalted Ruler, Murray Hulbert, of the Order of the Elks, former United States Congressman for two terms, from New York, Vice Mayor of New York City under Mayor Hylan, and to inform you, and through you, the members of the Honorable Senate, that the same has been adopted by the House of Representatives and signed by the Speaker of the House in open session.

Respectfully,
BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 2—By CARMACK, entitled—An Act regulating and fixing the salaries of the County officers of Harmon County, State of Oklahoma, and declaring an emergency, and to inform you, and through you the Honorable Senate, that the same has been read for the fourth time, and signed by the Speaker in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

House Bill No. 2 was read for the fourth time, the enrolled copy signed by the President Pro Tempore, in open session, and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 1—By STREET, HARROWER and SNODDY, entitled—A Concurrent Resolution endorsing Honorable Harry H. Rogers for appointment in the Cabinet of President elect Herbert Hoover, and to advise you, and through you, the members of the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker of the House in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

The President Pro Tempore, in open session, signed Enrolled House Concurrent Resolution No. 1 and ordered the same returned to the Honorable House.

Engrossed Joint Session Resolution No. 1, by MacDonald and Nesbitt, of the Senate, and Smith and Leecraft of the House, transmitted to the Senate on Friday, January 18, 1929, was signed by the President Pro Tempore, in open session, and ordered returned to the Honorable House.

. COMMITTEE REPORT

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills, begs leave to report the following bills and resolutions correctly engrossed: Senate Bill No. 15; House Joint Resolution No. 1; Senate Joint Resolutions Nos. 3, 4, 6, 8 and 10.

BOYER, Chairman.

The President Pro Tempore, in open session, signed the Engrossed Senate amendments to and Engrossed House Joint Resolution No. 1, as amended, and ordered the same returned to the Honorable House.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 53.—By COMMONS (Senate) and CHAMBERS and SKINNER (House).—An Act providing for the regulation of the working of lead, zinc and other metal mines; providing for the protection of the lives, health, safety and welfare of persons employed therein and thereabouts; defining the duties of persons,

firms and corporations operating said mines; prescribing the duties of persons working in and about said mines; prescribing penalties for violations of the provisions of this act; prohibiting the employment of certain persons in underground work in said mines and fixing eight hours as a day's work in all underground work in said mines except in case of an emergency; defining the authority and prescribing the duties of the Chief Mining Inspector and Deputy Mine Inspector of the district in which said mines are located; defining words "mines," "operator" and "mining inspector" when used in this act; authorizing and conferring jurisdiction of the District Court in the Judicial District where mines are located affected by orders of the Chief Mining Inspector of the State of Oklahoma or his assistants to modify, affirm or cancel said orders and providing an appeal from the action of said court; repealing Chapter Sixty-Three entitled, "Mines and Mining" of the Compiled Statutes of the State of Oklahoma, 1921, being Sections 7540 to 7633, both inclusive, in so far as it affects or applies to mines defined in this Act; also repealing all other Acts, laws or parts thereof in conflict or inconsistent with this Act in so far as they apply to mines as defined in this Act, and declaring an emergency.

SENATE BILL NO. 54.—By BOYER, STIGLER and BLAKELY of the Senate, and LOGAN, et al, of the House. —An Act amending Section 1, Chapter 58, Oklahoma Session Laws, 1927, relating to the Number of the Assistants of the Attorney General of Oklahoma, fixing their salaries, and declaring an emergency.

SENATE BILL NO. 55.—By ANGLIN, (By Request). —An Act to amend Section 185 of Article II of Chapter 3 of the Compiled Statutes of the State of Oklahoma, 1921, entitled: "Code of Civil Procedure of the State of Oklahoma relating to Limitation of Actions" by making such Section, as amended, prescribe limitations for all actions

in regard to severing mineral from real property and for the sale, conversion or accounting for mineral severed, and declaring an emergency.

SENATE BILL NO. 56.—By ANGLIN, (By Request).
—A Bill to be entitled: An Act to amend Article 2, of Chapter 36 of the Compiled Statutes of the State of Oklahoma of 1921, by adding thereto Section 5997A defining detriment to real estate by the wrongful severance of mineral or sale of mineral so severed, and repealing all Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 57.—By ANGLIN, (By Request).
—A Bill to be entitled: An Act to render conclusive judgments, orders and decrees of County Courts in Guardians,' Executors' and Administrators' sales; repealing all Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 58.—By ANGLIN.—A Bill to be entitled: An Act making an appropriation to pay J. L. McCormack and C. C. McGuirt for labor performed at the State Tubercular Sanatorium for negroes at Boley, and declaring an emergency.

SENATE BILL NO. 59.—By ANGLIN.—An Act providing for ten per cent attorney fee in certain actions to recover on fire and life insurance policies, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 13.—By GRAHAM.—A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma providing for the re-districting of the State Senatorial and Legislative Districts, fixing the number, salary, term of office and manner of election of State Senators and Representatives, and amending Sections 9, 10 and 21 of Article 5 of the Constitution of Oklahoma.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 40.—By PULLEN.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 41.—By RICE and REED.—Referred to Committee on Privileges and Elections.

SENATE BILL NO. 42.—By WHEATLEY.—Referred to Committee on Private Corporations.

SENATE BILL NO. 43.—By COMMONS (Senate) and ROPER (House).—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 44.—By THOMAS.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 45.—By MacDONALD.—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 46.—By MacDONALD.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 47.—By MacDONALD.—Referred to Committee on Agriculture.

SENATE BILL NO. 48.—By BOYER.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 49.—By BOYER.—Referred to Committee on Insurance.

SENATE BILL NO. 50.—By BOYER.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 51.—By ANGLIN.—Referred to Committee on Appropriations.

Upon motion of Senator Anglin, 250 copies of Senate Bill No. 51, as introduced, were ordered printed.

SENATE BILL NO. 52.—By ANGLIN.—Referred to Committee on Education.

THIRD READING

SENATE JOINT RESOLUTION NO. 10 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 42.

Nays: 0.

Not Voting: Jolly. Total, 1.

Vacancy: Henry (Deceased). Total, 1.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger Thomas, Wheatley, Williamson.
Total, 42.

Nays: 0.

Not Voting: Jolly. Total, 1.

Vacancy: Henry (Deceased). Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Joint Resolution No. 10, and ordered the same transmitted to the Honorable House.

SENATE JOINT RESOLUTION NO. 6 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pottawatomie), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers,

Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson.
Total, 41.

Nays: 0.

Not Voting: Hill, Jolly. Total, 2.

Vacancy: Henry (Deceased). Total, 1.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pottawatomie), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson.
Total, 41.

Nays: 0.

Not Voting: Hill, Jolly. Total, 2.

Vacancy: Henry (Deceased). Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Joint Resolution No. 6, and ordered the same transmitted to the Honorable House.

SENATE JOINT RESOLUTION NO. 4 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 43.

Nays: 0.

Vacancy: Henry (Deceased). Total, 1.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith,

Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 43.

Nays: 0.

Vacancy: Henry (Deceased). Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed engrossed copy of Senate Joint Resolution No. 4, and ordered the same transmitted to the Honorable House.

SENATE JOINT RESOLUTION NO. 8 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 43.

Nays: 0.

Vacancy: Henry (Deceased). Total, 1.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 43.

Nays: 0.

Vacancy: Henry (Deceased). Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Joint Resolution No. 8, and ordered the same transmitted to the Honorable House.

SENATE JOINT RESOLUTION NO. 3 was read for the third time at length:

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 40.

Nays: Moore. Total, 1.

Not Voting: Andrews, Stewart. Total, 2.

Vacancy: Henry (Deceased). Total, 1.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 40.

Nays: Moore. Total, 1.

Not Voting: Andrews, Stewart. Total, 2.

Vacancy: Henry (Deceased). Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Joint Resolution No. 3, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 15 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 42.

Nays: 0.

Not Voting: Otjen. Total, 1.

Vacancy: Henry (Deceased). Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 42.

Not Voting: Otjen. Total, 1.

Nays: 0.

Vacancy: Henry (Deceased). Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 15, and ordered the same transmitted to the Honorable House.

GENERAL ORDER

SENATE BILL NO. 36, by Gulager, Wheatley, Graham, Rexroat, Stigler, Patton, et al., was taken up for consideration.

Senator Gulager submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 36, by inserting, beginning with the title thereof, the following, in lieu of Senate Bill No. 36.

An Act relating to the recording by County Clerks of Oklahoma of certificates designating and describing lands exempt from taxation, owned by members of the Five Civilized Tribes and their heirs.

Be it enacted by the People of the State of Oklahoma:

County Clerks—Tax exemption certificates.

Section 1. It is hereby made the duty of county clerks of Oklahoma to record without charge all certificates describing and designating lands situate in their respective counties owned by members of the Five Civilized

Tribes and their heirs, which lands are shown by said certificates to be exempt from taxation under the provisions of Section 4, of the Act of Congress, approved May 10, 1928, Public Number 360—70th Congress, provided said certificates, when presented for recording, bear the approval of the Secretary of the Interior.

Section 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

GULAGER.

By unanimous consent, further consideration of Senate Bill No. 36 was deferred for this legislative day.

A committee from the Honorable House, headed by Representative Head, was received by the Senate, at 2:45 o'clock, p. m., and presented the following message, which was read by the Clerk:

To the President of the Senate of
the Twelfth Legislature of
the State of Oklahoma:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House of Representatives did, on the 18th day of January, 1929, exhibit and adopt five Articles of Impeachment against Henry S. Johnston, Governor of the State of Oklahoma, and is now ready to report said Articles of Impeachment to the Honorable Senate and awaits its pleasure in receiving said Articles of Impeachment.

The Honorable Senate is further advised that the House of Representatives is considering other and further charges against said Henry S. Johnston, Governor of the State of Oklahoma, and begs leave to present the articles heretofore adopted and that it be permitted to communi-

cate hereafter, to the Honorable Senate, the result of the consideration of any other and further Articles of Impeachment.

BERT McDONEL, Chief Clerk.

Senator Stewart moved that the Secretary of the Senate be directed to inform the Honorable House of Representatives that the Senate has received the message of the Honorable Body, notifying it that the House desires and is ready to present Articles of Impeachment against Henry S. Johnston, Governor of the State of Oklahoma; and that the Senate is ready to receive said Articles of Impeachment.

Senator Johnson (Creek), moved that the Stewart motion be tabled, which motion, by unanimous consent, he withdrew.

Senator Johnson (Creek), as a substitute for the Stewart motion, moved that the Senate refuse to accept the Articles of Impeachment, which motion, by unanimous consent, he withdrew.

The vote recurring on the Stewart motion, the same was adopted.

Senator Johnson (Creek), attempted to introduce a Senate Resolution, having to do with the Articles of Impeachment to be presented to the Senate, by the Honorable House.

Senator Gulager raised a point of order, which was sustained, against the introduction of the Resolution, stating no Articles of Impeachment have been filed with the Senate.

Senator Johnson (Creek), asked unanimous consent to introduce a Senate Resolution, to which objection was voiced.

The Senate was declared at ease for 15 minutes.

The Senate reassembled, with President Pro Tempore Storms presiding.

Representatives Head, Kight, and Snoddy, who presented the following message from the Honorable House, were received by the Senate:

Mr. President: We are a Board of Managers, appointed by the Honorable House of Representatives, to present to the Honorable Senate five Articles of Impeachment against His Excellency, the Honorable Henry S. Johnston, Governor of the State of Oklahoma. ‘

In obedience to the command of the Honorable House, we, herewith, present to the Honorable Senate the five impeachment charges which were exhibited, received, voted and adopted by the Honorable House of Representatives of the State of Oklahoma.

JOHN HEAD, Chairman.

Board of Managers of the House of
Representatives of the State of Oklahoma.

H. TOM KIGHT,
E. W. SNODDY,
Members.

Upon motion of Senator Stewart, the Board of Managers were requested to read the Articles of Impeachment, which were as follows:

ARTICLES OF IMPEACHMENT

The House of Representatives of the Twelfth Legislature of the State of Oklahoma in their name, and in the name and by the authority of the State of Oklahoma and by the people thereof, do hereby present and exhibit Articles of Impeachment, and give the Honorable Senate to know and be informed:

That Henry S. Johnston was a candidate for the Democratic nomination for governor before the primary election had and held throughout the State of Oklahoma on the third day of August, 1926, and by the results of said primary election a certificate of election was issued to him as the nominee of the Democratic party for the office of governor of the State of Oklahoma, and, thereafter, on the second day of November, 1926, by the result of the general election had and held throughout the State of Oklahoma, a certificate of election was issued to him declaring him elected governor of said state:

That, at high noon on the tenth day of January, 1927 the said Henry S. Johnston became, and was inducted into the office of governor of the State of Oklahoma and, thereupon, took and subscribed the oath of office prescribed by section 1 of article XV of the constitution of the State of Oklahoma as follows, to wit:

"I, Henry S. Johnston, do solemnly swear (or affirm) that I will support, obey and defend the constitution of the United States and the constitution of the State of Oklahoma, and will discharge the duties of my office as Governor of the State of Oklahoma with fidelity, that I have not paid or contributed, either directly or indirectly, any money or other valuable thing, to procure my nomination or election except for necessary and proper expenses expressly authorized by law; that

I have not knowingly violated any election law of the state, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing, for the performance or non-performance of any act or duty pertaining to my office, other than the compensation allowed by law, and I further swear (or affirm) that I will not receive, use or travel upon any free pass or on free transportation during my term of office.

HENRY S. JOHNSTON.

"Subscribed and sworn to before me this the tenth day of January, 1927.

FRED P. BRANSON,
Chief Justice."

And, thereupon, he, the said Henry S. Johnston, assumed the duties of said office.

That thereafter, the said Henry S. Johnston, Governor of the State of Oklahoma, unmindful of the high duties of his office and of his oath of office, and in violation of the Constitution and the laws of the State of Oklahoma, is guilty of wilful neglect of duty, incompetency, corruption in office, and of offenses involving moral turpitude committed by him while in said office; and that the said House of Representatives hereby exhibits and presents to the Honorable Senate of the State of Oklahoma, Articles of Impeachment against the said Henry S. Johnston as the Governor of the State of Oklahoma, for the causes, upon the grounds, and in the particulars as follows, to-wit:

ARTICLE II

And the said House of Representatives aforesaid do further find and present that heretofore and on the 13th

day of February, 1928, the said Henry S. Johnston, acting as Governor of the State of Oklahoma, as aforesaid, did wilfully, knowingly, wrongfully, corruptly and unlawfully, by a contract entered into by and between himself acting as such Governor and one J. W. (Buck) Eldridge, cause to be diverted from the purposes for which an appropriation was made, certain funds theretofore appropriated by the Legislature of the State of Oklahoma, for the use of the State Bureau of Criminal Investigation and Identification, for the payment of the said J. W. (Buck) Eldridge, for salaries and expenses incurred while acting as a representative of him, the said Henry S. Johnston, as Governor and under his personal supervision and direction, in a different department and for a purpose other than that for which said monies were appropriated and did by said agreement cause to be diverted from the appropriation aforesaid, the sum of \$150 per month for a period of 10 months, together with an approximate sum of \$733.00 for expenses incurred during said period, all of which said acts were done and performed by the said Henry S. Johnston with the full and complete knowledge of the unlawfulness thereof, and wilfully, wrongfully, purposely and designedly to give and furnish to the said J. W. (Buck) Eldridge, a position of profit in payment of and compensation for personal and political debts and obligations and by the doing of which said acts and each of them, the said Henry S. Johnston became, was and is guilty of wilful neglect of duty, malfeasance, incompetency, corruption in office and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma, in such cases made and provided and against the peace, dignity and welfare of the State of Oklahoma.

ARTICLE III

And the said House of Representatives aforesaid do further find and present that on the 1st day of July, 1927,

the said Henry S. Johnston, acting as Governor of the State of Oklahoma, as aforesaid, did wilfully, knowingly, wrongfully, corruptly and unlawfully issue, as an official act of himself as Governor, a certain deficiency certificate, No. 4 in the sum of \$7,900, a copy of which said deficiency certificate the said House of Representatives is at this time unable to produce, but which the said House of Representatives alleges to be duly filed in the office of the Secretary of State of the State of Oklahoma, and did by said issuance thereof consent to the unlawful, wrongful and corrupt creation of a new debt and obligation, the creation of which said debt and obligation is by law expressly prohibited, all of which said deficiency appropriation authorized by the said Henry S. Johnston as Governor aforesaid, was done wilfully, wrongfully, unlawfully, purposely and designedly to create certain positions not theretofore authorized by any legislative act, and for the creation of which said positions, no emergency existed, all of which acts upon the part of him, the said Henry S. Johnston, as Governor aforesaid, were done in the manner and form hereinbefore set forth and alleged, and by the doing of which the said Henry S. Johnston became, was and is guilty of wilful neglect of duty, malfeasance, incompetency, corruption in office, and offenses involving moral turpitude, committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma, in such cases made and provided, and against the peace, dignity and welfare of the State of Oklahoma.

ARTICLE IV

And the said House of Representatives aforesaid do further find and present that on the 14th day of July, 1928, the said Henry S. Johnston, acting as Governor of the State of Oklahoma, as aforesaid, did wilfully, knowingly, wrongfully, corruptly and unlawfully issue, as an official act of himself as Governor, a certain deficiency certificate No. 2 in the sum of \$5,266.67, a copy of which said de-

iciency certificate the said House of Representatives is at this time unable to produce, but which the said House of Representatives alleges to be duly filed in the office of the Secretary of State of the State of Oklahoma, and did by said issuance thereof consent to the unlawful, wrongful and corrupt creation of a new debt and obligation, the creation of which said debt and obligation is by law expressly prohibited, all of which said deficiency appropriation authorized by the said Henry S. Johnston as Governor aforesaid, was done wilfully, wrongfully, unlawfully, purposely and designedly to create certain positions not theretofore authorized by any legislative act, and for the creation of which said positions, no emergency existed, all of which acts upon the part of him, the said Henry S. Johnston, as Governor aforesaid, were done in the manner and form hereinbefore set forth and alleged, and by doing of which the said Henry S. Johnston became, was, and is guilty of wilful neglect of duty, malfeasance, incompetency, corruption in office, and offenses involving moral turpitude, committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma, in such cases made and provided, and against the peace, dignity and welfare of the State of Oklahoma.

ARTICLE VI

And the said House of Representatives aforesaid do further find and present that on the 28th day of June 1927, the said Henry S. Johnston, acting as Governor of the State of Oklahoma as aforesaid, did wilfully, knowingly, wrongfully, corruptly, unlawfully and designedly issue as an official act of himself as Governor, a certain deficiency certificate Number 1 in the sum of \$5,400.00, a copy of which said certificate, the said House of Representatives is at this time unable to produce but which the said House of Representatives

alleges to be duly filed in the office of the Secretary of State of the State of Oklahoma and did, by the issuance thereof, consent to the unlawful, wrongful and corrupt creation of a new debt and obligation, the creation of which said debt and obligation is by law expressly prohibited. All of which deficiency appropriation authorized by the said Henry S. Johnston, as Governor aforesaid, was done wilfully, wrongfully, unlawfully, purposely and designedly to perpetuate and continue certain positions not authorized by any legislative act and for the payment of the salaries and expenses of the department involved, to-wit, the State Issues Commission. No emergency existed, all of which said acts upon the part of him, the said Henry S. Johnston, were done and performed in the manner and form as hereinbefore set forth and alleged and by the doing of which the said Henry S. Johnston became, was, and is guilty of wilful neglect of duty, malfeasance in office, incompetency, corruption in office and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma, in such cases made and provided, and against the peace, dignity and welfare of the State of Oklahoma.

ARTICLE VII

And the said House of Representatives aforesaid do further find and present that on the 14th day of July 1928, the said Henry S. Johnston, acting as Governor of the State of Oklahoma as aforesaid, did wilfully, knowingly, wrongfully, corruptly, unlawfully and designedly issue as an official act of himself as Governor, a certain deficiency certificate No. 3, in the sum of \$5,400.00, a copy of which said certificate, the said House of Representatives is at this time unable to produce but which the said House of Representatives alleges to be duly filed in the office of the Secretary of State of the State of

Oklahoma and did by the issuance thereof, consent to the unlawful, wrongful, and corrupt creation of a new debt and obligation, the creation of which said debt and obligation is by law expressly prohibited. All of which deficiency appropriation authorized by the said Henry S. Johnston, as Governor aforesaid, was done wilfully, wrongfully, unlawfully, purposely and designedly to perpetuate and continue certain positions not authorized by any legislative act and for the payment of the salaries and expenses of the department involved, to-wit, the State Issues Commission, no emergency existed, all of which said acts upon the part of him, the said Henry S. Johnston, were done and performed in the manner and form as hereinbefore set forth and alleged and by the doing of which the said Henry S. Johnston became, was, and is guilty of wilful neglect of duty, malfeasance in office, incompetency, corruption in office and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma, in such cases made and provided, and against the peace, dignity and welfare of the State of Oklahoma.

By unanimous consent, Senator Johnson (Creek), submitted the following Resolution:

SENATE RESOLUTION NO. 12.—By CLARK and JOHNSON (Creek).—A RESOLUTION TO NOT SUSPEND GOVERNOR HENRY S. JOHNSTON DURING IMPEACHMENT TRIAL.

WHEREAS, as articles of impeachment are about to be filed by the House of Representatives in the State Senate; and,

WHEREAS, the peace of the State has not been impaired, and the honor and integrity of the State is not in danger, and the honesty of Governor Henry S. Johnston

has not been in question and no emergency exists where Henry S. Johnston, Governor, should be suspended;

NOW THEREFORE BE IT RESOLVED AND DECLARED that Governor Henry S. Johnston be not suspended during the trial of impeachment.

Senator Johnson (Creek), moved that Senate Resolution No. 12 be adopted as read.

Senator Stewart, as a substitute, moved that the Articles of Impeachment be received, accepted and filed with the Secretary of the Senate, for the purpose of prosecution.

Senator Rice, as a substitute for all pending motions, moved that the Senate refuse to receive and file the Articles of Impeachment, which motion failed of adoption, upon a roll call as follows:

Ayes: Clark, Darnell, Johnson (Creek), Rice.
Total, 4.

Nays: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 39.

Vacancy: Henry (Deceased). Total, 1.

The vote recurring on the Stewart motion, the same was adopted, upon a roll call as follows:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Easter, Ewing, Ferguson, Fidler, George, Gray,

Gulager, Harper, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 38.

Nays: Clark, Darnell, Graham, Johnson (Creek), Rice. Total, 5.

Vacancy: Henry (Deceased). Total, 1.

Whereupon, at 3:37 o'clock, p. m., the President Pro Tempore informed the Board of Managers for the Honorable House, that the Articles of Impeachment were received and would be filed with the Secretary of the Senate; that a day for an answer thereto would be set and that the Respondent will be notified of the day and place of trial, of all of which the Honorable Board would receive due notice.

Senator Stewart asked unanimous consent, which was granted, to introduce the following Resolution:

SENATE RESOLUTION NO. 13—By STEWART.

WHEREAS, The House of Representatives of the Twelfth Legislative Assembly, pursuant to the provisions of the Constitution and the Statutes of the State of Oklahoma, has presented to and filed with the Senate Articles of Impeachment, wherein Henry S. Johnston, Governor of the State of Oklahoma, is accused and charged with such conduct and offenses as are by the Constitution made grounds for impeachment and removal from office, and,

WHEREAS, the filing of and acceptance of such Articles of Impeachment with and by the Senate of the State of Oklahoma automatically suspend the said Henry S.

Johnston as Governor of the State and the office with its duties and compensation devolves upon the Lieutenant-Governor until the disability shall be removed.

NOW, THEREFORE, BE IT RESOLVED by the Senate, in order that the Governor and the Lieutenant-Governor may be informed and advised as to their duties in this event, that the Secretary of the Senate notify the Governor and the Lieutenant-Governor of the proceedings thus had and to present to each of them a copy of this Resolution.

Senator Stewart moved that Senate Resolution No. 13 be adopted, as read.

Senator Johnson (Creek), as a substitute, moved to table the Stewart motion, which motion, by unanimous consent, he withdrew.

The vote recurring on the Stewart motion, the same prevailed, upon a roll call as follows:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 38.

Nays: Clark, Darnell, Graham, Johnson (Creek), Rice. Total, 5.

Vacancy: Henry (Deceased). Total, 1.

Senate Resolution No. 13, was referred for engrossment.

Senator Moore sent up the following explanation of his vote:

Mr. President: I vote for suspension of Governor Henry S. Johnston, because it is, by law mandatory.

ALVIN MOORE.

Upon motion of Senator Stewart, the Secretary of the Senate was instructed to notify the Chief Justice of the Supreme Court that the Board of Managers of the House of Representatives has presented to the Senate, Articles of Impeachment against Honorable Henry S. Johnston, Governor of the State of Oklahoma; that the hour of 4 o'clock, p. m., of this date, to-wit, the 21st day of January, 1929, has been fixed by the Senate as the hour for the organization of this Body into a Court of Impeachment.

The official oath of office was administered by the President Pro Tempore to Opal Haralson, Committee Clerk, and Edwin Gunderson, Page.

The Senate was declared at ease for 20 minutes.

The Senate reassembled, with the President Pro Tempore presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills, begs leave to report Senate Resolution No. 13 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Resolution No. 13 and ordered the same referred for enrollment.

Upon motion of Senator Stewart, the Articles of Impeachment filed against Henry S. Johnston, Governor, were ordered filed with the Clerk of the Court of Impeachment.

Upon motion of Senator Stewart, the Senate recessed for one hour.

The Senate reassembled, with the President Pro Tempore presiding.

Senator Stewart moved that the Senate adjourn to meet under the rules.

Senator Harper, as a substitute, moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., Tuesday, January 22nd, 1929, which motion prevailed.

THIRTEENTH LEGISLATIVE DAY

TUESDAY, JANUARY 22ND, 1929

The Senate, pursuant to adjournment, met at 10:00 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 43.

Vacancy: Henry (Deceased). Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by Rev. Chas. Henson, of Oklahoma City.

Under SENATE RESOLUTION NO. 6, by Andrews and Johnson (Creek), adopted on January 16th, 1929, the Special Committee appointed thereunder, proceeded with the investigation, in the presence of the members of the Senate.

Senator Smith moved that the Senate recess to meet at 1:30 o'clock, p. m.

Senator Pullen moved to table the Smith motion.

Senator Anglin, as a substitute for all pending motions, moved that the Special Committee, appointed under Senate Resolution No. 6 proceed with the special order of business, in the presence of the Senate, which motion prevailed.

Senator Otjen moved that the proceedings of the Special Committee be not recorded in the Senate Journal.

Senator Anglin moved to amend the Otjen motion, by adding the words, "unless hereafter ordered by the Senate."

The vote recurring on the Otjen motion as amended, the same was adopted.

Upon motion of Senator Stewart, the Senate recessed, to meet at 1:30 o'clock, p. m.

AFTERNOON SESSION

The Senate reassembled, at 1:30 o'clock, p. m., with the President Pro Tempore presiding.

Upon motion of Senator Stewart, the Senate recessed to meet at 2:00 o'clock, p. m.

At 2:00 o'clock, p. m., the Senate reassembled, with the President Pro Tempore presiding.

The following message from the Honorable House was received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 3—By CLARK, REXROAT, HARPER, GRAHAM and EASTER, entitled—A Concurrent Resolution commending Frank Phillips, Bartlesville, Oklahoma, for his patriotic spirit manifested by having painted on the South Panels of the Corridor of the Fourth Floor of the Capitol Building a War Memorial Picture,

and to inform you, and through you, the members of the Honorable Senate, that the same has been adopted by the House of Representatives and signed by the Speaker of the House in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 3 was referred for enrollment.

Upon motion of Senator Stewart, the Senate recessed to meet at 3:00 o'clock, p. m.

At 3:00 o'clock, p. m., the Senate was called to order by the President Pro Tempore.

The regular order of business was taken up.

FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 60—By COMMITTEE ON SOLDIERS' RELIEF—An Act making a Deficiency Appropriation of Twenty-five Thousand (\$25,000.00) Dollars, for the fiscal year ending June 30, 1929, for the aid of sick, wounded and disabled soldiers, sailors, marines and nurses of the late World War, the War with Spain and their destitute wives, widows and minor children, and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 53—By COMMONS (Senate) and CHAMBERS, SKINNER (House).—Referred to Committee on Mines and Manufacturing.

SENATE BILL NO. 54.—By BOYER, et al.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 55—By ANGLIN, (By Request)—Referred to Committee on Oil and Gas.

SENATE BILL NO. 56—By ANGLIN, (By Request)—Referred to Committee on Oil and Gas.

SENATE BILL NO. 57—By ANGLIN, (By Request)—Referred to Committee on Oil and Gas.

SENATE BILL NO. 58—By ANGLIN—Referred to Committee on Appropriations.

SENATE BILL NO. 59—By ANGLIN—Referred to Committee on Insurance.

SENATE JOINT RESOLUTION NO. 13—By GRAHAM—Referred to Committee on Constitution and Constitutional Amendments.

GENERAL ORDER

SENATE BILL NO. 36, by Gulager, Wheatley, et al., was taken up for further consideration.

Upon motion of Senator Gulager, Senate Bill No. 36, as amended, was advanced to engrossment and third reading.

By unanimous consent, consideration of Senate Resolution No. 10, by Fidler and Loofbourrow; Senate Resolution No. 11, by Fidler, and House Concurrent Resolution No. 3, by Kight, Snoddy and Moon, was deferred for this legislative day.

HOUSE CONCURRENT RESOLUTION NO. 2, by Hoover, Snoddy and Graham (House) and Fidler, Andrews and Commons (Senate) was considered and read at length.

HOUSE CONCURRENT RESOLUTION NO. 2.—By HOOVER, SNODDY, GRAHAM of the House, and FIDLER, ANDREWS and COMMONS of the Senate.—Resolution authorizing Joint Session at 2:00 p. m., February 4, 1929, for the purpose of hearing the address of the Grand Exalted Ruler, Murray Hulbert of the Order of the Elks, former United States Congressman for two terms, from New York, Vice Mayor of New York City under Mayor Hylan.

SECTION 1. WHEREAS, Honorable Murray Hulbert, Grand Exalted Ruler of the Benevolent and Protective Order of Elks, will be in Oklahoma City on February 4th, 1929, and

WHEREAS, Honorable Murray Hulbert is the executive head of one of the largest fraternal organizations in the United States, and

WHEREAS, the Honorable Murray Hulbert has for a number of years been especially interested in the promotion of amateur athletics and development of recreational facilities throughout the country, being at one time president of the Amateur Athletic Unions of the United States, and was this Country's representative on the Executive Council of the International Amateur Athletic Federation, and has been closely identified with the conduct of the Olympic games and was largely instrumental in securing the next Olympiad for the United States, and

WHEREAS, Honorable Murray Hulbert was for two terms the United States Congressman from New York and was Vice-Mayor of New York City to Mayor Hylan,

BE IT, THEREFORE, RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING THEREIN, That Honorable Murray Hulbert be invited to address the joint session of the two Houses at 2 o'clock, p. m., on February 4th, 1929.

BE IT FURTHER RESOLVED, That a copy of this Resolution be presented to the Exalted Ruler of the Oklahoma City Lodge of Elks for transmittal to Honorable Murray Hulbert.

Upon motion of Senator Fidler, House Concurrent Resolution No. 2 was adopted as read.

The President Pro Tempore, in open session signed Engrossed House Concurrent Resolution No. 2, and ordered the same returned to the Honorable House.

Upon motion of Senator Smith, the Senate adjourned, to meet at 9:00 o'clock, a. m., Wednesday, January 23, 1929.

FOURTEENTH LEGISLATIVE DAY

WEDNESDAY, JANUARY 23RD, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 42.

Excused: Johnson (Creek). Total, 1.

Vacancy: Henry (Deceased). Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

Senator Harper moved that the Senate select one of its own membership to interrogate witnesses, called by the Special Senate Investigating Committee, which motion failed of adoption.

The Senate Investigating Committee proceeded with its duties.

Upon motion of Senator Stewart, the Senate recessed to meet at 1:30 o'clock, p. m.

AFTERNOON SESSION

The Senate was called to order by the President Pro Tempore, at 1:30 o'clock, p. m.

The Senate Investigating Committee proceeded with its duties.

The following messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE JOINT RESOLUTION NO. 10—By ANGLIN, AUSTIN, STORMS and STEWART, entitled:

A Resolution authorizing the Senate of the State of Oklahoma to employ temporary help and assistance, making an appropriation therefor, and declaring an emergency,

and to advise you, and through you, the Honorable Senate that the same has been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Joint Resolution No. 10 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE JOINT RESOLUTION NO. 7—
By WEBBER, STANLEY, JONES (Stephens), of the House, and WHEATLEY, STEWART, AUSTIN of the Senate, entitled:

A Resolution authorizing the House of Representatives to employ temporary help and assistance, making an appropriation therefor, and declaring an emergency,

and to inform you, and through you, the members of the Honorable Senate, that the same has been adopted by the House of Representatives and signed by the Speaker of the House in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

To the Honorable President
of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith:

ENROLLED HOUSE JOINT RESOLUTION NO. 1—
By MAXWELL, OWENS, NEWBERRY, SEARS, PARK-

ER, WILSON and SKINNER (House), and TERWILLIGER (Senate), entitled:

A Resolution authorizing an extension of time of payment of the First Half of 1928 ad valorem Taxes in Oklahoma, until March 1, 1929, and providing that the Last Half of the 1928 ad valorem Taxes shall not become delinquent until the fifteenth day of June, 1929, and relieving the taxpayer of all penalty of such taxes if the First Half of such taxes is paid on or before March 1st, 1929, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker of the House in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

House Joint Resolution No. 1 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

COMMITTEE REPORTS

The following Committee Report was submitted, adopted and the bill ordered printed and placed upon the calendar:

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate Bill No. 28, by Gulager, entitled:

An Act amending Section 8580, Compiled Oklahoma Statutes, 1921, as amended by Senate Bill No. 268, Chap-

ter 56, Session Laws of 1927, relating to the investment of sinking funds and the purpose and sale of City Bonds by the Treasurer of such City; repealing all Acts and parts of Acts in conflict herewith, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

MacDONALD, Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills, begs leave to report Senate Bill No. 36 correctly engrossed.

BOYER, Chairman.

The following Communication from the State Highway Department was received and read:

Hon. John E. Luttrell,
Secretary State Senate,

Senate Chamber,

Building,

Dear Mr. Luttrell:

In response to Senate Resolution No. 5, we are pleased to hand you herewith:

FIRST: Statement showing the amount of cash to the credit of each individual county in the State, and the amount due the State Highway Commission from each individual county on February 10, 1927.

SECOND: The above Resolution requests the amount due each county for the matching of roads in each county and unexpended balance due each county July 1, 1927:

It would be practically impossible to give any esti-

mate of the amount due each county for the matching of roads in each county as of July 1st, 1927, for the following reasons:

1st: As you will note in the Resolutions and Agreements with counties, a copy of which is herewith furnished under Article Three, seldom is any amount of funds promised the county. They are promised road construction and the amount of funds involved is problematical until such time as the contract is let.

2nd: These County Agreements are continuing in that construction contracts in conformity therewith are made from time to time. While it would be impossible to determine the amount of money furnished for State road construction in each county up to a given date, the balance due on any such date cannot well be determined unless it be the amount or miles of road work.

It would be impossible to approximate by rough estimate the amount of incompleeted road work involved in most of the County Agreements as of December 31, 1928. This would of necessity be very largely a guess, based on past records of cost of construction per mile. However, if you consider such estimates as valuable, we will undertake to furnish the same with all possible dispatch.

THIRD: The amount promised by resolution, contract agreement or motion to be matched by county funds, bond issues, or otherwise in State and Federal aid by each separate county.

In this connection there has been prepared minutes of State Highway Commission showing all contracts and agreements.

FOURTH: Showing the cash balances to the credit of the State Highway fund, or any fund, or cash in their

hands due from the Federal Government, subject to their check July 1, 1927 and July 1, 1928, whether allocated or not. Statement is enclosed herewith.

FIFTH: Showing the amount of automobiles purchased in each separate month since taking office, giving the names, and kinds of cars purchased, number of cars sold and the amount received therefrom in each month for the calendar years 1927 and 1928. Statement is enclosed herewith.

SIXTH: You request the amount of money advanced to any county prior to July 1927 or July 1928, to construct highways and to be paid back to the highways after July 1, 1927 or July 1, 1928 by County Commissioners or counties, and particularly Cherokee County and Wagoner County.

There is no record of any money advanced to any county prior to dates mentioned to be paid back after said dates. Road construction work is sometimes done in counties where they agree to reimburse their share of cost of same to the Highway Commission at some later date. In this connection there is no record of Cherokee County owing us money on either of said dates but Wagoner County owes us at present \$7,499.15, for road work done on State Highway No. 51, in accordance with the agreement made with that County, February 8, 1928, to be found in copy of minutes under Item 3.

We are very glad indeed to furnish your Honorable Body the above information and if further data is required, it will be furnished upon request.

Respectfully,

H. W. LEININGER, Chairman.

J. E. McDONALD, Secretary.

FIRST READING

The following Bill and Resolution were introduced and read for the first time:

SENATE BILL NO. 61—By GULAGER—An Act creating a Board of Examiners of Cleaners, Pressers and Dyers, providing for their appointment, duties and compensation, requiring all persons, co-partnerships, firms, and corporations engaged in the business of cleaning, pressing and dyeing in the State of Oklahoma, to be licensed by said board and providing for the fees and procedure therefor; providing the procedure and authority for the revocation of such a license; making it unlawful for such cleaners, pressers, and dyers to engage in said business without first procuring said license, fixing a penalty for the violation thereof, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 14—By REED—A Resolution authorizing and directing the Commissioners of the Land Office to place in the permanent common school fund certain funds which have escheated to the State, and declaring an emergency.

SECOND READING

The following Bill was read for the second time and referred to the Committee indicated:

SENATE BILL NO. 60—By COMMITTEE ON SOLDIERS' RELIEF.

Senator Ferguson moved that the rules of the Senate be suspended and Senate Bill No. 60 be placed upon the calendar without reference to a Committee.

Senator Smith, as a substitute, moved that Senate Bill No. 60 be referred to the Appropriations Committee,

with instructions that the Committee report the bill back to the Senate tomorrow.

Senator Ferguson asked unanimous consent, which was granted, to withdraw his motion.

Senator Moore moved that Senate Bill No. 60 be referred to the Committee on Appropriations, which motion prevailed.

Upon motion of Senator Anglin SENATE BILL NO. 24, by Loofbourrow, et al., was withdrawn from the Committee on Fees and Salaries and referred to the Committee on Appropriations.

Senator Rice asked the consent of the Senate to be excused for the remainder of this legislative day, which request was granted.

THIRD READING

SENATE BILL NO. 36 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, George, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley. Total, 34.

Nays: 0.

Not Voting: Ewing, Fidler, Graham, Peck, Rexroat, Stewart, Williamson. Total, 7.

Excused: Johnson (Creek), Rice. Total, 2.

Vacancy: Henry (Deceased). Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 36, and ordered the same transmitted to the Honorable House.

The following request for lobby permit was read and granted, upon motion of Senator Gray:

To the Honorable President
and Members of the Senate:

J. R. Coleman states that he is a resident of Shawnee, Oklahoma; that he is 52 years of age and that he is Legislative Representative of the Order of Railway Conductors; that he is paid the sum of \$12.00 per day for his services; that he makes this statement in compliance with the law of the State and petitions your Honorable Body that he be granted a permit to appear before committees and act in his duly assigned capacity in the interests of the organization he represents.

(Signed) J. R. COLEMAN.

The following request for lobby permit was read and granted, upon motion of Senator Easter:

To the Honorable President
and Members of the Senate:

Jas. R. Colton states that he is a resident of Bartlesville, Oklahoma; that he is 51 years of age and that he is legislative committeeman of the Oklahoma State Associa-

tion of Journeymen Barbers; that he is paid the sum of \$40.00 per week for his services; that he makes this statement in compliance with the law of the State and petitions your Honorable Body that he be granted a permit to appear before Committees and act in his duly assigned capacity in the interests of the organization he represents.

(Signed) JAS. R. COLTON.

Senator Stigler requested that he be excused from attendance in the Senate until Monday, January 28, 1929, which request was granted.

HOUSE BILLS ON FIRST READING

The following resolution was received from the Honorable House and read for the first time:

ENGROSSED HOUSE JOINT RESOLUTION NO. 7
—By WEBBER, STANLEY, JONES (Stephens), (House)' and WHEATLEY, STEWART, AUSTIN (Senate), entitled—A Resolution authorizing the House of Representatives to employ temporary help and assistance, making an appropriation therefor, and declaring an emergency.

Upon motion of Senator Stewart, the Senate adjourned to meet at 9:00 o'clock, a. m., Thursday, January 24, 1929.

FIFTEENTH LEGISLATIVE DAY

THURSDAY, JANUARY 24TH, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 40.

Absent: Graham. Total, 1.

Excused: Johnson (Creek), Stigler. Total, 2.

Vacancy: Henry (Deceased). Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

Senator Austin, Chairman of the Special Senate Investigating Committee, announced the Committee would resume its work at 1:30 o'clock, p. m.

COMMITTEE REPORTS

The following Committee reports were submitted, the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Judiciary No. 2, to whom was referred Senate Bill No. 28, by Gulager, entitled:

An Act amending Section 8580, Compiled Oklahoma Statutes, 1921, as amended by Senate Bill No. 268, Chapter 56, Session Laws of 1927, relating to the investment of sinking funds and the purchase and sale of city bonds by the treasurer of such city; repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass, as amended.

DARNELL, Chairman.

MR. PRESIDENT:

We, your Committee on School Lands, to whom was referred Senate Bill No. 34, by Reed and Moore of the Senate, entitled:

An Act providing for the appraisement of State School and other lands, and providing for appraisers and clerical help and fixing the annual rental, and making an appropriation therefor, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

REED, Chairman.

Senate Bill No. 34 was referred to Appropriations Committee.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 60, by the Committee on Soldiers' Relief, entitled:

An Act making a Deficiency Appropriation of twenty-five thousand (\$25,000.00) Dollars for the fiscal year ending June 30, 1929, for the aid of sick, wounded and disabled soldiers, sailors, marines and nurses of the late World War, the War with Spain, and their destitute wives, widows and minor children, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

Upon motion of Senator Stewart, the rules of the Senate were suspended and SENATE BILL NO. 60 was advanced to engrossment and third reading.

Upon motion of Senator Stewart, the rules of the Senate were suspended and SENATE BILL NO. 60 was considered engrossed and placed on third reading and final passage.

SENATE BILL NO. 60 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Powers, Pullen, Reed, Rexroat, Rice,

Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 37.

Nays: 0.

Absent: Graham. Total, 1.

Excused: Johnson (Creek), Stigler. Total, 2.

Not Voting: Patton, Peck, Ray. Total, 3.

Vacancy: Henry (Deceased). Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 37.

Nays: 0.

Absent: Graham. Total, 1.

Excused: Johnson (Creek), Stigler. Total, 2.

Not Voting: Patton, Peck, Ray. Total, 3.

Vacancy: Henry (Deceased). Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 60 was referred for engrossment.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 62.—By RICE.—An Act authorizing the building of transportation facilities for transporting Public Utilities, provided that when such transportation facilities are constructed in accordance with the requirements of the Corporation Commission and to point connecting with transportation facilities of Public Service Corporations and Common Carriers, it shall be the duty of such Corporation and Common Carriers to furnish Public Utilities, repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 63.—By POWERS, RAY, KIMERER (Senate) and ORENDORFF, CARMACK, GIBSON, CHAMBERS and BARRY (House).—An Act amending Section 4152, Compiled Oklahoma Statutes, 1921, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 64.—By EASTER of the Senate, and ALLEN (Washington) of the House.—An Act providing for the renewal of Chattel Mortgages and procedure therefor, repealing all Acts and parts of Acts in conflict therewith, amending Section 7654, Compiled Oklahoma Statutes, Annotated, 1921.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 61.—By GULAGER.—Referred to Committee on Judiciary No. 2.

SENATE JOINT RESOLUTION NO. 14.—By REED.—Referred to Committee on School Lands.

HOUSE JOINT RESOLUTION NO. 7.—By WEBBER, STANLEY, JONES (Stephens), (House) and WHEATLEY, STEWART, AUSTIN, (Senate).—Referred to Committee on Appropriations.

Upon motion of Senator Reed, SENATE BILL NO. 33, by Reed and Moore, was ordered withdrawn from the Committee on State and County Affairs and referred to the Committee on School Lands.

GENERAL ORDER

SENATE BILL NO. 28, by Gulager, was taken up for consideration.

Section 1 was read.

Senator Moore submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 28, line 17, page 2, by striking the words, "of the first class," and inserting after the word, "city," in line 16, and before the word, "may," in line 17, the words, "or any incorporated town," and, after the word "city," in line 17, add the words, "or town."

MOORE.

Upon motion of Senator Gulager, Senate Bill No. 28, as amended, was referred to Judiciary Committee No. 2, for further consideration.

Upon motion of Senator Otjen, the Secretary of the Senate was directed to secure, if available, additional copies of the report submitted by the State Highway Department, called for under Senate Resolution No. 5.

Upon motion of Senator Rexroat, the Senate recessed to meet at 1:30 o'clock, p. m.

AFTERNOON SESSION

The Senate, at 1:30 o'clock p. m., was called to order by the President Pro Tempore.

The Special Senate Investigating Committee proceeded with its duties.

Upon the recess of the Investigating Committee, the following business was transacted by the Senate:

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills, begs leave to report Senate Joint Resolution No. 10, correctly enrolled.

BOYER, Chairman.

Senate Joint Resolution No. 10 was read for the fourth time, the enrolled copy signed by the President Pro Tempore, in open session, and referred to the Honorable House for the signature of the Speaker.

Upon motion of Senator Fidler, SENATE RESOLUTION NO. 10, by Fidler and Loofbourrow, and HOUSE

CONCURRENT RESOLUTION NO. 3, by Kight, Snoddy and Moon, were stricken from the calendar.

COMMITTEE REPORTS

By unanimous consent the following Committee Reports were submitted, the bills ordered printed and placed upon the Calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Engrossed House Joint Resolution No. 7, by Webber, Stanley and Jones (Stephens) of the House, Wheatley, Stewart and Austin of the Senate, entitled:

A Resolution authorizing the House of Representatives to employ temporary help and assistance, making an appropriation therefor, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on School Lands, to whom was referred Senate Bill No. 33, by Reed and Moore of the Senate, entitled:

An Act creating additional positions in the Office of the Commissioners of the Land Office, fixing the salaries therefor, making an emergency appropriation for salaries to June 30th, 1929, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

REED, Chairman.

Senate Bill No. 33 was referred to Appropriations Committee.

MR. PRESIDENT:

We, your Committee on Judiciary No. 2, to whom was referred Senate Bill No. 48, by Boyer, entitled:

An Act requiring and providing for the calling and convening of a Grand Jury in every county of the State of Oklahoma at least once each year, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same without recommendation.

DARNELL, Chairman.

Upon motion of Senator Stewart, the Senate adjourned to meet at 10:00 o'clock, a. m., Friday, January 25, 1929.

SIXTEENTH LEGISLATIVE DAY

FRIDAY, JANUARY 25TH, 1929

The Senate, pursuant to adjournment, met at 10:00 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 40.

Absent: Ray. Total, 1.

Excused: Johnson (Creek), Stigler. Total, 2.

Vacancy: Henry (Deceased). Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

The following message from the Honorable House was received and read:

To the President of the Senate of the
Twelfth Legislature of the State of Oklahoma,
Building,

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House of Representatives did on the 22nd day of January, 1929, exhibit and adopt Article No. 5 of the Articles of Impeachment against Henry S. Johnston, Governor of the State of Oklahoma, and did on the 23rd day of January, 1929, exhibit and adopt Article No. 8 of the Articles of Impeachment against Henry S. Johnston, Governor of the State of Oklahoma, and that the Board of Managers is now ready to report said Articles of Impeachment to the Honorable Senate, and awaits its pleasure in receiving said Articles of Impeachment.

The Honorable Senate is further advised that the House of Representatives is considering other and further charges against the said Henry S. Johnston, Governor of the State of Oklahoma, and reserves the right to present other Articles of Impeachment, and begs leave to present the Articles of Impeachment heretofore adopted without prejudice to the presentation of other and additional articles, which may hereafter be voted and adopted by the Honorable House of Representatives.

BERT McDONEL, Chief Clerk.

Representative Head, Chairman of the Board of Managers of the House of Representatives, being received by the Senate, read into the record the following statement:

MR. PRESIDENT:

We, a Board of Managers, appointed by the Honorable House of Representatives, to present to the Honor-

able Senate Articles of Impeachment against His Excellency, the Honorable Henry S. Johnston, Governor of the State of Oklahoma, does, in obedience to the command of the Honorable House, present to the Honorable Senate, sitting as a Court of Impeachment, the two Impeachment charges, which have heretofore been exhibited, received, voted an^d adopted by the Honorable House of Representatives of the State of Oklahoma, said article No. 5 having been adopted by said House of Representatives on the 22nd day of January, 1929, and Article No. 8, having been adopted by said House on the 23rd day of January, 1929.

JOHN HEAD,

Chairman of Board of Managers
of the House of Representatives
of the State of Oklahoma.

Upon motion of Senator Stewart, the Articles of Impeachment were read, as follows, and ordered printed in the Journal:

ARTICLES OF IMPEACHMENT

The House of Representatives of the Twelfth Legislature of the State of Oklahoma in their name, and in the name and by the authority of the State of Oklahoma and by the people thereof, do hereby present and exhibit Articles of Impeachment, and give the Honorable Senate to know and be informed:

That Henry S. Johnston was a candidate for the Democratic nomination for Governor before the primary election had and held throughout the State of Oklahoma on the third day of August, 1926, and by the results of said primary election a certificate of election was issued to him as the nominee of the Democratic party for the office of Governor of the State of Oklahoma, and there-

after, on the second day of November, 1926, by the result of the general election had and held throughout the State of Oklahoma, a certificate of election was issued to him declaring him elected Governor of said state:

That, at high noon on the tenth day of January, 1927, the said Henry S. Johnston became, and was inducted into the office of Governor of the State of Oklahoma and, thereupon, took and subscribed the oath of office prescribed by Section 1, of Article XV, of the Constitution of the State of Oklahoma, as follows, to-wit:

"I, Henry S. Johnston, do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of the State of Oklahoma, and will discharge the duties of my office as Governor of the State of Oklahoma with fidelity; that I have not paid or contributed, either directly or indirectly, any money or other valuable thing to procure my nomination or election, except for necessary and proper expenses, expressly authorized by law; that I have not knowingly violated any election law of the State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing, for the performance or non-performance of any act or duty pertaining to my office, other than the compensation allowed by law, and I further swear (or affirm) that I will not receive, use or travel upon any free pass or on free transportation during my term of office.

HENRY S. JOHNSTON."

"Subscribed and sworn to before me this the tenth day of January, 1927.

FRED P. BRANSON, Chief Justice."

And, thereupon, he, the said Henry S. Johnston, assumed the duties of said office.

That thereafter, the said Henry S. Johnston, Governor of the State of Oklahoma, unmindful of the high duties of his office and of his oath of office, and in violation of the Constitution and the laws of the State of Oklahoma, is guilty of wilful neglect of duty, incompetency, corruption in office, and of offenses involving moral turpitude, committed by him while in said office; and that the said House of Representatives hereby exhibits and presents to the Honorable Senate of the State of Oklahoma, Articles of Impeachment against the said Henry S. Johnston, as the Governor of the State of Oklahoma, for the causes, upon the grounds, and in the particulars as follows, to-wit:

ARTICLE V

And the said House of Representatives, as aforesaid, does further file, present and charge that the said Henry S. Johnston, acting as Governor as aforesaid, unmindful of the high duties of his office and of his oath of office, in violation of the Constitution and laws of the State of Oklahoma, did on or about the 19th day of April, A. D. 1927, wilfully, corruptly, unlawfully, designedly cause to be made and entered into by and between the State Banking Board of the State of Oklahoma and one Kirby Fitzpatrick, a certain written contract.

Wherein and whereby the said Kirby Fitzpatrick was attempted to be employed to represent the State of Oklahoma as an attorney for the said State Banking Board, and the said Henry S. Johnston, acting as Governor, and in his official capacity aforesaid, did cause, procure and demand the payment of certain monies, to-wit, the sum of Thirty-five Hundred (\$3,500) Dollars, to be paid to him, the said Kirby Fitzpatrick prior to the discharge of any duty, or the doing of any work or labor as set forth and agreed upon under the terms of said contract.

All of which said acts were by him, the said Henry S. Johnston, knowingly, wilfully, wrongfully, intentionally and designedly done, and by the doing of which, he, the said Henry S. Johnston, did procure and cause funds and monies of the State of Oklahoma to be wrongfully paid and misappropriated, and did then and there, and thereby became, and is guilty of wilful neglect of duty, malfeasance in office, incompetency, corruption in office, and offenses involving moral turpitude committed by him while in his said office, contrary to the provisions of the Constitution and statutes of the State of Oklahoma in such cases made and provided, and against the peace, dignity and welfare of the State of Oklahoma.

ARTICLE VIII

That, on the twelfth day of December, A. D., 1927, the said Henry S. Johnston, while acting as chief executive of the State of Oklahoma, and commander in chief of the military forces thereof, did issue without cause, warrant or authority in law, as an official of his office, a certain proclamation, ordering, directing and commanding a portion of the military forces of the State of Oklahoma to take possession of the legislative chambers of the House of Representatives and the Senate of the State of Oklahoma, and to deny and to refuse unto the members of said House of Representatives and Senate of the State of Oklahoma, the right to enter, occupy and use the said legislative chambers in manner provided by law and in a manner necessary and proper to the proper discharge of the duties imposed by law upon the members of the said House of Representatives and the Senate of the State of Oklahoma, at a time when the duly elected and qualified members of said legislative bodies were lawfully, legally and peacefully assembling under a claim of right to perform their duties in their official capacity and when the question of their legal right to meet as a legal legisla-

ture was still pending in the Supreme Court of Oklahoma and was still undetermined finally; and at a time when no riot, violence or unlawful acts had been done or threatened against the peace of the State of Oklahoma or its citizens or residents.

All of which was done by him, the said Henry S. Johnston, Governor of the State of Oklahoma aforesaid, wantonly, knowingly, wilfully, maliciously and unlawfully, and with the design and intent upon the part of him, the said Henry S. Johnston, to unlawfully and corruptly deny and prevent the members of the House of Representatives of the State of Oklahoma, and the members of the Senate of the State of Oklahoma to lawfully meet and assemble as provided by law, and the said Henry S. Johnston, Governor of the State of Oklahoma aforesaid, did further order, direct and command the said military forces aforesaid to prevent the peaceable assembly of the members of the legislative bodies, or either of them, at any other time or place in the State of Oklahoma, for the purpose of discussing or considering matters within their jurisdiction concerning the investigation of the Governor of the State of Oklahoma or of the executive or judicial departments of said State, all of which acts of said Governor as aforesaid, were contrary to the Constitution and laws of the State of Oklahoma.

That pursuant to said proclamation of the said Governor, the military authorities did on the 12th day of December, 1927, prevent the members of the House of Representatives of the State of Oklahoma from meeting in their chambers in the Capitol in Oklahoma City, Oklahoma, at the hour of 10 o'clock a. m., at which time the members of said House of Representatives, attempted to meet for lawful, legal and peaceful purposes, and said members were by said military authorities, acting solely under the orders of the said Henry S. Johnston, forcibly prevented from enter-

ing their legislative chambers and ordered out of the State Capitol.

All of which was done knowingly, wilfully, wrongfully, corruptly, and with the wilful design and intent upon the part of him, the said Henry S. Johnston, to prevent a lawful and peaceable assembly of the members of said Legislature and to prevent the making public of many acts of the said Henry S. Johnston performed as Governor of the State of Oklahoma.

WHEREBY, the said Henry S. Johnston, Governor aforesaid, was guilty of wilful neglect of duty, incompetency, corruption in office, and of offenses involving moral turpitude committed by him while in said office, all of which were contrary to the Constitution and laws of the State of Oklahoma, and against the peace and dignity of said State of Oklahoma.

Upon motion of Senator Stewart, the additional Articles of Impeachment were ordered received, accepted and filed with the Secretary of the Senate, for the purpose of prosecution thereon.

Upon motion of Senator Stewart, the additional Articles of Impeachment were referred from the Senate to the Court of Impeachment.

Upon motion of Senator Stewart, the Senate recessed to meet at the call of the President Pro Tempore.

The Senate re-assembled, and was called to order by the President Pro Tempore.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills, begs leave to report Senate Bill No. 60 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Bill No. 60 and ordered the same transmitted to the Honorable House for consideration.

The Senate's Special Investigating Committee proceeded with its duties.

Upon motion of Senator Stewart, the Senate recessed at 1:30 o'clock, p. m. to meet at 2 o'clock, p. m.

AFTERNOON SESSION

The Senate was called to order at 1:30 o'clock, p. m., by the President Pro Tempore.

The Senate's Special Investigating Committee proceeded with its duties.

At 4:45 o'clock, p. m., following a recess of the Special Investigating Committee, the following order of business was had in the Senate:

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 65—By PULLEN, AUSTIN and STIGLER.—An Act amending Section 1, Chapter 14, Oklahoma Session Laws, 1923, as amended by Section 1, Chapter 133, Oklahoma Session Laws, 1925, relating to Confederate Pensions, and declaring an emergency.

SENATE BILL NO. 66—By HARPER.—An Act amending Sections 8968 and 8970, Compiled Oklahoma Statutes, 1921, relating to Tubercular Sanatoriums, and declaring an emergency.

SENATE BILL NO. 67—By HARPER.—An Act providing that all penalties and interest accruing from delinquent taxes levied to retire the principal and to pay the interest on county, school district, township or municipal bonds shall be credited to the sinking fund created to retire the bonds for which said taxes were levied.

SENATE BILL NO. 68—By CLARK.—An Act authorizing counties which have a surplus on hand in the sinking fund, against which no indebtedness exists, to transfer the same to the general fund of said counties, and declaring an emergency.

SENATE BILL NO. 69—By PULLEN—An Act authorizing a tax levy in cities and towns for the purpose of providing a fund for the maintenance or employment of brass bands for municipal purposes, and providing for the submission of the question of levying a tax for such purpose to the voters of such cities and towns within said state, who may avail themselves of the privileges and rights hereinafter set out.

SENATE BILL NO. 70—By FIDLER—An Act creating procedure for the application and granting of clemency by the Governor, providing a Local Advisory Board in the county from which the application for clemency arises, outlining the precedent procedure for presentation of clemency applications to the Governor, prohibiting recommendations for clemency by members of the Legislature, abolishing the present office of Pardon and Parole officer, compelling the disclosure of identity of parties interested in clemency application, and declaring an emergency.

SENATE BILL NO. 71—By BLAKELY, (Senate), and LOGAN and McADOO (House)—An Act providing for the location and equipment of a Demonstration Dairy Farm in central portion of Eastern Oklahoma, the renting and purchasing of lands therefor, the construction of dairy and other necessary buildings and appurtenances thereon; the purchasing of dairy cattle and other necessary stock therefor, the management thereof; making an appropriation therefor; and declaring an emergency.

SENATE BILL NO. 72—By COMMITTEE ON SOLDIERS' RELIEF—An Act making a deficiency appropriation for the payment to the University Hospital for beds furnished to veterans of the World War, Spanish American War and other veterans who were hospitalized upon authority of the Soldiers' Relief Commission, for the fiscal year ending June 30, 1928, and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 4—By HARPER.—A Concurrent resolution authorizing the appointment of a Committee to investigate the property loss of certain citizens of Wister, Oklahoma, arising out of floods alleged to have been caused by the construction of a State Highway, authorizing said Committee to make investigation and report their findings to the Twelfth Legislature of Oklahoma.

Upon motion of Senator Stewart, a Credentials Committee of three, was appointed to investigate and examine the credentials of W. M. Williams, of Mangum, elected on Wednesday, January 23rd, 1929, from the 4th Senatorial District, to fill the vacancy caused by the death of Honorable H. D. Henry, of Mangum.

The President Pro Tempore appointed on said Committee, Senators Stewart, Kimerer and Wheatley.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 62—By RICE—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 63—By POWERS, RAY et al.—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 64—By EASTER—Referred to Committee on Judiciary No. 2.

Senator Stewart, on behalf of the Credentials Committee appointed, submitted the following report, which was adopted:

COMMITTEE REPORT

MR. PRESIDENT:

We, your Committee appointed to examine the credentials of W. M. Williams, find that the said W. M. Williams was duly elected to the State Senate of Oklahoma, from District No. 4, at a special election held in said District on January 23, 1929, for the purpose of selecting a successor to the late Senator H. D. Henry and find that the credentials of said W. M. Williams are in due form and he is entitled to a seat in this Body.

STEWART,
KIMERER,
WHEATLEY,
Committee.

The President Pro Tempore appointed a Committee composed of Senators Commons and Otjen, to escort Mr. Williams to the President's desk, where Chief Justice Mason administered the official oath to him.

By order of the Senate, the following named Senators were excused for the remainder of this legislative day:

Senators Ewing, Graham, MacDonald, Peck, Reed and Rexroat.

GENERAL ORDER

HOUSE JOINT RESOLUTION NO. 7, by Webber, et al., of the House, and Wheatley, Stewart and Austin of the Senate, was read and considered.

Senator Anglin asked unanimous consent, which was granted, to amend House Joint Resolution No. 7, as follows:

Mr. President: I move to amend House Joint Resolution No. 7, by striking the words and figures, wherever shown, "Seventy-Five Thousand (\$75,000.00) Dollars," and inserting in lieu thereof the words and figures "Fifty Thousand (\$50,000.00) Dollars."

ANGLIN.

Upon motion of Senator Anglin, HOUSE JOINT RESOLUTION NO. 7, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Anglin, the rules of the Senate were suspended and House Joint Resolution No. 7, as amended, was considered engrossed and placed upon third reading and final passage.

HOUSE JOINT RESOLUTION NO. 7 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Gray, Gulager, Harper, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Pullen, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Absent: Ray. Total, 1.

Not Voting: Hill, Powers. Total, 2.

Excused: Ewing, Graham, Johnson (Creek), MacDonald, Peck, Reed, Rexroat, Stigler. Total, 8.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Gray, Gulager, Harper, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Pullen, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Absent: Ray. Total, 1.

Not Voting: Hill, Powers. Total, 2.

Excused: Ewing, Graham, Johnson (Creek), MacDonald, Peck, Reed, Rexroat, Stigler. Total, 8.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Joint Resolution No. 7, as amended, was referred for engrossment.

Upon motion of Senator Stewart, the Senate Auditor was authorized to purchase Ten Dollars worth of stamps for his use, incident to his duties as such Auditor.

Senator Stewart moved that the proceedings of the Extraordinary Session of the Senate, in December, 1927, be printed.

Senator Smith, as a substitute, moved that the President Pro Tempore appoint a Committee of 3, to assemble and compile the record of the Extraordinary Session of the Senate in December, 1927, with instructions to report the findings to the Senate at a later date.

The motion prevailed and the President Pro Tempore appointed Senators Smith, Peck, and Ferguson, as such Committee.

Upon motion of Senator Stewart, the Senate adjourned to meet at 10:00 o'clock, a. m., Saturday, January 26, 1929.

SEVENTEENTH LEGISLATIVE DAY

SATURDAY, JANUARY 26TH, 1929

The Senate, pursuant to adjournment, met at 10:00 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Commons, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Pullen, Rexroat, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 30.

Excused: Blakely, Boyer, Clark, Darnell, Ewing, Johnson (Creek), Johnson (Pott.), MacDonald, Peck, Powers, Stigler, Williams. Total, 12.

Absent: Ray, Reed. Total, 2.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

The Senate's Special Investigating Committee proceeded with its duties, at the conclusion of which Senator Austin, Chairman, announced that, in view of the statements made, personally, by Mr. Carl Magee and in view of the further statement of Mr. Magee's counsel, Judge

J. R. Keaton, both made personally to the Investigating Committee, in the presence of the Senate, and there being no further evidence submitted or offered by or on the part of Mr. Magee or Judge Keaton, his counsel, or by any other interested person, said Investigating Committee should adjourn. Senator Austin, Chairman, formally declared the session of said Investigating Committee to be finally adjourned, subject only to the filing of a written report by the Investigating Committee of the Senate.

Upon motion of Senator Terwilleger, SENATE BILL NO. 31, by Terwilleger, was withdrawn from the Committee on Municipal Corporations and ordered placed upon the calendar.

Upon motion of Senator Stewart, the Senate adjourned to meet at 10:00 o'clock, a. m., Monday, January 28, 1929.

EIGHTEENTH LEGISLATIVE DAY

MONDAY, JANUARY 28TH, 1929

The Senate, pursuant to adjournment, met at 10:00 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 42.

Excused: Blakely, Boyer. Total, 2.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

Upon motion of Senator Smith, the Senate recessed, to meet at the call of the President Pro Tempore.

The Senate reassembled, with the President Pro Tempore presiding.

COMMITTEE REPORT

Senator Jolly submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Joint Resolution No. 7 correctly engrossed.

JOLLY, Vice-Chairman.

The President Pro Tempore, in open session, signed the Engrossed Senate Amendments to and Engrossed House Joint Resolution No. 7, as amended, and ordered the same returned to the Honorable House.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 73.—By ANGLIN.—A Bill to be entitled: An Act making supplementary appropriation for traveling expense of District Judges and their reporters, for the remainder of fiscal year, ending June 30, 1929, and declaring an emergency.

SENATE BILL NO. 74.—By REXROAT.—An Act amending and re-enacting Section 9727, Compiled Oklahoma Statutes, 1921, relating to the issuance and service of Tax Warrants, providing for the employment of a person by the County Commissioners to serve Tax Warrants, and providing compensation for such person, and declaring an emergency.

SENATE BILL NO. 75.—By LOOFBOURROW.—An Act creating a State Civil Service Commission of three members, dividing the State into Civil Service Districts,

providing for selection of Commissioners, defining their duties, term of office and salary making an appropriation therefor, and declaring an emergency.

SENATE BILL NO. 76.—By RICE and REXROAT.—An Act fixing the salaries of elective Executive and Judicial State Officers; repealing all Acts or parts of Acts in conflict therewith.

SENATE BILL NO. 77.—By CLARK.—An Act authorizing the County Clerk upon order of the District Judge to destroy chattel mortgages on file where the same are barred by the Statutes of Limitation, repealing all laws in conflict, and declaring an emergency.

SENATE BILL NO. 78.—By AUSTIN.—An Act amending Section 4406, Compiled Oklahoma Statutes 1921, relating to assessments for sewer districts, repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 79.—By FIDLER.—An Act making appropriation to reimburse R. B. Thomas, employee of the Highway Department, for expenses incurred while traveling over the State in collection of delinquent automobile tax; and declaring an emergency.

SENATE BILL NO. 80.—By JOLLY.—An Act authorizing and empowering the County Assessor of Caddo County, Oklahoma, to employ extra help at the expense of the County in a sum not to exceed Four Hundred (\$400.00) Dollars annually; such services to be paid by the County in like manner as other salary claims are paid, and declaring an emergency.

SENATE BILL NO. 81.—By WILLIAMSON and WHEATLEY.—An Act authorizing the Senate and the House of Representatives to provide such employees, and

fixing their duties and compensation such as may be, by each body, deemed necessary and proper; repealing Section 109, Compiled Oklahoma Statutes 1921; and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 65.—By PULLEN, AUSTIN, and STIGLER.—Referred to Committee on Soldiers' Relief.

SENATE BILL NO. 66.—By HARPER.—Referred to Committee on Hospitals and Charities.

SENATE BILL NO. 67.—By HARPER.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 68.—By CLARK.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 69.—By PULLEN.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 70.—By FIDLER.—Referred to Committee on Penal Institutions.

SENATE BILL NO. 71.—By BLAKELY (Senate), LOGAN and McADOO (House).—Referred to Committee on Agriculture.

SENATE BILL NO. 72.—By COMMITTEE ON SOLDIERS' RELIEF.—Referred to Committee on Appropriations.

GENERAL ORDER

SENATE BILL NO. 28 by Gulager, was taken up for consideration.

Section 1 was read.

Senator Wheatley submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 28, line 17, page 2, by adding after the word, "may," and before the word, "purchase," the words "with the consent of the legislative body of said city or town."

WHEATLEY.

Upon motion of Senator Gulager, Section 1, as amended, was adopted.

Sections 2 and 3 were read and adopted, upon motions of Senator Gulager.

Upon motion of Senator Gulager, SENATE BILL NO. 28, as amended was advanced to engrossment and third reading.

SENATE CONCURRENT RESOLUTION NO. 4, by Harper, was read as follows:

SENATE CONCURRENT RESOLUTION NO. 4.— By HARPER.

A CONCURRENT RESOLUTION AUTHORIZING THE APPOINTMENT OF A COMMITTEE TO INVESTIGATE THE PROPERTY LOSS OF CERTAIN CITIZENS OF WISTER, OKLAHOMA, ARISING OUT OF FLOODS ALLEGED TO

HAVE BEEN CAUSED BY THE CONSTRUCTION OF A STATE HIGHWAY, AUTHORIZING SAID COMMITTEE TO MAKE INVESTIGATION AND REPORT THEIR FINDINGS TO THE TWELFTH LEGISLATURE OF OKLAHOMA.

WHEREAS, it is claimed by the citizens living and residing in Wister, Le Flore County, Oklahoma, that in the month of April, 1927, a large rain fell and caused damage and destruction to property in Wister, by reason of the overflow of water from Mountain Creek, which creek is located about a quarter of a mile west of Wister; and,

WHEREAS, it is claimed by the citizens living and residing in Wister, that the cause of the overflow of water from Mountain Creek into Wister, was on account of the construction of a bridge across Mountain Creek, by the Highway Department, in which the outlet of the flow of water from Mountain Creek was not sufficient to permit the water to flow along down and through Mountain Creek and further by reason of grade of the Highway Road through Mountain Creek Bottom, which road is alleged to have a grade and embankment thrown up of about three feet, and it is claimed and alleged by the citizens of Wister, that on account of the grade of the Highway through Mountain Creek Bottom, and the bridge across Mountain Creek, that the water that naturally flowed down along Mountain Creek and the bottom of Mountain Creek during the high water was diverted from its natural flow and channel into the town of Wister, and caused destruction and damage to property in Wister of several thousand dollars; and,

WHEREAS, it is claimed by the citizens of Wister, who lost property on account of the high water in April, 1927, that if the construction of the highway, by said

Highway Department was responsible for the same, that they are entitled to compensation for such damages as they may have sustained by reason of the destruction of property by the high water in April, 1927;

NOW, THEREFORE, be it resolved by the Senate, the House of Representatives concurring therein:

SECTION 1. That a Committee consisting of three members of the Senate and three members of the House of Representatives, be appointed to make an investigation as to whether or not, the cause of property loss by citizens living in Wister by the flood in April, 1927, was on account of the construction of the bridge across Mountain Creek by the Highway Department, and the construction of the grade of the road through Mountain Creek Bottom, and if it be found by said committee that on account of the construction of said road and bridge, by the Highway Department, through Mountain Creek Bottom, and the bridge across Mountain Creek, diverted the water from its natural flow and channel into the town of Wister, and caused damage to property owners,

That said committee ascertain the amount of damages sustained by each individual on account of the flood in April, 1927, and report their findings back to their respective bodies.

It is further provided that said committee shall have full power and authority to issue process and subpoena witnesses and compel their attendance and employ such clerical help, as the committee deems necessary to make a full and complete investigation of the matters and things herein set forth.

Upon motion of Senator Harper, Senate Concurrent Resolution No. 4 was adopted, as read.

Senate Concurrent Resolution No. 4 was referred for engrossment.

Upon motion of Senator Smith, the Senate recessed to meet at 1:30 o'clock, p. m.

AFTERNOON SESSION

The Senate re-assembled at 1:30 o'clock, p. m., and was called to order by the President Pro Tempore.

COMMITTEE REPORTS

Senator Andrews asked unanimous consent of the Senate, which was granted, to submit the following Committee Report, which was adopted:

MR. PRESIDENT:

Your Committee on Committees, hereby respectfully recommends that the name of Senator Williams be added to the following named Committees, to-wit:

Appropriations, Roads and Highways, Agriculture, Penal Institutions, Military Affairs and Soldiers' Relief.

We further beg leave to recommend that the name of Senator Boyer be added to the Committee on Hospitals and Charities.

Respectfully submitted,

ANDREWS, Chairman.
STORMS,
WILLIAMSON,
PECK,
HILL,
HARPER,
LOOFBOURROW.

Senator Austin asked unanimous consent, which was granted, to submit the following Special Committee report, which was adopted:

MR. PRESIDENT:

Your Committee designated and appointed under and in pursuance of Engrossed Senate Resolution No. 6, passed and approved January 16, 1929, beg leave to report, as follows:

1st. We organized and adopted rules for the government of the Committee in its hearing, on January 17, 1929, and report of such rules has been submitted and filed with the Senate.

2nd. Hearings were opened on the 22nd day of January, 1929, and have been continued from day to day until the same were closed at 12:00 o'clock, noon, Saturday, January 26, 1929.

3rd. A full and true copy of all testimony, orders and proceedings taken and had is herewith submitted as a part of this report.

4th. The Committee is of the opinion and finds that there is no evidence of any nature or to any extent indicating the use of any funds, patronage, favors, or other improper means as an inducement to any Senator to change or cast his final vote, on December 29, 1927.

5th. The Committee further finds that all reports in the Press and otherwise indicating any such improper conduct in any degree were wholly unwarranted and this Committee in no sense concurs therein.

6th. It is the opinion of the Committee based upon the records herewith submitted, that, in the matter sub-

mitted to us, the Senators in every instance acted upon their best judgment under their official oaths and that the records of this body should so reflect.

7th. Committee further finds that the names of J. J. McGraw and T. M. McCombs, both former citizens of Oklahoma and both of whom are now deceased, have unfortunately been brought into this record. They can no longer speak for themselves and the Committee feels justified in stating that it finds no trace of any thought or act of impropriety on their part and no evidence whatsoever as to their connection either directly or indirectly with any charges submitted to us for investigation and expresses its regret for the use of their names in the course of the hearing.

8th. Your Committee in the course of the investigation extended the benefit of its process to the members of the Senate, to Mr. Carl C. Magee and all others interested in the investigation and issued subpoenas to all witnesses whose names were submitted to it from time to time and who in its judgment might be able to furnish competent and legal information pertaining to the subject of this investigation, and diligently pursued the inquiry, using all such witnesses, and only concluded its hearing after calling upon the Senate and upon Mr. Magee for any additional suggestion of the names of witnesses and only after the members of the Senate had expressed themselves as being satisfied that the hearing should be concluded and only upon the statement of Mr. Magee that he knew of no further evidence, in any manner, showing misconduct of any Senator or Senators and that he too was satisfied that the investigation should be concluded. No further evidence being offered or suggested on the part of any interested party and the committee knowing of no further evidence, the hearings were closed.

9th. The Committee having concluded its work of investigation, submits the foregoing as its final report of such proceedings and its conclusions thereon and only requests the right to continue its existence for the purpose of ascertaining, approving and reporting the expense incident to the hearing.

Respectfully submitted,

W. C. AUSTIN, Chairman.

Upon motion of Senator Stewart, the Report of the Committee was ordered printed in the Senate Journal, with the exception of the testimony, which was ordered filed with the Secretary of the Senate for such use as may be found necessary hereafter.

The following requests for lobby permits were submitted:

To the Honorable President and
Members of the Senate of Oklahoma:

C. A. Harley states that he is a resident of Enid, Oklahoma; that he is 48 years of age; and that he is legislative representative of the Order of Brotherhood of Locomotive Engineers; that he is paid the sum of Ten Dollars per day for his services; that he makes this statement in compliance with the law of the State and petitions your Honorable Body that he be granted a permit to appear before Committees and act in his duly assigned capacity in the interests of the organization he represents.

(Signed) C. A. HARLEY.

Upon motion of Senator Otjen, permit to lobby was granted C. A. Harley.

Victor S. Purdy states that he is a resident of Oklahoma City, Oklahoma; that he is 40 years of age and

that he is Secretary-Treasurer and legislative committeeman of the Oklahoma State Federation of Labor; that he is paid the sum of \$60.00 per week for his services; that he makes this statement in compliance with the law of the State and petitions your honorable body that he be granted a permit to appear before committees and act in his duly assigned capacity in the interests of the organization he represents.

(Signed) VICTOR S. PURDY.

Upon motion of Senator Nesbitt permit to lobby was granted Victor S. Purdy.

A Committee from the Honorable House, headed by Representative John Head, was received, who presented the following Communication:

To the President of the Senate of the
Twelfth Legislature of the State of Oklahoma.

Building,

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House of Representatives did, on the 24th day of January, 1929, exhibit, approve and adopt an Article of Impeachment against Henry S. Johnston, Governor of the State of Oklahoma, and that the Board of Managers, heretofore appointed by the House, is ready to report said Article of Impeachment to the Honorable Senate and awaits its pleasure in receiving said Article of Impeachment.

The Honorable Senate is further advised that the House of Representatives is considering further articles against the said Henry S. Johnston, Governor of the State

of Oklahoma, and begs leave to present the article heretofore adopted, and that it be permitted to communicate hereafter to the Honorable Senate the result of further Articles of Impeachment.

BERT McDONEL, Chief Clerk.

Upon motion of Senator Stewart, the House Committee was advised that the Senate is ready to receive the Board of Managers of the Honorable House, for the purpose of exhibiting an Article of Impeachment voted against Governor Henry S. Johnston.

GENERAL ORDER

SENATE BILL NO. 31, by Terwilleger, was taken up for consideration.

Sections 1 and 2 were read and adopted upon motions of Senator Terwilleger.

Senator Terwilleger submitted the following amendment, which was adopted.

Mr. President: I move to amend Senate Bill No. 31, by adding a new Section as follows:

"Section 3. Appeals may be taken from any order of judgment of such Municipal Criminal Courts, made by virtue of any of the provisions of this Act, to the District Court of the County in which such Municipal Court is located, in the same manner and with the same effect as is now or may hereafter be provided for County Courts of the State of Oklahoma in like cases."

TERWILLEGER.

Upon motion of Senator Terwilleger, "Section 3" was changed to read, "Section 4."

Upon motion of Senator Terwilliger, SENATE BILL NO. 31, as amended, was advanced to engrossment and third reading.

The Board of Managers, for the Honorable House, was received by the Senate, and presented the following communication:

Mr. President: We, the Board of Managers heretofore appointed by the Honorable House of Representatives, to present to the Honorable Senate Articles of Impeachment against his Excellency, the Honorable Henry S. Johnston, Governor of the State of Oklahoma, in obedience to the command of the Honorable House, do herewith present to the Honorable Senate an Article of Impeachment, designated as Article No. 1, which was exhibited, received, voted and adopted by the Honorable House of Representatives of the State of Oklahoma, on the 24th day of January, 1929.

JOHN HEAD,
Chairman of Board of Managers
of the House of Representatives
of the State of Oklahoma.

Upon motion of Senator Stewart, the Article of Impeachment was read, as follows:

ARTICLE OF IMPEACHMENT

The House of Representatives of the Twelfth Legislature of the State of Oklahoma in their name, and in the name and by the authority of the State of Oklahoma and by the people thereof, do hereby present and exhibit Articles of Impeachment and give the Honorable Senate to know and be informed:

That Henry S. Johnston was a candidate for the Democratic nomination for Governor before the primary

election had and held throughout the State of Oklahoma on the third day of August, 1926, and by the results of said primary election a certificate of election was issued to him as the nominee of the Democratic party for the office of Governor of the State of Oklahoma, and, thereafter, on the second day of November, 1926, by the result of the general election had and held throughout the State of Oklahoma, a certificate of election was issued to him declaring him elected Governor of said State:

That, at high noon on the tenth day of January, 1927, the said Henry S. Johnston became, and was inducted into the office of Governor of the State of Oklahoma and thereupon, took and subscribed to the oath of office prescribed by Section 1 of Article XV of the Constitution of the State of Oklahoma, as follows, to-wit:

"I, Henry S. Johnston, do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of the State of Oklahoma, and will discharge the duties of my office as Governor of the State of Oklahoma with fidelity, that I have not paid or contributed, either directly or indirectly, any money or other valuable thing, to procure my nomination or election except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of the State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing, for the performance or non-performance of any act or duty pertaining to my office, other than the compensation allowed by law, and I further swear (or affirm) that I will not receive, use or travel upon any free pass or on free transportation during my term of office.

"HENRY S. JOHNSTON.

"Subscribed and sworn to before me this the tenth day of January, 1927.

"FRED P. BRANSON,
"Chief Justice."

And, thereupon, he, the said Henry S. Johnston, assumed the duties of said office.

That thereafter, the said Henry S. Johnston, Governor of the State of Oklahoma, unmindful of the high duties of his office, and in violation of the Constitution and the laws of the State of Oklahoma, is guilty of wilful neglect of duty, incompetency, corruption in office, and of offenses involving moral turpitude committed by him while in said office; and that the said House of Representatives hereby exhibits and presents to the Honorable Senate of the State of Oklahoma, articles of impeachment against the said Henry S. Johnston as the Governor of the State of Oklahoma, for the causes, upon the grounds, and in the particulars as follows, to-wit:

ARTICLE I

And the said House of Representatives aforesaid do find and present, that heretofore and on the 28th day of December, 1928, the said Henry S. Johnston, acting as Governor of the State of Oklahoma as aforesaid, unmindful of the high duties of his office and his oath of office and in violation of the Constitution and laws of the State of Oklahoma, and with wanton and reckless disregard of the welfare of the citizenship of the State of Oklahoma, and careless and unmindful of his obligation to enforce the laws of said State, did wilfully, wrongfully, corruptly and designedly execute and deliver, as Governor of the said State of Oklahoma, a certain document styled "Restoration of Citizenship," said document being, in truth and in fact, a full and complete pardon and restoration

of citizenship to one R. D. Crosthwaite who had theretofore, on the 19th day of November, 1918, after a plea of guilty to the charge of murder of one Thelma Lovejoy, a resident of Oklahoma County, State of Oklahoma, been duly committed to the State penitentiary at McAlester under sentence of and imprisonment for and during his natural life, the said R. D. Crosthwaite being at the time of said execution and delivery of such pardon and restoration of citizenship, an escaped convict and fugitive from justice, all of which said facts were of record at the State penitentiary and in the office of the State Pardon and Parole Office, both of which said penitentiary and Pardon and Parole Office are under the direction, jurisdiction and supervision of him, the said Henry S. Johnston, and he, the said Henry S. Johnston, should have known and could have known by the exercise of reasonable diligence, all of the facts aforesaid.

That notwithstanding the aforesaid facts, but in pursuance of a desire and anticipation upon the part of him, the said Henry S. Johnston, of securing support and influence, in both branches of the State Legislature during the term and session of the Twelfth Legislature of the State of Oklahoma, because and on account of recommendations made by members of said Legislature, he, the said Henry S. Johnston, without investigation and without inquiry as to the merits and righteousness of the claims made on behalf of the said R. D. Crosthwaite, and in disregard of the duties of his office and the welfare of the State and with utter disregard of the merits of said matter and without any consideration thereof whatsoever, did proceed hastily to the signing, execution and delivery of said pardon upon its submission to him by one H. E. Sullivan, his duly appointed, qualified and acting Secretary.

That after the wilful, wrongful, and designed execution and delivery of said pardon and restoration of citizen-

ship and notwithstanding the willingness of the Attorney General, the duly qualified and acting legal representative of the State of Oklahoma, to take all due and proper action to cancel, rescind and revoke the aforesaid pardon and restoration of citizenship so wrongfully executed and delivered by him, the said Henry S. Johnston, and after a full knowledge of the wrongfulness of his act and with complete understanding of facts hereinbefore related, he, the said Henry S. Johnston wilfully, wrongfully, unlawfully, purposely, and designedly failed, refused and neglected to authorize and direct the said Attorney General or any other person or legal representative of the State of Oklahoma to institute any action whatsoever, or take any steps toward the rescinding, revocation or annulling of said pardon and restoration of citizenship, all of which acts done and performed by him, the said Henry S. Johnston, and all of which omissions and failure upon his part to perform the duties incumbent upon him, under the Constitution and laws of the State of Oklahoma, were wilfully, wrongfully, purposely and designedly done and omitted for the purposes herein above set forth and by the doing of which said acts and omissions, the said Henry S. Johnston, became, was and is guilty of wilful neglect of duty, wanton violation of his oath of office, malfeasance in office, incompetency, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma, in such cases made and provided, and against the peace, dignity and welfare of the State of Oklahoma.

Upon motion of Senator Stewart, the additional Article of Impeachment was ordered received, accepted and filed with the Secretary of the Senate for the purpose of prosecution.

The President Pro Tempore advised the Honorable Board of Managers that the Article of Impeachment was

received, accepted and filed with the Secretary of the Senate; that a day for an answer thereto would be set and that the Respondent will be notified of the day and place of trial, of all of which the Honorable Board of Managers would be duly notified.

Upon motion of Senator Stewart, the additional Article of Impeachment was referred from the Senate to the Senate, sitting as a Court of Impeachment.

Upon motion of Senator Stewart, the Senate recessed for 30 minutes.

The Senate reassembled, with the President Pro Tempore presiding.

Upon motion of Senator Stewart, the Senate adjourned, to meet under the rules.

NINETEENTH LEGISLATIVE DAY

TUESDAY, JANUARY 29TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Peck, Powers, Pullen, Ray, Reed, Rice, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 38.

Excused: Andrews, Anglin, Patton, Rexroat, Smith, Williamson. Total, 6.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, adopted, and the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Judiciary Number One, to whom was referred Senate Bill No. 2, by Powers, et al., entitled:

An Act creating a Code Commission; providing for the appointment by the Governor of three Commissioners; prescribing their qualifications; fixing their salaries, prescribing their duties; providing for clerical assistance; making an appropriation to pay the salaries of said Commissioners and employees, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be referred to the Committee on Code Revision.

AUSTIN, Chairman.

Senate Bill No. 2 was ordered referred to the Committee on Code Revision.

MR. PRESIDENT:

We, your committee on Judiciary Number One, to whom was referred Senate Bill No. 12, by Pullen, entitled:

An Act repealing Sections 3037 to 3055, inclusive, of the Compiled Oklahoma Statutes of 1921, providing that the present elected judges of the Criminal Court of Appeals perform the duties of the Commissioners of the Supreme Court during the remainder of their terms of office, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do not pass.

AUSTIN, Chairman.

Upon motion of Senator Austin, the report of the Committee, as read, was adopted.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate Bill No. 16, by Ferguson, entitled:

An Act authorizing cities, towns, townships, and school districts, which have a surplus on hand in the Sinking Fund, against which no indebtedness exists to transfer the same to the General Fund of said Municipalities, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

MacDONALD, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary Number One, to whom was referred Senate Bill No. 39, by Graham and MacDonald, entitled:

An Act amending Section 2119, Compiled Oklahoma Statutes, 1921, and providing that the trial judge, in cases involving a violation of this Act, may not suspend judgment and sentences passed upon any person who violates the provisions hereof, repealing all laws in conflict herewith, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass, as amended.

AUSTIN, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary Number One, to whom was referred Senate Bill No. 63, by Powers, et al., entitled:

An Act amending Section 4152, Compiled Oklahoma Statutes, 1921 repealing all Acts or parts of Acts in conflict herewith and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

AUSTIN, Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills, begs leave to report Senate Concurrent Resolution No. 4, Senate Bills Nos. 28 and 31, correctly engrossed; Senate Concurrent Resolution No. 3, Senate Resolutions Nos. 1, 3, 4, 5, 6, 8, 9, and 13 correctly enrolled.

BOYER, Chairman.

The President Pro Tempore, in open session, signed: Engrossed Senate Concurrent Resolution No. 4 and ordered the same transmitted to the Honorable House for consideration; Enrolled Senate Concurrent Resolution No. 3 and ordered the same transmitted to the Honorable House for the signature of the Speaker; Enrolled Senate Resolutions Nos. 1, 3, 4, 5, 6, 8, 9 and 13 and ordered the same transmitted to the Secretary of State.

FIRST READING

The following bills were introduced and read for the first time:

SENATE BILL NO. 82—By MOORE—An Act declaring the Sovereignty of the State of Oklahoma over the air, and declaring the air and the space above the geographical surface of the State of Oklahoma as belonging to the

State, and subject to the control of the State, and providing for the regulation of the use thereby by vehicles, airplanes, and conveyances, and providing for the rules and regulations for the use thereof for telegraphic, telephonic or radio purposes, for broadcasting by radio, and vesting in the Corporation Commission of the State of Oklahoma jurisdiction to make rules and regulations governing the use thereof for the above purposes, and granting said Corporation Commission jurisdiction to license or regulate, and to fix priorities in the use thereof, and providing for penalties for violations of this Act, and the rules and regulations of the Corporation Commission duly promulgated.

SENATE BILL NO. 83.—By MOORE—An Act amending Section 10307, Compiled Oklahoma Statutes, 1921, relating to duties of high school inspectors, and declaring an emergency.

SENATE BILL NO. 84.—By CLARK, STIGLER and HILL (Senate), and CHAPPELL, et al., (House).—An Act providing for venue of civil actions and the service of process in cases by residents of the State of Oklahoma against a Foreign Corporation, which has failed to comply with the laws of the State of Oklahoma as to appointing a resident agent for the service of process in actions accruing to residents of the State of Oklahoma on account of or while such Foreign Corporation was doing business within the State of Oklahoma; and providing for the fees for such services; amending Section 5442 of Compiled Oklahoma Statutes 1921; repealing conflicting laws, and declaring an emergency.

SENATE BILL NO. 85.—By POWERS, LOOFBOURROW (Senate), SNODDY, ODELL and ALLEN (House)—An Act making an emergency appropriation for the

Western Oklahoma Hospital for the fiscal year ending June 30, 1929, and declaring an emergency.

SECOND READING

The following bills were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 73—By ANGLIN—Referred to Committee on Appropriations.

SENATE BILL NO. 74—By REXROAT—Referred to Committee on State and County Affairs.

SENATE BILL NO. 75—By LOOFBOURROW—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 76—By RICE and REXROAT—Referred to Committee on Fees and Salaries.

SENATE BILL NO. 77—By CLARK—Referred to Committee on State and County Affairs.

SENATE BILL NO. 78—By AUSTIN—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 79—By FIDLER—Referred to Committee on Appropriations.

SENATE BILL NO. 80—By JOLLY.

Upon motion of Senator Jolly, the rules of the Senate were suspended and Senate Bill No. 80, by Jolly, was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 81—By WILLIAMSON and WHEATLEY—Referred to Committee on Judiciary No. 1.

MESSAGES

The following messages from the Honorable House were received and read:

To the President of the Senate:

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE JOINT RESOLUTION NO. 7
—By WEBBER, STANLEY, JONES (Stephens), (House), and WHEATLEY, STEWART, AUSTIN, (Senate), entitled—A Resolution authorizing the House of Representatives to employ temporary help and assistance, making an appropriation therefor, and declaring an emergency.

and the same has been passed by the House, as amended.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate:

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE JOINT RESOLUTION NO. 8
—By ANGLIN, (Senate), and KIGHT, (House), entitled
—A Resolution reappropriating the sum of \$86,786.18, unexpended balance in the appropriation provided for in Senate Bill No. 250, of the Eleventh Legislature, Chapter 52, Session Laws of Oklahoma, 1927, so that the same may be used for salaries of officers and employees and contingent expenses of the Senate and House of Representatives of the Twelfth Legislature, etc.,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Joint Resolution No. 8 was referred for enrollment.

To the President of the Senate:

SIR:

I am directed by the House of Representatives to transmit herewith:

ENROLLED HOUSE CONCURRENT RESOLUTION
No. 2—By HOOVER, SNODDY and GRAHAM (House), and FIDLER, ANDREWS and COMMONS (Senate), entitled:—A Resolution authorizing Joint Session at 2:00 o'clock, p. m., February 4, 1929, for the purpose of hearing the address of the Grand Exalted Ruler, Murray Hulbert, of the order of the Elks, former United States Congressman for two terms, from New York, Vice-Mayor of New York City under Mayor Hylan.

ENROLLED JOINT SESSION RESOLUTION NO. 1
—By MacDONALD and NESBITT (Senate), SMITH and LEECRAFT (House), entitled—A Resolution honoring and commending Ira C. Eaker, Captain, Air Service, United States Army, for his intrepidity and ability evidenced as Chief Pilot of the United States Army endurance flight plane "Question Mark,"

and to advise you, and through you, the members of the Honorable Senate, that the same have been read for the

fourth time and signed by the Speaker of the House in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

The President Pro Tempore in open session, signed Enrolled House Concurrent Resolution No. 2, as well as Enrolled Joint Session Resolution No. 1, and ordered both returned to the Honorable House.

To the President of the Senate:

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE JOINT RESOLUTION NO. 10
—By ANGLIN, AUSTIN, STORMS and STEWART, entitled—A Resolution authorizing the Senate of the State of Oklahoma to employ temporary help and assistance, making an appropriation therefor, and declaring an emergency,

and to inform you, and through you, the members of the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker of the House in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Enrolled Senate Joint Resolution No. 10 was ordered referred to the Governor for his consideration.

To the President of the Senate:

SIR:

I am directed by the House of Representatives to transmit herewith, for your signature:

ENROLLED HOUSE JOINT RESOLUTION NO. 7—
By WEBBER, STANLEY, JONES (Stephens) (House),
WHEATLEY, STEWART, AUSTIN (Senate) entitled—
A Resolution authorizing the House of Representatives
to employ temporary help and assistance, making an ap-
propriation therefor, and declaring an emergency,

and to inform you, and through you, the Honorable Sen-
ate, that the same has been read for the fourth time and
signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Joint Resolution No. 7 was read for the
fourth time, the enrolled copy signed, in open session, by
the President Pro Tempore, and ordered returned to
the Honorable House.

THIRD READING

SENATE BILL NO. 28 was read for the third time
at length.

The question being, "Shall the Bill pass?" the roll
was called with the following results:

Ayes: Blakely, Boyer, Clark, Commons, Darnell,
Easter, Ferguson, Fidler, George, Graham, Gray, Gulager,
Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly,
Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen,
Powers, Pullen, Ray, Rice, Stewart, Stigler, Storms, Ter-
willeger, Thomas, Williams. Total, 32.

Nays: Austin, Harper. Total, 2.

Not Voting: Ewing, Peck, Reed, Wheatley. Total 4.

Excused: Andrews, Anglin, Patton, Rexroat, Smith, Williamson. Total, 6.

The Bill, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Powers, Pullen, Ray, Rice, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams. Total, 32.

Nays: Austin, Harper. Total, 2.

Not Voting: Ewing, Peck, Reed, Wheatley. Total 4.

Excused: Andrews, Anglin, Patton, Rexroat, Smith, Williamson. Total, 6.

The emergency, having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore in open session, signed the engrossed copy of Senate Bill No. 28, and ordered the same transmitted to the Honorable House.

Senator Loofbourrow asked to be excused from attendance in the Senate for the remainder of this legislative day, which was the order.

SENATE BILL NO. 31 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Powers, Pullen, Ray, Reed, Rice, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 35.

Nays: 0.

Not Voting: Ewing, Peck. Total, 2.

Excused: Andrews, Anglin, Loofbourrow, Patton, Rexroat, Smith, Williamson. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Powers, Pullen, Ray, Reed, Rice, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 35.

Nays: 0.

Not Voting: Ewing, Peck. Total, 2.

Excused: Andrews, Anglin, Loofbourrow, Patton, Rexroat, Smith, Williamson. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 31, and ordered the same transmitted to the Honorable House.

GENERAL ORDER

SENATE BILL NO. 48, by Boyer, was taken up for consideration.

Section 1 was read.

Senator Pullen moved that further consideration of Senate Bill No. 48 be indefinitely postponed.

Senator Gulager moved to table the Pullen motion.

Senator Darnell raised a point of order against the Gulager motion, which was sustained, stating the motion was followed by debate.

The vote recurring on the Pullen motion, the same was adopted.

By unanimous consent, consideration of SENATE RESOLUTION NO. 11, by Fidler, was deferred.

The following request for Lobby permit was read:

To the President and
Members of the Senate:

Edward G. Burke states that he is a resident of Oklahoma City; that he is 48 years of age and that he is Legislative Representative of the Order of Brotherhood of Railroad Trainmen; that he is paid the sum of \$11.00 per day for his services; that he makes this statement in compliance with the law of the State and petitions your Honorable Body that he be granted a permit to appear before Committees and act in his duly assigned capacity in the interests of the organization he represents.

(Signed) E. G. BURKE.

Upon motion of Senator Gulager, the request for lobby permit was granted E. G. Burke.

An announcement of a meeting of the Ohoyahoma Club at 2 o'clock, p. m., Wednesday, January 30th, at the "Electric Bungalow," was read.

By unanimous consent, Senator Patton was excused from attendance in the Senate for the next two legislative days, on account of illness.

Upon motion of Senator Pullen, the Senate adjourned, to meet under the rules.

TWENTIETH LEGISLATIVE DAY

WEDNESDAY, JANUARY 30TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Peck, Powers, Pullen, Ray, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams, Williamson. Total, 39.

Excused: Ewing, Ferguson, MacDonald, Patton, Reed. Total, 5.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

MESSAGE

The following message was presented by a Committee from the Honorable House, headed by Representative Head:

To the President of the Senate of
The Twelfth Legislature of the
State of Oklahoma.

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House of Representatives did, on the 29th day of January, 1929, exhibit, approve and adopt three Articles of Impeachment against His Excellency, Henry S. Johnston, Governor of the State of Oklahoma. Said Impeachment charges being in the House of Representatives numbered XI, XII and XIII, and that the Honorable House is now ready, through its Board of Managers, to report said Articles of Impeachment to the Honorable Senate and awaits its pleasure in receiving said Articles of Impeachment.

BERT McDONEL,
Chief Clerk of the House of
Representatives of the State of
Oklahoma.

Upon motion of Senator Stewart, the House Committee, headed by Representative Head, was advised that the Senate is ready to receive the Board of Managers of the Honorable House for the purpose of exhibiting additional Articles of Impeachment, voted against Henry S. Johnston, Governor.

The Board of Managers, headed by Representative Head, presented the following communication:

MR. PRESIDENT:

We, the Board of Managers, heretofore appointed by the Honorable House of Representatives to present to the Honorable Senate Articles of Impeachment against His

Excellency, the Honorable Henry S. Johnston, Governor of the State of Oklahoma, in obedience to the command of the Honorable House, does herewith present to the Honorable Senate Articles of Impeachment, designated as Articles Nos. 11, 12 and 13, which were exhibited, received, voted and adopted by the Honorable House of Representatives of the State of Oklahoma, on the 29th day of January, 1929.

Respectfully submitted,

(Signed) JOHN HEAD,
Chairman of the Board of Managers
of the House of Representatives
of the State of Oklahoma.

Upon motion of Senator Stewart, the additional Articles of Impeachment were read, as follows:

ARTICLES OF IMPEACHMENT

The House of Representatives of the Twelfth Legislature of the State of Oklahoma in their name, and in the name and by the authority of the State of Oklahoma and by the people thereof, do hereby present and exhibit articles of impeachment, and give the Honorable Senate to know and be informed:

That Henry S. Johnston was a candidate for the Democratic nomination for governor before the primary election had and held throughout the State of Oklahoma on the third day of August, 1926, and by the results of said primary election a certificate of election was issued to him as the nominee of the Democratic party for the office of governor of the State of Oklahoma, and thereafter, on the second day of November, 1926, by the result of the general election had and held throughout the State of Oklahoma, a certificate of election was issued to him declaring him elected governor of said state;

That, at high noon on the tenth day of January, 1927, the said Henry S. Johnston became, and was inducted into the office of governor of the State of Oklahoma and, thereupon, took and subscribed to the oath of office prescribed by Section 1 of Article XV of the constitution of the State of Oklahoma as follows, to-wit:

"I, Henry S. Johnston, do solemnly swear (or affirm) that I will support, obey and defend the constitution of the United States and the constitution of the State of Oklahoma, and will discharge the duties of my office as Governor of Oklahoma with fidelity; that I have not paid or contributed, either directly or indirectly, any money or other valuable thing, to procure my nomination or election except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of the State or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing, for the performance or non-performance of any act or duty pertaining to my office, other than the compensation allowed by law, and I further swear (or affirm) that I will not receive, use or travel upon any free pass or on free transportation during my term of office.

"HENRY S. JOHNSTON.

"Subscribed and sworn to before me this the tenth day of January, 1927.

FRED P. BRANSON, Chief Justice."

And, thereupon, he, the said Henry S. Johnston, assumed the duties of said office.

That thereafter, the said Henry S. Johnston, Governor of the State of Oklahoma, unmindful of the high duties of his office and of his oath of office, and in viola-

tion of the Constitution and the laws of the State of Oklahoma, is guilty of wilful neglect of duty, incompetency, corruption in office, and of offenses involving moral turpitude committed by him while in said office; and that the said House of Representatives hereby exhibits and presents to the Honorable Senate of the State of Oklahoma, articles of impeachment against the said Henry S. Johnston as the Governor of the State of Oklahoma, for the causes, upon the grounds, and in the particulars as follows, to-wit:

ARTICLE XI

And the House of Representatives aforesaid, do further find and present that on the 17th day of June, A. D. 1927, the said Henry S. Johnston, acting Governor of the State of Oklahoma as aforesaid, did wilfully, wrongfully, corruptly and unlawfully issue as an official act of himself as Governor, a certain Deficiency Certificate No. 23, in the sum of \$2,000.00, same being made and payable to one C. B. Cochran, a copy of which said Deficiency Certificate, the said House of Representatives is at this time unable to produce; an accurate, full and complete copy of which said Deficiency Certificate the said House of Representatives alleges to be duly filed in the office of the Secretary of State of the State of Oklahoma, the original of which has been duly attested and delivered as an official act of the Governor of the State of Oklahoma, to the holder thereof, in the manner and form as required by law. And he, the said Henry S. Johnston aforesaid, did, by the issuance thereof consent to the unlawful, wrongful and corrupt creation of a new debt and obligation, the creation of which said new debt and obligation is by law expressly prohibited, for the creation of which said debt and obligation no authority of law or emergency existed and for which no appropriation had theretofore been made

in whole or in part by the Legislature of the State of Oklahoma, as required by law, which said obligation so created was made for the sole and only purpose of compensating and remunerating the said C. B. Cochran for services, rendered pursuant to a certain order requesting the rendition of certain service *amicus curiae* to a certain special Supreme Court appointed by him, the said Henry S. Johnston, in the prosecution of one H. Bart Martin, who had been duly charged with contempt of the duly elected, qualified and acting Supreme Court of the State of Oklahoma, the members of which said Court had theretofore filed certificates of disqualification prior to the filing of which, however, said duly elected, qualified and acting Supreme Court and the Justices thereof, acting and speaking through Fred P. Branson, Chief Justice of said Supreme Court had, pursuant to power and authority vested in them as such Supreme Court, requested the said C. B. Cochran, as a duly qualified licensed and acting attorney, and in accordance with his oath as such attorney and in the performance of his duty as an officer of said Court, to appear, do, and perform certain acts *amicus curiae*, for the doing and performing of which said acts, he, the said C. B. Cochran was not entitled to the payment of any compensation or remuneration by the State of Oklahoma or the taxpayers thereof, and that by the issuance of said Deficiency Certificate as aforesaid, he, the said Henry S. Johnston, did cause to be issued, negotiated and circulated said Deficiency Certificate as aforesaid, to some person, firm, corporation or banking institution such Deficiency Certificate, who relying and believing in the authority and integrity of him, the said Henry S. Johnston has advanced and paid, pursuant to the purported authority therein given, the full sum of Two Thousand (\$2,000.00) Dollars in good and lawful money of the United States of America, which said sum of money was wrongfully, illegally and unlawfully paid and

by the doing of which did permit and cause to be paid to him the said C. B. Cochran, the said sum of \$2,000.00 as aforesaid, all of which was done by him, the said Henry S. Johnston, as Governor aforesaid, wilfully, wrongfully, unlawfully, purposely and designedly, with full knowledge upon the part of him, the said Henry S. Johnston of the unlawfulness of his act and the lack of necessity for the doing thereof, in the manner and form hereinbefore set forth and alleged and by the doing of which, he, the said Henry S. Johnston became, was and is guilty of wilful neglect of duty, malfeasance in office and offenses involving moral turpitude committed by him while in office, in wilful violation of his oath of office, and contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided and against the peace, dignity and welfare of the State of Oklahoma.

ARTICLE XII

And the House of Representatives aforesaid, do further find and present that, on the 17th day of June, A. D., 1927, the said Henry S. Johnston, acting as Governor of the State of Oklahoma as aforesaid, did wilfully, wrongfully, corruptly and unlawfully issue as an official act of himself as Governor, a certain Deficiency Certificate No. 24, in the sum of Two Thousand (\$2,000.00) Dollars same being made and payable to one D. Hayden Linebaugh, a copy of which said Deficiency Certificate, the said House of Representatives is at this time unable to produce; an accurate, full and complete copy of which said Deficiency Certificate, the said House of Representatives alleges to be duly filed in the office of the Secretary of State of the State of Oklahoma, the original of which has been duly attested and delivered as an official act of the Governor of the State of Oklahoma, to the holder thereof, in the manner and

form as required by law. And he, the said Henry S. Johnston aforesaid, did, by the issuance thereof consent to the unlawful, wrongful and corrupt creation of a new debt and obligation, the creation of which said new debt and obligation is by law expressly prohibited, for the creation of which said debt and obligation no authority of law or emergency existed and for which no appropriation had theretofore been made in whole or in part by the legislature of the State of Oklahoma, as required by law, which said obligation so created was made for the sole and only purpose of compensating and remunerating the said D. Hayden Linebaugh, for services rendered pursuant to a certain order requesting the rendition of certain services *amicus curiae* to a certain special Supreme Court appointed by him, the said Henry S. Johnston, in the prosecution of one H. Bart Martin who had been duly charged with contempt of the duly elected qualified and acting Supreme Court of the State of Oklahoma, the members of which said Court had theretofore filed certificates of disqualification prior to the filing of which, however, said duly elected, qualified and acting Supreme Court and the Justices thereof, acting and speaking through Fred P. Branson, Chief Justice of said Supreme Court had, pursuant to power and authority vested in them as such Supreme Court, requested the said D. Hayden Linebaugh, as a duly qualified, licensed and acting attorney and in accordance with his oath as such attorney and in the performance of his duty as an officer of said Court, to appear, do, and perform certain acts *amicus curiae*, for the doing and performing of which said acts, he, the said D. Hayden Linebaugh was not entitled to the payment of any compensation or remuneration by the State of Oklahoma or the taxpayers thereof, and that by the issuance of said Deficiency Certificate as aforesaid, he, the said Henry S. Johnston, did cause to be issued, negotiated and circulated said Deficiency Certifi-

cate as aforesaid, to some person, firm, corporation or banking institution such Deficiency Certificate, who, relying and believing in the authority and integrity of him, the said Henry S. Johnston, has advanced, and paid, pursuant to the purported authority therein given, the full sum of Two Thousand (\$2,000.00) Dollars, in good and lawful money of the United States of America, which said sum of money was wrongfully, illegally and unlawfully paid and by the doing of which did permit and cause to be paid to him the same D. Hayden Linebaugh, the said sum of Two Thousand (\$2,000.00) Dollars as aforesaid, all of which was done by him, the said Henry S. Johnston, as Governor aforesaid, wilfully, wrongfully, unlawfully, purposely and designedly, with full knowledge upon the part of him, the said Henry S. Johnston of the unlawfulness of his act and the lack of necessity for the doing thereof, in the manner and form hereinbefore set forth and alleged and, by the doing of which, he, the said Henry S. Johnston became, was and is guilty of wilful neglect of duty, malfeasance in office and offenses involving moral turpitude committed by him while in office, in wilful violation of his oath of office, and contrary to the Constitution and laws of the State of Oklahoma, in such cases made and provided, and against the peace, dignity and welfare of the State of Oklahoma.

ARTICLE XIII

And the said House of Representatives hereby referring to each, every and all of the Articles of Impeachment of the said Henry S. Johnston, as Governor of the State of Oklahoma, heretofore exhibited and filed and hereby making each and every one of said Articles of Impeachment a part of this Article, to the same extent as if said Articles were set out in full herein, does hereby further find and present:

That from and after the date of his induction into the office of Governor aforesaid, the said Henry S. Johnston, acting in the official capacity aforesaid and during his incumbency in said office, unmindful of the high duties thereof and of his oath of office, has on numerous and sundry occasions, knowingly, wilfully, purposely, intentionally, wrongfully and corruptly exhibited and demonstrated and established his official incompetency to hold, occupy and serve in the capacity of Governor of the said State of Oklahoma, and to perform and accomplish the duties, thereof, by a course of conduct as hereinbefore and hereinafter alleged, specified, set forth and exhibited and by divers, numerous and sundry other acts committed by him in his official capacity and by his reckless delegation of non-delegatory powers to others and by permitting others to exercise and discharge duties imposed upon him and by his reckless, wilful, and wrongful submission to the dictations and dominations of designing persons and by his failure and omissions to act, do and perform the duties of his office in the manner required by the constitution and laws of the State of Oklahoma and by his wilful, wrongful and unlawful failure to uphold, defend and enforce the Constitution and laws of the State of Oklahoma when violations thereof were brought to his specific attention and by his interference in and with the different and sundry departments and commissions created and maintained by authority of law, and by his control and domination of said departments and commissions and by his unwarranted and officious political activities by and through said departments and commissions and the employees thereof: he the said Henry S. Johnston became, was and is guilty of incompetency and wilful neglect of duty, committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided and against the peace, dignity and welfare of the State of Oklahoma.

Upon motion of Senator Stewart, the additional Articles of Impeachment, Nos. 11, 12 and 13, were ordered received, accepted and filed with the Secretary of the Senate, for the purpose of prosecution thereon.

The President Pro Tempore advised the Honorable Board of Managers that the additional Articles of Impeachment were received, accepted and filed with the Secretary of the Senate, that a day for an answer thereto would be set and that the Respondent will be notified of the day and place of trial, of all of which the Honorable Board of Managers will be duly notified.

Upon motion of Senator Stewart, the additional Articles of Impeachment were referred from the Senate to the Senate, sitting as a Court of Impeachment.

Upon motion of Senator Stewart, the Secretary of the Senate was directed to notify the Chief Justice of the Supreme Court that the Senate is ready to resolve itself into a Court of Impeachment, for the purpose of receiving additional Articles of Impeachment, filed against Henry S. Johnston, Governor.

Upon motion of Senator Stewart, the Senate recessed, for the purpose of resolving itself into a Court of Impeachment.

The Senate reassembled, in open session, with the President Pro Tempore presiding.

COMMITTEE REPORTS

The following Committee Reports were submitted, adopted, and the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 3, by Storms and Rice, entitled:

An Act providing for the retention by the County Judges of all fees collected for solemnizing marriage ceremonies in addition to all other compensation allowed them by law, repealing all laws and parts of laws in conflict herewith, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

GULAGER, Chairman.

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 29, by Ray, entitled:

An Act amending Section 1, Chapter 15, Oklahoma Session Laws, 1923, and Section 9747, Compiled Oklahoma Statutes, 1921, reducing the penalty on delinquent taxes to ten (10) per cent per annum; repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

REXROAT, Chairman.

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 68, by Clark of the Senate and Herschberger of the House, entitled:

An Act authorizing counties which have a surplus on hand in the sinking fund, against which no indebtedness exists, to transfer the same to the general fund of said

counties, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

REXROAT, Chairman.

The following message from the Acting Governor was received and read:

To the President and Members
of the Honorable Senate.

Gentlemen:

I desire to inform you, and through you, the members of the Senate, that I have signed Enrolled Senate Joint Resolution No. 10, and have caused same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY,
Acting Governor.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 86.—By FLETCHER JOHNSON—An Act amending Section 2, Chapter 16, Oklahoma Session Laws of 1923, relating to the maximum rate of speed a motor vehicle may be driven upon highways within the State of Oklahoma, and declaring an emergency.

SENATE BILL NO. 87.—By LOOFBOURROW.—An Act amending Section 6729, Compiled Oklahoma Statutes, 1921, as amended by Session Laws of 1925, Chapter 132, and by Session Laws of 1925, Chapter 92, relating to life insurance.

SENATE BILL NO. 88—By EASTER.—An Act amending Section 574 of the Compiled Oklahoma Statutes, annotated, 1921, and declaring an emergency.

SENATE BILL NO. 89—By ANGLIN.—An Act amending Section 1893, Compiled Oklahoma Statutes, 1921, relating to lotteries, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 15—By THOMAS and SMITH (Senate), and CARMICHAEL and HARVEY (House).—A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma, fixing the term of office of the Governor and the Lieutenant Governor of Oklahoma, providing that the Governor and Lieutenant Governor shall be eligible immediately to succeed themselves for only one consecutive term, and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 5—By WILLIAMS, LOOFBOURROW, and MOORE (Senate); and CARMICHAEL, CARMACK, and DUNNING (House).—A Resolution authorizing the President of the Senate of the State of Oklahoma and the Speaker of the House of Representatives of the State of Oklahoma, to immediately appoint a Committee of three from their respective bodies to go to Austin, Texas, to confer with the Governor of the State of Texas and the State Legislature of the State of Texas there assembled, for the purpose of conferring and negotiating with them for the introduction into the Legislature of the respective states of a uniform act authorizing the Governors of the respective states to enter into a treaty regarding that strip of land that is by Supreme Court decree given to Texas and taken away from Oklahoma along the Western Boundary of Oklahoma and the Eastern Boundary of Texas; provided, however, that the Speaker of the House of Representatives and the President Pro Tempore

of the Senate shall be ex-officio members of the Committee of said respective Houses.

Upon motion of Senator Moore, the rules of the Senate were suspended and SENATE CONCURRENT RESOLUTION NO. 5, by Williams, et al., was taken up for immediate consideration.

Senator Moore submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Concurrent Resolution No. 5, by adding the following paragraph: "The expense of this Committee shall be paid proportionately from the contingent expense accounts of the Senate and House of Representatives."

MOORE.

Senate Concurrent Resolution No. 5, as amended, was read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 5—By WILLIAMS, LOOFBOURROW and MOORE (Senate), and CARMICHAEL, CARMACK and DUNNING (House).

A RESOLUTION AUTHORIZING THE PRESIDENT PRO TEMPORE OF THE SENATE OF THE STATE OF OKLAHOMA AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF OKLAHOMA TO IMMEDIATELY APPOINT A COMMITTEE OF THREE FROM THEIR RESPECTIVE BODIES TO GO TO AUSTIN, TEXAS, TO CONFER WITH THE GOVERNOR OF THE STATE OF TEXAS AND THE STATE LEGISLATURE OF THE STATE OF TEXAS THERE

ASSEMBLED, FOR THE PURPOSE OF CONFERRING AND NEGOTIATING WITH THEM FOR THE INTRODUCTION INTO THE LEGISLATURE OF THE RESPECTIVE STATES OF A UNIFORM ACT AUTHORIZING THE GOVERNORS OF THE RESPECTIVE STATES TO ENTER INTO A TREATY REGARDING THAT STRIP OF LAND THAT IS BY SUPREME COURT DECREE GIVEN TO TEXAS AND TAKEN AWAY FROM OKLAHOMA ALONG THE WESTERN BOUNDARY OF OKLAHOMA AND THE EASTERN BOUNDARY OF TEXAS. PROVIDED, HOWEVER, THAT THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEM OF THE SENATE SHALL BE EX-OFFICIO MEMBERS OF THE COMMITTEES OF SAID RESPECTIVE HOUSES.

WHEREAS, There is now pending in the Supreme Court of the United States a report of a locating commission appointed by the said Supreme Court to re-survey and determine the 100th Meridian, said Meridian being the boundary between the Western line of Oklahoma, and the Eastern boundary of Texas; and,

WHEREAS, that said survey has placed a strip of land heretofore known as Oklahoma land in the sovereign State of Texas, and thereby grave questions as to the ownership of the land are being raised, and whereby the sovereign State of Oklahoma will lose to the State of Texas approximately 23,000 acres of land, and many residents of Oklahoma will be deprived of their property and their homes; and,

WHEREAS, by reason of said decree and report of said locating commission an emergency exists.

BE IT HEREBY RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA AND THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN, That a committee be appointed by each of the respective bodies to immediately go to Austin, Texas, and negotiate with the Governor of the sovereign State of Texas and the Legislature of the State of Texas there assembled to work out if possible uniform acts and resolutions pertaining to said property in dispute, authorizing a treaty or other means of settlement so that there will be no conflict in the acts of the Legislatures of the two sovereign states; and

WHEREAS, the President Pro Tempore of the Senate of the State of Oklahoma, and the Speaker of the House of Representatives shall appoint three members from their respective bodies to form such committee, and they themselves to be ex-officio members of said committee, and by reason of such membership have all the authority and rights of a member of the committees. That said committees be instructed to confer immediately with the Governor of the State of Texas and the Legislature thereof and report the result of their efforts to their respective bodies for ratification.

The expense of this Committee shall be paid proportionately from the contingent expense accounts of the Senate and House of Representatives.

Upon motion of Senator Moore, Senate Concurrent Resolution No. 5, as amended, was adopted.

Senate Concurrent Resolution No. 5 was referred for engrossment.

By unanimous consent, Senator Austin was excused from attendance in the Senate for the remainder of this legislative day.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 82—By MOORE—Referred to Committee on Public Service Corporations.

SENATE BILL NO. 83—By MOORE—Referred to Committee on Education.

SENATE BILL NO. 84.—By CLARK, STIGLER and HILL (Senate), and CHAPPELL, et al, (House).—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 85—By POWERS, LOOFBOURROW (Senate), SNODDY, ODELL and ALLEN (House)—Referred to Committee on Appropriations.

By unanimous consent, SENATE BILL NO. 45—By MacDonald, was withdrawn from the Committee on Municipal Corporations and referred to the Committee on Public Service Corporations.

GENERAL ORDER

SENATE BILL NO. 63, By Powers, Ray, et al., was taken up for consideration.

Sections 1 and 2 were read and adopted, upon motions of Senator Powers.

Upon motion of Senator Powers, Senate Bill No. 63 was advanced to engrossment and third reading.

SENATE BILL NO. 16, by Ferguson, was taken up for consideration.

Section 1 was read.

In the absence of Senator Ferguson, Senator Hill submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 16, line 4, page 1, by striking after the word, "municipalities," the rest of the said line and all that part of line 5, page 1, up to and including the word, "indebtedness," and inserting in lieu thereof the following: "and when there is no outstanding indebtedness against the sinking fund, or any part thereof."

FERGUSON.

Upon motion of Senator Hill, Section 1, as amended, was adopted.

Upon motion of Senator Hill, Senate Bill No. 16, as amended, was advanced to engrossment and third reading.

SENATE BILL NO. 39, by Graham and MacDonald, was taken up for consideration.

Section 1 was read.

Senator Otjen submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 39, by striking the words, "in the night time," lines 5 and 6, page 1.

OTJEN.

Senator Pullen submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 39, line 10, page 2, by striking the word, "eighteen," and inserting the word, "twenty."

PULLEN.

Senator Williamson submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 39, line 6, page 1, by striking the word, "messuage," and inserting the word, "premises."

WILLIAMSON.

Senator Loofbourrow submitted the following amendment, which was tabled, upon motion of Senator Graham:

Mr. President: I move to amend Senate Bill No. 39, line 3, page 2, by striking after the word, "larceny," the words, "regardless of the value thereof," and inserting in lieu thereof the words, "provided such fowls be of the value of \$20.00, or more."

LOOFBOURROW.

Senator Harper moved that further consideration of Senate Bill No. 39 be indefinitely postponed, which motion, by unanimous consent, he withdrew.

Senator Pullen submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 39, line 10, page 2, by adding the words, "when convicted on the second offense."

PULLEN.

Senator Fidler, as a substitute, moved that Senate Bill No. 39 be recommitted to Judiciary Committee No. 1 for further consideration.

Upon motion of Senator Anglin, the Fidler motion was tabled.

Senator Graham moved to table the Pullen amendment, which motion prevailed.

Senator Blakely submitted the following amendment, which was tabled upon motion of Senator Graham:

Mr. President: I move to amend Senate Bill No. 39, line 8, page 8, by striking the words in line 6, "provided that the trial," and all of lines 7, 8, 9 and 10.

BLAKELY.

Upon motion of Senator Gulager, Section 1, as amended, was adopted.

Section 2 was read and adopted, upon motion of Senator Graham.

Upon motion of Senator Graham, Senate Bill No. 39, as amended, was advanced to engrossment and third reading.

SENATE BILL NO. 80—By JOLLY, was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Jolly.

Upon motion of Senator Jolly, Senate Bill No. 80 was advanced to engrossment and third reading.

The following request for permit to lobby was read:

To the Honorable President and
Members of the Senate of Oklahoma:

J. C. Elston states that he is a resident of Sapulpa, Oklahoma; that he is 49 years of age and that he is legislative committeeman for the Associated Master Barbers of Oklahoma; that he is paid the sum of \$50.00 per week for his services; that he makes this statement in compliance with the laws of the State and petitions your Honorable body that he be granted a permit to appear before committees and act in his duly assigned capacity in the interest of the organization he represents.

(Signed) J. C. ELSTON.

Upon motion of Senator Johnson (Creek), the request of J. C. Elston, for permit to lobby, was granted.

Senator Boyer submitted the following Committee report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolution No. 5 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Concurrent Resolution No. 5 and ordered the same transmitted to the Honorable House for consideration.

Senator Powers, on behalf of the Committee appointed to make recommendations in the matter of additional employees for the Senate, sitting as a Court of Impeachment, advised the Senate that the Committee disliked to make a decision, as to Reporters for the Impeachment proceedings, and requested the Senate members to instruct them how to proceed further.

Upon motion of Senator Gulager, the Committee, appointed to make recommendations in the matter of additional employees for the Senate, sitting as a Court of Impeachment, was empowered and directed to employ such employees as, in their wisdom, they thought proper and wise, the testimony to be printed daily.

Upon motion of Senator Pullen, the Senate adjourned, to meet at 11:00 o'clock, a. m., Thursday, January 31st, 1929.

TWENTY-FIRST LEGISLATIVE DAY

THURSDAY, JANUARY 31ST, 1929

The Senate, pursuant to adjournment, met at 11:00 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

By unanimous consent, the Senate Journal for the Twentieth legislative day was corrected to show the Senate adjourned to meet at 11:00 o'clock, a. m., on this day.

Senator Rexroat moved that the Senate recess to meet at 1:30 o'clock, p. m.

Senator Stigler, as a substitute, moved that the Sen-

ate proceed with the regular order of business, down to the item of "General Order."

By unanimous consent, Senator Rexroat withdrew his motion.

The vote recurring on the Stigler motion, the same was adopted.

At the suggestion of Senator Darnell and by unanimous consent of the Senate, the temporary Rules and Procedure, adopted by the Senate, were ordered revised to show "READING OF THE JOURNAL" preceding the order of "UNFINISHED BUSINESS."

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 90—By TERWILLEGER, SMITH and GRAY.—An Act to require the registration of motor vehicles, trailers and semi-trailers and to require the payment of fees thereupon and to require report to be made of any accident involving a vehicle and to impose certain duties and obligations upon the owners of motor vehicles rented without drivers, and to prevent the taking, transfer of or injury to any vehicle without the consent of the owner; to provide for the office of vehicle commission and a department of motor vehicles and their powers and duties hereunder; to regulate court procedure in certain civil actions arising under this Act; to provide penalties for violations of this Act and to make uniform the law relating to the subject matter of this Act.

SENATE BILL NO. 91—By WHEATLEY and COMMONS.—An Act amending Section 10,203, Compiled Okla-

homa Statutes, 1921, relating to construction and maintenance of township roads and bridges; authorizing the expenditure of funds derived from the two-mill drag tax on property located in incorporated towns within municipal townships upon the streets and alleys of such towns, and declaring an emergency.

SENATE BILL NO. 92—By ANGLIN.—A Bill to be entitled: An Act amending Section 2629, Compiled Laws of Oklahoma, 1921, relating to disqualification of trial judge, and declaring an emergency.

SENATE BILL NO. 93—By SMITH.—An Act creating the offices of the employees of the Oklahoma Legislature, fixing the salaries of such employees, and repealing all Acts or parts of Acts in conflict herewith.

SENATE BILL NO. 94—By PATTON.—An Act to amend Section 8234, Compiled Oklahoma Statutes 1921, relating to the duties of the overseers of the poor, and declaring an emergency.

SENATE BILL NO. 95—By ANGLIN.—An Act to amend Section 8234, Compiled Oklahoma Statutes, 1921, relating to and providing that set-offs or counter-claims which involve solely a money demand shall not be barred by the statutes of limitations until the claim of the plaintiff is so barred, and declaring an emergency.

SENATE BILL NO. 96—By GULAGER.—An Act amending Section 2927, Compiled Oklahoma Statutes, 1921, relating to forfeiture of bail, repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 97—By GULAGER.—An Act amending Section 5744, Compiled Oklahoma Statutes, 1921, relating to the County Attorney, repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 98—By LOOFBOURROW and STIGLER.—An Act making it unlawful to repeat or scatter false rumors or reports of a slanderous or harmful nature concerning any person or persons, and providing a penalty therefor, and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and ordered referred to the Committees indicated:

SENATE BILL NO. 86—By FLETCHER JOHNSON.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 87—By LOOFBOURROW.—Referred to Committee on Insurance.

SENATE BILL NO. 88—By EASTER.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 89—By ANGLIN.—Referred to Committee on Judiciary No. 1.

SENATE JOINT RESOLUTION NO. 15—By THOMAS and SMITH (Senate), and CARMICHAEL and HARVEY (House).—Referred to Committee on Constitution and Constitutional Amendments.

Upon motion of Senator Rexroat, the Senate recessed, to meet at 1:00 o'clock, p. m.

AFTERNOON SESSION

The Senate reassembled, at 1:00 o'clock, p. m., with the President Pro Tempore presiding.

By unanimous consent, Senator Terwilleger was excused from Senate attendance for the remainder of this legislative day.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills, begs leaves to report Senate Bills Nos. 16, 39, 63 and 80 correctly engrossed.

BOYER, Chairman.

Senator Harper presiding.

THIRD READING

SENATE BILL NO. 63 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Powers, Ray, Reed, Rice, Smith, Stewart, Storms, Thomas, Wheatley, Williams. Total, 34.

Nays: Pullen. Total, 1.

Not Voting: Darnell, Easter, Hill, MacDonald, Peck, Rexroat, Stigler, Williamson. Total, 8.

Excused: Terwilleger. Total, 1.

The Bill having received the constitutional majority

of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Powers, Ray, Reed, Rice, Smith, Stewart, Storms, Thomas, Wheatley, Williams. Total, 34.

Nays: Pullen. Total, 1.

Not Voting: Darnell, Easter, Hill, MacDonald, Peck, Rexroat, Stigler, Williamson. Total, 8.

Excused: Terwilleger. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 63, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 16 was read for the third time at length:

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Ewing, Ferguson, Fidler, George, Gra-

ham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rice, Smith, Stewart, Stigler, Storms, Thomas, Wheatl  y, Williams. Total, 36.

Nays: 0.

Not Voting: Darnell, Easter, Hill, MacDonald, Peck, Rexroat, Williamson. Total, 7.

Excused: Terwilleger. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rice, Smith, Stewart, Stigler, Storms, Thomas, Wheatley, Williams. Total, 36.

Nays: 0.

Not Voting: Darnell, Easter, Hill, MacDonald, Peck, Rexroat, Williamson. Total, 7.

Excused: Terwilleger. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 16, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 39 was read for the third time at length:

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Darnell, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Thomas. Total, 28.

Nays: Andrews, Blakely, Ferguson, Johnson (Creek), Johnson (Pottawatomie), Jolly, Loofbourrow, Pullen, Stewart, Williams, Williamson. Total, 11.

Not Voting: Easter, Hill, Peck, Wheatley. Total, 4.

Excused: Terwilleger. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Clark, Johnson (Creek), Moore. Total, 3.

Nays: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Pottawatomie), Jolly,

Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 37.

Not Voting: Easter, Hill, Peck. Total, 3.

Excused: Terwilleger. Total, 1.

The emergency having failed to receive the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared failed of passage.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Anglin submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 39, by inserting after the figures "1921," and before the word, "and," the words, "making it unlawful to steal and carry away domestic fowls, fixing penalty therefor."

ANGLIN.

By unanimous consent, the name of Representative Sams, of the House, was added as a joint author of Senate Bill No. 39. The Bill was ordered re-referred for engrossment.

SENATE BILL NO. 80 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George,

Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 40.

Nays: 0.

Not Voting: Anglin, Hill, Peck. Total, 3.

Excused: Terwilleger. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 40.

Nays: 0.

Not Voting: Anglin, Hill, Peck. Total, 3.

Excused: Terwilleger. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 80, and ordered the same transmitted to the Honorable House.

MESSAGES

The following messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration,

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4—By CARMICHAEL, CARMACK and DUNNING (House) and WILLIAMS, LOOFBOURROW and MOORE (Senate), entitled:

A Resolution authorizing the Speaker of the House of Representatives of the State of Oklahoma and the President of the Senate of the State of Oklahoma to immediately appoint a Committee of Three from their respective bodies to go to Austin, Texas, to confer with the Governor of the State of Texas and the State Legislature of the State of Texas there assembled, for the purpose of conferring and negotiating with them for the introduction into the Legislature of the respective states of a uniform Act authorizing the Governors of the respective states to enter into an agreement regarding that strip of land that is by Supreme Court decree given to Texas and taken away from Oklahoma along the Western Boundary of Oklahoma and the Eastern Boundary of Texas. Provided, however, that the President Pro Tem of the Senate and the Speaker of the House of Representatives shall be ex-officio members of the Committees of said respective bodies,

and to inform you, and through you, the members of the Honorable Senate, that the same has been adopted by the House of Representatives, and signed by the Acting Speaker in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Upon motion of Senator Moore, the rules of the Senate were suspended and immediate consideration given Engrossed House Concurrent Resolution No. 4.

House Concurrent Resolution No. 4 was read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION
NO. 4.—By CARMICHAEL, CARMACK and DUNNING
of the House, and WILLIAMS, LOOFBOURROW and
MOORE of the Senate.

A RESOLUTION AUTHORIZING THE SPEAKER
OF THE HOUSE OF REPRESENTATIVES OF
THE STATE OF OKLAHOMA AND THE
PRESIDENT OF THE SENATE OF THE STATE
OF OKLAHOMA TO IMMEDIATELY APPOINT
A COMMITTEE OF THREE FROM THEIR
RESPECTIVE BODIES TO GO TO AUSTIN,
TEXAS, TO CONFER WITH THE GOVERNOR
OF THE STATE OF TEXAS AND THE STATE
LEGISLATURE OF THE STATE OF TEXAS,
THERE ASSEMBLED, FOR THE PURPOSE OF
CONFERRING AND NEGOTIATING WITH
THEM FOR THE INTRODUCTION INTO THE
LEGISLATURE OF THE RESPECTIVE
STATES, OF A UNIFORM ACT AUTHORIZING
THE GOVERNORS OF THE RESPECTIVE
STATES TO ENTER INTO AN AGREEMENT,

REGARDING THAT STRIP OF LAND THAT IS BY SUPREME COURT DEGREE GIVEN TO TEXAS AND TAKEN AWAY FROM OKLAHOMA ALONG THE WESTERN BOUNDARY OF OKLAHOMA AND THE EASTERN BOUNDARY OF TEXAS; PROVIDED, HOWEVER, THAT THE PRESIDENT PRO TEM OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL BE EX-OFFICIO MEMBERS OF THE COMMITTEES OF SAID RESPECTIVE BODIES.

WHEREAS, There is now pending in the Supreme Court of the United States a report of a locating commission appointed by the said Supreme Court to re-survey and determine the 100th Meridian, said Meridian being the boundary between the Western line of Oklahoma, and the Eastern boundary of Texas; and

WHEREAS, that said survey has placed a strip of land heretofore known as Oklahoma land in the sovereign State of Texas, and thereby grave questions as to the ownership of the land are being raised, and whereby the sovereign State of Oklahoma will lose to the State of Texas approximately 23,000 acres of land, and many residents of Oklahoma will be deprived of their property and their homes; and,

WHEREAS, by reason of said decree and report of said locating commission an emergency exists,

BE IT HEREBY RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF OKLAHOMA AND THE SENATE CONCURRING THEREIN, that a committee be appointed by each of the respective bodies to immediately go to Austin, Texas, and negotiate with the governor of the Sovereign State of Texas and the Leg-

islature of the State of Texas there assembled, to work out, if possible, uniform acts and resolutions pertaining to said property in dispute, authorizing an agreement or other means of settlement so that there will be no conflict in the acts of the Legislatures of the two sovereign States; and,

The Speaker of the House of Representatives of the State of Oklahoma, and the President Pro Tem of the Senate shall appoint three members from their respective bodies to form such committee, and they themselves to be ex-officio members of said committee, and by reason of such membership have all the authority and rights of a member of the committee. That the committee be authorized to request the Attorney General to designate one of his assistants to accompany the committee and take the lead in conducting the negotiations. That said committees be instructed to confer immediately with the Governor of the State of Texas and the Legislature thereof and report the result of their efforts to their respective bodies for ratification.

Senator Moore asked unanimous consent, which was granted, to add the name of Senator Reed, as a joint author of House Concurrent Resolution No. 4.

Senator Moore submitted the following amendment, which was adopted:

Mr. President: I move to amend House Concurrent Resolution No. 4, by adding the words, "the expense of the said committees shall be paid from the contingent funds of the respective Houses and expense of Assistant Attorney General be equally divided between the two Houses."

MOORE.

Upon motion of Senator Moore, House Concurrent Resolution No. 4, as amended, was adopted.

Engrossed House Concurrent Resolution No. 4, as amended, was referred for proper engrossment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration,

ENGROSSED HOUSE BILL NO. 130—By NANCE (House), and BOYER (Senate), entitled:

An Act authorizing the Board of City Commissioners of the City of Walters, Oklahoma, to waive, remit, and refund certain penalty or interest on delinquent paving taxes and assessments, and authorizing the County Treasurer of Cotton County, Oklahoma, to collect said paving taxes and assessments without collecting the penalty or interest delinquent thereon, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House of Representatives, and signed by the Acting Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 60—By COMMITTEE ON SOLDIERS' RELIEF, entitled:

An Act making a deficiency appropriation of Twenty-Five Thousand (\$25,000.00) Dollars for the fiscal year ending June 30, 1929, for the aid of sick, wounded and disabled soldiers, sailors, marines and nurses of the late World War, the War with Spain and their destitute wives, widows and minor children, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House and signed by the Acting Speaker in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bill No. 60 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 4.—By HARPER, entitled:

A Concurrent Resolution authorizing the appointment of a Committee to investigate the property loss of certain citizens of Wister, Oklahoma, arising out of floods alleged to have been caused by the construction of a State Highway, authorizing said Committee to make investigation, and report their findings to the Twelfth Legislature of Oklahoma,

and to inform you, and through you, the members of the Honorable Senate, that the same has been adopted by the

House of Representatives, and signed by the Speaker of the House in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Upon motion of Senator Pullen, Senate Concurrent Resolution No. 4 was ordered returned to the Honorable House, with the request that the House amend said resolution in such a way as to provide for the payment of expense of the Committee to be appointed thereunder.

By unanimous consent, Senator Smith was excused from Senate attendance for the remainder of this legislative day.

GENERAL ORDER

SENATE BILL NO. 3. by Storms and Rice, was taken up for consideration.

Section 1 was read.

Senator Moore moved the adoption of Section 1, as read, which motion failed of adoption.

Upon motion of Senator Rexroat, further consideration of Senate Bill No. 3 was indefinitely postponed.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs to report House Concurrent Resolution No. 4 correctly engrossed.

BOYER, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Concurrent Resolution No. 4, as amended, and ordered the same returned to the Honorable House.

Senator Pullen moved that the vote be reconsidered, by which Engrossed Senate Concurrent Resolution No. 4, by Harper, was ordered returned to the Honorable House for the purpose of amendment, which motion prevailed.

Engrossed Senate Concurrent Resolution No. 4 was referred for enrollment.

SENATE BILL NO. 68, by CLARK, was taken up for consideration.

Section 1 was read.

Senator Clark submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 68, line 5, page 1, by striking after the word, "proper," and before the word, "officer," and inserting the word, "officers."

CLARK.

The President Pro Tempore, Senator Storms, presiding.

Senator Ferguson submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 68, line 3, page 1, by striking after the word, "county," the rest of the line and all of that part of line 4, page 1, up to and including the word "indebtedness," and in-

serting in lieu thereof the words, "and when there is no outstanding indebtedness against the sinking fund or any part thereof."

FERGUSON.

Upon motion of Senator Clark further consideration of Senate Bill No. 68 was deferred for this legislative day.

SENATE BILL NO. 29, by Ray, was taken up for consideration.

Section 1 was read.

Senator Ray moved the adoption of Section 1.

Senator Wheatley, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 29, line 5, page 2, by striking after the word, "of," and before the word, "per," the word, "ten," and inserting in lieu thereof the word, "fifteen."

WHEATLEY.

Senator Rexroat moved that the Wheatley amendment be tabled.

Senator Andrews in lieu of all pending motions, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 29, line 5, page 2, by striking the word and figure, "ten (10)," and inserting in lieu thereof the word and figures "twelve (12)."

ANDREWS.

Senator Otjen moved to table the Andrews amendment, which motion was ruled out of order by the President Pro Tempore, on a point of order raised by Senator Harper—that the motion followed debate.

Senator Blakely moved to table both the Andrews and Wheatley amendments, which motion was ruled out of order, on a point of order raised by Senator Andrews—that the motion was duplicitous in its effect.

The vote recurring on the Pullen motion, to table the Wheatley amendment, the same was adopted.

Upon motion of Senator Gray, the Andrews amendment was tabled.

The vote recurring on the Ray motion, to adopt Section 1, the same prevailed.

Section 2 was read.

Senator Pullen submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 29, line 1, page 4, by striking the figures, "18," and inserting in lieu thereof the figures, "10."

PULLEN.

Senator Rice submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 29, line 12, page 5, by adding after the word, "provided," and before the word, "further," the words, "One certificate shall be all that is required to cancel

all lots, parcels or descriptions of land belonging to one person and redeemed in his name."

RICE.

Upon motion of Senator Ray, Section 2, as amended, was adopted.

Section 3 was read and adopted, upon motion of Senator Ray.

Upon motion of Senator Ray, Senate Bill No. 29, as amended, was advanced to engrossment and third reading.

COMMITTEE REPORTS

By unanimous consent, the following Committee Reports were submitted and the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Joint Resolution No. 7, by Anglin, entitled:

A Resolution providing for a temporary title examiner in the office of the Commissioners of the Land office to be filled in the manner now provided by law for like position; re-appropriating the appropriation made by the Eleventh Legislature for a title examiner for each of the fiscal years 1927-1928 and 1928-1929 and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Joint Resolution No. 11, by Ferguson (Senate) and Webber (House), entitled:

A joint resolution appropriating certain monies from the State Treasury to reimburse the Pawnee tribe of Indians for oil and gas bonuses and rentals and agricultural rentals collected on tribal land by the Commissioners of the land office and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary Number One, to whom was referred Senate Bill No. 8, by Fidler, by request, entitled:

An Act amending Chapter 16, Session Laws of Oklahoma, 1923, same being, "An Act to regulate the driving and operating of motor vehicles, providing punishment therefor, prohibiting persons convicted hereunder from driving or operating motor vehicles, providing punishment therefor, etc., repealing all Acts or parts of Acts in conflict therewith and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass as amended.

AUSTIN, Chairman.

MR. PRESIDENT:

We, your Committee on Prohibition Enforcement, to whom was referred SENATE BILL NO. 37—By THOMAS, entitled:

An Act fixing Temperance Day in the public schools of Oklahoma, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

EWING, Chairman.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred SENATE BILL NO. 52—By ANGLIN, entitled:

An Act appropriating \$500,000 from the general revenue fund in the State Treasury to be placed into the special common school equalization fund, and apportioned by the State Board of Education among the various school districts in accordance with the terms and provisions of House Bill No. 241, of Session Laws, 1927, for the remainder of fiscal year, ending June 30, 1929, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass as amended by the Committee on Education.

STIGLER, Chairman.

SENATE BILL NO. 52 was referred to the Appropriations Committee for further consideration.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred SENATE BILL NO. 72—By COMMITTEE ON SOLDIERS' RELIEF, entitled:

An Act making a deficiency appropriation for the payment to the University Hospital for beds furnished to Veterans of the World War, Spanish-American War and other Veterans who were hospitalized upon authority

of the Soldiers' Relief Commission for the fiscal year ending June 30, 1928, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 73—By ANGLIN, entitled:

An Act making supplementary appropriation for traveling expenses of District Judges and their Reporters for the remainder of fiscal year ending June 30, 1929, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

The President Pro Tempore announced, in conformity with the Resolutions listed below, the appointment of the Committees set opposite each:

SENATE CONCURRENT RESOLUTION NO. 4—By HARPER:

SENATORS: ANDREWS,
MacDONALD,
EASTER.

HOUSE CONCURRENT RESOLUTION NO. 4—By CARMICHAEL, et al., (House), and MOORE, WILLIAMS and LOOFBOURROW (Senate):

SENATORS: LOOFBOURROW,
WILLIAMS,
MOORE.

There being no further corrections offered on the Senate Journal for the Twentieth legislative day, the same was declared approved.

The following communication from the Highway Department was received and read:

STATE HIGHWAY COMMISSION

Oklahoma City, Okla., January 30th, 1929.

Hon. John E. Luttrell,
Secretary to Senate,

Building,

My dear Mr. Luttrell:

Response to Senate Resolution No. 8, is respectfully embraced in the data enclosed herewith.

Respectfully,

STATE HIGHWAY COMMISSION,

H. W. LEININGER, Chairman.

J. E. McDONALD, Secretary.

The report was ordered filed with the Secretary of the Senate.

By order of the Senate, Senators Austin, Clark, Gray, Powers and Thomas were excused from Senate attendance for the remainder of this week.

HOUSE BILLS ON FIRST READING

The following bill was received from the Honorable House and read for the first time:

HOUSE BILL NO. 130.—By NANCE (House), and BOYER (Senate).—An Act authorizing the Board of City Commissioners of the city of Walters, Oklahoma, to waive, remit and refund certain penalty or interest on delinquent paving taxes and assessments and authorizing the County Treasurer of Cotton County, Oklahoma, to collect said paving taxes and assessments without collecting the penalty or interest delinquent thereon, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

Senator Rexroat moved that, when the Senate adjourns today, it adjourn to meet on Monday, February 4th, under the rules.

Senator Pullen, as substitute, moved that the Senate adjourn, to meet at 9:00 o'clock, a. m., Friday, February 1st, which motion prevailed.

TWENTY-SECOND LEGISLATIVE DAY

FRIDAY, FEBRUARY 1ST, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Blakely, Darnell, Easter, George, Graham, Gulager, Harper, Johnson (Creek), Kimmerer, Loofbourrow, MacDonald, Moore, Nesbit, Peck, Pullen, Ray, Reed, Rexroat, Stewart, Stigler, Storms, Wheatley, Williams, Williamson. Total, 26.

Excused: Austin, Boyer, Clark, Commons, Ewing, Ferguson, Fidler, Gray, Hill, Johnson (Pottawatomie), Jolly, Otjen, Patton, Powers, Rice, Smith, Terwilleger, Thomas. Total, 18.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 90—By TERWILLEGER, SMITH and GRAY.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 91—By WHEATLEY and COMMONS.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 92—By ANGLIN.—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 93—By SMITH.—Referred to Committee on Fees and Salaries.

SENATE BILL NO. 94—By PATTON.—Referred to Committee on Charities and Corrections.

SENATE BILL NO. 95—By ANGLIN.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 96—By GULAGER.—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 97—By GULAGER.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 98—By LOOFBOURROW and STIGLER.—Referred to Committee on Judiciary No. 1.

HOUSE BILL NO. 130—By NANCE (House), and BOYER (Senate).

Upon motion of Senator Stewart, the rules of the Senate were suspended and House Bill No. 130, by Nance, of the House, and Boyer of the Senate, was ordered placed upon the calendar, without reference to a Committee.

Upon motion of Senator Stewart, the Senate adjourned, to meet on Monday, February 4th, 1929, under the rules.

TWENTY-FOURTH LEGISLATIVE DAY

MONDAY, FEBRUARY 4TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Rexroat, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 38.

Absent: Boyer, Otjen, Reed. Total, 3.

Excused: Ewing, Stigler, Williamson. Total, 3.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Select Committee Report was submitted and adopted, upon motion of Senator Loofbourrow:

To the President of the Senate
and the Speaker of the House.

We, your Joint Committee, appointed under the provisions of House Concurrent Resolution No. 4, to visit the State of Texas and negotiate with the Governor of the State of Texas and the Legislature thereof for the purpose of adjusting, compromising and solving the problem resulting from a resurvey of the 100th Meridian, which is the true boundary between the State of Oklahoma and the State of Texas, beg leave to report that in compliance with the provisions of said resolution, we visited the State of Texas and there conferred with the Governor and the Legislature in joint assembly, and at the meeting of the assembly your Committee advised the Legislature of Texas and the Governor that the territory involved has at all times since Oklahoma became a state, been a part of said State; that the true boundry line between the State of Oklahoma and the State of Texas is the 100th Meridian, which has been variously located by numerous surveys, no two of which agreed upon the location thereof, and that under the decision of the Supreme Court of the United States, surveyors acting under the Court were appointed, and have located what they find to be the true 100th Meridian; that as the result of said location this strip of territory, being 108 miles long and 4,000 feet wide at the South end thereof, and approximately 2,000 feet wide at the North end thereof, and comprising approximately 24,000 acres, and that of said territory, the Federal Government had patented 20,657 acres and had received therefor the sum of \$8,025.00 and that the State of Oklahoma had patented 3,118 acres, the same being a part of the school land of the State of Oklahoma, and that 436 acres thereof remained unpatented, but for the most of which, patents were pending; that the holders of said patents in said territory had improved their lands and built homes thereon and that said territory had

been attached to counties, school districts and townships of the State of Oklahoma, and that bonds had been issued by said municipalities which were secured by said property and that mortgages had been placed thereon by the owners thereof, and that the school land commission of the State of Oklahoma had loaned large sums of money to the owners thereof, which loans were secured by mortgages on said property; that if said property became a permanent part of the State of Texas that the title to said land would be disturbed and the security of said lands for loans made by the State and for bonds voted by said district, would be thereby impaired and probably destroyed, and that the present owners of the property might not be protected in their titles thereto, and that citizens of the State of Texas had filed upon said territory, claiming that the same was a part of the public domain of the State of Texas.

Your Committee further urged that because of the facts above recited, said territory, to avoid said confusion and protect the interest of the property owners and lien holders, should remain permanently a part of the State of Oklahoma, and that the State of Texas should enter into a compact with the State of Oklahoma, the consent of Congress therefor being first obtained, whereby the State of Texas should sell and cede to the State of Oklahoma said property upon such terms as the respective Legislatures should agree and Congress should approve.

The argument on behalf of the Committee and the State of Oklahoma was presented to the joint assembly by Honorable V. P. Crowe, Assistant Attorney General. The same was presented in a very able, diplomatic and lucid manner and the Committee feels greatly indebted to Mr. Crowe for the service he rendered said Committee in its negotiation with the State of Texas.

The Committee further reports that following the meeting of the joint session of the Legislature of Texas, we met with a like Committee from said Legislature and discussed the details of the proposed settlement of the matter with the State of Texas and it was the expressed opinion of the members of the joint Committee from the Texas Legislature that said territory involved should remain a part of the State of Oklahoma, upon such terms as the two states might agree upon, with the consent of Congress, and that a Joint Committee from the Legislature of Texas should meet a like Committee from the Legislature of the State of Oklahoma as soon as practicable for the purpose of inspecting, examining and viewing said territory in an effort to determine the proper settlement, which should be made relative thereto, and that said Committee should thereafter visit the Legislature of the State of Oklahoma for further consideration of the settlement of said matter. It was the sense of the Joint Committees from the Legislatures of the two states that the inhabitants of said disputed territory should be advised that the Legislatures of the two states are endeavoring to solve the question and protect their property rights and expressed the hope that the owners of said land would not in the meantime become involved in litigation relative thereto.

Your Committee desires further to state that the Texas Legislature was in session when your Committee arrived and that your Committee was introduced to the respective bodies of the Texas Legislature and were later afforded the privilege of a joint session thereof, as above outlined, and that in addition to the above courtesies, the members of the Legislature of the State of Texas, his Excellency the Governor, and the Lieutenant Governor of said State extended to your Committee every courtesy within their power to extend and royally entertained your Committee during their stay in Austin

and received your Committee with true Southern hospitality so characteristic of the State of Texas.

We, your Committee, bespeak for the Committee from the State of Texas which is soon to visit the Legislature of the State of Oklahoma, the same courteous, hospitable consideration that your Committee received from them.

Your Committee therefore reports progress upon the matter which it had under consideration and therefore requests the Honorable Senate and House of Representatives to adopt this report of its Committee and to discharge the committee.

Respectfully submitted,

WADE H. LOOFBOURROW, Chairman.

Approved:

STORMS

WILLIAMS

MOORE

CARMACK

CARMICHAEL

NANCE

DUNNING

The report was ordered filed and the Committee discharged.

Senator Jolly submitted the following report:

Mr. President: The Committee on Engrossed and Enrolled Bills, begs leave to report. Senate Concurrent Resolution No. 4, Senate Joint Resolution No. 8 and Sen-

ate Bill No. 60 correctly enrolled; Senate Bills Nos. 29 and 39 correctly engrossed.

JOLLY, Vice-Chairman.

Senate Joint Resolution No. 8 and Senate Bill No. 60 were read for the fourth time, the enrolled copies signed by the President Pro Tempore, in open session, and ordered transmitted to the Honorable House for the signature of the Speaker.

The President Pro Tempore, in open session, signed Enrolled Senate Concurrent Resolution No. 4 and ordered the same transmitted to the Honorable House for the signature of the Speaker.

The President Pro Tempore, in open session, signed Engrossed Senate Bill No. 39 and ordered the same transmitted to the Honorable House for consideration.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 99.—By ANDREWS.—A Bill to be entitled: An Act amending Section 9230, Compiled Oklahoma Statutes, 1921, relating to the salaries of officers and employees of the Oklahoma State Prison at McAlester, Oklahoma, the employment of assistants, deputies, turnkeys, doorkeepers, sergeants, guards and such other employees as may be necessary, and repealing all Acts in conflict herewith.

SENATE BILL NO. 100.—By JOHNSON (Creek).—An Act repealing Chapter 163, Oklahoma Session Laws, 1925, providing for the salaries and expenses of the County Commissioners of Creek County, and declaring an emergency.

SENATE BILL NO. 101.—By JOHNSON (Creek).—An Act amending Section 9744, Compiled Oklahoma Statutes, 1921, as amended by Section 4, Chapter 158, Session Laws of 1923, and Section 9745, Compiled Oklahoma Statutes, 1921, as amended by Section 5, Chapter 158, Session Laws of 1923, relating to delinquent taxes and the sale thereof by the County Treasurer, repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 102.—By FERGUSON.—An Act amending and re-enacting Section 9574, Compiled Oklahoma Statutes, 1921, exempting chickens, turkeys, ducks, geese and guineas in the aggregate amount of not to exceed Two Hundred (\$200.00) Dollars, and farm products in the raw state from ad valorem taxation.

SENATE BILL NO. 103.—By FERGUSON.—A Bill entitled an Act amending and re-enacting Section 6595, Compiled Oklahoma Statutes, 1921, reserving to the head of every family certain property exempt from attachment or execution, and every other species of forced sale for the payment of debts.

SENATE BILL NO. 104.—By HILL (Senate), and IMMELL (House).—An Act authorizing County Commissioners of Alfalfa County, Oklahoma, to make a special levy for the purpose of erecting live stock and exhibit buildings and making improvements on the grounds of the Free Fair Association upon real estate owned by the said county for Free Fair purposes and declaring an emergency.

SENATE BILL NO. 105.—By RAY.—An Act amending Section 5727, Compiled Oklahoma Statutes, 1921, as amended by Section 1, Chapter 88, Oklahoma Session

Laws of 1925, relating to County Depositories, and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 6—By THOMAS, RAY, REXROAT and PULLEN (Senate), and HARVEY (House).—A Concurrent Resolution memorializing Congress to not pass the Cruiser Bill, providing for fifteen cruisers, which bill is sponsored by President Coolidge and now pending before Congress, but to use the money necessary to be appropriated to build said cruisers to relieve the present deplorable condition of the farmers of the United States.

MESSAGES

The following messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the House has concurred in Senate Amendment to

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4—By CARMICHAEL, CARMACK, DUNNING (House), and WILLIAMS, LOOFBOURROW and MOORE (Senate), entitled:

A Resolution authorizing the Speaker of the House of Representatives of the State of Oklahoma and the President of the Senate of the State of Oklahoma to immediately appoint a Committee of Three from their respective bodies to go to Austin, Texas, to confer with the

Governor of Texas, etc., and same has been adopted by the House as amended.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 3.—By CLARK, REXROAT, HARPER, GRAHAM and EASTER, entitled:

A Concurrent Resolution commending Frank Phillips, Bartlesville, Oklahoma, for his patriotic spirit manifested by having painted on the South Panels of the Corridor of the Fourth Floor of the Capitol Building a War Memorial Picture,

and to advise you, and through you, the Honorable Senate, that the same has been read for the fourth time, and signed by the Speaker Pro Tempore of the House in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 3 was ordered referred to the Secretary of State.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith:

ENROLLED HOUSE CONCURRENT RESOLUTION
NO. 4—By CARMICHAEL, CARMACK and DUNNING
(House), and WILLIAMS, LOOFBOURROW and MOORE
(Senate), entitled:

A Resolution authorizing the Speaker of the House
of Representatives and the President of the Senate of the
State of Oklahoma to immediately appoint a committee
of Three from their respective bodies to go to Austin,
Texas, to confer with the Governor of the State of Texas
and the State Legislature of the State of Texas, etc.,

and to advise you, and through you, the members of the
Honorable Senate, that the same has been read for the
fourth time and signed by the Speaker Pro Tempore of
the House in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

The President Pro Tempore, in open session, signed
Enrolled House Concurrent Resolution No. 4 and or-
dered the same returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to
transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 144—By NANCE
(House), and BOYER (Senate), entitled:

An Act abolishing the offices of township trustee,
township clerk, and township treasurer of Cache, Texas,
Beaver, Hulen, Strauss, Bryan, Jackson, Jefferson, Devol
townships in Cotton County, State of Oklahoma, and
conferring the powers and duties of said offices on the
Board of County Commissioners, County Clerk and County

Treasurer of Cotton County, Oklahoma; providing that additional salaries shall be paid to the Board of County Commissioners and County Clerk for performing additional duties; repealing all laws in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 56—By SMITH and LEECRAFT, entitled:

An Act amending Section 3780, Compiled Oklahoma Statutes, 1921, pertaining to adulterated feed stuffs, and repealing all laws in conflict herewith.

ENGROSSED HOUSE BILL NO. 102—By KING, entitled:

An Act authorizing and empowering the County Commissioners of Tillman County, Oklahoma, to sell the North Half of Lot 26, Lots 27 and 28, all in Block 52 of the original town of Frederick, Oklahoma, providing for the disposition of the funds received therefor, and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 9—By JONES (Greer) and CARMACK, entitled:

A Resolution providing for assumption by State Election Board of obligations incurred in holding Special Elections in Fourth Senatorial District of the State of Oklahoma for which no funds are available in the counties comprising such districts, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker Pro Tempore in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

THIRD READING

By unanimous consent, consideration of SENATE BILL NO. 29, by Ray, was deferred for this legislative day.

A Committee from the Honorable House, composed of Representatives Stanley, Houston and Stovall, was received, who announced that, in conformity with House Concurrent Resolution No. 2, adopted by the 12th Legislature, the House of Representatives was ready to receive the Senate in joint session, for the purpose of hearing the Honorable Murray Hulbert, of New York.

The President Pro Tempore advised the Committee that the Senate was ready to meet the Honorable House in joint session, for the purpose indicated.

At the hour of 2 o'clock, p. m., the Senate repaired to the Honorable House, for the purpose of the joint session.

JOINT SESSION

The Joint Session of the Senate and House of Representatives was called to order by the President Pro Tempore of the Senate.

By unanimous consent, roll call of the joint session was dispensed with, after which both the President Pro Tempore of the Senate and the Speaker of the Honorable House announced quorums of the Joint Session present.

A Committee, composed of Representatives Hoover, Graham and Dittmer, escorted the Honorable Murray Hulbert to the Speaker's desk, where he was introduced by the President Pro Tempore of the Senate, as the Grand Exalted Ruler of the Elks, President of the American

Amateur Athletic Association, former member of Congress from New York and a member of the Board of Aldermen of the City of New York.

The Honorable Murray Hulbert spoke briefly on the meaning of B. P. O. E.

Representative Graham during joint session, introduced the following resolution, which was adopted:

JOINT SESSION RESOLUTION NO. 2—By GRAHAM and CHAPPELL (House), and CLARK (Senate).

IN MEMORIAM

WHEREAS, it has pleased our Supreme Ruler to call from the path of life, Colonel George L. Miller of Maryland, Oklahoma, and

WHEREAS, Colonel Miller was one of the state's most prominent and useful citizens, whose activities were at all times directed toward the economic and social advancement of his home community and the State, and

WHEREAS, he was instrumental in making thousands of friends for Oklahoma through his activities at his famous 101 Ranch where he, on many occasions entertained visiting delegations from various parts of the Nation, and

WHEREAS, his chivalrous spirit was known to thousands of friends throughout the State and Nation, a spirit manifest in many acts of kindness, and

WHEREAS, the State of Oklahoma has suffered an irreparable loss,

BE IT THEREFORE RESOLVED, that the House of Representatives and the Senate of the State of Oklahoma, express their deepest sympathy for the relatives of the late Colonel George L. Miller.

BE IT FURTHER RESOLVED, that a joint committee of three from the House of Representatives and three from the Senate be named to attend the funeral services Wednesday, February 6th, 1929, at the 101 Ranch, and that a suitable floral offering be purchased.

BE IT FURTHER RESOLVED, that the expenses of the committee and of the floral offering be equally divided and paid for from the House and Senate Contingent Funds.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to George Miller, Jr., at the 101 Ranch.

Upon motion of Representative Graham, the joint session was dissolved.

The Senate reassembled, with President Pro Tempore Storms presiding.

GENERAL ORDER

By unanimous consent, consideration of SENATE BILL NO. 68.—By CLARK, was deferred for this legislative day, without the bill losing its place on the calendar.

SENATE BILL NO. 37—By THOMAS, was taken up for consideration.

Section 1 was read.

Senator Anglin submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 37, line 4, page 1, by striking after the word, "least," and before the word, "hours," the word, "two," and inserting the word, "one."

ANGLIN.

Senator Thomas moved to table the Anglin amendment, which motion was ruled out of order by the President Pro Tempore, for the reason the motion followed debate.

The vote recurring on the Anglin amendment, the same was adopted.

Senator Wheatley submitted the following amendment, which was tabled, upon a motion by Senator Smith:

Mr. President: I move to amend Senate Bill No. 37, line 5, page 1, by striking after the word, "a," and before the word, "day," the words, "Temperance Day Program," and inserting the words, "Patriotic Day Program."

WHEATLEY.

Upon motion of Senator Thomas, Section 1, as amended, was adopted.

Upon motion of Senator Thomas, Senate Bill No. 37, as amended, was advanced to engrossment and third reading.

SENATE JOINT RESOLUTION NO. 11.—By Ferguson of the Senate, and Webber of the House, was read at length.

Upon motion of Senator Ferguson, Senate Joint

Resolution No. 11 was advanced to engrossment and third reading.

SENATE JOINT RESOLUTION NO. 7.—By Anglin, was taken up for consideration.

Sections 1 and 2 were read and adopted, upon motions of Senator Anglin.

Upon motion of Senator Anglin, Senate Joint Resolution No. 7 was advanced to engrossment and third reading.

SENATE BILL NO. 73.—By Anglin, was taken up for consideration.

Section 1 was read and adopted, upon motion^s of Senator Anglin.

Upon motion of Senator Anglin, Senate Bill No. 73 was advanced to engrossment and third reading.

SENATE BILL NO. 72.—By Soldiers' Relief Committee, was read at length.

Upon motion of Senator Ferguson, Senate Bill No. 72 was advanced to engrossment and third reading.

SENATE BILL NO. 8.—By Fidler, was taken up for consideration.

Sections 1, 2, 3 and 4, were read and adopted, upon motions of Senator Fidler.

Upon motion of Senator Fidler, Section 5 was stricken from the bill.

The question being "Shall the title of the bill become the title of the Act?" Senator Fidler submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 8 by striking the words, "and declaring an emergency," from the title thereof.

FIDLER.

Upon motion of Senator Fidler, Senate Bill No. 8, as amended, was advanced to engrossment and third reading.

In the absence of Senator Boyer, consideration of HOUSE BILL NO. 130, by Nance of the House, and Boyer of the Senate, was deferred for this legislative day.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 144—By NANCE (House), and BOYER (Senate), entitled:

An Act abolishing the offices of township trustee, township clerk, and township treasurer of Cache, Texas, Beaver, Hulen, Strauss, Bryan, Jackson, Jefferson, Devol townships in Cotton County, State of Oklahoma, and conferring the powers and duties of said offices on the Board of County Commissioners, County Clerk and County Treasurer of Cotton County, Oklahoma; providing that additional salaries shall be paid to the Board of County Commissioners and County Clerk for performing additional duties; repealing all laws in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 56—By SMITH and LEECRAFT, entitled:

An Act amending Section 3780, Compiled Oklahoma Statutes, 1921, pertaining to adulterated feed stuffs, and repealing all laws in conflict herewith.

ENGROSSED HOUSE BILL NO. 102—By KING, entitled:

An Act authorizing and empowering the County Commissioners of Tillman County, Oklahoma, to sell the North Half of Lot 26, Lots 27 and 28, all in Block 52 of the original town of Frederick, Oklahoma, providing for the disposition of the funds received therefor, and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 9—By JONES (Greer) and CARMACK, entitled:

A Resolution providing for assumption by State Election Board of obligations incurred in holding Special Elections in Fourth Senatorial District of the State of Oklahoma for which no funds are available in the counties comprising such districts, and declaring an emergency.

Upon motion of Senator Stewart, the Senate adjourned to meet Tuesday, February 5th, 1929, under the rules.

TWENTY-FIFTH LEGISLATIVE DAY

TUESDAY, FEBRUARY 5TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 41.

Excused: Ewing, Rice, Williamson. Total, 3.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate Bill No. 19, by Anglin of the Senate and Busey of the House, entitled:

An Act regulating the setting or placing of steel traps, deadfalls and things of this nature dangerous to the life or limb of dogs, sheep, hogs and other domestic animals; providing a penalty for the violation of the law, and declaring an emergency,

beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do not pass.

GRAY, Chairman.

Upon motion of Senator Gray, the adverse report of the Committee was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary No. 2, to whom was referred Senate Bill No. 38, by Clark and Darnell of the Senate and Herschberger of the House, entitled:

An Act amending Section 2119, Compiled Oklahoma Statutes, 1921, and declaring an emergency,

beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do not pass.

DARNELL, Chairman.

Upon motion of Senator Darnell, the adverse report of the Committee was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary No. 2, to whom was referred Senate Bill No. 54, by Boyer, Stigler and Blakely

of the Senate and Logan, Lewis and Jones (Stephens) of the House, entitled:

An Act amending Section 1, Chapter 58, Oklahoma Session Laws of 1927, relating to the number of the Assistants of the Attorney General of Oklahoma, fixing their salaries; and declaring an emergency,

beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

DARNELL, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary No. 2, to whom was referred Senate Bill No. 89, by Anglin, entitled:

An Act amending Section 1893, Compiled Oklahoma Statutes, 1921, relating to lotteries, and declaring an emergency,

beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

DARNELL, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary No. 2, to whom was referred Senate Bill No. 90, by Terwilleger, Smith and Gray, entitled:

An Act to require the registration of motor vehicles, trailers and semi-trailers and to require report to be made of any accident involving a vehicle and to impose certain duties and obligations upon the owners of motor vehicles rented without drivers, and to prevent the taking, transfer of or injury to any vehicle without the consent of the owner; to regulate court procedure in certain civil actions un-

der this Act; to provide penalties for violations of this Act and to make uniform the law relating to the subject matter of this Act,

beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do not pass.

DARNELL, Chairman.

Senator Darnell asked unanimous consent, which was granted, to withdraw Committee Report submitted on Senate Bill No. 90.

MR. PRESIDENT:

We, your Committee on Judiciary No. 2, to whom was referred Senate Bill No. 95, by Anglin, entitled:

An Act amending Section 274, Compiled Oklahoma Statutes, 1921, relating to and providing for set-offs or counterclaims which involve solely a money demand shall not be barred by the Statutes of Limitations until the claim of the plaintiff is so barred, and declaring an emergency,

beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

DARNELL, Chairman.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE RESOLUTION NO. 14—By JOHNSON (Creek).—A Resolution inviting the All State High School Band to play in the rotunda of the Capitol Building, Thursday, February 7th, 1929, between 1 and 2 o'clock, p. m.

Upon motion of Senator Johnson (Creek), the rules of the Senate were suspended and consideration was given Senate Resolution No. 14, which was read at length as follows:

SENATE RESOLUTION NO. 14—By JOHNSON (Creek).

WHEREAS, the All State High School Band, composed of One Hundred pieces will be in Oklahoma City, February 6th, 7th, and 8th, 1929, as guests of the Oklahoma Teachers' Association; and

WHEREAS, the All State High School Band has gained a recognition throughout the country and the State of Oklahoma is justly proud of these young people.

NOW THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, that the Senate of Oklahoma invite the All State High School Band to play in the rotunda of the Capitol Building, Thursday, February 7th, 1929, between the hours of one and two o'clock, p. m.

Upon motion of Senator Johnson (Creek), Senate Resolution No. 14 was adopted, as read.

Senate Resolution No. 14 was referred for engrossment.

Upon motion of Senator Johnson (Creek), the President Pro Tempore appointed Senators Johnson (Creek), Wheatley and Hill, as a Committee on arrangements, under Senate Resolution No. 14.

SENATE CONCURRENT RESOLUTION NO. 7—By LOOFBOURROW, MOORE, WILLIAMS, STORMS (Senate), and CARMACK, CARMICHAEL, DUNNING and

NANCE (House).—A Concurrent Resolution authorizing a joint legislative Committee composed of four members of the Senate and five members of the House of Representatives to confer with a like committee from the Legislature of the State of Texas, etc.

Upon motion of Senator Loofbourrow, the rules of the Senate were suspended and immediate consideration was given Senate Concurrent Resolution No. 7, which was read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 7.—By LOOFBOURROW, MOORE, WILLIAMS and STORMS (Senate), and CARMACK, CARMICHAEL, DUNNING and NANCE (House).

A CONCURRENT RESOLUTION AUTHORIZING A JOINT LEGISLATIVE COMMITTEE COMPOSED OF FOUR MEMBERS OF THE SENATE, AND FIVE MEMBERS OF THE HOUSE OF REPRESENTATIVES TO CONFER WITH A LIKE COMMITTEE FROM THE LEGISLATURE OF THE STATE OF TEXAS TO VISIT THE STRIP OF LAND LYING ON THE WESTERN BOUNDARY OF OKLAHOMA WHICH HAS BEEN AWARDED TO THE STATE OF TEXAS, TO INVESTIGATE THE CONFUSION THAT EXISTS THERE AMONG THE CITIZENS AND PROPERTY OWNERS AND TO MAKE AN EFFORT TO REACH AN AGREEMENT WITH THE STATE OF TEXAS FOR THE RETENTION OF SAID LAND BY THE STATE OF OKLAHOMA AND PROVIDING FOR THE EXPENSE OF SAID COMMITTEE.

WHEREAS, on the 8th of December, 1919, the State of Oklahoma filed an original action in the Su-

preme Court of the United States against the State of Texas to have determined and located the true and correct eastern boundary of the Panhandle of Texas and the main western boundary of the State of Oklahoma; and

WHEREAS, as the final adjudication of the issue raised in said mentioned case, the Supreme Court of the United States has decreed the following:

"The boundary between the State of Texas and the State of Oklahoma constituting the eastern boundary of the Panhandle of Texas and the main western boundary of Oklahoma, is the line of the true one-hundredth meridian of longitude west from Greenwich extending north from its intersection with the south bank of the South Ford of Red River to its intersection with the northern boundary line of the State of Texas as surveyed and marked upon the ground of John H. Clark, United States commissioner, under Act of June 5, 1858, chapter 92, or with a line running due east from the eastern terminus of the Clark survey if it is west of meridian"; and

WHEREAS, the said Supreme Court of the United States has appointed a commissioner to run, locate, and mark the true and correct boundary line between the said State of Texas and the said State of Oklahoma, and to establish permanent monuments along such boundary at appropriate distances, and to submit a report thereon to the court; and

WHEREAS, the line declared by said Supreme Court to be the true and correct boundary between Texas and Oklahoma is located to the east of the line heretofore presumed to be the eastern Texas and western Oklahoma boundary; and

WHEREAS, such new location of such boundary line has, or will, upon the approval of the report of the said locating commissioner, remove a tract of land heretofore presumed to be a part of the said State of Oklahoma and place same in the said State of Texas; and

WHEREAS, the United States never owned or assumed to possess the title to any of the public land of the said State of Texas; and

WHEREAS, the United States has heretofore presumed to own and did assume possession and has made disposition of most, if not all, the said land heretofore presumed to be in the said State of Oklahoma and affected by the said decision of the Supreme Court; and

WHEREAS, in the exercise of the presumed ownership and undisputed possession of said land, the said Supreme Court of the United States, in its opinion, Oklahoma against Texas (1926, 272 United States 21, page 38), said that it appeared that "prior to May 3, 1920, the United States had disposed of approximately twenty thousand six hundred and fifty-seven acres in the strip in dispute by patents issued on homestead entries and public sales, for which it had collected approximately \$8,026; that three thousand one hundred and eighteen acres had been included in the school and university grants to Oklahoma; and that there were then three hundred and eighteen acres in pending entries, leaving, it was estimated, one hundred and eighteen acres of vacant land"; and

WHEREAS, according to the record made and pursuant to the approval by the Supreme Court of the final report of the locating commissioner, it is now evident that a number of persons, with titles to such

land possessions, based upon patents issued by the United States or by the said State of Oklahoma will find that their residences and land possessions will have been transferred from said State of Oklahoma to said State of Texas; and

WHEREAS, all persons affected by the final action of said Supreme Court may find many complications surrounding their land titles, and as a result of said survey and probable Court decision a great state of confusion exists among the citizens and property owners inhabiting said strip, many destructive and unusual occurrences may result from said confusion and uncertainty, land titles may be impaired and destroyed, counties, townships and county bonds heretofore issued by political subdivisions may be partially invalidated, mortgage liens heretofore contracted by property owners against said property may be impaired and destroyed, the State of Oklahoma and its school land department may suffer undue losses on loans made on property included in said strip, all of which creates a great emergency for the inhabitants and a moral debt on the part of the State to proceed forthwith to effect an immediate and satisfactory settlement and adjustment of said matters involved therein; and

WHEREAS, to the end that persons now residing on, in possession of, or owning the land affected and to be affected by the final action of the Supreme Court may be properly and equitably protected in their vested interests in such land, and to the further end that the United States, the State of Texas, and the State of Oklahoma may be permitted to assume proper obligations and to receive proper remunerations:

THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF

THE STATE OF OKLAHOMA, that the President of the Senate and the Speaker of the House be authorized to appoint a joint committee composed of four Senators and five Representatives, the President of the Senate and the Speaker of the House to be ex officio members of said Committee, to meet a like committee from the Legislature of the State of Texas for the purpose of visiting said territory, investigating the affairs as they are alleged to exist, making a full survey of the land involved and report their findings, as finally agreed upon, to the respective Legislatures of the State of Oklahoma and the State of Texas for a final disposition by said Legislative bodies, under and by virtue of joint resolution to be adopted by the Congress of the United States, authorizing a compact between the two States for the adjustment of the boundary question. The expense of said committee shall be paid from the contingent funds of the House and Senate of the State of Oklahoma upon proper vouchers approved by the President of the Senate and the Speaker of the House.

Upon motion of Senator Loofbourrow, Senate Concurrent Resolution No. 7 was adopted, as read, and was referred for engrossment.

SENATE BILL NO. 106—By GULAGER.—An Act repealing Article 15, Chapter 29, Compiled Oklahoma Statutes, Annotated, 1921, and declaring an emergency.

SENATE BILL NO. 107.—By MOORE.—An Act amending Sections 9601, 9602 and 9603 of Compiled Oklahoma Statutes, 1921.

SENATE BILL NO. 108.—By BOYER.—An Act amending Section 1, Chapter 88, Oklahoma Session Laws 1925, relating to County Depositories, and declaring an emergency.

SENATE BILL NO. 109—By STEWART.—An Act repealing Section 2, Chapter 16, Oklahoma Session Laws 1923, relating to the driving and operating of motor vehicles, and declaring an emergency.

SENATE BILL NO. 110—By AUSTIN.—An Act making it unlawful for any person to operate in Oklahoma, any electrical machine that will in any way cause an interference with the operation of a radio without having said electrical machine grounded; fixing penalties for violation thereof, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 16—By FIDLER.—A Joint Resolution making an appropriation to Mrs. Winnie M. Sanger, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 17—By BOYER, STIGLER, BLAKELY (Senate), and LOGAN, LEWIS (House).—A Joint Resolution making a deficiency appropriation of Four Hundred (\$400.00) Dollars to pay the balance of the present salary of one Assistant Attorney General for the fiscal year ending June 30, 1929, and making an appropriation of One Hundred and Sixty-six (\$166.60) Dollars and Sixty Cents to cover the increased salary of one Assistant Attorney General for the balance of said fiscal year, and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 99—By ANDREWS.—Referred to Committee on Penal Institutions.

SENATE BILL NO. 100—By JOHNSON.

Upon motion of Senator Johnson (Creek), the rules of

the Senate were suspended and Senate Bill No. 100 was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 101—By JOHNSON.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 102—By FERGUSON.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 103—By FERGUSON.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 104—By HILL (Senate), and IMMELL (House).

Upon motion of Senator Hill, the rules of the Senate were suspended and Senate Bill No. 104 was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 105—By RAY.—Referred to Committee on Judiciary No. 1.

HOUSE BILL NO. 144—By NANCE (House), and BOYER (Senate).

Upon motion of Senator Boyer, the rules of the Senate were suspended and House Bill No. 144 was ordered placed upon the calendar, without reference to a Committee.

HOUSE BILL NO. 56—By SMITH and LEECRAFT.—Referred to Committee on Agriculture.

HOUSE BILL NO. 102—By KING.—Referred to Committee on State and County Affairs.

HOUSE JOINT RESOLUTION NO. 9.—By JONES (Greer), and CARMACK.—Referred to Committee on Privileges and Elections.

Senator Ferguson asked unanimous consent, which was granted, to have the name of Senator MacDonald added as a joint author of Senate Bill No. 102.

Under Joint Session Resolution No. 2, the President Pro Tempore appointed as the Senate Committee Senators Gulager, Clark and Ray.

Senator Stigler presiding.

The following messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed to return herewith ENROLLED SENATE BILL NO. 60—By The Committee on Soldiers' Relief:

An Act making a deficiency appropriation of Twenty-Five Thousand (\$25,000.00) Dollars for the fiscal year ending June 30, 1929, for the aid of sick, wounded and disabled soldiers, sailors, marines and nurses of the late World War, the War with Spain, and their destitute wives, widows and minor children, and declaring an emergency,

and advise you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bill No. 60 was referred to the Acting Governor for consideration.

THIRD READING

SENATE BILL NO. 29 was read for the third time at length.

By unanimous consent, Senate Bill No. 29 was amended to show Senator Blakely as a joint author thereof.

The question being, "Shall the Bill pass?" the roll was called with the following result:

Ayes: Blakely, Boyer, Commons, Darnell, Easter, George, Gray, Harper, Johnson (Creek), MacDonald, Nesbitt, Otjen, Patton, Peck, Pullen, Ray, Reed, Rexroat, Stewart. Total, 19.

Nays: Andrews, Anglin, Austin, Clark, Ferguson, Fidler, Graham, Gulager, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Powers, Smith, Stigler, Terwilleger, Thomas, Wheatley, Williams. Total, 21.

Not Voting: Storms. Total, 1.

Excused: Ewing, Rice, Williamson. Total, 3.

The Bill having failed to receive the constitutional majority of the votes of all members elected to and constituting the Senate, was declared failed of passage.

Senator Andrews sent up the following explanation of his vote:

Mr. President: I vote "NO," on Senate Bill No. 29, because I think 10% is too low for the purpose of a penalty —while the present rate is entirely too high.

ANDREWS.

Senator Gulager moved that the vote by which Senate Bill No. 29 was defeated be reconsidered.

The Presiding Officer ruled the motion failed to receive a second.

Senator Stewart asked unanimous consent to reconsider the vote by which the bill (Senate Bill No. 29) was defeated today and amend it to read a rate of penalty of 12%, instead of 10%, to which no objection was heard.

Senator Gulager, after stating that he had not heard the Stewart request for unanimous consent, moved that further consideration of Senate Bill No. 29 be indefinitely postponed.

Senator Otjen raised a point of order against the Gulager motion, which was sustained, stating that Senator Stewart obtained or asked for unanimous consent and no objection was heard.

Senator Wheatley, upon a point of information, requested the Presiding Officer to have the record read, with reference to the Stewart request for unanimous consent, which was done and which was as follows:

"Mr. President: I ask unanimous consent to reconsider the vote by which the bill was defeated and amend it to read a rate of penalty of 12% instead of 10%."

STEWART.

The Presiding Officer announced that he understood the Stewart request was for "Unanimous consent to reconsider the bill, for the purpose of amendment," but, as revealed by the reading of the clerk's notes, the request was for "Unanimous consent to reconsider the vote by which the bill was defeated," and holds that the vote now

recurs on the request for reconsideration of the vote by which Senate Bill No. 29 was defeated.

Senator Austin moved that the Senate adjourn to meet . Wednesday, February 6th, 1929, under the rules.

Senator Harper, as a substitute, moved the previous question.

Senator Fidler raised a point of order, which was sustained, stating a motion to adjourn takes precedence over all other motions.

The vote recurring on the Austin motion the same prevailed by a vote of 22 ayes and 16 nays.

TWENTY-SIXTH LEGISLATIVE DAY

WEDNESDAY, FEBRUARY 6TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 42.

Excused: Gulager, Ray. Total, 2.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

Senator Loofbourow advised the Senate that a Legislative Committee from Texas would arrive at 6:00 o'clock, a. m., Thursday, February 7, to confer with the Oklahoma Legislature in the matter of the western boundary between the States of Oklahoma and Texas.

Senator Loofbourrow moved that a Reception Committee of four be appointed, one of whom shall be the President Pro Tempore.

The motion prevailed and the President Pro Tempore appointed as such committee Senators Loofbourrow, Williams and Moore.

Upon motion of Senator Loofbourrow, the President Pro Tempore appointed the Committee on Roads and Highways, as the Committee on Entertainment for the Texas delegation.

COMMITTEE REPORTS

Senator Jolly submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills, begs leave to report Senate Resolution No. 14, Senate Concurrent Resolution No. 7, Senate Joint Resolutions No. 7, and 11, Senate Bills Nos. 8, 37, 72, and 73 correctly engrossed.

JOLLY, Vice-Chairman.

The President Pro Tempore signed Engrossed Senate Resolution No. 14 and ordered the same referred for enrollment, and signed Engrossed Senate Concurrent Resolution No. 7 and ordered the same transmitted to the Honorable House for consideration.

MESSAGES

The following messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 114, by GRAHAM, WILSON and LOGAN (House), and FIDLER (Senate), entitled:

An Act making appropriations to be paid the cities and towns named, the total of the amount of money collected by the State Insurance Commissioner from the Insurance Companies, and which has been turned into the State Treasury as provided in Article 5, Chapter 29, Compiled Oklahoma Statutes, 1921, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House of Representatives, and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith, for your signature:

ENROLLED JOINT SESSION RESOLUTION NO. 2, By GRAHAM and CHAPPELL (House), and CLARK (Senate), entitled:

In memoriam of Colonel George L. Miller of Marland, Oklahoma,

and to advise you, and through you, the Honorable Senate, that the same was adopted by both Houses in Joint Session, and has been signed by the Speaker of the House of Representatives.

Very truly,

BERT McDONEL, Chief Clerk.

The President Pro Tempore, in open session, signed Enrolled Joint Session Resolution No. 2 and ordered the same returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE JOINT RESOLUTION NO. 8,
By ANGLIN (Senate), and KIGHT (House), entitled:

A Resolution reappropriating the sum of \$86,786.18 unexpended balance in the appropriation provided for in Senate Bill No. 250 of the Eleventh Legislature, Chapter 52, Session Laws of Oklahoma, 1927, so that the same may be used for salaries of officers and employees and contingent expenses of the Senate and House of Representatives of the Twelfth Legislature, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been read for the fourth time, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Joint Resolution No. 8 was ordered referred to the Governor for consideration.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 4, By HARPER, entitled:

A Concurrent Resolution authorizing the appointment of a Committee to investigate the property loss of certain citizens of Wister, Oklahoma, arising out of floods alleged to have been caused by the construction of a State Highway, authorizing said Committee to make investigation and report their findings to the Twelfth Legislature, of Oklahoma,

and to advise you, and through you, the Honorable Senate, that the same has been adopted by the House of Representatives, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 4 was ordered referred to the Secretary of State.

The following message from the Acting Governor was received and read:

To the President and Members
of the Honorable Senate,

Gentlemen:

I desire to inform you, and through you, the members of the Senate, that I have signed Enrolled Senate Bill

Number 60, and have caused same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY,
Acting Governor.

Senator Anglin presiding.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE CONCURRENT RESOLUTION NO. 8—By STORMS (Senate), and NANCE (House).—A Resolution commending the Oklahoma City University and Professor Gilbert I. Garretson, the Dean of the School of Journalism of said University for the progressive spirit shown in making provision for the attendance of a group of students from the School of Journalism upon the inaugural ceremonies of President-elect Herbert Hoover, at Washington, D. C., on March 4, 1929.

Upon motion of Senator Storms, the rules of the Senate were suspended and immediate consideration given Senate Concurrent Resolution No. 8, which was read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 8—By STORMS (Senate), and NANCE (House).

A RESOLUTION COMMENDING THE OKLAHOMA CITY UNIVERSITY AND PROFESSOR GILBERT I. GARRETSON, THE DEAN OF THE SCHOOL OF JOURNALISM OF SAID UNIVERSITY, FOR THE PROGRESSIVE SPIRIT SHOWN IN MAKING PROVISION FOR THE

ATTENDANCE OF A GROUP OF STUDENTS
FROM THE SCHOOL OF JOURNALISM UPON
THE INAUGURAL CEREMONIES OF PRESI-
DENT-ELECT HERBERT HOOVER AT WASH-
INGTON ON MARCH 4, 1929.

WHEREAS, Oklahoma City University, through the Dean of its School of Journalism, Professor Gilbert I. Garretson, has made provisions for a group of the students of said University to visit Washington City and to attend the inaugural ceremonies of President-elect Herbert Hoover, as the guests of the United States Chamber of Commerce, to report to the daily and weekly papers of Oklahoma, news of the inaugural ceremonies, as well as other interesting features of their trip, and,

WHEREAS, provision has also been made for each student to visit many points of interest along the way to and from Washington, and,

WHEREAS, through the advance press reports that have been and will be sent out regarding this trip, the State of Oklahoma, as well as Oklahoma City University, will receive much good advertising,

THEREFORE, BE IT RESOLVED by the Senate of the State of Oklahoma, the House of Representatives concurring, that the Oklahoma City University and Professor Garretson, Dean of its School of Journalism, be commended for their interest in the youth of the State in providing them this opportunity to get such practical experience in their chosen profession.

Upon motion of Senator Storms, Senate Concurrent Resolution No. 8 was adopted, as read, and referred for engrossment.

SENATE BILL NO. 111—By TERWILLEGGER (Senate), SEARS, PARKER (House).—An Act amending Section 9707 of Chapter 84, Article 10 of the Compiled Oklahoma Statutes Annotated, 1921, repealing Section 9709 of said Chapter 84, Art. 10 of said Statutes, and declaring an emergency.

SENATE BILL NO. 112—By LOOFBOURROW, JOHNSON (Creek), HILL, RICE, GRAHAM, EWING, PECK et al.—An Act to create the State Park Commission, to define its rights, privileges, powers and duties in acquiring and maintaining State Parks, and to authorize the establishment of public parks throughout the State for the preservation of places of historic, natural and recreational interest, authorizing grants and donations in all of such purposes, making an Appropriation therefor and declaring an emergency.

SENATE BILL NO. 113.—By COMMITTEE ON SOLDIERS' RELIEF—An Act providing for an Appropriation of Thirty-five Thousand (\$35,000.00) Dollars for the fiscal year ending June 30, 1931, for the maintenance of orphans and children of World War veterans at the American Legion Home School and providing for the expenditure of the same on a per capita basis and requiring a report.

SENATE BILL NO. 114—By TERWILLEGGER (Senate), PARKER (House) By Request.—An Act providing that property, funds and revenues of charitable Corporations whose net earnings do not inure to the benefit of any individual shall be exempt from taxation and declaring an emergency.

SENATE BILL NO. 115—By STORMS—An Act amending Section 33, Chapter 174, Session Laws of Oklahoma 1923, relating to the maintenance and repairing of

permanent improved streets in Cities and Towns and declaring an emergency.

SENATE BILL NO. 116.—By OTJEN, FERGUSON, et al., (Senate), SNODDY, DRAKE, et al. (House).—An Act creating a Highway Commission composed of three members, fixing their tenure of office and salaries, providing for their appointment and procedure for the removal of Highway Commissioners, repealing Section 1, Chapter 71, Session Laws 1927, and declaring an emergency.

SENATE BILL NO. 117.—By REED, THOMAS (Senate), CARMICHAEL, LOWRY (House).—An Act requiring County Commissioners to designate and maintain as County Highways all roads not designated as State Highways which are on a prescribed route of rural free mail delivery carriers, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 118.—By THOMAS.—An Act amending Section 1, Chapter 198, Session Laws 1925, providing that persons using gasoline in farm tractors, stationary engines and gasoline engines for agricultural purposes shall be refunded the excise tax on gasoline, providing a penalty for making false affidavits by persons seeking to collect refunds, repealing all laws in conflict herewith, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 18.—By OTJEN (Senate), HUTCHINSON, CAMPBELL (House)—A Joint Resolution authorizing the Oklahoma State Institution for Feeble Minded at Enid, and the State Board of Affairs to purchase an additional twenty-one acres of land and declaring an emergency.

SENATE JOINT RESOLUTION NO. 19.—By MOORE, MacDONALD, JOHNSON (Creek), and STIG-

LER—A Resolution transferring and reappropriating certain amounts of balances in funds appropriated at the regular Session of the Legislature of the State of Oklahoma for the Adjutant General's Department for the fiscal year ending June 30, 1929, and declaring an emergency.

Senator Fidler sent up the following request for permit to lobby:

To the Honorable President and
Members of the Senate of Oklahoma:

Joe C. Campbell states that he is a resident of Oklahoma City, Oklahoma; that he is President and Legislative Committeeman of the Oklahoma State Federation of Labor; that he is paid the sum of \$60.00 per week for his services; that he makes this statement in compliance with the law of the state and petitions your Honorable Body that he be granted a permit to appear before Committees and act in his duly assigned capacity in the interest of the organization he represents.

(Signed) JOE C. CAMPBELL.

Upon motion of Senator Fidler, the request of Joe C. Campbell, for permit to lobby, was granted.

Senator Thomas requested that consideration be now given to SENATE CONCURRENT RESOLUTION NO. 6 by Thomas, et al., to which Senator Stigler voiced an objection stating consideration at this time was out of line with the regular order.

Senator Thomas moved that the rules of the Senate be suspended and Senate Concurrent Resolution No. 6 be considered at this time, which motion failed of adoption.

SECOND READING

The following Bills and Resolutions were read for the second time and referred to the Committees indicated.

SENATE BILL NO. 106.—By GULAGER.—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 107.—By MOORE.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 108.—By BOYER.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 109.—By STEWART.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 110.—By AUSTIN.—Referred to Committee on Judiciary No. 1.

Senator Austin asked unanimous consent, which was granted, to have the name of Representative King added as a joint author of Senate Bill No. 110.

SENATE JOINT RESOLUTION NO. 16.—By FIDLER.—Referred to Committee on Appropriations.

SENATE JOINT RESOLUTION NO. 17.—By BOYER, STIGLER, BLAKELY (Senate), LOGAN, LEWIS, JONES (House).—Referred to Committee on Appropriations.

THIRD READING

SENATE BILL NO. 37 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Easter, Ewing, Fidler, George, Gray, Harper, Hill, Johnson (Creek), Jolly, Kimerer, MacDonald, Moore, Otjen, Patton, Peck, Powers, Pullen, Reed, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 32.

Nays: Andrews, Darnell, Ferguson, Graham, Johnson (Pottawatomie), Rexroat. Total, 6.

Not Voting: Loofbourrow, Nesbitt, Stewart, Wheatley. Total, 4.

Excused: Gulager, Ray. Total, 2.

The Bill, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 37, and ordered the same transmitted to the Honorable House.

Senator Fidler made the observation that the hour of 2 o'clock, p. m., had arrived, at which time the funeral service was being held for George Miller, of the 101 Ranch, and moved that the Senate be at ease, out of respect to the memory of Colonel George Miller, which motion prevailed.

The Senate reassembled, with the President Pro Tempore presiding.

Following discussion, Senator Austin moved that reconsideration of the vote by which SENATE BILL NO. 29

failed of passage be deferred for this day, on account of the absence of the author, Senator Ray.

Senator Stewart moved to table the Austin motion.

By unanimous consent, Senator Austin withdrew his motion.

Senator Stewart moved that the Senate, now, reconsider the vote by which Senate Bill No. 29 failed of passage on yesterday.

The motion prevailed, upon a roll call, as follows:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, George, Gray, Harper, Johnson (Creek), MacDonald, Otjen, Patton, Peck, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Williamson. Total, 25.

Nays: Ferguson, Fidler, Graham, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Moore, Powers, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 15.

Not Voting: Loofbourrow, Nesbitt. Total, 2.

Excused: Gulager, Ray. Total, 2.

Senator Andrews moved that further consideration of Senate Bill No. 29 be deferred for this legislative day.

Senator Anglin, as a substitute, moved that the vote be reconsidered by which Senate Bill No. 29 was advanced to engrossment and third reading, which motion prevailed.

SENATE JOINT RESOLUTION NO. 11 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Moore, Patton, Peck, Powers, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 35.

Nays: 0.

Not Voting: Austin, Ewing, Loofbourrow, Nesbitt, Otjen, Pullen, Wheatley. Total, 7.

Excused: Gulager, Ray. Total, 2.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Moore, Patton, Peck, Powers, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total 35.

Nays: 0.

Not Voting: Austin, Ewing, Loofbourrow, Nesbitt, Otjen, Pullen, Wheatley. Total, 7.

Excused: Gulager, Ray, Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Joint Resolution No. 11 and ordered the same transmitted to the Honorable House.

SENATE JOINT RESOLUTION NO. 7 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Moore, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 38.

Nays: 0.

Not Voting: Ewing, Loofbourrow, Nesbitt, Stewart. Total, 4.

Excused: Gulager, Ray. Total, 2.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Moore, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 38.

Nays: 0.

Not Voting: Ewing, Loofbourrow, Nesbitt, Stewart. Total, 4.

Excused: Gulager, Ray. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Joint Resolution No. 7 and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 73 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Kimerer, Loofbourow, MacDonald, Moore, Otjen, Patton, Peck, Pullen, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 38.

Nays: 0.

Not Voting: Jolly, Nesbitt, Powers, Stewart. Total, 4.

Excused: Gulager, Ray. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Kimerer, Loofbourrow, MacDonald, Moore, Otjen, Patton, Peck, Pullen, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 38.

Nays: 0.

Not Voting: Jolly, Nesbitt, Powers, Stewart. Total 4.

Excused: Gulager, Ray. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 73, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 72 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Otjen, Patton, Peck, Pullen, Reed, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Blakely, Nesbitt, Powers, Rexroat, Wheatley. Total, 5.

Excused: Gulager, Ray. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Otjen, Patton, Peck, Pullen, Reed, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Blakely, Nesbitt, Powers, Rexroat, Wheatley. Total, 5.

Excused: Gulager, Ray. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 72, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 8 was read for the third time at length.

Senator Fidler asked unanimous consent, to which objection was voiced to amend Senate Bill No. 8, by striking the word, "and" in Section 2, following the words and figures, "90 days," and inserting the word "or".

FIDLER.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott), Jolly, Kimerer, Otjen, Patton, Powers, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 34.

Nays: Graham, Loofbourrow, MacDonald, Moore, Pullen. Total, 5.

Not Voting: Nesbitt, Peck, Stewart. Total, 3.

Excused: Gulager, Ray. Total, 2.

The Bill having received the constitutional majority

of the votes of all members elected to and constituting the Senate, was declared passed.

Senator Andrews served notice on the Senate that he would, on the next legislative day, move to reconsider the vote by which Senate Bill No. 8 was passed.

GENERAL ORDER

Senator Clark asked unanimous consent, which was granted, to defer consideration of SENATE BILL NO. 68, by Clark, for this legislative day.

SENATE BILL NO. 89, by Anglin, was taken up for consideration.

Section 1 was read.

Senator Austin submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 89, line 4, page 2, by striking after the word "known" the remainder of the section.

AUSTIN.

Senator Wheatley moved to table the Austin amendment.

Senator Pullen raised a point of order, which was sustained, that the Wheatley motion was made after a roll call had been ordered on the Austin amendment.

The vote recurring on the Austin amendment, the same failed of adoption, upon a roll call as follows:

Ayes: Austin, Ewing, Kimerer, Pullen, Reed, Storms, Thomas. Total, 7.

Nays: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, George, Graham, Gray, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Loofbourrow, MacDonald, Moore, Otjen, Patton, Powers, Rexroat, Rice, Smith, Stewart, Stigler, Terwilleger, Wheatley, Williams, Williamson. Total, 31.

Not Voting: Fidler, Harper, Nesbitt, Peck. Total, 4.

Excused: Gulager, Ray. Total, 2.

Senator Anglin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 89, line 6, page 2, by inserting after the word "merchant" and before the word "of" the words "or merchants."

ANGLIN.

Senator Anglin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 89, line 6, page 2, by inserting after the word "acting" and before the word "in," the words, "together or."

ANGLIN

Senator Williamson submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 89, line 6, page 2, by inserting after the word "merchant" the words "bona fide resident."

WILLIAMSON.

Upon motion of Senator Anglin, Section 1, as amended, was adopted.

Upon motion of Senator Anglin Senate Bill No. 89, as amended, was advanced to engrossment and third reading.

SENATE BILL NO. 54, by Boyer was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Boyer.

Upon motion of Senator Boyer, Senate Bill No. 54 was advanced to engrossment and third reading.

Senator Anglin asked unanimous consent, which was granted, to defer consideration of SENATE BILL NO. 95, by Anglin, for this legislative day.

SENATE BILL NO. 100, by Johnson (Creek), was taken up for consideration and read at length.

Upon motion of Senator Johnson (Creek), Senate Bill No. 100 was advanced to engrossment and third reading.

Upon motion of Senator Johnson (Creek) the rules of the Senate were suspended and Senate Bill No. 100 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 100 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek),

Johnson (Pottawatomie), Jolly, Loofbourrow, MacDonald, Moore, Otjen, Patton, Pullen, Reed, Rexroat, Rice, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 35.

Nays: 0.

Not Voting: Clark, Kimerer, Nesbitt, Peck, Powers, Smith, Stewart. Total, 7.

Excused: Gulager, Ray. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

Upon motion of Senator Johnson (Creek), the emergency clause to Senate Bill No. 100 was stricken.

The Chief Enrolling and Engrossing Clerk was directed to amend the title of the bill to conform with the Johnson (Creek) motion, to strike the emergency clause.

Senate Bill No. 100 was referred for engrossment.

SENATE BILL NO. 104, by Hill of the Senate, and Immell of the House, was taken up for consideration, and read at length.

Upon motion of Senator Hill, Senate Bill No. 104 was advanced to engrossment and third reading.

Upon motion of Senator Hill, the rules of the Senate were suspended and Senate Bill No. 104 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 104, was read for the third time, at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Loofbourrow, MacDonald, Moore, Otjen, Patton, Pullen, Reed, Rexroat, Rice, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Anglin, Clark, Graham, Kimerer, Nesbitt, Peck, Powers, Smith, Stewart. Total, 9.

Excused: Gulager, Ray. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Loofbourrow, MacDonald, Moore, Otjen, Patton, Pullen, Reed, Rexroat, Rice, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Anglin, Clark, Graham, Kimerer, Nesbitt, Peck, Powers, Smith, Stewart. Total, 9.

Excused: Gulager, Ray. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 104 was referred for engrossment.

By unanimous consent, Senator Andrews was excused from Senate attendance for the remainder of this legislative day.

SENATE CONCURRENT RESOLUTION NO. 6, by Thomas, Ray, Rexroat and Pullen, of the Senate, and Harvey, of the House, was taken up for consideration.

Upon motion of Senator Hill, further consideration of Senate Concurrent Resolution No. 6 was indefinitely postponed.

HOUSE BILL NO. 130, by Nance of the House and Boyer of the Senate, was taken up for consideration.

Section 1 was read.

Senator Austin submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 130, line 16, page 2, by adding after the word "property," the following: "Provided that the interest stipulated on the face of the bond coupon or other evidence of such indebtedness shall not be remitted as against any innocent purchaser or assignee thereof."

AUSTIN.

Upon motion of Senator Boyer, Section 1, as amended was adopted.

Sections 2 and 3 were read and adopted, upon motions of Senator Boyer.

Upon motion of Senator Boyer, House Bill No. 130, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Boyer, the rules of the Senate were suspended and House Bill No. 130 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 130 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Loofbourrow, MacDonald, Moore, Otjen, Pullen, Rexroat, Smith, Stewart, Stigler, Storms, Thomas, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Anglin, Ewing, Kimerer, Nesbitt, Patton, Peck, Powers, Reed, Rice, Terwilleger, Wheatley
Total, 11.

Excused: Andrews, Gulager, Ray. Total, 3.

The Bill having received the constitutional majority

of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott), Jolly, Loofbourrow, MacDonald, Moore, Otjen, Pullen, Rexroat, Smith, Stewart,* Stigler, Storms, Thomas, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Anglin, Ewing, Kimerer, Nesbitt, Patton, Peck, Powers, Reed, Rice, Terwilleger, Wheatley. Total, 11.

Excused: Andrews, Gulager, Ray. Total, 3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

House Bill No. 130 was referred for proper engrossment.

HOUSE BILL NO. 144, by Nance of the House, and Boyer of the Senate, was taken up for consideration and read at length.

Upon motion of Senator Boyer, House Bill No. 144 was advanced to engrossment and third reading.

Upon motion of Senator Boyer, the rules of the Senate were suspended and House Bill No. 144 was con-

sidered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 144 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Loofbourrow, MacDonald, Moore, Otjen, Pullen, Rexroat, Smith, Stewart, Stigler, Storms, Thomas, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Anglin, Ewing, Kimerer, Nesbitt, Patton, Peck, Powers, Reed, Rice, Terwilleger, Wheatley. Total, 11.

Excused: Andrews, Gulager, Ray. Total, 3.

The Bill, having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Loofbourrow, MacDonald, Moore, Otjen, Pullen, Rexroat, Smith, Stewart, Stigler, Storms, Thomas, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Anglin, Ewing, Kimerer, Nesbitt, Patton, Peck, Powers, Reed, Rice, Terwilleger, Wheatley.
Total, 11.

Excused: Andrews, Gulager, Ray. Total, 3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 144 and ordered the same transmitted to the Honorable House.

COMMITTEE REPORT

Senator Harper asked unanimous consent, which was granted, to submit the following Committee Report, which was adopted, and the bill ordered printed and placed upon the calendar:

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 24, by Loofbourrow, Rice, Fidler, Kimerer, Rexroat, Austin, Ewing, Hill and Nesbitt, entitled:

An Act providing for the construction of a building to be located on the State Capitol grounds in Oklahoma City for the use of the Oklahoma Historical Society, etc.,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that it do pass, as amended, substitute bill being attached hereto.

HARPER, Vice Chairman.

HOUSE BILL ON FIRST READING

The following bill was received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 114.—By GRAHAM, WILSON, LOGAN (House), FIDLER (Senate), entitled—An Act making appropriations to be paid the Cities and Towns named, the total of the amount of money collected by the State Insurance Commissioner from the Insurance Companies, and which has been turned into the State Treasury as provided in Article 5, Chapter 29, Compiled Oklahoma Statutes, 1921, and declaring an emergency.

Upon motion of Senator Stewart, the Senate adjourned to meet on Thursday, February 7th, 1929, under the rules.

TWENTY-SEVENTH LEGISLATIVE DAY

THURSDAY, FEBRUARY 7TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbit, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, and the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee, to whom was referred Senate Joint Resolution No. 12, by Fidler and Otjen of the Senate,

and Marker, Eylar, Graham and Leecraft of the House, entitled:

A Joint Resolution appropriating and authorizing the payment of funds in the State Treasury not otherwise appropriated of the sum of Thirteen Hundred (\$1,300.00) Dollars to E. G. Spilman, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary Number One, to whom was referred Senate Bill No. 17 by Ferguson, entitled:

An Act amending Section 9588 of Article 2, Chapter 84, of Compiled Oklahoma Statutes, 1921, fixing a tax on real estate mortgages; providing it be paid by the mortgagee without an increase in the rate of interest, commission, brokerage, or otherwise, and making the violation thereof a misdemeanor, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

AUSTIN, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary Number One, to whom was referred Senate Bill No. 96, by Gulager, entitled:

An Act amending Section 2927, Compiled Oklahoma Statutes, 1921, relating to forfeiture of bail, repealing all laws in conflict herewith, and declaring an emergency, beg leave to report that we had the same under consideration,

and herewith return the same with the recommendation that it do not pass.

AUSTIN, Chairman.

Senator Austin moved the adoption of the adverse report.

Senator Gulager moved that, notwithstanding the adverse report of the Committee, Senate Bill No. 96 be referred to the Committee on Fees and Salaries for further consideration.

Senator Anglin, as a substitute for all pending motions, moved that Senate Bill No. 96 be recommitted to Judiciary Committee No. 1, for further consideration, with instructions that Senator Gulager, author of the bill, be heard before a report is made, which motion prevailed.

MR. PRESIDENT:

We, your Committee on Judiciary Number One, to whom was referred Senate Bill No. 98, by Loofbourrow and Storms, entitled:

An Act making it unlawful to repeat or scatter false rumors or reports of a slanderous or harmful nature concerning any person or persons, and providing a penalty therefor, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

AUSTIN, Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills, begs leave to report: Senate Concurrent Reso-

lution No. 8, Senate Bills Nos. 54, 89, 100, 104, House Bill No. 130, all correctly engrossed, and Senate Resolution No. 14 correctly enrolled.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Concurrent Resolution No. 8, Senate Bills Nos. 100, 104, Senate Amendments to and House Bill No. 130 and ordered same transmitted to the Honorable House for consideration.

The President Pro Tempore, in open session, signed Enrolled Senate Resolution No. 14 and ordered the same referred to the Secretary of State.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 119—By TERWILLEGER (Senate), and SEARS (House).—An Act authorizing cities and towns to acquire by condemnation, purchase, gift, or otherwise, real estate, for the purpose of constructing, building, laying out, opening, widening, extending or straightening streets, alleys, boulevards, playgrounds, parks, public squares and public ways, providing for the payment of the cost and improvement thereof by the levy and collection of special assessments against all property benefitted by reason of such acquisition and improvement, authorizing the issuance and sale of bonds secured by special assessments, providing for the payment of said bonds, authorizing the making of all such improvements, repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 120—By ANDREWS.—An Act conferring and confirming upon courts of record remedial

jurisdiction to hear and determine controversies and enter declaratory judgments where no further relief is or could be claimed: providing for review of such judgment; for jury trials of such controversies where necessary; defining the terms of said Act; and declaring an emergency.

SENATE BILL NO. 121—By STORMS.—An Act regulating the slaughter and sale of the meat of animals and domestic poultry for market and providing that every person engaged in the occupation of a butcher or slaughterer of cattle in this State shall file a bond to be approved by the County Judge of the County in which he desires to carry on such business setting out the terms of said bond and providing penalties for violation thereof; and repealing all laws in conflict therewith, and declaring an emergency.

SENATE BILL NO. 122—By RAY.—An Act making taxes a prior lien on insurance policies, contracts and funds accruing by reason of loss thereunder, making it the duty of the insurer to ascertain if any taxes are due on the property covered by insurance contract and to pay the taxes due before making payment to insured, repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 123—By WHEATLEY, STIGLER and COMMONS.—An Act to amend Chapter 113, Session Laws 1923, providing for the supervision, regulation and conduct of the transportation of passengers for compensation over the public highways of the State of Oklahoma by motor vehicles, conferring jurisdiction upon the Corporation Commission, providing for the enforcement of the provisions of this Act, and for the punishment for violation hereof; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency.

SENATE BILL NO. 124.—By STORMS (Senate), and JONES (House).—An Act authorizing the Board of City

Commissioners of the city of Duncan to waive, remit and refund certain penalty or interest on delinquent paving taxes and assessments and authorizing the County Treasurer of Stephens County, Oklahoma, to collect said paving taxes and assessments without collecting the penalty or interest delinquent thereon, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 125—By ANGLIN.—A Bill to be entitled an Act authorizing and empowering the Excise Board of Hughes County, Oklahoma, to levy, in addition to all other authorized levies for current expenses, a special tax of not to exceed one-half of one mill for improvements to the Free Fair grounds, situated in Hughes County, adjacent to the city of Holdenville, Oklahoma, for the fiscal years 1929-1930 and 1930-1931, and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 111—By TERWILLEGER (Senate), and SEARS, PARKER (House).—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 112—By LOOFBOURROW, JOHNSON (Creek), HILL, RICE, GRAHAM, EWING, PECK, et al.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 113—By COMMITTEE ON SOLDIERS' RELIEF.—Referred to Committee on Appropriations.

SENATE BILL NO. 114—By TERWILLEGER (Senate), and PARKER (House), By Request.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 115—By STORMS.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 116—By OTJEN, FERGUSON, et al., (Senate), and SNODDY, DRAKE, et al., (House).—Referred to Committee on Roads and Highways.

SENATE BILL NO. 117—By REED and THOMAS.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 118—By THOMAS.—Referred to Committee on Revenue and Taxation.

SENATE JOINT RESOLUTION NO 18—By OTJEN (Senate), HUTCHINSON and CAMPBELL (House).—Referred to Committee on Appropriations.

SENATE JOINT RESOLUTION NO. 19—By MOORE, et al.—Referred to Committee on Appropriations.

HOUSE BILL NO 114—By GRAHAM, WILSON, and LOGAN (House), and FIDLER (Senate).—Referred to Committee on Appropriations.

MESSAGES

The following messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 1—By CAR-MICHAEL, MITCHELL, NANCE, TRENT, THOMAS

(House), and REXROAT, REED, MOORE (Senate), entitled:

An Act amending Sections 7889, 7891 and 7904, Compiled Oklahoma Statutes, 1921, relating to the creating of domestic corporations for the transportation of natural gas and prescribing regulations for the transportation of natural gas in interstate commerce, and for other purposes, etc.

ENGROSSED HOUSE BILL NO. 44—By BRIGGS, entitled:

An Act amending Section 7297, Compiled Oklahoma Statutes, 1921, relating to appeals to the Supreme Court from orders of the State Industrial Commission, providing for appeal bond and declaring an emergency.

ENGROSSED HOUSE BILL NO. 48—By STANLEY, entitled:

An Act providing that non-profit sharing associations that have no capital stock and pay no fees or salaries to their officers and pay not to exceed one hundred dollars, as a burial fund to the beneficiary or beneficiaries named in the certificate issued by them, or only furnish a burial outfit and burial to those entitled thereto under said certificate, etc.

ENGROSSED HOUSE BILL NO. 88—By SKINNER, CHAMBERS and COMMITTEE ON MINES AND MINING (House), and COMMONS (Senate), entitled:

An Act providing for the regulating of the working of lead, zinc and other metal mines; Providing for the protection of the lives, health, safety and welfare of persons employed therein and thereabout; defining

the duties of persons, firms and corporations operating said mines, etc.

ENGROSSED HOUSE BILL NO. 100—By CHAPPELL, entitled:

An Act pertaining to the salary of Assistant County Attorney, of Kay County, Oklahoma, fixing his salary at \$200.00 per month, prohibiting him from engaging in private practice of law, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 7—By LOOFBOURROW, MOORE, WILLIAMS and STORMS (Senate), and CARMACK, CARMICHAEL, DUNNING and NANCE (House), entitled:

A Concurrent Resolution authorizing a Joint Legislative Committee composed of Four Members of the Senate and Five Members of the House of Representatives to confer with a like Committee from the Legislature of the State of Texas, to visit the strip of land lying on the Western Boundary of Oklahoma, which has been awarded to the State of Texas, etc.,

and to inform you, and through you, the members of the Honorable Senate, that the same has been adopted by the House of Representatives, and signed by the Speaker of the House in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 7 was referred for enrollment.

THIRD READING

SENATE BILL NO. 89 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Easter, Ewing, Fidler, George, Graham, Hill, Johnson (Creek), Johnson (Pottawatomie), Kimerer, MacDonald, Moore, Nesbitt, Otjen, Powers, Ray, Rice, Stewart, Stigler, Terwilleger, Wheatley, Williamson. Total, 27.

Nays: Austin, Darnell, Ferguson, Gray, Gulager, Jolly, Patton, Pullen, Reed, Rexroat, Storms, Thomas. Total, 12.

Not Voting: Harper, Loofbourrow, Peck, Smith, Williams. Total, 5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Ray, Rexroat, Rice, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williamson. Total, 34.

Nays: Austin, Darnell, Gulager, Pullen, Reed, Thomas. Total, 6.

Not Voting: Loofbourrow, Peck, Smith, Williams. Total, 4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 89, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 54 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler,

Storms, Terwilleger, Thomas, Wheatley, Williamson.
Total, 42

Nays: 0.

Not Voting: Andrews, Williams. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson.
Total, 42.

Nays: 0.

Not Voting: Andrews, Williams. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 54, and ordered the same transmitted to the Honorable House.

By unanimous consent, third reading and final roll call on SENATE BILL NO. 8, by Fidler, was deferred for

this legislative day, without losing its place on the calendar.

GENERAL ORDER

Senator Clark asked unanimous consent, which was granted, to defer consideration for this legislative day on SENATE BILL NO. 68, by Clark.

Senator Anglin asked unanimous consent, which was granted, to defer consideration of SENATE BILL NO. 95, by Anglin.

SENATE BILL NO. 29, by Ray, was taken up for further consideration.

Section 1 was read.

Senator Ray submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 29, line 5, page 2, by striking the word "ten," and inserting the word, "twelve."

RAY.

Senator Stigler raised a point of order against the Ray amendment, which was sustained, stating the subject matter of the amendment has been considered and disposed of on a former legislative day, referring to page 313 of the Senate Journal.

Senator Smith moved that the vote be reconsidered by which the Andrews amendment, page 313 of the Senate Journal, failed of adoption, which motion prevailed.

The Andrews amendment was read, as follows:

Mr. President: I move to amend Senate Bill No. 29, line 5, page 2, by striking the word and figures,

"Ten (10)," and inserting the word and figures, "twelve (12)."

ANDREWS.

Senator Wheatley, in lieu of all pending motions, submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 29, line 5, page 2, by striking after the word, "of," and before the word, "per," the word, "ten," and inserting in lieu thereof the word, "fourteen."

WHEATLEY.

The vote recurring on the Andrews amendment, the same was adopted.

Senator Moore submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 29, line 5, page 2, by striking the figures "10," wherever they may be found, and inserting in lieu thereof the following: "6% per annum for the first six months after delinquency, 12% per annum for the next six months and, thereafter, 18% per annum."

MOORE.

Senator Harper raised a point of order against the Moore amendment, which was sustained, stating the amendment was not germane.

Senator Wheatley submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 29, line 17, page 3, by striking after the word, "Treasurer," the remaining part of line 17, all of line 18, and

line 1, page 4, and inserting in lieu thereof the following: "Provided same is still held by the Treasurer, the tax together with accrued penalties and assessments as provided, herein; provided that, in the event said tax sale certificate has been assigned or sold by said county treasurer shall pay the treasurer for the use of the purchaser, his heirs or assigns the sum mentioned in this certificate and interest thereon at the rate of 8% per annum from"

WHEATLEY.

Upon motion of Senator Stewart, the Senate was at ease for 10 minutes, for the purpose of considering the Wheatley amendment.

The Senate reassembled, with the President Pro Tempore presiding.

Senator Austin moved that further consideration of Senate Bill No. 29 be deferred, until the next legislative day, which motion, by unanimous consent, he withdrew.

Upon motion of Senator Wheatley, Senate Bill No. 29 was referred to Judiciary Committee No. 1, for the purpose of re-drafting the bill, with instructions that the bill be reported back to the Senate within a time not exceeding three legislative days.

SENATE BILL NO. 24, by Loofbourrow, Rice, Fidler, Kimerer, Rexroat, Austin, Ewing, Hill and Nesbitt, was taken up for consideration.

Section 1 was read.

Senator Ferguson submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 24, line 11, page 3, by striking the period after the word, "purposes," and adding the following: "Provided no bonds now owned by the State of Oklahoma, in which public building funds are invested, shall be sold or disposed of until maturity for the purpose of creating funds for the erection of this building."

FERGUSON.

Senator Fidler moved to table the Ferguson amendment, which motion was ruled out of order, as following debate.

Senator Anglin moved to table the Ferguson amendment, which motion failed of adoption.

The vote recurring on the Ferguson amendment the same failed of adoption, upon a roll call, as follows:

Ayes: Darnell, Ferguson, Graham, Gulager, Johnson (Creek), Johnson (Pott.), Moore, Otjen, Patton, Peck, Pullen, Smith, Stigler, Thomas. Total, 14.

Nays: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Easter, Ewing, Fidler, George, Gray, Harper, Hill, Kimerer, Loofbourrow, MacDonald, Nesbitt, Powers, Reed, Rexroat, Rice, Stewart, Storms, Terwilleger, Wheatley, Williamson. Total, 27.

Not Voting: Jolly, Ray, Williams. Total, 3.

Upon motion of Senator Fidler, Section 1 was adopted, as read.

Section 2 was read.

Senator Gulager submitted the following amendment, which was tabled, upon motion of Senator Kimerer:

Mr. President: I move to amend Senate Bill No. 24, by inserting after the word, "affairs," and before the word, "subject," line 17, page 3, the words, "upon plans and specifications of architects submitted to them and approved"

GULAGER.

Upon motion of Senator Loofbourrow, Section 2 was adopted, as read.

Section 3 was read and adopted, upon motion of Senator Loofbourrow.

Section 4 was read.

Senator Ferguson submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 24, line 8, page 6, by striking after the numeral, "4," all the remainder of the line and all of lines 9, 10, 11, 12, 13, page 6, and by capitalizing the letter, "n," in the beginning of line 14.

FERGUSON.

Senator Pullen, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 24, line 1, page 7, by adding the following: "Provided that no more than \$10,000.00 be paid the designing architect."

PULLEN.

Senator Ferguson raised a point of order against the Pullen amendment, which was sustained, stating the amendment was not germane to his amendment.

Senator Loofbourrow moved to table the Ferguson amendment, which motion was adopted upon a roll call, as follows:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Ewing, Fidler, George, Gray, Harper, Loofbourrow, MacDonald, Moore, Nesbitt, Peck, Powers, Ray, Rice, Smith, Stewart, Storms, Wheatley, Williamson. Total, 24.

Nays: Clark, Easter, Ferguson, Graham, Gulager, Hill, Johnson (Pott.), Jolly, Kimerer, Otjen, Patton, Pullen, Reed, Terwilleger, Thomas. Total, 15.

Not Voting: Darnell, Johnson (Creek), Rexroat, Stigler, Williams. Total, 5.

Senator Pullen submitted the following amendment, which was tabled, upon motion of Senator Austin:

Mr. President: I move to amend Senate Bill No. 24, line 1, page 7, by adding the following: "Providing that not more than \$15,000.00 be paid the designing architect."

PULLEN.

Senator Thomas submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 24, line 2, page 2, by inserting after the word, "act," the following: "Provided that the total expense incurred in hiring the architect and superintendent shall not exceed 5% of the \$500,000.00."

THOMAS.

Senator Austin raised a point of order against the Thomas amendment, which point was sustained, stating

the point involved had been previously disposed of by the Senate.

Senator Ferguson submitted the following amendment, which was tabled, upon a motion by Senator Loofbourrow:

Mr. President: I move to amend Senate Bill No. 24, line 1, page 7, by adding after the word, "act," the following: "Provided the total cost of said building, including the supervision, shall not exceed \$5,000.00."

FERGUSON.

Upon motion of Senator Loofbourrow, Section 4 was adopted, as read.

Upon motion of Senator Loofbourrow, Senate Bill No. 24 was advanced to engrossment and third reading.

MESSAGE

The following message from the Acting Governor was received and read:

To the President and Members
of the Honorable Senate.

Gentlemen:

I desire to inform you, and through you, the members of the Senate, that I have signed Enrolled Senate Joint Resolution No. 8, entitled:

A Resolution reappropriating the sum of \$86,786.18, unexpended balance in the appropriation provided for in Senate Bill No. 250, of the Eleventh Legislature, Chapter 52, Session Laws of Oklahoma, 1927, so that the same may be used for salaries of officers and employees and contin-

gent expenses of the Senate and House of Representatives of the Twelfth Legislature, and declaring an emergency,

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY,
Acting Governor.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 1—By CARMICHAEL, MITCHELL, NANCE, TRENT, THOMAS (House), and REXROAT, REED, MOORE (Senate), entitled:—An Act amending Sections 7889, 7891 and 7904, Compiled Oklahoma Statutes, 1921, relating to the creating of domestic corporations for the transportation of natural gas and prescribing regulations for the transportation of natural gas in interstate commerce, and for other purposes, etc.

ENGROSSED HOUSE BILL NO. 44—By BRIGGS, entitled—An Act amending Section 7297, Compiled Oklahoma Statutes, 1921, relating to appeals to the Supreme Court from orders of the State Industrial Commission, providing for appeal bond and declaring an emergency.

ENGROSSED HOUSE BILL NO 48—By STANLEY, entitled—An Act providing that non-profit sharing associations that have no capital stock and pay no fees or salaries to their officers and pay not to exceed one hundred dollars, as a burial fund to the beneficiary or beneficiaries named in the certificate issued by them, or only furnish

a burial outfit and burial to those entitled thereto under said certificates, etc.

ENGROSSED HOUSE BILL NO 88—By SKINNER, CHAMBERS and COMMITTEE ON MINES AND MINING (House), and COMMONS (Senate), entitled—An Act providing for the regulating of the working of lead, zinc, and other metal mines; Providing for the protection of the lives, health, safety and welfare of persons employed therein and thereabout; defining the duties of persons, firms and corporations operating said mines, etc.

ENGROSSED HOUSE BILL NO. 100—By CHAPPELL, entitled—An Act pertaining to the salary of Assistant County Attorney of Kay County, Oklahoma, fixing his salary at \$200.00 per month, prohibiting him from engaging in private practice of law, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

Upon motion of Senator Pullen, the Senate adjourned to meet Friday, February 8, 1929, under the rules.

TWENTY-EIGHTH LEGISLATIVE DAY

FRIDAY, FEBRUARY 8TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Storms, Thomas, Wheatley, Williams, Williamson. Total, 41.

Excused: Darnell, Stigler, Terwilleger. Total, 3.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

Senator Stewart moved that, when the Senate adjourns today, it adjourn to meet at 10:00 o'clock, a. m., Saturday, February 9th.

Senator Otjen, as a substitute, moved that, when the Senate adjourns today, it adjourn to meet at 9:30 a. m., Monday, February 11th, which motion failed of adoption.

The vote recurring on the Stewart motion, the same was adopted.

COMMITTEE REPORTS

The following Committee Reports were submitted and the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House Bill No. 56, by Smith and Leecraft, entitled:

An Act amending Section 3780, Compiled Oklahoma Statutes, 1921, pertaining to adulterated feed stuffs, and repealing all laws in conflict herewith, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass, as amended.

GRAY, Chairman.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate Bill No. 14, by Thomas of the Senate and Hines of the House, entitled:

An Act providing for the keeping of public records by persons, firms and corporations who purchase domestic fowls, containing a description of all domestic fowls purchased by such persons, firms or corporations, together with a description of fowls, and the description of vehicles in which delivery of said fowls was made, and the post office address of each person selling such fowls; and providing a penalty for the violation hereof; and declaring an emergency, beg leave to report that we had the same under

consideration, and herewith return the same with the recommendation that it do pass, as amended.

GRAY, Chairman.

Senator Jolly submitted the following Committee Report, which was adopted:

Mr. President: We, your Committee on Rules and Procedure, beg leave to report that we have met with a like committee from the House and considered the Joint Rules of the Senate and House of Representatives. Your Committee recommends that the Joint Rules of the Eleventh Legislature be adopted as the Joint Rules of the Twelfth Legislature.

JOLLY, Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills, begs leave to report Senate Bill No. 24 correctly engrossed.

BOYER, Chairman.

MESSAGES

The following messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE JOINT RESOLUTION NO.
6—By ANGLIN, entitled.—A Joint Resolution transferring

and re-appropriating certain balances of funds appropriated at the Regular Session of the Eleventh Legislature of the State of Oklahoma for the Bureau for Preparation of Budget, for the fiscal year ending June 30, 1928, and declaring an emergency,

and to advise you and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Joint Resolution No. 6 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 12—By STANLEY, LEWIS, WASSON, HEAD, BUSEY, KEENAN, CARTWRIGHT, WHITT, ORENDORFF, BARRY, WAGNER, and LEECRAFT, entitled.—An Act amending Section 2, of Chapter 35 of the Session Laws of Oklahoma, 1927, relating to Fish and Game, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 31—By LOGAN.—An Act authorizing the State Board of Public Affairs to purchase and have installed one additional passenger elevator in the State Capitol, appropriating a sum in payment of the purchase and installation thereof, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 121—By BOYD-STUN.—An Act amending Section 10938, Compiled Okla-

homa Statutes, 1921, relating to organization of townships, repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 141—By BLACK, HERSCHBERGER, PARKER, DRAKE, McADOO, MITCHELL and PHILLIPS.—An Act amending Chapter 56 of the Session Laws of 1927, relating to the investment of sinking funds, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 200—By WHITT, ROE and LESTER (House).—An Act fixing the salaries of the County Assessor and deputies of Pittsburg County, Oklahoma, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Senator Harper sent up the following request, which was read:

To the Honorable President and
Members of the Senate:

Mat McElroy states that he is a resident of Wilburton, Oklahoma; that he is President and Legislative representative of District 21, United Mine Workers of America; that he is paid the sum of ten dollars per day for his services; that he makes this statement in compliance with the law of the State and petitions your Honorable Body that he be granted a permit to appear before Committees and

act in his duly assigned capacity in the interest of the organization he represents.

(Signed) MAT McELROY.

Upon motion of Senator Harper, the request for permit to lobby was granted Mat McElroy.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 126—By GRAY.—An Act making it unlawful for any member of the Legislature during the term for which he was elected, or any state official or employee, to represent any person, firm, contractor or corporation before the State Board of Public Affairs, the State Board of Agriculture, the State Highway Commission, the State Insurance Board, the State Board of Education, or the State Banking Board or Department, fixing a penalty for the violation thereof, and declaring an emergency.

SENATE BILL NO. 127—By JOHNSON (Creek).—An Act to authorize the issuance of contingent endowment certificates of insurance by life insurance companies and fraternal benefit societies; to provide for the maintenance of a reserve thereon, and declaring an emergency.

SENATE BILL NO. 128—By MOORE.—An Act repealing Sections 1, 2, 3 and 4, of Chapter 101, Session Laws, 1925, relating to railroad crossings, and declaring an emergency.

SENATE BILL NO. 129—By GRAY.—An Act making provisions for accidents on steam railroads, interurban electric railways and motor buses, requiring each company, corporation, lessee, owner, operator or receiver or

other person owning or operating a steam railway, interurban electric railway or motor bus in the State of Oklahoma, in whole or in part, to provide each train or motor bus so operated, with a package containing the Articles hereinafter mentioned for first aid of persons who may be injured in the course of the operation of such train or bus, and providing for penalty for violation thereof.

SENATE BILL NO. 130.—By GRAY.—An Act making it unlawful for any member of the Oklahoma Legislature during the term for which he was elected, or for any state officer or employee, to sell, or offer for sale, or to represent others in selling, or offering for sale, any insurance or property to the State of Oklahoma, or to any institution or Department thereof, providing penalties for violation thereof, and declaring an emergency.

SENATE BILL NO. 131.—By GRAY.—An Act amending Section 1653, Compiled Oklahoma Statutes, 1921, relating to Nepotism, and declaring an emergency.

SENATE BILL NO. 132.—By GRAY.—An Act making it unlawful for any member of the Legislature during the term for which he was elected or for any state official or employee, to represent any person in seeking a reprieve, pardon or parole before the State Pardon and Parole office or from the Governor of Oklahoma, fixing a penalty for the violation thereof, and declaring an emergency.

SENATE BILL NO. 133.—By JOLLY (Senate), and MAUK (House).—An Act fixing the salary of the County Attorney and Assistant County Attorney, and providing for the appointment of a stenographer for the County Attorney and fixing the salary of stenographer, in Caddo County, Oklahoma, repealing all Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 134—By FIDLER.—An Act authorizing certain county officers in counties having a population of 100,000 or more as shown by the last General or Special Federal Census, or any future General or Special Federal Census, to appoint deputies in said offices by and with the consent of the County Commissioners, the salaries of said deputies to be fixed by the County Commissioners, repealing all laws in conflict herewith, and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 119—By TERWILLEGGER (Senate), and SEARS (House).—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 120—By ANDREWS.—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 121.—By STORMS.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 122—By RAY.—Referred to Committee on Insurance.

SENATE BILL NO. 123—By WHEATLEY, STIGLER and COMMONS.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 124—By STORMS (Senate), and JONES (House).

Upon motion of Senator Boyer, the rules of the Senate were suspended and Senate Bill No. 124, by Storms, of the

Senate, and Jones, of the House, was ordered placed upon the Calendar, without reference to a Committee.

SENATE BILL NO. 125—By ANGLIN.

Upon motion of Senator Anglin, the rules of the Senate were suspended, and Senate Bill No. 125, by Anglin, was ordered placed upon the calendar, without reference to a Committee.

HOUSE BILL NO. 1—By CARMICHAEL, MITCHELL, NANCE, TRENT, THOMAS (House), and REX-ROAT, REED and MOORE (Senate).—Referred to Committee on Oil and Gas.

HOUSE BILL NO. 44—By BRIGGS.—Referred to Committee on Judiciary No. 1.

HOUSE BILL NO. 48—By STANLEY.—Referred to Committee on Insurance.

HOUSE BILL NO. 88—By SKINNER and CHAMBERS and COMMITTEE ON MINES AND MINING (House), and COMMONS (Senate).

Upon motion of Senator Commons, the rules of the Senate were suspended, and House Bill No. 88, by Skinner and Chambers, et al., of the House and Commons, of the Senate, was ordered placed upon the calendar, without reference to a Committee.

HOUSE BILL NO. 100—By CHAPPELL.

Upon motion of Senator Clark, the rules of the Senate were suspended and House Bill No. 100, by Chappell, was ordered placed upon the calendar, without reference to a Committee.

THIRD READING

SENATE BILL NO. 24 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Easter, Ewing, Fidler, George, Gray, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Storms, Thomas, Wheatley, Williams, Williamson. Total, 35.

Nays: Clark, Ferguson, Graham, Johnson (Pottawatomie). Total, 4.

Not Voting: Gulager, Peck. Total, 2.

Excused: Darnell, Stigler, Terwilleger. Total, 3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Easter, Ewing, Fidler, George, Gray, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Storms, Thomas, Wheatley, Williams, Williamson. Total, 35.

Nays: Clark, Ferguson, Graham, Johnson (Pott.).
Total, 4.

Not Voting: Gulager, Peck. Total, 2.

Excused: Darnell, Stigler, Terwilleger. Total, 3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 24, and ordered the same transferred to the Honorable House.

Senator Graham sent up the following explanation of his vote:

Mr. President: I vote "NO," on Senate Bill No. 24, because: There is only \$175,000.00 in the public building fund; \$350,000.00 of bonds must be sold to meet the appropriation for building, a large percent of which are not due, and if sold on the low bond market loss will ensue.

GRAHAM.

Assistant Attorney General W. C. Lewis was received by the Senate and presented two Representatives from the State of Texas, who were Mr. Wyckline, the State Engineer of Texas, and Mr. Rice M. Tilley, Assistant Attorney General from that State, who announced that he was authorized by the Governor and the Legislature of the State of Texas to announce that, "We stand ready to pay one-half of the cost of acquiring or maintaining all toll bridges across Red River."

Senator Andrews moved that the vote be reconsidered by which SENATE BILL NO. 8, by Fidler, was passed, for

the purpose of offering amendments, which motion prevailed.

Upon motion of Senator Andrews, the vote was reconsidered by which Senate Bill No. 8, by Fidler, was advanced to engrossment and third reading, roll call thereon being as follows:

Ayes: Andrews, Clark, Commons, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Stewart, Thomas, Wheatley, Williams, Williamson. Total, 23.

Nays: Anglin, Austin, Blakely, Boyer, Easter, Ferguson, Hill, Reed, Rexroat, Rice, Smith, Storms. Total, 12.

Not Voting: Ewing, Johnson (Pott.), Otjen, Peck, Pullen, Ray. Total, 6.

Excused: Darnell, Stigler, Terwilleger. Total, 3.

Senator Gulager submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 8, line 8, page 2, by striking the words and figures, "Fifty (\$50.00) Dollars," and inserting the words and figures, "One Hundred (\$100.00) Dollars."

GULAGER.

Upon motion of Senator Fidler, further consideration of Senate Bill No. 8 was deferred for this legislative day.

GENERAL ORDER

By unanimous consent, consideration of SENATE BILLS NOS. 68, by Clark, and 95, by Anglin, was deferred for this legislative day.

SENATE BILL NO. 98, by Loofbourrow and Stigler, was considered.

Section 1 was read.

Senator Loofbourrow submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 98, line 2, page 2, by striking after the word, "dollars," and before the word, "imprisonment," the word, "nor," and inserting the word, "or."

LOOFBOURROW.

Upon motion of Senator Loofbourrow, Section 1, as amended, was adopted.

Upon motion of Senator Loofbourrow, Section 2 was stricken.

Upon motion of Senator Loofbourrow, Senate Bill No. 98, as amended, was advanced to engrossment and third reading.

SENATE BILL NO. 17, by Ferguson, was considered.

Section 1 was read and adopted, upon motion of Senator Ferguson.

Upon motion of Senator Ferguson, Senate Bill No. 17 was advanced to engrossment and third reading.

SENATE JOINT RESOLUTION NO. 12, by Fidler and Otjen, of the Senate, and Marker, Eylar, et al., of the House, was considered.

Section 1 was read and adopted, upon motion of Senator Fidler.

Upon motion of Senator Fidler, Senate Joint Resolution No. 12 was advanced to engrossment and third reading.

Upon motion of Senator Gulager, SENATE BILL NO. 106, by Gulager, was ordered withdrawn from Judiciary Committee No. 1, and ordered placed upon the calendar, without reference to a Committee.

HOUSE BILLS ON FIRST READING

ENGROSSED HOUSE BILL NO. 12—By STANLEY, LEWIS, WASSON, HEAD, BUSEY, KEENAN, CARTWRIGHT, WHITT, ORENDORFF, BARRY, WAGNER and LEECRAFT, entitled.—An Act amending Section 2, of Chapter 35, of the Session Laws of Oklahoma, 1927, relating to Fish and Game, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 31—By LOGAN—An Act authorizing the State Board of Public Affairs to purchase and have installed one additional passenger elevator in the State Capitol, appropriating a sum in payment of the purchase and installation thereof, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 121—By BOYD-STUN—An Act amending Section 10938, Compiled Oklahoma Statutes, 1921, relating to organization of townships, repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 141—By BLACK, HERSCHBERGER, PARKER, DRAKE, McADOO, MITCHELL and PHILLIPS.—An Act amending Chapter 56 of the Session Laws of 1927, relating to the investment of sinking funds, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 200—By WHITT, ROE and LESTER.—An Act fixing the salaries of the County Assessor and deputies of Pittsburg County, Oklahoma, and declaring an emergency,

Upon motion of Senator Smith and in conformity with the Stewart motion, the Senate adjourned, to meet at 10:00 o'clock, a. m., Saturday, February 9th.

TWENTY-NINTH LEGISLATIVE DAY

SATURDAY, FEBRUARY 9TH, 1929

The Senate, pursuant to adjournment, met at 10:00 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Blakely, Commons, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Reed, Rice, Smith, Stewart, Storms, Thomas, Wheatley, Williams, Williamson. Total, 33.

Excused: Austin, Boyer, Clark, Darnell, Ewing, Johnson (Creek), Otjen, Peck, Rexroat, Stigler, Terwilliger. Total, 11.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Judiciary Number One, to whom was referred Senate Bill No. 29, by Ray and Blakeley, entitled:

An Act amending Section 1, Chapter 151, Oklahoma Session Laws, 1923, and Section 9747, Compiled Oklahoma Statutes, 1921, reducing the penalty on delinquent taxes to ten per cent per annum, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass, as amended.

WHEATLEY, Vice-Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary Number One, to whom was referred Senate Bill No. 84, by Clark, Stigler and Hill of the Senate and Chappell, Herschberger of the House, entitled:

An Act providing for venue of civil actions and the service of process in cases by residents of the State of Oklahoma against a Foreign Corporation, which has failed to comply with the laws of the State of Oklahoma as to appointing a Resident Agent for the service of process in actions accruing to residents of the State of Oklahoma on account of or while such Foreign Corporation was doing business within the State of Oklahoma, and providing for the fees for such services; amending Section 5442 of Compiled Oklahoma Statutes, 1921; repealing conflicting laws, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

AUSTIN, Chairman.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 102, by Ferguson, entitled:

An Act amending and re-enacting Section 9574, Compiled Oklahoma Statutes, 1921, exempting chickens, turkeys, ducks, geese and guineas in the aggregate amount of not to exceed \$200.00, and farm products in the raw state from ad valorem taxation, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

FIDLER, Chairman.

Senator Jolly submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills, begs leave to report Senate Joint Resolution No. 6 correctly enrolled; Senate Joint Resolution No. 12, Senate Bills Nos. 17 and 98 correctly engrossed.

JOLLY, Vice-Chairman.

Senate Joint Resolution No. 6 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered transmitted to the Honorable House for the signature of the Speaker.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 126—By GRAY.—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 127.—By JOHNSON (Creek)—
Referred to Committee on Insurance.

SENATE BILL NO. 128.—By MOORE.—Referred to
Committee on Public Service Corporations.

SENATE BILL NO. 129.—By GRAY.—Referred to
Committee on Public Service Corporations.

SENATE BILL NO. 130.—By GRAY.—Referred to
Committee on Judiciary No. 1.

SENATE BILL NO. 131.—By GRAY.—Referred to
Committee on Judiciary No. 1.

SENATE BILL NO. 132.—By GRAY.—Referred to
Committee on Judiciary No. 1.

SENATE BILL NO. 133.—By JOLLY (Senate),
MAUK (House).

Upon motion of Senator Jolly, the rules of the Senate were suspended and Senate Bill No. 133, by Jolly, of the Senate, and Mauk, of the House, was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 134.—By FIDLER.—Referred to
Committee on Judiciary No. 2.

HOUSE BILL NO. 12.—By STANLEY, LEWIS, WAS-
SON, HEAD, BUSEY, KEENAN, CARTWRIGHT, WHITT,
ORENDORFF, BARRY, WAGNER, and LEECRAFT—
Referred to Committee on Fish and Game.

HOUSE BILL NO. 31.—By LOGAN—Referred to Com-
mittee on Appropriations.

HOUSE BILL NO. 121—By BOYDSTUN—Referred to Committee on State and County Affairs.

HOUSE BILL NO. 141—By BLACK, HERSCHBERGER, PARKER, DRAKE, McADOO, MITCHELL and PHILLIPS—Referred to Committee on Judiciary No. 2.

HOUSE BILL NO. 200—By WHITT, ROE, and LESTER.—Referred to Committee on State and County Affairs.

THIRD READING

SENATE BILL NO. 98 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Commons, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Reed, Rice, Stewart, Storms, Thomas, Wheatley, Williams, Williamson. Total, 31.

Nays: Smith. Total, 1.

Not Voting: Hill. Total, 1.

Excused: Austin, Boyer, Clark, Darnell, Ewing, Johnson (Creek), Otjen, Peck, Rexroat, Stigler, Terwilleger. Total, 11.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 98, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 17 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Commons, Easter, Ferguson, George, Graham, Gray, Gulager, Harper, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Pullen, Reed, Smith, Stewart, Storms, Thomas, Williams, Williamson. Total, 28.

Nays: Fidler, Ray, Rice. Total, 3.

Not Voting: Hill, Wheatley. Total, 2.

Excused: Austin, Boyer, Clark, Darnell, Ewing, Johnson (Creek), Otjen, Peck, Rexroat, Stigler, Terwilleger. Total, 11.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 17, and ordered the same transmitted to the Honorable House.

SENATE JOINT RESOLUTION NO. 12 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Commons, Easter, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Reed, Rice, Smith, Stewart, Storms, Thomas, Wheatley, Williams, Williamson. Total, 31.

Nays: Graham. Total, 1.

Not Voting: Jolly. Total, 1.

Excused: Austin, Boyer, Clark, Darnell, Ewing, Johnson (Creek), Otjen, Peck, Rexroat, Stigler, Terwilleger. Total, 11.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Commons, Easter, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Reed, Rice, Smith, Stewart, Storms, Thomas, Wheatley, Williams, Williamson. Total, 31.

Nays: Graham. Total, 1.

Not Voting: Jolly. Total, 1.

Excused: Austin, Boyer, Clark, Darnell, Ewing, Johnson (Creek), Otjen, Peck, Rexroat, Stigler, Terwilleger. Total, 11.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Joint Resolution No. 12, and ordered the same transmitted to the Honorable House.

GENERAL ORDER

Senator Pullen asked unanimous consent, which was granted, to consider HOUSE BILL NO. 88, by Skinner and Chambers, of the House, and Commons, of the Senate.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 were read and adopted, upon motions of Senator Commons.

Upon motion of Senator Commons, House Bill No. 88 was advanced to engrossment and third reading.

Upon motion of Senator Pullen, the rules of the Senate were suspended and House Bill No. 88 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 88 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Commons, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Reed, Rice, Smith, Stewart, Storms, Wheatley, Williams, Williamson. Total, 32.

Nays: 0.

Not Voting: Thomas. Total, 1.

Excused: Austin, Boyer, Clark, Darnell, Ewing, Johnson (Creek), Otjen, Peck, Rexroat, Stigler, Terwilliger. Total, 11.

The Bill, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

•

Ayes: Andrews, Anglin, Blakely, Commons, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Reed, Rice, Smith, Stewart, Storms, Wheatley, Williams, Williamson. Total, 32.

Nays: 0.

Not Voting: Thomas. Total, 1.

Excused: Austin, Boyer, Clark, Darnell, Ewing, Johnson (Creek), Otjen, Peck, Rexroat, Stigler, Terwilliger. Total, 11.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session signed the engrossed copy of House Bill No. 88, and ordered the same transmitted to the Honorable House.

The following message from the Honorable House was received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration,

ENGROSSED HOUSE BILL NO. 210.—By WHITT, ROE and LESTER, entitled:—An Act amending Section 9666, Compiled Oklahoma Statutes, 1921, relating to assessment of taxable property and providing for procedure in such assessments in all Counties in the State having a population of not less than 52,570 and not more than 54,500 according to the Federal census of 1920.

and to advise you and through you the Honorable Senate that the same has been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

HOUSE BILLS ON FIRST READING

The following bill was received from the Honorable House, and read for the first time:

ENGROSSED HOUSE BILL NO. 210.—By WHITT, ROE and LESTER, entitled—An Act amending Section 9666, Compiled Oklahoma Statutes, 1921, relating to the assessment of taxable property and providing for procedure in such assessments in all Counties in the State having a population of not less than 52,570 and not more than 54,500 according to the Federal census of 1920.

Upon motion of Senator Andrews, the Senate adjourned to meet at 9:30 o'clock, a. m., Monday, February 11th, 1929.

THIRTIETH LEGISLATIVE DAY

MONDAY, FEBRUARY 11TH, 1929

The Senate, pursuant to adjournment, met at 9:30 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

At the hour of 10:00 o'clock, a. m., upon motion of Senator Smith, the Senate recessed for the purpose of resolving itself into a Court of Impeachment.

At 5:00 o'clock, p. m., the Senate reassembled, with the President Pro Tempore presiding.

Senators Ferguson and Thomas being present, it was

the order of the President Pro Tempore that the record so show.

FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 135—By MacDONALD and ANGLIN.—An Act to regulate the sale and offering for sale of stocks, bonds, and other securities in the State of Oklahoma and providing penalties for the violation thereof, and to repeal Article LXII of the Compiled Statutes of Oklahoma, 1921, and declaring an emergency.

SECOND READING

The following bill was read for the second time and referred to the Committee indicated:

HOUSE BILL NO. 210—By WHITT, ROE and LESTER—Referred to Committee on Revenue and Taxation.

Upon motion of Senator Gulager, the Senate adjourned to meet at 9:30 o'clock, a. m., Tuesday, February 12th, 1929.

THIRTY-FIRST LEGISLATIVE DAY

TUESDAY, FEBRUARY 12TH, 1929

The Senate, pursuant to adjournment, met at 9:30 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by Dr. W. S. Wiley, of Muskogee, Oklahoma.

FIRST READING

The following bills were introduced and read for the first time.

SENATE BILL NO. 136—By JOHNSON (Creek)—
An Act prohibiting the erection of markers giving road information upon State Highways without authority of the

State Highway Commission, prescribing a penalty, and declaring an emergency.

SENATE BILL NO. 137—By ANGLIN—A Bill to be entitled: An Act abolishing township government in Hughes County, Oklahoma, and providing that the duties of township officers shall be performed by the Board of County Commissioners of said county, and declaring an emergency.

SENATE BILL NO. 138—By REXROAT—An Act relating to the distribution of the automobile license tax and the gasoline excise tax received in Carter County, Oklahoma, and declaring an emergency.

SENATE BILL NO. 139—By SMITH—An Act providing that contractors constructing public buildings or works in which any county, city, town, township or school district contributes a part of the contract price shall furnish a surety performance bond executed by an agent of the surety company who resides in said municipal subdivision of government in the county in which same is located, repealing all laws in conflict herewith, and declaring an emergency.

SECOND READING

The following bill was read and referred to the Committee indicated:

SENATE BILL NO. 135—By MacDONALD and ANGLIN—Referred to Committee on Judiciary No. 1.

GENERAL ORDER

Upon motion of Senator Jolly, SENATE BILL NO. 133, by Jolly, of the Senate, and Mauk of the House, was advanced to engrossment and third reading.

Upon motion of Senator Boyer, SENATE BILL NO. 124, by Storms, of the Senate, and Jones of the House, was advanced to engrossment and third reading.

Upon motion of Senator Clark, HOUSE BILL NO. 100, by Chappell, was advanced to engrossment and third reading.

Upon motion of Senator Anglin, SENATE BILL NO. 125, by Anglin, was advanced to engrossment and third reading.

Upon motion of Senator Austin, HOUSE BILL NO. 102, by King, was withdrawn from the Committee on State and County Affairs and ordered placed upon the calendar.

Upon motion of Senator Austin, HOUSE BILL NO. 102, by King, was advanced to engrossment and third reading.

Senator Stewart moved that HOUSE BILL NO. 48, by Stanley, be withdrawn from the Committee on Insurance and placed upon the calendar.

Senator Ferguson, as a substitute, moved that HOUSE BILL NO. 48, by Stanley, be withdrawn from the Committee on Insurance and referred to the Judiciary Committee No. 1.

Senator Stewart asked unanimous consent, which was granted to withdraw his motion.

MESSAGES

The following messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE JOINT RESOLUTION NO. 6

—By ANGLIN, entitled—A Joint Resolution transferring and re-appropriating certain balances of funds appropriated at the Regular Session of the Eleventh Legislature of the State of Oklahoma, for the Bureau for Preparation of Budget, for the fiscal year ending June 30, 1928, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been read for the fourth time, and signed by the Speaker of the House in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Joint Resolution No. 6 was referred to the Acting Governor for his consideration.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 6—

By BLACK, entitled:—A Resolution requesting the Chamber of Commerce of the State of Oklahoma, Inc., to appoint a Commission of State Business Men, to co-operate with the members of the House of Representatives and the members of the Senate of the State of Oklahoma in the matter of studying the question of equitable compensation for state and other public of-

ficials occupying positions of responsibility with a view of making suggestions and recommendations to the Twelfth Legislature with a view of placing the salaries of said officials on a basis comparable with salaries paid by the business world,

and to inform you and through you, the Honorable Senate, that the same has been adopted by the House of Representatives, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 50—By WASSON, entitled—An Act making an appropriation to pay the mileage of the Presidential Electors that convened at the Capitol of the State of Oklahoma on the Second Day of January, 1929, in obedience to the Act of Congress approved May 29, 1928, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 53—By MAUK, BYRUM, ROPER and THOMAS, entitled—An Act authorizing County Commissioners to permit township officers to use county road machinery and equipment; providing that the township government shall pay the expense, upkeep, maintenance and repair of said machinery when used, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 119—By GRAHAM, CLOYD and SOLDIERS' RELIEF COMMITTEE, entitled

—An Act providing for the construction and equipment of two additional wings to the separate ward for ex-service persons of the World War at the Central Oklahoma State Hospital at Norman, Oklahoma, and making an appropriation therefor, and providing for the re-painting and repairing of the old wards and for the landscaping of said wards and wings, and making an appropriation for same, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 190—By PAUL and GIBSON, entitled—An Act making an appropriation for maintenance, bedding, supplies and farm equipment for the State Training School for White Boys at Pauls Valley, Oklahoma, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 144—By NANCE of the House, and BOYER of the Senate, entitled:—An Act abolishing the offices of township trustee, township clerk, and township treasurer of Cache, Texas, Beaver, Hulen, Strauss, Bryan, Jackson, Jefferson, and Devol townships in Cotton County, State of Oklahoma, and conferring the powers and duties of said officers on the Board of County Commissioners, County Clerk and County Treasurer of Cotton County, Oklahoma; providing that additional sal-

aries shall be paid to the Board of County Commissioners and County Clerk for performing additional duties; repealing all laws in conflict herewith, and declaring an emergency,

and to inform you and through you, the Honorable Senate, that the same has been read the fourth time, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bill No. 144 was read for the fourth time, the enrolled copy signed by the President Pro Tempore, in open session, and ordered returned to the Honorable House.

Upon motion of Senator Ferguson, the Senate, recessed, to meet at the call of the President Pro Tempore, for the purpose of resolving itself into a Court of Impeachment.

The Senate re-assembled and was called to order by the President Pro Tempore.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 6—By BLACK, entitled:—A Resolution requesting the Chamber of Commerce of the State of Oklahoma, Inc., to appoint a commission of State business men, to co-operate with the members of the House of Representatives and the members of the Senate of the State of Oklahoma in the matter of studying the question of

equitable compensation for state and other public officials occupying positions of responsibility with a view of making suggestions and recommendations to the Twelfth Legislature with a view of placing the salaries of said officials on a basis comparable with salaries paid by the business world.

ENGROSSED HOUSE BILL NO. 50—By WASSON, entitled:—An Act making an appropriation to pay the mileage of the Presidential Electors that convened at the Capitol of the State of Oklahoma on the Second day of January, 1929, in obedience to the Act of Congress approved May 29, 1928, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 53—By MAUK, BYRUM, ROPER and THOMAS, entitled:—An Act authorizing County Commissioners to permit township officers to use county road machinery and equipment; providing that the township government shall pay the expense, upkeep, maintenance and repair of said machinery when used, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 119—By GRAHAM, CLOYD and SOLDIERS' RELIEF COMMITTEE, entitled:—An Act providing for the construction and equipment of two additional wings to the separate ward for ex-service persons of the World War at the Central Oklahoma State Hospital at Norman, Oklahoma, and making an appropriation therefor, and providing for the re-painting and repairing of the old wards and for the landscaping of said wards and wings, and making an appropriation for same, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 190—By PAUL and GIBSON, entitled:—An Act making an appropriation for maintenance, bedding, supplies and farm equipment for

the State Training School for White Boys, at Pauls Valley, Oklahoma, and declaring an emergency.

Upon motion of Senator Stewart, the Senate adjourned to meet at 9:30 o'clock, a. m., Wednesday, February 13, 1929.

THIRTY-SECOND LEGISLATIVE DAY

WEDNESDAY, FEBRUARY 13TH, 1929

The Senate, pursuant to adjournment, met at 9:30 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by Rev. R. M. Inlow, of the Immanuel Baptist Church, of Oklahoma City.

COMMITTEE REPORTS

The following Committee reports were submitted and the bills ordered printed and placed upon the calendar:

MR. PRESIDENT:

We, your Committee on Hospitals and Charities, to

whom was referred Senate Bill No. 66, by Harper, entitled:

An Act amending Sections 8968 and 8970, Compiled Oklahoma Statutes, 1921, relating to Tubercular Sanatoria, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

POWERS, Chairman.

Senator Jolly submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills, begs leave to report Senate Concurrent Resolution No. 7 correctly enrolled; Senate Bills Nos. 124 and 133 correctly engrossed.

JOLLY, Vice-Chairman.

The President Pro Tempore, in open session signed Enrolled Senate Concurrent Resolution No. 7 and ordered the same transmitted to the Honorable House for the signature of the Speaker.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 136—By JOHNSON—Referred to Committee on Roads and Highways.

SENATE BILL NO. 137—By ANGLIN.

Upon motion of Senator Austin, the rules of the Senate were suspended and Senate Bill No. 137 by Anglin, was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 138—By REXROAT.

Upon motion of Senator Rexroat, the rules of the Senate were suspended and Senate Bill No. 138 by Rexroat was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 139.—By SMITH.—Referred to Committee on Judiciary No. 2.

HOUSE BILL NO. 50—By WASSON—Referred to Committee on Appropriations.

HOUSE BILL NO. 53—By MAUK, BYRUM, ROPER and THOMAS—Referred to Committee on Roads and Highways.

HOUSE BILL NO. 119—By GRAHAM, CLOYD and SOLDIERS' RELIEF COMMITTEE—Referred to Committee on Soldiers' Relief.

HOUSE BILL NO. 190—By PAUL and GIBSON—Referred to Committee on Appropriations.

Upon motion of Senator Austin, Senate Bill No. 137 by Anglin, was advanced to engrossment and third reading.

Senator Rexroat moved that Senate Bill No. 138, by Rexroat, be advanced to engrossment and third reading.

Senator Pullen, as a substitute, moved that Senate Bill No. 138 be referred to a special committee of 3, to be appointed by the President Pro Tempore, for the purpose of further consideration.

Senator Smith, in lieu of all pending motions, moved that the rules of the Senate be suspended and Senate

Bill No. 138 be referred to the proper standing Committee.

Senator Pullen raised a point of order against the Smith motion stating the bill had already been referred to the Calendar, without reference to a Committee.

Senator Smith asked unanimous consent, which was granted, to withdraw his motion.

The vote recurring on the Pullen motion, the same was adopted, and the President Pro Tempore appointed as the special committee thereunder, Senators Rexroat, Hill and Commons.

THIRD READING

SENATE BILL NO. 133 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson, (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofburrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 41.

Nays: 0.

Not Voting: Boyer, Reed, Stewart. Total, 3.

The Bill, having received the constitutional majority

of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson, (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 41.

Nays: 0.

Not Voting: Boyer, Reed, Stewart. Total, 3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session signed the engrossed copy of the Senate Bill No. 133, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 124 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson

(Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger Thomas, Wheatley, Williams, Williamson. Total, 42.

Nays: 0.

Not Voting: Boyer, Stewart. Total, 2.

The bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 42.

Nays: 0.

Not Voting: Boyer, Stewart. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 124, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Moore, the Senate recessed to meet at the call of the President Pro Tempore, for the purpose of resolving itself into a Court of Impeachment.

The Senate at 5:30 o'clock, p. m., reassembled, with the President Pro Tempore presiding.

Upon motion of Senator Stewart, the Senate adjourned to meet at 9:30 o'clock, a. m., Thursday, February 14th, 1929.

THIRTY-THIRD LEGISLATIVE DAY

THURSDAY, FEBRUARY 14TH, 1929

The Senate, pursuant to adjournment, met at 9:30 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 43.

Excused: Wheatley. Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 46, by MacDonald, entitled:

An Act relating to County Free Fair: Authorizing Counties to issue bonds to purchase lands, improve and construct buildings thereon for free fair purposes; authorizing Counties that have acquired free fair lands and buildings to make a tax levy to purchase additional free fair improvements, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass, as amended.

REXROAT, Chairman.

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 77, by Clark, of the Senate, and Herschberger, of the House, entitled:

An Act authorizing the County Clerk upon order of the District Judge to destroy chattel mortgages on file where the same are barred by the statutes of limitation, repealing all laws in conflict, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass, as amended.

REXROAT, Chairman.

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred House Bill No. 200, by Whitt, Roe and Lester, entitled:

An Act fixing the salaries of the County Assessor and Deputies in Pittsburg County, Oklahoma, and declaring

an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

REXROAT, Chairman.

Senator Jolly submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 125 and 137 correctly engrossed.

JOLLY, Vice-Chairman.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 7—By LOOFBOURROW, MOORE, WILLIAMS, and STORMS (Senate), and CARMACK, CARMICHAEL, DUNNING and NANCE (House), entitled—A Concurrent Resolution authorizing a Joint Legislative Committee composed of four members of the Senate and five members of the House of Representatives to confer with a like committee from the Legislature of the State of Texas, etc.,

and to advise you and through you, that the same has been read and signed by the Speaker of the House of Representatives in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 7 was ordered referred to the Secretary of State.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return, herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 8—By STORMS of the Senate and NANCE of the House, entitled—A Resolution commending the Oklahoma City University and Professor Gilbert I. Garretson, the dean of the School of Journalism of said university, for the progressive spirit shown in making provision for the attendance of a group of students from the School of Journalism upon the inaugural ceremonies of President-elect Herbert Hoover at Washington on March 4, 1929,

and to advise you and through you, the Honorable Senate that the same has been adopted by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 8 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 85—By DITTMER and SNODDY, entitled—An Act amending Section 202, Chapter 3, Article 4, of the Compiled Statutes of Okla-

homa, 1921, relating to the venue of civil actions, and declaring an emergency,

ENGROSSED HOUSE BILL NO. 209—By BARRY, entitled—An Act providing for the salaries of the County Commissioners of Okfuskee County, Oklahoma, and declaring an emergency,

ENGROSSED HOUSE BILL NO. 149—By HARVEY and JONES (Greer) entitled.—An Act authorizing Greer and Kiowa Counties to erect Memorial Statues at each end of the bridge now constructed across the North Fork of Red River on State Highway Number Nine; providing the manner of payment thereof and declaring an emergency,

and to advise you and through you the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you and through you, the Honorable Senate that the House has concurred in Senate amendments to

ENGROSSED HOUSE BILL NO. 130—By NANCE of the House and BOYER of the Senate, entitled—An Act authorizing the Board of City Commissioners of the City of Walters, Oklahoma, to waive, remit and refund certain penalty or interest on delinquent paving taxes and assessments and authorizing the County Treasurer of Cotton County, Oklahoma, to collect said paving taxes

and assessments without collecting the penalty or interest delinquent thereon, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency,

and the same has been passed by the House as Amended.

Yours very truly,

BERT McDONEL, Chief Clerk.

The following message from the Acting Governor was received and read:

To the President and Members
of the Honorable Senate,

Gentlemen:

I desire to inform you and through you the members of the Senate, that I have signed Enrolled Senate Joint Resolution No. 6, entitled—A Joint Resolution transferring and re-appropriating certain balances of funds appropriated at the regular session of the Eleventh Legislature of the State of Oklahoma, for the bureau for preparation of budget, for the fiscal year ending June 30, 1928, and declaring an emergency,"

and have caused same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY, Acting Governor.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 140—By STEWART.—An Act providing for the correction of errors of law and fact oc-

curing prior to and in the trial of criminal and civil cases in the District, Superior and County Courts, and providing the procedure for the correction of errors occurring prior to and in the trial of criminal and civil cases in the District, Superior and County Courts.

SENATE BILL NO. 141—By STEWART.—An Act repealing Sections 9608 to 9613, inclusive, Compiled Oklahoma Statutes, 1921, relating to a tax on notes, bonds and choses in action, and declaring an emergency.

SENATE BILL NO. 142—By TERWILLEGER.—An Act repealing Section 9664, Compiled Oklahoma Statutes, 1921, and declaring an emergency.

SENATE BILL NO. 143.—By TERWILLEGER.—An Act amending Section 9792, Compiled Oklahoma Statutes, 1921, relating to the correction of clerical errors; double assessments; providing for the entry of additional assessments of property on the tax rolls; and declaring an emergency.

SENATE BILL NO. 144—By TERWILLEGER.—An Act providing for the safety and security of county funds and securities in the custody of County Treasurers in counties having a population of more than 100,000; providing for the bonding of Deputy County Treasurers, bonds to be approved by the Board of County Commissioners and paid for by the county; providing for action thereon, and declaring an emergency.

SENATE BILL NO. 145—By ANDREWS.—An Act amending Section 5506, Compiled Oklahoma Statutes, 1921, relating to appraisement of lands taken under the eminent domain statutes of the State of Oklahoma; providing for a mileage in addition to compensation for said commissioners, and declaring an emergency.

SENATE BILL NO. 146.—By REXROAT.—An Act amending Section 10,203, Compiled Oklahoma Statutes, 1921, relating to dragging and maintenance of township roads, making a special levy of two mills therefor, in addition to the maximum levy of one and one-half mills for township purposes authorized by Section 9692, Compiled Oklahoma Statutes, 1921, and declaring an emergency.

SENATE BILL NO. 147.—By FERGUSON.—An Act amending and re-enacting Sections 1 and 3 of Chapter 75, Session Laws 1927, being Section 8820 and 8820B, of the 1927 Supplement Compiled Oklahoma Statutes, 1921; providing for the exemption of disabled ex-service persons from the payment of a license fee or tax for hawking and peddling; providing the method of issuing said certificate and fixing the rules governing the issuance thereof.

SENATE BILL NO. 148.—By FIDLER.—An Act providing that all contracts for public work on the part of the State of Oklahoma or any municipal subdivision thereof shall provide for the use of raw material produced in Oklahoma, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 20.—By TERWILEGER.—A Resolution providing for the refunding of State Income Taxes to J. A. Hull and Mrs. Lina J. Hull, making appropriation therefor, and declaring an emergency.

THIRD READING

SENATE BILL NO. 125 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Patton, Peck, Powers, Pullen, Ray, Reed, Rice, Stewart, Stigler, Storms, Terwilleger, Williams, Williamson. Total 36.

Nays: 0.

Excused: Wheatley. Total, 1.

Not Voting: Andrews, Clark, Nesbitt, Otjen, Rexroat, Smith, Thomas. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Patton, Peck, Powers, Pullen, Ray, Reed, Rice, Stewart, Stigler, Storms, Terwilleger, Williams, Williamson. Total 36.

Nays: 0.

Excused: Wheatley. Total, 1.

Not Voting: Andrews, Clark, Nesbitt, Otjen, Rexroat, Smith, Thomas. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 125, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 137 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Pullen, Ray, Reed, Rice, Stewart, Stigler, Storms, Terwilleger, Williams. Total, 35.

Nays: 0.

Excused: Wheatley. Total, 1.

Not Voting: Andrews, Clark, Otjen, Powers, Rexroat, Smith, Thomas, Williamson. Total, 8.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George,

Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Pullen, Ray, Reed, Rice, Stewart, Stigler, Storms, Terwilleger, Williams. Total, 35.

Nays: 0.

Excused: Wheatley. Total, 1.

Not Voting: Andrews, Clark, Otjen, Powers, Rexroat, Smith, Thomas, Williamson. Total, 8.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of the Senate Bill No. 137, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 100 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 41.

Nays: 0.

Excused: Wheatley. Total, 1.

Not Voting: Andrews, Powers. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 41.

Nays: 0.

Excused: Wheatley. Total, 1.

Not Voting: Andrews, Powers. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore in open session, signed the engrossed copy of House Bill No. 100, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 102 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Otjen, Patton, Peck, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 38.

Nays: 0.

Excused: Wheatley. Total, 1.

Not Voting: Andrews, Anglin, MacDonald, Nesbitt, Powers. Total, 5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Otjen, Patton, Peck, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 38.

Nays: 0.

Excused: Wheatley. Total, 1.

Not Voting: Andrews, Anglin, MacDonald, Nesbitt, Powers. Total, 5.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 102, and ordered the same transmitted to the Honorable House.

GENERAL ORDER

Upon motion of Senator Fidler, SENATE RESOLUTION NO. 11, by Fidler, was stricken from the Calendar.

Upon motion of Senator Stewart, the Senate recessed to meet at the call of the President Pro Tempore, for the purpose of resolving itself into a Court of Impeachment.

AFTERNOON SESSION

At 4:45 o'clock, p. m., the Senate reassembled, with the President Pro Tempore presiding.

COMMITTEE REPORTS

By unanimous consent the following Committee Reports were submitted and the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Oil and Gas, to whom was referred House Bill No. 1, by Carmichael, Mitchell, Nance, Trent and Thomas, of the House and Rexroat, Reed and Moore of the Senate, entitled:

An Act amending Sections 7889, 7891 and 7904, Compiled Oklahoma Statutes, 1921, relating to the creating of domestic corporations for the transportation of natural

gas and prescribing regulations for the transportation of natural gas in interstate commerce, and for other purposes; repealing Sections 7890, 7893, 7897, 7898 and 7899 of Article L, Chapter 68, Compiled Oklahoma Statutes, 1921, and all Acts or parts of Acts in conflict herewith, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

HARPER, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House Bill No. 31, by Logan, entitled:

An Act authorizing the State Board of Public Affairs to purchase and have installed one additional passenger elevator in the State Capitol, appropriating a sum in payment of the purchase and installation thereof, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do not pass.

ANGLIN, Chairman.

Upon motion of Senator Anglin, the adverse report on House Bill No. 31 was adopted, as read.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House Bill No. 50, by Wasson, entitled:

An Act making an appropriation to pay the mileage of the Presidential Electors that convened at the Capitol of the State of Oklahoma on the Second Day of January, 1929, in obedience to the Act of Congress approved May

29, 1928, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House Bill No. 114, by Graham, Wilson and Logan of the House and Fidler of the Senate, entitled:

An Act making appropriations to be paid the cities and towns named, the total of the amount of money collected by the State Insurance Commissioner from the Insurance Companies, and which has been turned into the State Treasury as provided in Article 5, Chapter 29, Compiled Oklahoma Statutes, 1921, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House Bill No. 190, by Paul and Gibson, entitled:

An Act making an appropriation for maintenance, bedding, supplies, and farm equipment for the State Training School for White Boys at Pauls Valley, Oklahoma, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was

referred Senate Joint Resolution No. 17, by Boyer, Stigler, Blakely of the Senate, and Logan, Lewis and Jones of the House, entitled:

A Joint Resolution making a deficiency appropriation of \$400.00 to pay the balance of the present salary of one Assistant Attorney General for the fiscal year ending June 30th, 1929, and making an appropriation of \$166.65 to cover the increased salary of one Assistant Attorney General for the balance of said fiscal year, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Joint Resolution No. 19, by Anglin, entitled:

A Resolution transferring and re-appropriating certain amounts of balances in funds appropriated at the Regular Session of the Legislature of the State of Oklahoma for the Adjutant General's Department for the fiscal year ending June 30, 1929, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 85, by Powers and Loofbourrow of the Senate, entitled:

An Act making an emergency appropriation for the Western Oklahoma Hospital for the fiscal year ending

June 30, 1929, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MESSAGES

The following message from the Honorable House was received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 88—By SKINNER and CHAMBERS and COMMITTEE ON MINES AND MINING, (House) and COMMONS (Senate) entitled.—An Act providing for the regulation of the working of lead, zinc and other metal mines, providing for the protection of the lives, health, safety and welfare of persons, firms and corporations operating said mines; prescribing the duties of persons working in and about said mines; prescribing the penalties for violation of the provisions of this Act, etc.,

and to advise you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bill No. 88 was read for the fourth time, the enrolled copy signed by the President Pro Tempore, in

open session and ordered returned to the Honorable House.

HOUSE BILLS ON FIRST READING

ENGROSSED HOUSE BILL NO. 85—By DITTMER and SNODDY, entitled—An Act amending Section 202, Chapter 3, Article 4, of the Compiled Statutes of Oklahoma, 1921, relating to the venue of civil actions; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 209—By BARRY, entitled—An Act providing for the salaries of the County Commissioners of Okfuskee County, Oklahoma; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 149—By HARVEY and JONES (Greer), entitled.—An Act authorizing Greer and Kiowa Counties to erect memorial statues at each end of the bridge now constructed across the North Fork of Red River on State Highway Number Nine; providing the manner of payment thereof; and declaring an emergency.

Upon motion of Senator Fidler, the Senate adjourned to meet at 9:30 o'clock, a. m., Friday, February 15th, 1929.

THIRTY-FOURTH LEGISLATIVE DAY

FRIDAY, FEBRUARY 15TH, 1929

The Senate, pursuant to adjournment, met at 9:30 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Judiciary Number One, to whom was referred Senate Bill No. 40, by Pullen, entitled:

An Act amending Section 1408, Compiled Oklahoma Statutes, 1921, and providing fees to be charged for making and filing the records therein mentioned, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass, as amended.

AUSTIN, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary Number One, to whom was referred Senate Bill No. 92, by Anglin, entitled:

An Act amending Section 2629, Compiled Laws of Oklahoma, 1921, relating to disqualification of trial judge, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

AUSTIN, Chairman.

Upon motion of Senator Austin, the adverse report of the Committee on Senate Bill No. 92 was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary Number One, to whom was referred Senate Bill No 110 by Austin, entitled:

An Act making it unlawful for any person to operate in Oklahoma, any electrical machine that will in any way cause an interference with the operation of a radio without having said electrical machine grounded; fixing penalties for violation thereof, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass.

AUSTIN, Chairman.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE JOINT RESOLUTION NO. 21—By BOYER (Senate) and NANCE (House).—A Joint Resolution making an appropriation of One Thousand Dollars (\$1,000.00) for the fiscal year ending June 30th, 1929, and One Thousand Dollars (\$1,000.00) for the fiscal year ending June 30th, 1930, to aid in promoting and financing the Free Indian State Fair held annually at Craterville Park, Oklahoma, and providing for the disbursement thereof.

SENATE BILL NO. 149—By FIDLER—An Act making it a crime for two or more persons to conspire to commit any offense against the State of Oklahoma, or to defraud the State of Oklahoma, or any municipal subdivision thereof, or to enter into any agreement, plan or device to refrain from bidding or to make any split, complimentary or to trick bid upon any public work, prescribing the punishment therefor, and declaring an emergency.

SENATE BILL NO. 150—By PULLEN—An Act relating to the incorporation in Oklahoma of corporations authorized to publish magazines, newspapers and periodicals in the State of Oklahoma, providing that seventy-five percent (75%) of the authorized capital stock thereof must be owned by residents of the State of Oklahoma, and declaring an emergency.

SENATE BILL NO. 151—By WHEATLEY and ANGLIN—An Act making it the duty of the County Assessor, upon request of an interested party in real estate, to segregate and prorate upon the proper records of the office of the County Treasurer and to make it the duty of the County Treasurer to accept same and prorate

taxes and issue receipts, and if sold for taxes to issue pro rata redemption receipts in cases where parties interested in real estate have obtained their interest subsequent to the assessment of said property where it has been previously assessed in a tract or body with other property.

SECOND READING

The following bills and Resolutions were read for the second time and referred to the committees indicated:

SENATE BILL NO. 140—By STEWART—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 141—By STEWART—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 142—By TERWILLEGER—Referred to Committee on State and County Affairs.

SENATE BILL NO. 143—By TERWILLEGER—Referred to Committee on State and County Affairs.

SENATE BILL NO. 144—By TERWILLEGER—Referred to Committee on State and County Affairs.

SENATE BILL NO. 145—By ANDREWS—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 146—By REXROAT—Referred to Committee on Roads and Highways.

SENATE BILL NO. 147—By FERGUSON—Referred to Committee on Soldiers' Relief.

SENATE BILL NO. 148—By FIDLER—Referred to Committee on Judiciary No. 1.

SENATE JOINT RESOLUTION NO. 20—By TER-WILLEGER—Referred to Committee on Appropriations.

HOUSE BILL NO. 85—By DITTMER and SNODDY—Referred to Committee on Judiciary No. 2.

HOUSE BILL NO. 209—By BARRY.

Upon motion of Senator Harper, the rules of the Senate were suspended and House Bill No. 209, by Barry, was ordered placed upon the calendar, without reference to a Committee.

Upon motion of Senator Harper, House Bill No. 209, by Barry, was advanced to engrossment and third reading.

HOUSE BILL NO. 149.—By HARVEY and JONES (Greer).

Senator Thomas asked unanimous consent, which was granted, to have his name added as a joint author of House Bill No. 149, by Harvey and Jones (Greer), of the House.

Upon motion of Senator Williams, the rules of the Senate were suspended and House Bill No. 149, by Harvey and Jones (Greer) of the House, and Thomas, of the Senate, was ordered referred to the Calendar, without reference to a Committee.

GENERAL ORDER

Upon motion of Senator Gulager, SENATE BILL NO. 106, by Gulager, was advanced to engrossment and third reading.

MESSAGES

The following messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

HOUSE BILL NO. 19—By WIMBISH and STRICKLAND, entitled—An Act regulating and fixing the salaries of certain County officers, and assistants of Pontotoc County, State of Oklahoma, repealing all laws in conflict herewith, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been read for the third time and passed by the House of Representatives, and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE JOINT RESOLUTION NO. 4.—By STORMS, entitled.—A Joint Resolution appropriating Eighteen Thousand (\$18,000.00) Dollars for the purpose of paying Oklahoma's share of the expense of making a survey for the purpose of locating the line between Oklahoma and Texas along the South Bank of the River,

pursuant to the decree of the Supreme Court of the United States under date of March 12, 1923, and declaring an emergency,

and to advise you, and through you, the Honorable Senate that the same has been passed by the House, as amended, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Joint Resolution No. 4, by Storms, were read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1. That Engrossed Senate Joint Resolution No. 4, be amended by striking the words, "from the Eastern limits of Lamar County, Texas, to the Eastern Boundary line of Oklahoma," in lines 5, 6 and 7 of paragraph 1.

ENGROSSED HOUSE AMENDMENT NO. 2. That Engrossed Senate Joint Resolution No. 4 be amended by striking the words "from the Eastern Limits of Lamar County, Texas, to the Eastern Boundary of the State of Oklahoma," in lines 7 and 8, of Section 1.

By unanimous consent, further consideration of House Amendments to Engrossed Senate Joint Resolution No. 4 was deferred temporarily.

Upon motion of Senator Boyer, the Senate extended a vote of thanks to the Oklahoma County Women's Democratic League, for the reception and pageant given, honoring the legislators and their wives on the evening of Thursday, February 14.

Upon motion of Senator Stewart, the Senate recessed, for the purpose of resolving itself into a Court of Im-

peachment, subject to the call of the President Pro Tempore.

AFTERNOON SESSION

At 3 o'clock, p. m., the Senate reassembled, with the President Pro Tempore presiding.

By unanimous consent, the following Committee Report was submitted, the bill ordered printed and placed upon the calendar:

MR. PRESIDENT:

We, your Committee on Constitutional Amendments, to whom was referred Senate Joint Resolution No. 2, by Gray, of the Senate, entitled:

A Resolution authorizing the submission of a proposed amendment to the Constitution of the State of Oklahoma to the people for their approval or rejection for the purpose of amending Section 31 of Article 6 thereof, to provide for relieving the State Board of Agriculture of its duties as a Board of Regents of the State Agricultural and Mechanical Colleges, and providing for a separate Board of Regents for the State Agricultural and Mechanical Schools and Colleges, and declaring an emergency, beg leave to report that we had the same under consideration, and herewith return the same with the recommendation that it do pass, as amended.

OTJEN, Chairman.

Upon motion of Senator Stewart, the Senate auditor was instructed to purchase and deliver to each Senator \$5.00 worth of stamps.

HOUSE BILLS ON FIRST READING

The following bill was received from the Honorable House and read for the first time:

HOUSE BILL NO. 19—By WIMBISH and STRICKLAND, entitled—An Act regulating and fixing the salaries of certain County officers and assistants of Pontotoc County, State of Oklahoma, repealing all laws in conflict herewith and declaring an emergency.

Upon motion of Senator Fidler, the Senate adjourned, to meet at 9:30 o'clock, a. m., Monday, February 18, 1929.

THIRTY-SIXTH LEGISLATIVE DAY

MONDAY, FEBRUARY 18TH, 1929

The Senate, pursuant to adjournment, met at 9:30 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by Senator Boyer.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 152—By LOOFBOURROW and MacDONALD.—An Act making an appropriation for the repairs on the vault of the State Treasury, and declaring an emergency.

SENATE BILL NO. 153—By POWERS, RAY, KIMERER (Senate), and HESTER and GIBSON (House).—An Act amending Chapter 157, Session Laws of Oklahoma, 1923, relating to Fidelity Bonds of employes and officers of banks; repealing all Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 154—By EASTER (Senate) and ALLEN (House).—An Act amending Section 3462, Compiled Oklahoma Statutes, 1921, defining "Public Utilities," and declaring an emergency.

SENATE BILL NO. 155—By BOYER.—An Act relating to notaries public, amending Sections 130 and 7860, Compiled Oklahoma Statutes, 1921, and declaring an emergency.

SENATE BILL NO. 156—By BOYER.—An Act amending Section 670, Compiled Oklahoma Statutes, 1921, pertaining to judgments in foreclosure proceedings, and declaring an emergency.

SENATE BILL NO. 157—By BOYER.—An Act limiting the amount of recovery of Attorney's fees in all cases where the fee is set by contract or allowed by statute, and declaring an emergency.

SENATE BILL NO. 158—By WHEATLEY.—An Act fixing the salaries of certain County Officials of Craig County, Oklahoma, and of certain deputy county officials of Craig County, Oklahoma, repealing all Acts in conflict herewith, and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE JOINT RESOLUTION NO. 21—By BOYER (Senate) and NANCE (House).—Referred to Committee on Appropriations.

SENATE BILL NO. 149—By FIDLER.—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 150—By PULLEN.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 151—By WHEATLEY and ANGLIN.—Referred to Committee on State and County Affairs.

HOUSE BILL NO. 19—By WIMBISH and STRICKLAND.—Referred to Committee on Fees and Salaries.

Upon motion of Senator Fidler, SENATE BILL NO. 148, by Fidler, was ordered withdrawn from the Judiciary Committee No. 1 and ordered referred to the Committee on Revenue and Taxation.

MESSAGES

The following messages from the Honorable House were received and read:

To the President of the Senate,
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 35—By KING, entitled—An Act repealing Sections 3399 to 3406, inclusive, of the Compiled Oklahoma Statutes, of 1921, abolishing the County Court of Grandfield in Tillman County, Okla-

homa, requiring all books and records thereof to be delivered to the Court Clerk of said Court, providing for the future disposal of all cases now pending in said County, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 164—By BOYD-STUN, HARROWER and MOON, entitled—An Act amending Section 7, of Chapter 85, Senate Bill No. 284, Session Laws of 1919, relating to salaries of deputies in the office of the Assessor of Muskogee County, repealing all laws in conflict herewith, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that same have been passed by the House, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 102—By KING, entitled—An Act authorizing and empowering the County Commissioners of Tillman County, Oklahoma, to sell the North Half of Lot 26, Lots 27 and 28, all in Block 52 of the Original Town of Frederick, Oklahoma, providing for the disposition of the funds received therefor, and declaring an emergency.

ENROLLED HOUSE BILL NO. 100—By CHAPPELL, entitled—An Act pertaining to the Salary of Assistant County Attorney, of Kay County, Oklahoma, fix-

ing his salary at \$200.00 per month, prohibiting him from engaging in the private practice of law, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

ENROLLED HOUSE BILL NO. 130—By NANCE of the House, and BOYER of the Senate, entitled—An Act authorizing the Board of County Commissioners of the City of Walters, Oklahoma, to waive, remit and refund certain penalty or interest on delinquent paving taxes and assessments, and authorizing the County Treasurer of Cotton County, Oklahoma, to collect said paving taxes and assessments without collecting the penalty or interest delinquent thereof, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that same have been read for the fourth time, and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

House Bills Nos. 100, 102 and 130 were each read for the fourth time, the enrolled copies signed by the President Pro Tempore, in open session, and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 133—By JOLLY of the Senate and MAUK of the House, entitled—An Act fixing the salary of the County Attorney and Assistant

County Attorney, and providing for the appointment of a stenographer for the County Attorney, and fixing the salary of stenographer, in Caddo County, Oklahoma, repealing all Acts in conflict herewith, and declaring an emergency.

ENGROSSED SENATE BILL NO. 124.—By STORMS of the Senate, and JONES (Stephens), of the House, entitled—An Act authorizing the Board of City Commissioners of the City of Duncan to waive, remit and refund certain penalty or interest on delinquent paving taxes and assessments and authorizing the County Treasurer of Stephens County, Oklahoma, to collect said paving taxes and assessments without collecting the penalty or interest delinquent thereon, repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

ENGROSSED SENATE BILL NO. 104.—By HILL of the Senate and IMMELL of the House, entitled—An Act authorizing County Commissioners of Alfalfa County, Oklahoma, to have a special levy for the purpose of erecting live stock and exhibit buildings and making improvements on the grounds of the Free Fair Association upon real estate owned by the said county for Free Fair purposes, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been passed by the House, and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bills Nos. 133, 124 and 104 were referred for enrollment.

GENERAL ORDER

Upon motion of Senator Ferguson, SENATE BILL NO. 102, by Ferguson was advanced to engrossment and third reading.

Upon motion of Senator Harper, SENATE BILL NO. 66, by Harper, was advanced to engrossment and third reading.

Upon motion of Senator Pullen, SENATE BILL NO. 40, by Pullen, was advanced to engrossment and third reading.

Upon motion of Senator Williamson, HOUSE BILL NO. 190, by Paul and Gibson, was advanced to engrossment and third reading.

The President Pro Tempore announced the Senate recessed, subject to the call of the Chair, for the purpose of resolving itself into a Court of Impeachment.

AFTERNOON SESSION

The Senate, at 1:20 o'clock, p. m., was called to order by the President Pro Tempore.

Senator Boyer submitted the following Committee Report:

MR. PRESIDENT:

The Committee on Engrossed and Enrolled bills, begs leave to report Senate Bill No. 124 correctly enrolled.

BOYER, Chairman.

Senate Bill No. 124 was read for the fourth time, the

enrolled copy signed by the President Pro Tempore, in open session, and ordered transmitted to the Honorable House for the signature of the Speaker.

HOUSE BILLS ON FIRST READING

The following bills were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 35—By KING, entitled—An Act repealing Sections 3399 to 3406, inclusive of the Compiled Oklahoma Statutes of 1921, abolishing the County Court of Grandfield in Tillman County, Oklahoma, requiring all books and records thereof to be delivered to the Court Clerk of said Court, providing for the future disposal of all cases now pending in said County, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 164—By BOYD-STUN, HARROWER and MOON, entitled—An Act amending Section 7, of Chapter 85, Senate Bill No. 284, Session Laws of 1919, relating to salaries of deputies in the office of the Assessor of Muskogee County, repealing all laws in conflict herewith, and declaring an emergency.

Upon motion of Senator Stewart, the Senate adjourned to meet at 9:30 o'clock, a. m., Tuesday, February 19th, 1929.

THIRTY-SEVENTH LEGISLATIVE DAY

TUESDAY, FEBRUARY 19TH, 1929

The Senate, pursuant to adjournment, met at 9:30 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

Senator Boyer submitted the following Committee report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent

Resolution No. 8, Senate Bills Nos. 104 and 133 correctly enrolled.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Enrolled Senate Concurrent Resolution No. 8 and ordered the same transmitted to the Honorable House for the signature of the Speaker.

Senate Bills Nos. 104 and 133 were, each, read for the fourth time, the enrolled copies signed by the President Pro Tempore, in open session, and ordered transmitted to the Honorable House for the signature of the Speaker.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 159—By FIDLER (Senate), HOOVER, MARKER, EYLAR (House).—An Act relating to certain duties of the County Commissioners in certain counties of the State of Oklahoma, having a population in excess of 115,000 inhabitants, as shown by the last preceding, or any future regular Federal decennial census, in relation to overseeing and care of the poor, providing for the construction of a hospital under certain conditions, and providing for the maintenance of the same, repealing all Acts or parts of Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 160: By GRAY.—An Act providing for the appointment, qualification, duties and compensation of a State Architect, and declaring an emergency.

SENATE BILL NO. 161.—By GRAY.—An Act relating to insurance on State property and buildings, fixing penalties for violation thereof, and declaring an emergency.

SENATE BILL NO. 162.—By GULAGER, HILL, PATTON (Senate), NANCE, STOVALL, PATTERSON, MAXWELL (House).—An Act creating a State Tax Commission; prescribing the powers and duties of the commission and its agents; prescribing qualification of members; fixing their salaries and term of office; providing for a uniform system for the assessment of property for the purpose of taxation; making the system for the appraisal of property for taxation purposes which may be adopted and the rules for its application mandatory upon all assessing officers; providing for penalties for any violation of this Act; and declaring an emergency.

SENATE BILL NO. 163.—By LOOFBOURROW.—An Act amending Section 5286, of Compiled Oklahoma Statutes of 1921, relating to attestation of corporations to instruments and to corporate seal-exception, and declaring an emergency.

SENATE BILL NO. 164.—By JOHNSON (Creek).—An Act requiring dealers in goods, wares and merchandise operating under the guise of private individuals from apartments and private houses to place the word "dealer" in their advertisement and prescribing a punishment for violations thereof, and declaring an emergency.

SENATE BILL NO. 165.—By GULAGER.—An Act directing the County Commissioners, Muskogee County, to contract with the City of Muskogee to permit such city to feed the prisoners of said county; prescribing the conditions thereof; creating three (3) additional deputy

sheriffs; providing no jail guards may be employed; repealing conflicting laws and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and ordered referred to the Committees indicated:

SENATE BILL NO. 152—By LOOFBOURROW and MacDONALD—Referred to Committee on Appropriations.

SENATE BILL NO. 153—By POWERS, RAY and KIMERER (Senate) and HESTER and GIBSON (House).—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 154—By EASTER (Senate) and ALLEN (House).—Referred to Committee on Public Service Corporations.

SENATE BILL NO. 155—By BOYER—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 156—By BOYER—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 157—By BOYER—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 158.—By WHEATLEY.

Upon motion of Senator Wheatley, the rules of the Senate were suspended and Senate Bill No. 158, by Wheatley, was ordered placed upon the Calendar, without reference to a committee.

HOUSE BILL NO. 35—By KING—Referred to Committee on State and County Affairs.

HOUSE BILL NO. 164—By BOYDSTUN, HARROWER and MOON—Referred to Committee on State and County Affairs.

THIRD READING

HOUSE BILL NO. 190— was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams, Williamson. Total, 41.

Nays: 0.

Not Voting: Austin, Ewing, Stewart. Total, 3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Mac-

Donald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson.
Total, 41.

Nays: 0.

Not Voting: Austin, Ewing, Stewart. Total 3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 190, and ordered the same transmitted to the Honorable House.

Senator Loofbourrow asked unanimous consent, which was granted, to take up for consideration SENATE JOINT RESOLUTION NO. 4, by Storms, as amended by the Honorable House, amendments thereto having been read on the 15th instant.

Upon motion of Senator Loofbourrow, House amendments to Senate Joint Resolution No. 4, by Storms, were adopted.

The question being, "Shall the Resolution as amended pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Peck, Powers, Pullen, Ray,

Reed, Rexroat, Rice, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Ferguson, Jolly, Patton, Smith, Stewart. Total, 5.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Resolution, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Ferguson, Jolly, Patton, Smith, Stewart Total, 5.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed Engrossed House Amendments to Senate Joint Resolution No. 4, and ordered the resolution, as amended, referred for enrollment.

GENERAL ORDER

Upon motion of Senator Anglin, SENATE BILL NO. 85, by Powers, Loofbourrow, of the Senate, Snoddy et al., of the House, was advanced to engrossment and third reading.

Upon motion of Senator Anglin, SENATE JOINT RESOLUTION NO. 17, by Boyer, Stigler, Blakely, of the Senate, Logan, et al., of the House, was advanced to engrossment and third reading.

Upon motion of Senator Anglin, SENATE JOINT RESOLUTION NO. 19, by Moore, et al., of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Anglin, HOUSE BILL NO. 114, by Graham, Wilson and Logan, of the House, and Fidler, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Anglin, HOUSE BILL NO. 50, by Wasson, was advanced to engrossment and third reading.

MESSAGES

The following Message from the Honorable House was received and read:

To The President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 136—By BOYD-STUN, entitled:

An Act amending Section 4710, of the Compiled Oklahoma Statutes, 1921, relating to costs-deposit of the city court, and declaring an emergency,

ENGROSSED HOUSE BILL NO. 276—By BUNCH, entitled:

An Act providing for the abolition of the Court Town at Westville, Adair County, Oklahoma.

ENGROSSED HOUSE BILL NO. 272—By SCHLEGEL, ORNER of the House and JOHNSON (Payne and Creek) of the Senate, entitled:

An Act providing for an Assistant County Attorney of Payne County, Oklahoma; prescribing his duties and qualifications; fixing his salary and expenses; providing for a stenographer in the office of said County Attorney; fixing the salary of said stenographer; repealing all laws or parts of laws in conflict herewith, and declaring an emergency,

ENGROSSED HOUSE BILL NO. 270—By SCHLEGEL, ORNER of the House and JOHNSON (Creek and Payne) of the Senate, entitled:

An Act providing for two deputies in the office of Court Clerk of Payne County, Oklahoma, fixing their salaries; repealing all laws in conflict herewith and declaring an emergency,

and to advise you, and through you the Honorable Senate that the same have been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

At 5 o'clock, p. m., the Senate reassembled, with the President Pro Tempore presiding.

COMMITTEE REPORTS

By unanimous consent, the following Committee Reports were submitted, the bills ordered printed and placed upon the Calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 22, by Austin, entitled:

An Act authorizing county appropriations, and levies, to provide funds for making certain refunds to County Treasurers, and authorizing such refund and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

REXROAT, Chairman.

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 23, by Loofbourrow of the Senate and Allen of the House, entitled:

An Act authorizing the appointment of a Deputy County Assessor in counties of this State having a popu-

lation of not less than 7,610 and not more than 7,640, according to the Federal census of 1920 or according to any succeeding Federal census, and providing for the fixing of the salary thereof, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

REXROAT, Chairman.

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 67, by Harper, entitled:

An Act providing that all penalties and interest accruing from delinquent taxes levied to retire the principal and to pay the interest on county, district, township or municipal bonds shall be credited to the sinking fund created to retire the bonds for which said taxes were levied, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass as amended.

REXROAT, Chairman.

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 74, by Rexroat, entitled:

An Act amending and re-enacting Section 9727, Compiled Oklahoma Statutes, 1921, relating to the issuance and service of tax warrants, providing for the employment of a person by the County Commissioners to serve tax warrants and providing compensation for such person and declaring an emergency, beg leave to report that

we had the same under consideration and herewith return the same with the recommendation that it do pass.

REXROAT, Chairman.

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 108, by Boyer, entitled:

An Act amending Section 1, Chapter 88, Oklahoma Session Laws, 1925, relating to county depositories, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

REXROAT, Chairman.

MR. PRESIDENT

We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 142, by Terwilleger, entitled:

An Act repealing section 9664, Compiled Oklahoma Statutes, 1921, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

REXROAT, Chairman.

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 143, by Terwilleger, entitled:

An Act amending Section 9792, Compiled Oklahoma Statutes, 1921, relating to the correction of clerical errors; double assessments; providing for the entry of additional assessments of property on the tax rolls; and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

REXROAT, Chairman.

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 144, by Terwilleger, entitled:

An Act providing for the safety and security of county funds and securities in the custody of county treasurers in counties having a population of more than 100,000; providing for the bonding of deputy county treasurers, bond to be approved by the Board of County Commissioners and paid for by the county; providing for action thereon, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass, as amended.

REXROAT, Chairman.

Senator Jolly sent up the following Printing Committee Report, which was read and, upon his motion, adopted:

MR. PRESIDENT AND MEMBERS OF THE SENATE:

We, the Committee on Printing, beg leave to report that we have had under consideration the matter of printing for the State Senate; that we have asked for and

received bids from the various printing plants in the city for the printing of the Daily Journals, Bills and Resolutions, Calendars and permanent Journals; that we have caused an inspection to be made of the equipment, organization and ability of the various plants, which have submitted bids, to perform the work for the State Senate, which is shown in exhibit "A" attached hereto. After full consideration of the prices submitted in the various bids and taking into consideration equipment, organization and ability of the plants to do efficient and timely work, the Committee has come to the conclusion that the matter of printing of the Senate Journals, Bills and Resolutions, Calendars and Journals, should be awarded the Leader Press, the bid of this Company being the lowest bid submitted.

MINUTES OF MEETING

Meeting called to order by Chairman. Motion by Storms that Senate printing be let to lowest bidder, seconded by Loofbourrow. Motion carried. Bids were opened and considered. After due consideration and comparison of all bids received, upon motion by Peck and seconded by Stewart, The Leader Press was awarded the contract.

The Leader Press submitted bids as follows:

"200 Bills and Resolution, per printed page	-\$0.65
Per blank page	-----\$0.30
200 Daily Journals, per printed page	-----\$1.00
Per blank page	-----\$0.30
200 Daily Calendars, per printed page	-----\$0.65
Per blank page	-----\$0.30
Tabular and leader work, additional, per	
page	-----\$0.75

8-point composition, additional, per page-----\$0.50

Extra copies of any of the above (100
basis) per page-----\$0.10

Permanent Journal, per printed page-----\$1.25

Per blank page -----\$0.30

Our bid contemplates the use of M. F. book paper, in white, in grade the same you have been using. However, if you desire, we can print the Calendar (or any other of above items) on a colored ORANGE stock of paper, as per sample herewith. This ORANGE stock is stocked by us exclusively. No additional charge for the use of the orange stock."

Other bids were submitted by the following firms:

Harlow Publishing Company,
The Warden Company,
Trave-Taylor Company,
Walker-Wilson-Tyler Company,
Inland Printing Company,
Semco-Color Press,
Prompt Publishing Company.

Upon motion by Storms, seconded by Ray, the Chairman of the Printing Committee was instructed to draw up a contract with the Leader Press, in compliance with the specifications set out by the Committee, and to pay for all temporary printing at the rate of the contract bid.

Respectfully submitted,

JOLLY, Chairman,
RAY,
LOOFBOURROW,
STORMS,
PECK,
STEWART.

HOUSE BILLS ON FIRST READING

ENGROSSED HOUSE BILL NO. 136—By BOYD-STUN, entitled:

An Act amending Section 4710, of the Compiled Oklahoma Statutes, 1921, relating to costs-deposit of the city court, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 276—By BUNCH, entitled:

An Act providing for the abolition of the Court Town at Westville, Adair County, Oklahoma.

ENGROSSED HOUSE BILL NO. 272—By SCHLEGEL, ORNER of the House and JOHNSON (Payne and Creek) of the Senate, entitled:

An Act providing for an Assistant County Attorney of Payne County, Oklahoma; prescribing his duties and qualifications; fixing his salary and expenses; providing for a stenographer in the office of said County Attorney; fixing the salary of said stenographer; repealing all laws or parts of laws in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 270—By SCHLEGEL, ORNER of the House and JOHNSON (Creek and Payne) of the Senate, entitled:

An Act providing for two deputies in the office of Court Clerk of Payne County, Oklahoma; fixing their salaries; repealing all laws in conflict herewith and declaring an emergency.

Upon motion of Senator Wheatley, the Senate adjourned to meet at 9:15 o'clock, a. m., Wednesday, February 20th, 1929.

THIRTY-EIGHTH LEGISLATIVE DAY

WEDNESDAY, FEBRUARY 20TH, 1929

The Senate, pursuant to adjournment, met at 9:15 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams, Williamson. Total 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Enrolled and En-grossed Bills begs leave to report Senate Joint Resolution No. 4 correctly enrolled.

BOYER, Chairman.

Senate Joint Resolution No. 4 was read for the fourth time, the enrolled copy signed by the President Pro Tempore, in open session, and ordered transmitted to the Honorable House for the signature of the Speaker.

FIRST READING

The following bill was introduced and read for the first time

SENATE BILL NO. 166, by MacDONALD.—An Act providing an exclusive method of nominating Justices of the Supreme Court by petition as contemplated by Art. 7, Sec. 3, Constitution, upon a non-partisan basis, and providing a special primary in districts where under existing law nominations are to be made, providing a special primary election therefor, providing for the issuance of certificates of nomination and contests therefor, providing for the election of Justices of the Supreme Court, in the general election held throughout the State, upon a separate ballot, without regard to the candidates' political affiliations, making it a misdemeanor to violate the provisions hereof and repealing all Acts and parts of Acts in conflict herewith.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 159—By FIDLER (Senate), HOOVER, MARKER, EYLAR (House).

Upon motion of Senator Fidler, the rules of the Senate were suspended and Senate Bill No. 159, by Fidler of the Senate, Hoover, et al., of the House, was ordered placed upon the Calendar, without reference to a Committee.

SENATE BILL NO. 160—By GRAY.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 161—By GRAY.—Referred to Committee on Insurance.

SENATE BILL NO. 162—By GULAGER, HILL and PATTON (Senate), NANCE, STOVALL, PATTERSON and MAXWELL (House).—Referred to Committee on Revenue and Taxation.

Senator Gulager asked unanimous consent, which was granted, to have printed 100 copies of Senate Bill No. 162, by Gulager, Hill and Patton, of the Senate, Nance, et al., of the House.

SENATE BILL NO. 163—By LOOFBOURROW.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 164—By FLETCHER JOHNSON.—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 165—By GULAGER.

Upon motion of Senator Gulager, the rules of the Senate were suspended and Senate Bill No. 165, by Gulager, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 136—By BOYDSTUN.—Referred to Committee on Fees and Salaries.

HOUSE BILL NO. 276—By BUNCH.—Referred to Committee on State and County Affairs.

HOUSE BILL NO. 272—By SCHLEGEL and ORNER, of the House, and JOHNSON (Creek) of the Senate.

Upon motion of Senator Johnson (Creek), the rules of the Senate were suspended and House Bill No. 272, by Schlegel and Orner, of the House, and Johnson (Creek), of the Senate, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 270—By SCHLEGEL and ORNER, of the House, and JOHNSON (Creek) of the Senate.

Upon motion of Senator Johnson (Creek), the rules of the Senate were suspended and House Bill No. 270, by Schlegel and Orner, of the House, and Johnson (Creek), of the Senate, was ordered placed upon the Calendar, without reference to a Committee.

GENERAL ORDER

Upon motion of Senator Wheatley, SENATE BILL NO. 158, by Wheatley, was advanced to engrossment and third reading.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

The Senate reassembled, with the President Pro Tempore presiding.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith,

ENGROSSED SENATE BILL NO. 80—By JOLLY, entitled:

An Act authorizing and empowering the County Assessor of Caddo County, Oklahoma, to employ extra help at the expense of the county in a sum not to exceed Four Hundred (\$400.00) Dollars annually; such services to be paid by the county in like manner as other salary claims are paid, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House of Representatives and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bill No. 80 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith,

ENGROSSED SENATE BILL NO. 137—By ANGLIN, entitled:

An Act abolishing township government in Hughes

County, Oklahoma, and providing that duties of township officers shall be performed by the Board of County Commissioners of said county, and declaring an emergency,

ENGROSSED SENATE BILL NO. 125—By ANGLIN, entitled:

An Act authorizing and empowering the excise board of Hughes County, Oklahoma, to levy, in addition to all other authorized levies for current expenses, a special tax of not to exceed one-half of one mill for improvements to the free fair grounds, situated in Hughes County, adjacent to the City of Holdenville, Oklahoma, for the fiscal years 1929-1930 and 1930-1931 and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bills Nos. 125 and 137 were referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith,

ENROLLED SENATE JOINT RESOLUTION NO. 4
—By STORMS, entitled:

A Joint Resolution appropriating Eighteen Thousand

(\$18,000.00) Dollars for the purpose of paying Oklahoma's share of the expense of making a survey for the purpose of locating the line between Oklahoma and Texas along the south bank of Red River, pursuant to the decree of the Supreme Court of the United States under date of March 12, 1923, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Joint Resolution No. 4 was referred to the Acting Governor for consideration.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith,

ENROLLED SENATE CONCURRENT RESOLUTION NO. 8—By STORMS, of the Senate, and NANCE, of the House, entitled:

A Resolution commending the Oklahoma City University and Professor Gilbert I. Garretson, the Dean of the School of Journalism of said University, for the progressive spirit shown in making provision for the attendance of a group of students from the School of Journalism upon the inaugural ceremonies of the President-elect Herbert Hoover at Washington, on March 4, 1929,

and to advise you, and through you, the Honorable Senate, that the same has been adopted by the House of Representatives and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 8 was referred to the Secretary of State.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith,

ENROLLED SENATE BILL NO. 124—By STORMS, of the Senate, and JONES (Stephens), of the House, entitled:

An Act authorizing the Board of County Commissioners of the City of Duncan to waive, remit and refund certain penalty or interest on delinquent paving taxes and assessments and authorizing the County Treasurer of Stephens County, Oklahoma, to collect said paving taxes, etc.,

ENROLLED SENATE BILL NO. 104—By HILL, of the Senate, and IMMELL, of the House, entitled:

An Act authorizing County Commissioners of Alfalfa County, Oklahoma, to make a special levy for the purpose of erecting livestock and exhibit buildings and making improvements on the grounds of the Free Fair Asso-

ciation upon real estate owned by said county for the free fair purposes, and declaring an emergency,

ENROLLED SENATE BILL NO. 133—By JOLLY, of the Senate, and MAUK, of the House, entitled:

An Act fixing the salary of the County Attorney, and Assistant County Attorney, and providing for the appointment of a stenographer for the County Attorney and fixing the salary of stenographer, in Caddo County, Oklahoma, etc.,

and to advise you, and through you, the Honorable Senate, that same have been read for the fourth time and signed by the Speaker in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bills Nos. 104, 124 and 133 were referred to the Acting Governor for consideration.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration,

ENGROSSED HOUSE BILL NO. 173—By PAUL, entitled:

An Act amending Section 1699, Compiled Oklahoma Statutes, 1921, relating to the giving of evidence by one spouse against the other, in criminal cases, and providing

that in all criminal cases each spouse shall be a competent witness either for or against the other.

ENGROSSED HOUSE BILL NO. 282—By BOYD-STUN, HARROWER and MOON, entitled:

An Act Fixing the salary of the County Assessor of Muskogee County, Oklahoma, and repealing all Laws in conflict herewith.

ENGROSSED HOUSE BILL NO. 220—By ODELL, entitled:

An Act providing for the appointment of a deputy County Superintendent of Schools in Woodward County, fixing the salary thereof and declaring an emergency.

ENGROSSED HOUSE BILL NO. 267—By HARVEY, entitled:

An Act increasing the salaries of the deputies of the County Clerk's office of Kiowa County, Oklahoma.

ENGROSSED HOUSE BILL NO. 274—By SMITH, entitled:

An Act amending Section One, Chapter 190, Session Laws of Oklahoma, 1927, relating to School District No. 73, Bryan County, Oklahoma; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 231—By KENISON, of the House, and KIMERER, of the Senate, entitled:

An Act authorizing the County Commissioners of Blaine County, Oklahoma, to make a special levy for the purpose of erecting buildings for the Free Fair Associa-

tion upon real estate owned by the said county or municipal corporation therein, under contract or lease, for use as exhibit grounds for free county fair, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 292—By STRICKLAND and WIMBISH, entitled:

An Act fixing the salaries and compensation of the County Commissioners of Pontotoc County, Oklahoma, at \$180.00 per month payable monthly, and providing that said commissioners shall receive no other compensation for any duty performed or services rendered by them, except that they shall receive their actual necessary expenses when engaged outside of the county in business for the county, etc.,

ENGROSSED HOUSE BILL NO. 294—By WATSON (By Request), entitled:

An Act fixing the salary of the County Court Stenographer of Lincoln County, Oklahoma, and repealing all Acts in conflict herewith, and declaring an emergency,

ENGROSSED HOUSE BILL NO. 288—By BOYD-STUN, HARROWER and MOON, entitled:

An Act fixing the salaries of the deputies or assistants in the office of County Superintendent of Public Instruction in and for Muskogee County and fixing the number of deputies to said official, repealing all Laws in conflict herewith and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

To The President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature.

ENROLLED HOUSE BILL NO. 190—By PAUL and GIBSON, entitled:

An Act making an appropriation for maintenance, bedding, supplies and farm equipment for the State Training School for White Boys at Pauls Valley, Oklahoma and declaring an emergency,

and to inform you and through you the Honorable Senate that the same has been read for the fourth time and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

House Bill No. 190 was read for the fourth time, the enrolled copy signed by the President Pro Tempore, in open session, and ordered returned to the Honorable House.

To The President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith,

ENGROSSED SENATE BILL NO. 24—By RICE, LOOFBOURROW, FIDLER, KIMERER, REXROAT, AUSTIN, EWING, HILL, NESBITT, and MacDONALD, entitled:

An Act providing for the construction of a building to be located on the State Capitol Grounds in Oklahoma City to be used by the Oklahoma Historical Society, all organizations of all Veteran Soldiers and Sailors and Patriotic Societies of the State of Oklahoma, etc.,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House as amended and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 24 was read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1: That the names of Snoddy, Graham, Moon, Campbell, Daniel, Cloyd, Stovall, Busey, Smith, Orner, Faulk, Skinner,

Phillips, Strickland, Jones (Stephens), Wasson, Brown, Babb, Keenan, Roper, Mitchell, Hoover, Sears and Houston, of the House, be added as joint authors.

Upon motion of Senator Loofbourrow, the Senate concurred in House Amendment to Senate Bill No. 24.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely Boyer, Clark, Easter, Ewing, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Otjen, Patton, Peck, Powers, Pullen, Ray, Rexroat, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 33.

Nays: Darnell, Ferguson, Reed, Stigler. Total, 4.

Not Voting: Andrews, Commons, Johnson (Creek), Jolly, Nesbitt, Wheatley. Total, 6.

Excused: Graham. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Easter, Ewing, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Otjen, Patton, Peck, Powers, Pullen, Ray, Rexroat, Rice,

Smith, Stewart, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 33.

Nays: Darnell, Ferguson, Reed, Stigler. Total, 4.

Not Voting: Andrews, Commons, Johnson (Creek), Jolly, Nesbitt, Wheatley. Total, 6.

Excused: Graham. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the Engrossed House Amendment to Senate Bill No. 24, and ordered the bill, as amended, referred for enrollment.

HOUSE BILLS ON FIRST READING

ENGROSSED HOUSE BILL NO. 173—By PAUL, entitled:

An Act amending Section 2699, Compiled Oklahoma Statutes, 1921, relating to the giving of evidence by one spouse against the other, in criminal cases, and providing that in all criminal cases each spouse shall be a competent witness either for or against the other.

ENGROSSED HOUSE BILL NO. 282—BY BOYD-STUN, HARROWER and MOON, entitled:

An Act Fixing the salary of the County Assessor of Muskogee County, Oklahoma, and repealing all Laws in conflict herewith.

ENGROSSED HOUSE BILL NO. 220—By ODELL, entitled:

An Act providing for the appointment of a deputy County Superintendent of Schools in Woodward County, fixing the salary thereof and declaring an emergency.

ENGROSSED HOUSE BILL NO. 267—By HARVEY, entitled:

An Act increasing the salaries of the deputies of the County Clerk's office of Kiowa County, Oklahoma.

ENGROSSED HOUSE BILL NO. 274—By SMITH, entitled:

An Act amending Section One, Chapter 190, Session Laws of Oklahoma, 1927, relating to School District No. 73, Bryan County, Oklahoma; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 231—By KENISON, of the House, and KIMERER, of the Senate, entitled:

An Act authorizing the County Commissioners of Blaine County, Oklahoma, to make a special levy for the purpose of erecting buildings for the Free Fair Association upon real estate owned by the said county or municipal corporation therein, under contract or lease, for use as exhibit grounds for free county fair, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 292—By STRICKLAND and WIMBISH, entitled:

An Act fixing the salaries and compensation of the County Commissioners of Pontotoc County, Oklahoma, at \$180.00 per month payable monthly, and providing that said commissioners shall receive no other compensation

for any duty performed or services rendered by them, except that they shall receive their actual necessary expenses when engaged outside of the county in business for the county, etc.

ENGROSSED HOUSE BILL NO. 294—By WATSON
(By Request), entitled:

An Act fixing the salary of the County Court Stenographer of Lincoln County, Oklahoma, and repealing all Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 288—By BOYD-STUN, HARROWER and MOON, entitled:

An Act fixing the salaries of the deputies or assistants in the office of County Superintendent of Public Instruction in and for Muskogee County and fixing the number of deputies to said official, repealing all Laws in conflict herewith, and declaring an emergency.

Upon motion of Senator Rexroat, the Senate adjourned, to meet at 9:00 o'clock, a. m., Thursday, February 21st, 1929.

THIRTY-NINTH LEGISLATIVE DAY

THURSDAY, FEBRUARY 21ST, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 43.

Excused: Graham. Total 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the Calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Oil and Gas, to whom was referred Senate Bill No. 55, by Anglin, entitled:

An Act to amend Section 185, of Article 11, of Chapter 3, of the Compiled Statutes of the State of Oklahoma, 1921, entitled "Code of Civil Procedure of the State of Oklahoma Relating to Limitation of Actions" by making such section as amended, prescribe limitations for all actions in regard to severance of mineral from real property and the sale, conversion or accounting for mineral severed and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

HARPER, Chairman.

MR. PRESIDENT:

We, your Committee on Oil and Gas, to whom was referred Senate Bill No. 56, by Anglin, entitled:

An Act to amend Article 11, of Chapter 36, of the Compiled Statutes, of the State of Oklahoma, 1921, by adding thereto Section 5997a defining detriment to real estate by the wrongful severance of mineral or sale of mineral so severed, and repealing all Acts in conflict therewith and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

HARPER, Chairman.

MR. PRESIDENT:

We, your Committee on Oil and Gas, to whom was referred Senate Bill No. 57, by Anglin, entitled:

An Act to render conclusive judgments, orders and decrees of county courts in guardians,' executors', and administrators' sales: repealing laws in conflict therewith, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same without recommendation.

HARPER, Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bills Nos. 66 and 158 correctly engrossed.

BOYER, Chairman.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 167.—By FIDLER.—An Act amending Section One, Chapter 126, Session Laws of Oklahoma, 1923-4, same being an Act creating juvenile or probation officer in counties having a population of over 116,000 persons, and in counties having a population of not less than 30,179, and not more than 30,181, according to the preceding Federal decennial census, and providing for the compensation and manner of appointment, and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 166.—By MacDONALD—Referred to Committee on Judiciary No. 1.

HOUSE BILL NO. 292—By STRICKLAND and WIMBISH.—Referred to Committee on Fees and Salaries.

HOUSE BILL NO. 294—By WATSON (By Request).

Upon motion of Senator Peck, the rules of the Senate were suspended and House Bill No. 294, by Watson, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 288—By BOYDSTUN, HARROWER and MOON.

Upon motion of Senator Gulager, the rules of the Senate were suspended and House Bill No. 288, by Boydston, et al, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 173—By PAUL—Referred to Committee on Judiciary No. 2.

HOUSE BILL NO. 282—By BOYDSTUN, HARROWER and MOON.

Upon motion of Senator Gulager, the rules of the Senate were suspended and House Bill No. 282, by Boydston, et al, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 220—By ODELL.

Upon motion of Senator Powers, the rules of the Senate were suspended and House Bill No. 220, by Odell, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 267—By HARVEY.

Upon motion of Senator Darnell, the rules of the Senate were suspended and House Bill No. 267, by Harvey, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 274—By SMITH.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and House Bill No. 274, by Smith, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 231—By KENISON, of the House, and KIMERER, of the Senate.

Upon motion of Senator Kimerer, the rules of the Senate were suspended and House Bill No. 231, by Kenison, of the House, and Kimerer, of the Senate, was ordered placed upon the Calendar, without reference to a Committee.

THIRD READING

Senator Wheatley asked unanimous consent, which was granted, to consider SENATE BILL NO. 158, by Wheatley.

SENATE BILL NO. 158 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Fidler, George,

Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 38.

Nays: 0.

Not Voting: Ferguson, Nesbitt, Otjen, Peck, Stewart. Total, 5.

Excused: Graham. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 38.

Nays: 0.

Not Voting: Ferguson, Nesbitt, Otjen, Peck, Stewart. Total, 5.

Excused: Graham. Total, 1.

The emergency having received the constitutional

two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 158, and ordered the same transmitted to the Honorable House.

Senator Harper asked unanimous consent, which was granted, to consider SENATE BILL NO. 66, by Harper.

SENATE BILL NO. 66 was read for the third time at length.

Senator Harper asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 66, by adding, after the word, "and," line 5, page 3, the following: "other purpose, provided, however, that the County Excise Board may, as the needs of the county require, transfer and not to exceed 50% of the revenue raised by virtue of this act, for the purpose of supporting and maintaining the county health unit of the county." And by striking line 6.

HARPER.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Easter, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottamatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Darnell, Ewing, Ferguson, Otjen, Peck, Smith. Total, 6.

Excused: Graham: Total, 1.

The Bill, as amended, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Easter, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Darnell, Ewing, Ferguson, Otjen, Peck, Smith. Total, 6.

Excused: Graham: Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 66, as amended, was referred for engrossment.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

At 5 o'clock, p. m., the Senate reassembled, with the President Pro Tempore presiding.

Upon motion of Senator Stewart, the Senate adjourned to meet at 9:00 o'clock, a. m., Friday, February 22nd, 1929.

FORTIETH LEGISLATIVE DAY

FRIDAY, FEBRUARY 22ND, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 43.

Excused: Graham. Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled Bills begs leave to report Senate Bills Nos. 66, and 102 correctly engrossed; Senate Bills Nos. 80, 125 and 137 correctly enrolled.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Bill No. 66 and ordered the same transmitted to the Honorable House for consideration.

Senate Bills Nos. 80, 125 and 137 were, each, read for the fourth time, the enrolled copies signed by the President Pro Tempore, in open session, and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 302—By WHITT, LESTER and ROE, entitled:

An Act authorizing and directing the Board of County Commissioners of Pittsburg County, Oklahoma, to include in its annual estimate, and the Excise Board of said county to make an extra annual levy in a sum equal to one-half of one mill for a District Court Fund to cover expenditures for jurors and witnesses, etc.

ENGROSSED HOUSE BILL NO. 117—By GRAHAM, CLOYD and the Soldiers' Relief Committee, entitled:

An Act creating a special fund in the State Treasury to be known as the Soldiers' Relief Commission Fund of the Oklahoma State Hospital; and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Very truly yours,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 15—By ANGLIN, entitled:

An Act making an appropriation for the purpose of paying the traveling and living expenses of the Judges of the Court of Tax Review; and making an appropriation for the per diem, etc.,

and to advise you, and through you, the Honorable Senate, that the same has been passed, AS AMENDED, and signed by the Speaker in open session.

Very truly yours,

BERT McDONEL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 15 was read, as follows:

HOUSE AMENDMENT NO. 1: That in Section 5, the word, "Clerk," be stricken and the words, "Presiding Judge," be substituted therefor.

Upon motion of Senator Anglin, the Senate concurred in House Amendment to Senate Bill No. 15.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 40.

Nays: 0.

Not Voting: Peck, Pullen, Thomas. Total, 3.

Excused: Graham. Total, 1.

The Bill, as amended, having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Ray,

Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 40.

Nays: 0.

Not Voting: Peck, Pullen, Thomas. Total, 3.

Excused: Graham. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed Engrossed House Amendment to Senate Bill No. 15, and referred the bill, as amended, for enrollment.

FIRST READING

The following bills and resolution were introduced and read for the first time:

SENATE BILL NO. 168—By DARNELL—An Act to regulate the manufacture, use and sale of oleomargarine, and prevent any fraud therein, and to prescribe penalties and punishments for violations of the provisions thereof.

SENATE BILL NO. 169—By DARNELL—An Act making it unlawful to offer, to give, to receive, to retain by any official or member of a school board or school district, servant or employee of such district, any money, property or other thing of value for the discharging of an official duty, or refraining from or failure to discharge such official duty, and from the use by any clerk, agent, or employee of any argument or influence with any member of the board or school district to accomplish such

result; defining the offense of bribery in such cases, prescribing penalties and sentences to be imposed upon conviction; and also providing for immunity with relation to witnesses who may testify in proceedings or trials had of a criminal nature, and for other purposes.

SENATE BILL NO. 170—By BLAKELY, STORMS, MacDONALD, RICE, EASTER, GULAGER, PATTON, WILLIAMS, REED and PULLEN, (Senate), LOWRANCE, DYER, WATSON (House).—An Act providing for the appointment of one special dairy agent for each of the Supervisory Districts of the Extension Division of the Oklahoma A. & M. College, fixing their compensation, providing for the purchase of automobiles therefor, defining their duties, making an appropriation therefor, and declaring an emergency.

SENATE BILL NO. 171—By CLARK (Senate), CHAPPELL (House).—An Act amending Section 4507, Compiled Oklahoma Statutes, Annotated, 1921, and declaring an emergency.

SENATE BILL NO. 172—By RAY—An Act amending Section 5678, Compiled Oklahoma Statutes, 1921, relating to the formation of counties and transferring of territory from one county to another, repealing all laws in conflict therewith, and declaring an emergency.

SENATE BILL NO. 173—By FERGUSON, OTJEN, HILL, PATTON, TERWILLEGER, BLAKELY, EWING, EASTER, POWERS, KIMERER, CLARK, JOHNSON (Pottawatomie), (Senate), ALLEN (Washington), SNODDY, LEWIS, SHERMAN (House).—An Act creating a State Election Board, county election boards, precinct election boards, providing for the appointment of the members thereof, prescribing their duties, fixing their compensation and amending Sections 6128, 6129, 6130,

6131, 6133, 6155, 6275, 6276, 6278, 6279, 6286, Compiled Statutes of Oklahoma, 1921, providing penalties for the violation thereof, repealing Sections 6139, 6144, 6281, Compiled Statutes of Oklahoma, 1921, and all other Acts or parts of Acts in conflict herewith and declaring an emergency.

SENATE BILL NO. 174—By GULAGER—An Act to amend Section 3465 and Section 3466, Revised Laws of Oklahoma, 1910, relating to beneficiary who may sue; rights of creditors, and rights of married woman as beneficiary.

SENATE BILL NO. 175—By GULAGER—An Act permitting composition by banks and trust companies in charge of the State Bank Commissioner, prescribing the procedure for effecting compositions and declaring an emergency.

SECOND READING

The following bill was read for the second time and referred to the Committee indicated:

SENATE BILL NO. 167—By FIDLER.

Upon motion of Senator Fidler, the rules of the Senate were suspended and Senate Bill No. 167 was ordered placed upon the Calendar, without reference to a Committee.

THIRD READING

SENATE BILL NO. 102 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 38.

Nays: 0.

Not Voting: Ewing, Peck, Powers, Pullen, Thomas. Total, 5.

Excused: Graham. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 102, and ordered the same transmitted to the Honorable House.

GENERAL ORDER

Upon motion of Senator Williams, HOUSE BILL NO. 149, by Harvey and Jones (Greer), was advanced to engrossment and third reading.

Upon motion of Senator Williams, the rules of the Senate were suspended and House Bill No. 149, by Harvey and Jones (Greer), was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 149 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 32.

Not Voting: Andrews, Anglin, Easter, Gray, Jolly, Patton, Peck, Powers, Pullen, Stewart, Thomas. Total 11.

Nays: 0.

Excused: Graham. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 32.

Not Voting: Andrews, Anglin, Easter, Gray, Jolly, Patton, Peck, Powers, Pullen, Stewart, Thomas. Total 11.

Excused: Graham. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 149, and ordered the same transmitted to the Honorable House.

Upon motion of Senator MacDonald, HOUSE BILL NO. 274, by Smith, was advanced to engrossment and third reading.

Upon motion of Senator Harper, HOUSE BILL NO. 267, by Harvey, was advanced to engrossment and third reading.

Upon motion of Senator Johnson (Creek), HOUSE BILL NO. 270, by Schlegel and Orner, of the House, and Johnson (Creek), of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Johnson (Creek), HOUSE BILL NO. 272, by Schlegel and Orner, of the House, and Johnson (Creek), of the Senate, was advanced to engrossment and third reading.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

The Senate reassembled, at 4 o'clock, p. m., with President Pro Tempore Storms presiding.

In observance of "Washington's Birthday," it was upon motion of Senator Gulager that "Washington's Farewell Address" was read.

Senator Jolly submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 24 correctly enrolled.

JOLLY, Vice-Chairman.

Senate Bill No. 24 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore, and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Williamson served notice that he would, on the next legislative day, move to reconsider the vote by which SENATE BILL NO. 102, by Ferguson, was passed.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 302—By WHITE, LESTER and ROE, entitled:

An Act authorizing and directing the Board of County Commissioners of Pittsburg County, Oklahoma, to include in its annual estimate, and the Excise Board of said county to make an extra annual levy in a sum equal to one-half of one mill for a District Court Fund to cover expenditures for jurors and witnesses, etc.

ENGROSSED HOUSE BILL NO. 117—By GRAHAM, CLOYD and the Soldiers' Relief Committee, entitled:

An Act creating a special fund in the State Treasury to be known as the Soldiers' Relief Commission Fund of the Oklahoma State Hospital; and declaring an emergency.

Upon motion of Senator Smith, the Senate adjourned, to meet at 9:00 o'clock, a. m., Saturday, February 23rd, 1929.

FORTY-FIRST LEGISLATIVE DAY

SATURDAY, FEBRUARY 23RD, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson, (Pottawatomie), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 41.

Excused: Boyer, Ray, Terwilleger. Total, 3.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Report was submitted, the bill ordered printed and placed upon the Calendar:

MR. PRESIDENT:

We, your Committee on State and County Affairs, to whom was referred House Bill No. 164, by Boydstun, Harrower and Moon, entitled:

An Act amending Section 7, of Chapter 85, Senate Bill No. 284, Session Laws of 1919, relating to salaries of deputies in the office of the Assessor of Muskogee County, repealing all laws in conflict herewith and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

REXROAT, Chairman.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 168—By DARNELL—Referred to Committee on Judiciary No. 2

SENATE BILL NO. 169—By DARNELL—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 170—By BLAKELY, STORMS, MacDONALD, RICE, EASTER, GULAGER, PATTON, WILLIAMS, REED AND PULLEN (Senate), LOWRANCE, DYER, WATSON (House).—Referred to Committee on Live Stock and Tenant Farming.

SENATE BILL NO. 171—By CLARK (Senate), CHAPPEL (House).—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 172—By RAY—Referred to Committee on State and County Affairs.

SENATE BILL NO. 173—By FERGUSON, OTJEN, HILL, PATTON, TERWILLEGER, BLAKELY, EWING, EASTER, POWERS, KIMERER, CLARK, JOHNSON (Pottawatomie), ALLEN (Washington), SNODDY, LEWIS, SHERMAN (House).—Referred to Committee on Privileges and Elections.

SENATE BILL NO. 174—By GULAGER—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 175—By GULAGER—Referred to Committee on Judiciary No. 2.

HOUSE BILL NO. 302—By WHITT, LESTER and ROE.

Upon motion of Senator Anglin, the rules of the Senate were suspended and HOUSE BILL NO. 302, by Whitt, Lester and Roe, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 117—By GRAHAM, CLOYD, and the SOLDIERS' RELIEF COMMITTEE—Referred to Committee on Soldiers' Relief.

THIRD READING

HOUSE BILL NO. 270 was read for the third time at length.

The question being, "Shall the Bill Pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Clark, Commons, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 35.

Nays: 0.

Not Voting: Andrews, Darnell, Graham, Loofbourrow, Peck, Stewart. Total, 6.

Excused: Boyer, Ray, Terwilleger. Total, 3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Clark, Commons, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 35.

Nays: 0.

Not Voting: Andrews, Darnell, Graham, Loofbourrow, Peck, Stewart. Total, 6.

Excused: Boyer, Ray, Terwilleger. Total, 3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 270, and ordered the same transmitted to the Honorable House.

HOUSE BIL^r, NO. 272 was read for the third time at length.

The question being, "Shall the Bill Pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Graham, Loofbourrow, Peck, Stewart. Total, 4.

Excused: Boyer, Ray, Terwilleger. Total, 3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Clark,

Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Graham, Loofbourrow, Peck, Stewart. Total, 4.

Excused: Boyer, Ray, Terwilleger. Total, 3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 272, and ordered the same transmitted to the Honorable House.

Senator Williamson, having served notice that he would, moved that the vote be reconsidered by which SENATE BILL NO. 102, by Ferguson, was passed on yesterday, which motion prevailed, upon a roll call as follows:

Ayes: Anglin, Austin, Blakely, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 36.

Nays: 0.

Not Voting: Andrews, Graham, Gulager, Loofbourrow, Peck. Total, 5.

Excused: Boyer, Ray, Terwilleger. Total, 3.

Senator Williamson moved that the vote be reconsidered by which SENATE BILL NO. 102, by Ferguson, was advanced to engrossment and third reading, which motion prevailed.

Senator Williamson moved that SENATE BILL NO. 102, by Ferguson, be referred to a Special Committee of three, for the purpose of redrafting the bill.

Senator Gulager, as a substitute, moved that SENATE BILL NO. 102, by Ferguson, be referred to a Special Committee of three, composed of Senators Wheatley, Williamson and Ferguson, for the purpose of redrafting the bill, which motion prevailed.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

The Senate reassembled, with President Pro Tempore Storms presiding.

Upon motion of Senator Stewart, the Senate adjourned, to meet at 9:00 o'clock, a. m., Monday, February 25th, 1929.

FORTY-SECOND LEGISLATIVE DAY

MONDAY, FEBRUARY 25TH, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 42.

Excused: Andrews, Gray. Total, 2.

The President Pro Tempore announced a quorum present.

Prayer was offered by Rev. Barber.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 176—By REED—An Act pro-

viding for three deputies in the office of the county clerk of Beckham County, Oklahoma; fixing their salaries and declaring an emergency.

SENATE BILL NO. 177—By FLETCHER JOHNSON.—An Act prescribing the minimum number of employees to be used in the operation of freight trains in this state, and providing a penalty for the violation of this Act.

SENATE BILL NO. 178—By FLETCHER JOHNSON.—An Act to promote the safety of travelers and employees upon railroads and railways in whole or in part in the State of Oklahoma, while operating within said state by any person, persons, partnership or corporation, either as owner, lessee, or receiver, between two or more points or places, wholly within said state, by compelling said person, persons, partnership or corporation to have at least a crew consisting of one motorman, one motorman helper, one conductor, on all gasoline motor car trains, gasoline electric motor car trains and steam motor car trains, providing this Act shall not apply to electric street railways, electric interurban railways, nor to any railway of whatsoever of less than 100 miles in length, and providing for the violation thereof.

SENATE BILL NO. 179—By FLETCHER JOHNSON.—An Act for the better protection of employees and the public, and prescribing the minimum number of employees to be used in the operation of switch engines, and providing a penalty for the violation of this Act.

SENATE BILL NO. 180—By JOLLY—An Act to amend Section 10006, Compiled Oklahoma Statutes, 1921, relating to compensation of township road supervision.

SENATE BILL NO. 181—By PATTON—An Act to

amend Section 9649, Compiled Oklahoma Statutes, 1921, relating to transfer of delinquent tax to the tax roll, and fixing a limitation upon the collection of such tax.

SENATE BILL NO. 182—By REED—An Act fixing the number of deputy sheriffs, and their salaries, in Beckham County, Oklahoma, and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 9—By GULAGER, PATTON, WILLIAMS, NESBITT, FERGUSON (Senate), KIGHT, BOYDSTUN, NEWBERRY, WAGNER, HUTCHINSON (House).—A Resolution petitioning Madam Constance Whitney Warren to present to the State of Oklahoma a sculptured life size statue of a cow boy and his pony, providing for its location, erection, maintenance and preservation.

MESSAGES

The following Messages were received and read:

To the President and Members
Of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bill No. 104, entitled:

“An Act authorizing County Commissioners of Alfalfa County, Oklahoma, to make a special levy for the purpose of erecting live stock and exhibit buildings and making improvements on the grounds of the Free Fair Association upon real estate owned by said county for free fair purposes, and declaring an emergency,”

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY,
Acting Governor.

To the President and Members
Of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Joint Resolution No. 4, entitled:

"A Joint Resolution appropriating Eighteen Thousand (\$18,000.00) Dollars for the purpose of paying Oklahoma's share of the expense of making a survey for the purpose of locating the line between Oklahoma and Texas along the south bank of Red River, pursuant to the decree of the Supreme Court of the United States under date of March 12, 1923, and declaring an emergency,"

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY,
Acting Governor.

To the President and Members
Of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bill No. 124, entitled:

"An Act authorizing the Board of City Commission-

ers of the City of Duncan to waive, remit and refund certain penalty or interest on delinquent paving taxes and assessments and authorizing the County Treasurer of Stephens County, Oklahoma, to collect said paving taxes and assessments without collecting the penalty or interest delinquent thereon, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency,"

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY,
Acting Governor.

To the President and Members
Of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bill No. 133, entitled:

"An Act fixing the salary of the County Attorney and providing for the appointment of a stenographer for the County Attorney and fixing the salary of stenographer, in Caddo County, Oklahoma, repealing all Acts in conflict herewith, and declaring an emergency,"

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY,
Acting Governor.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 301—By BRIGGS, of the House and HARPER, of the Senate, entitled:

An Act to prevent live stock from running at large in certain parts of Latimer County, Oklahoma, prescribing punishment for the violation thereof, providing for damages for trespassing animals and distraint thereof, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 253—By OREN-DORFF, of the House, and PATTON, of the Senate, entitled:

An Act amending Section 3973, Compiled Oklahoma Statutes, 1921, as amended by Chapter 119, Session Laws of Oklahoma, 1927, relating to the herding of domestic animals, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 247—By HOOVER, entitled:

An Act relating to janitors and elevator operators in the State Capitol Building, creating the positions of janitors, operators of elevators and firemen, repealing all laws in conflict herewith and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been passed and signed by the Speaker in open session.

Very truly,

BERT McDONEL, Chief Clerk.

Upon motions of Senator Fidler, 200 copies, each of SENATE BILLS NOS. 166, by MacDonald, and 173, by Ferguson, Otjen, Hill, Patton, Terwilleger, Blakely, Ewing, Easter, Powers, Kimerer, Clark, Johnson (Pottawatomie), of the Senate, and Allen (Washington), Snoddy, Lewis, and Sherman, of the House, were ordered printed.

Upon motion of Senator Stewart, the Senate recessed for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

The Senate reassembled, with the President Pro Tempore presiding.

The following Message from the Honorable House was received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit, herewith:

ENROLLED SENATE BILL NO. 24—By RICE, LOOFBOURROW, FIDLER, et al., LEECRAFT, SNODDY, GRAHAM, et al.

An Act providing for the construction of a building to be located on the State Capitol Grounds in Oklahoma City to be used by the Oklahoma Historical Society, all organizations of all veteran soldiers and sailors and patriotic societies of the State of Oklahoma, said building to provide rooms for meetings and headquarters for all organizations of service men and auxiliary societies and associations in this State and for the use and occupancy of said building by the Oklahoma Historical Society, its library, museum and other effects and property and for public

meetings therein and its use for other public purposes, the construction of said building to be under the supervision of the State Board of Affairs and the Board of Directors of the Oklahoma Historical Society, said building to be located on the State Capitol Grounds in accordance with the "Kessler Plan" and the architect's plans to be approved by the Board of Directors of the Oklahoma Historical Society, and making appropriation for said purposes, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been read for the fourth time, and signed by the Speaker, in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bill No. 24 was referred to the Acting Governor, for consideration.

The President Pro Tempore announced the Senate recessed, subject to the call of the Chair.

AFTERNOON SESSION

At 4:45 o'clock, p. m., the Senate reassembled, with the President Pro Tempore presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Joint Resolution No. 17 and Senate Bill No. 40 correctly engrossed.

BOYER, Chairman.

HOUSE BILL NO. 50 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gulager, Harper, Johnson (Creek), Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 35.

Nays: 0.

Not Voting: Austin, Graham, Hill, Jolly, Peck, Rice, Thomas. Total, 7.

Excused: Andrews, Gray. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gulager, Harper, Johnson (Creek), Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 35.

Nays: 0.

Not Voting: Austin, Graham, Hill, Jolly, Peck, Rice, Thomas. Total, 7.

Excused: Andrews, Gray. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 50, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 274 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gula-ger, Harper, Johnson (Creek), Jolly, Kimerer, Loofbour-row, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Wil-liamson. Total, 36.

Nays: 0.

Not Voting: Austin, Graham, Hill, Johnson (Pott.), Peck, Rice. Total, 6.

Excused: Andrews, Gray. Total, 2.

The Bill having received the constitutional majority

of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gula-ger, Harper, Johnson (Creek), Jolly, Kimerer, Loofbour-row, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Wil-liamson. Total, 36.

Not Voting: Austin, Graham, Hill, Johnson (Pott.), Peck, Rice. Total, 6.

Excused: Andrews, Gray. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 274, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 40 was read for the third time at length.

By unanimous consent, further consideration of Senate Bill No. 40 was deferred for this legislative day, without the bill losing its place on the Calendar.

HOUSE BILL NO. 114 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gulager, Harper, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Graham, Hill, Peck, Ray, Rice. Total 5.

Excused: Andrews, Gray. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gulager, Harper, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Graham, Hill, Peck, Ray, Rice. Total 5.

Excused: Andrews, Gray. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 114, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 267 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gulager, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 34.

Nays: 0.

Not Voting: Anglin, Clark, Graham, Harper, Hill, Peck, Ray, Rice. Total, 8.

Excused: Andrews, Gray. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emer-

agency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gulager, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 34.

Nays: 0.

Not Voting: Anglin, Clark, Graham, Harper, Hill, Peck, Ray, Rice. Total, 8.

Excused: Andrews, Gray. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 267, and ordered same transmitted to the Honorable House.

SENATE JOINT RESOLUTION NO. 17 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Commons, Darnell, Ewing, Ferguson, Fidler, George, Gulager, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Rex-

roat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 32.

Nays: 0.

Not Voting: Anglin, Clark, Easter, Graham, Harper, Hill, MacDonald, Peck, Reed, Rice. Total, 10.

Excused: Andrews, Gray. Total, 2.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Commons, Darnell, Ewing, Ferguson, Fidler, George, Gulager, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 32.

Nays: 0.

Not Voting: Anglin, Clark, Easter, Graham, Harper, Hill, MacDonald, Peck, Reed, Rice. Total, 10.

Excused: Andrews, Gray. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed

the engrossed copy of Senate Joint Resolution No. 17, and ordered the same transmitted to the Honorable House.

GENERAL ORDER

Senator Gulager asked unanimous consent to advance to engrossment and third reading HOUSE BILL NO. 56, by Smith and Leecraft.

Upon objection of Senator Stigler, and, by unanimous consent, Senator Gulager withdrew his request for advancement of House Bill No. 56.

Upon motion of Senator Johnson (Pottawatomie), HOUSE BILL NO. 294, by Watson (by request), was advanced to engrossment and third reading.

Upon motion of Senator Gulager, HOUSE BILL NO. 288, by Boydston, Harrower and Moon, was advanced to engrossment and third reading.

Upon motion of Senator Austin, SENATE BILL NO. 110, by Austin, was advanced to engrossment and third reading.

Upon motion of Senator Gulager, SENATE BILL NO. 165, by Gulager, was advanced to engrossment and third reading.

Upon motion of Senator Kimerer, HOUSE BILL NO. 231, by Kenison, of the House, and Kimerer, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, SENATE BILL NO. 46, by MacDonald, was advanced to engrossment and third reading.

Upon motion of Senator Powers, HOUSE BILL NO. 220, by Odell, was advanced to engrossment and third reading.

Upon motion of Senator Rexroat, HOUSE BILL NO. 1, by Carmichael, et al, of the House, and Rexroat, Reed and Moore, of the Senate, was made a Special Order for 2 o'clock, p. m., Tuesday, February 26th, 1929.

Upon motion of Senator Terwilleger, SENATE BILL NO. 144, by Terwilleger, was advanced to engrossment and third reading.

Upon motion of Senator Smith, HOUSE BILL NO. 19, by Wimbish and Strickland, was ordered withdrawn from the Committee on Fees and Salaries and placed upon the Calendar.

Upon motion of Senator Smith, the rules of the Senate were suspended and HOUSE BILL NO. 19, by Wimbish and Strickland, was advanced to engrossment and third reading.

Senator Thomas served notice that he would, on the next legislative day, move to reconsider the vote by which HOUSE BILL NO. 267, by Harvey, was passed, for the purpose of correcting the title thereof.

MESSAGE

The following Message from the Acting Governor was received and read:

To the President and Members
Of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed enrolled Senate Bill No. 24, entitled:

"An Act providing for the construction of a building to be located on the State Capitol Grounds in Oklahoma City to be used by the Oklahoma Historical Society, all organizations of all veteran soldiers and sailors and patriotic societies of the State of Oklahoma, said building to provide rooms for meetings and headquarters for all organizations of service men and auxiliary societies and associations in this State and for the use and occupancy of said building by the Oklahoma Historical Society, its library, museum and other effects and property and for public meetings therein and its use for other public purposes, the construction of said building to be under the supervision of the State Board of Affairs and the Board of Directors, of the Oklahoma Historical Society, said building to be located on the State Capitol Grounds in accordance with the 'Kessler Plan' and the architect's plan to be approved by the Board of Directors of the Oklahoma Historical Society, and making appropriation for said purposes, and declaring an emergency,"

and have caused same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY,
Acting Governor.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 301—By BRIGGS, of the House and HARPER, of the Senate, entitled:

An Act to prevent live stock from running at large in certain parts of Latimer County, Oklahoma, prescribing punishment for the violation thereof, providing for damages for trespassing animals and distraint thereof, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 253—By OREN-DORFF, of the House, and PATTON, of the Senate, entitled:

An Act amending Section 3973, Compiled Oklahoma Statutes, 1921, as amended by Chapter 119, Session Laws of Oklahoma, 1927, relating to the herding of domestic animals, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 247—By HOOVER, entitled:

An Act relating to janitors and elevator operators in the State Capitol Building, creating the positions of janitors, operators of elevators and firemen, repealing all laws in conflict herewith and declaring an emergency.

Upon motion of Senator Stewart, the Senate adjourned, to meet under the rules, on Tuesday, February 26th, 1929.

FORTY-THIRD LEGISLATIVE DAY

TUESDAY, FEBRUARY 26TH, 1929

The Senate, pursuant, to adjournment, met at 1:30 o'clock, p. m., and was called to order by the President Pro Tempore.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 43.

Excused: Gray. Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

Upon motion of Senator Rexroat, the Secretary of the Senate was instructed to send flowers to the sick room of Rev. W. J. Moore, former Senate Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the Calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Soldiers' Relief, to whom was referred Engrossed House Bill No. 117 by Graham, Cloyd and the Soldiers' Relief Committee, entitled:

An Act creating a special fund in the State Treasury to be known as the Soldiers' Relief Commission fund of the Oklahoma Central State Hospital; and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

FERGUSON, Chairman.

MR. PRESIDENT:

We, your Committee on Soldiers' Relief, to whom was referred Engrossed House Bill No. 119 by Graham and Cloyd, entitled:

An Act providing for the construction and equipment of two (2) additional wings to the separate ward for ex-service persons of the World War at the Central Oklahoma State Hospital at Norman, Oklahoma, and making an appropriation therefor and providing for the repainting and repairing of the old wards and for the landscaping of said wards and wings and making an appropriation for the same and declaring an emergency, beg leave to report that we had the same under considera-

tion and herewith return the same with the recommendation that it do pass.

FERGUSON, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Joint Resolution No. 18 by Otjen (Senate), Hutchinson and Campbell of the House, entitled:

A Joint Resolution authorizing the Oklahoma State Institution for Feeble Minded at Enid, and the State Board of Affairs to purchase an additional twenty-one acres of land and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 13 by Fidler, entitled:

An Act making appropriation to reimburse Tom Cavnar for expenses incurred while sheriff of Oklahoma County, Oklahoma, in the arrest and return of Haywood Rector from California on a charge of burning a cotton compress in Oklahoma, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Soldiers' Relief, to whom was referred Senate Bill No. 65 by Pullen, Austin and Stigler, entitled:

An Act amending Section 1, Chapter 14, Oklahoma Session Laws, 1923, as amended by Section 1, Chapter 133, Oklahoma Session Laws, 1925, relating to confederate pensions and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

FERGUSON, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary Number 1, to whom was referred Senate Bill No. 81 by Williamson and Wheatley of the Senate, and Stanley of the House, entitled:

An Act authorizing the Senate and the House of Representatives to provide such employees and fix their duties and the compensation such as may be by each body determined necessary and proper, repealing Section 109, Compiled Statutes of Oklahoma, 1921, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass, as amended.

WHEATLEY, Vice Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary Number 2, to whom was referred Senate Bill No. 97 by Gulager, entitled:

An Act amending Section 5744, Compiled Oklahoma Statutes, 1921, relating to the County Attorney, repealing all laws in conflict herewith and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

DARNELL, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary Number 2, to whom was referred Senate Bill No. 103 by Ferguson, entitled:

A Bill entitled an Act amending and re-enacting Section 6595, Compiled Oklahoma Statutes, 1921, relating to exemptions, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass as amended.

DARNELL, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary Number 1, to whom was referred Senate Bill No. 105 by Ray, entitled:

An Act amending Section 5727, C. O. S., 1921, as amended by Section 1, Chapter 88, Oklahoma Session Laws, 1925, relating to county depositories and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

AUSTIN, Chairman.

Senator Ray moved that, notwithstanding the adverse report of the Committee, Senate Bill No. 105, by Ray, be printed and placed upon the Calendar, which motion prevailed.

MR. PRESIDENT:

We, your Committee on Soldiers' Relief, to whom was referred Senate Bill No. 147, by Ferguson and Hill, entitled:

An Act amending and re-enacting Sections 1 and 3 of Chapter 75, Session Laws, 1927, being Sections 8820 and 8820-B, of the 1927 Supplement Compiled Oklahoma Statutes, 1921; providing for the exemption of disabled ex-service persons from the payment of a license fee or tax for hawking and peddling; providing the method of issuing said certificates and fixing the rules governing the issuance thereof, beg leave to report that we had the same under consideration and herewith return the same with recommendation that it do pass.

FERGUSON, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 152 by Loofbourrow and MacDonald, entitled:

An Act making an appropriation for the repairs on the vault of the State Treasury and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary No. 2, to whom was referred Senate Bill No. 155, by Boyer, entitled:

An Act relating to notaries public, amending Sections 130 and 7860, Compiled Oklahoma Statutes, 1921, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

DARNELL, Chairman.

MR. PRESIDENT:

We, your Committee on Livestock and Tenant Farming, to whom was referred Senate Bill No. 170, by Blakely, Storms, MacDonald, Rice, Easter, Gulager, Patton, Williams, Reed and Pullen, of the Senate, and Lowrance, Dyer, and Watson, of the House, entitled:

An Act providing for the appointment of one special dairy agent for each of the Supervisory Districts of the Extension Division of the Oklahoma A. & M. College, fixing their compensations, providing for the purchase of automobiles therefor, defining their duties, making an appropriation therefor, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

BLAKELY, Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Joint Resolution

No. 19 and Senate Bill No. 110 correctly engrossed; Senate Bill No. 15 correctly enrolled.

BOYER, Chairman.

Senate Bill No. 15 was read for the fourth time, the enrolled copy signed by the President Pro Tempore, in open session, and ordered transmitted to the Honorable House for the signature of the Speaker.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 183—By SOLDIERS' RELIEF COMMITTEE.—A Bill entitled a veterans' uniform guardianship Act, providing for the appointment of guardians of wards of the United States Veterans' Bureau; fixing the manner of appointment; limiting the number of wards for which one person may be guardian; regulating the investment and disbursement of funds belonging to the ward; providing for the furnishing of public records pertaining to said wards; regulating the placing of said wards in hospitals of the United States Veterans' Bureau by the state courts, vesting certain powers in the superintendents of said hospitals; providing for the discharge of the guardian; repealing all Acts and parts of Acts in conflict herewith.

SENATE BILL NO. 184—By JOHNSON (Creek) and MacDONALD.—An Act creating the office of County Delinquent tax collectors and amending Section No. 9725 and Section No. 9727 and Section No. 9728 of the Compiled Oklahoma Statutes, Annotated, 1921, and repealing Section No. 9726, of said Statutes, relating to the issuance and service of warrants for the collection

of delinquent taxes on personal property and providing for the publication of a list of delinquent taxes on personal property and providing a method for the collection of such taxes and providing for the contents return and endorsements of such tax warrants and providing for the liability of the county delinquent personal tax collector and the county treasurer for failure to perform their respective duties as to the collection of such taxes, and repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 185—By STORMS—An Act amending Section 1, Chapter 149, Session Laws, 1925, relating to repairing of streets and alleys and providing that penalties and delinquent taxes in cities of first class may be used for repairing such streets and alleys, and cleaning the same and purchasing equipment for such cleaning, and declaring an emergency.

SENATE BILL NO. 186—By ANGLIN—A Bill to be entitled: An Act making appropriation for certain State departments, for emergency necessities; to pay certain unpaid claims against said departments and supplementary appropriations for the remainder of the fiscal year, ending June 30, 1929, and declaring an emergency.

SENATE BILL NO. 187—By REED, STORMS, STIGLER, et al., (Senate), SNODDY, SMITH, BUSEY, WATSON, et al. (House).—An Act amending Section 1, Chapter 38, Session Laws of Oklahoma, 1923-24, relating to the department of agriculture, creating certain positions, fixing the salaries, and providing for the appointment of employees, providing the number and qualifications of the employees in the feed and fertilizer inspection bureau division of the department of agriculture, authorizing the inspectors of the feed and fertilizer inspection bureau to furnish cars for transportation and to receive ten

cents (10c) per mile for the use thereof, authorizing the payment of traveling expenses of inspectors, repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 188—By REED, STORMS, STIGLER et al. (Senate), SNODDY, DITTMER. SMITH, et al (House).—An Act amending Section 3773, Compiled Oklahoma Statutes, 1921, and making an appropriation of \$8,100.00 of the amount received as inspection tax and penalties on feed stuffs received by the Oklahoma State Board of Agriculture for inspection tax and penalties to be used in the payment of salaries, operating expenses, equipping and maintaining an agricultural laboratory to be located in the State Capitol Building, and for publishing reports and bulletins for the agricultural department showing results of the analysis of samples of feed stuffs, fertilizers, and additional information relative thereto, repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 189—By GRAHAM—An Act providing for a closed season on raccoons and eagles; providing the penalty for violation thereof, and declaring an emergency.

SENATE BILL NO. 190—By GULAGER—An Act regulating ownership of petroleum, crude oil, and mineral producing lands by foreign owned, or controlled corporations, and, or, by citizens, or associations of citizens of foreign nations, providing for the disposition of such lands, now owned, controlled, managed, operated, or held in violation of the provisions of this Act; fixing penalties, and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 176—By REED.

Upon motion of Senator Reed, the rules of the Senate were suspended and Senate Bill No. 176, by Reed, was ordered placed upon the Calendar, without reference to a Committee.

SENATE BILL NO. 177—By JOHNSON (Creek).—Referred to Committee on Public Service Corporations.

SENATE BILL NO. 178—By JOHNSON (Creek).—Referred to Committee on Public Service Corporations.

SENATE BILL NO. 179—By JOHNSON (Creek).—Referred to Committee on Public Service Corporations.

SENATE BILL NO. 180—By JOLLY—Referred to Committee on State and County Affairs.

SENATE BILL NO. 181—By PATTON.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 182—By REED.

Upon motion of Senator Reed, the rules of the Senate were suspended and Senate Bill No. 182, by Reed, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 301—By BRIGGS of the House and HARPER, of the Senate.—Referred to Committee on Livestock and Tenant Farming.

HOUSE BILL NO. 253—By ORENDORFF, of the House, and PATTON, of the Senate.

Upon motion of Senator Patton, the rules of the

Senate were suspended and House Bill No. 253, by Orendorff, of the House, and Patton, of the Senate, was ordered placed upon the Calendar, without reference to a committee.

HOUSE BILL NO. 247—By HOOVER—Referred to Committee on Judiciary No. 2.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 315—By GRAHAM, STREET, SEARS, MARKER, PARKER, BOYDSTUN, HARROWER, MAXWELL, and STRICKLAND, of the House, and FIDLER and TERWILLEGER, of the Senate, entitled:

An Act to amend Section 7208, 7213 and 7214, of Article III, Chapter 55, Compiled Oklahoma Statutes, Annotated, 1921, providing for the employment of women and children, and declaring an emergency,

ENGROSSED HOUSE BILL NO. 319—By BOYDSTUN, HARROWER and MOON, entitled:

An Act fixing the number of deputies and their sal-

aries in the office of the Court Clerk of Muskogee County, Oklahoma, repealing all laws in conflict herewith and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 137—By ANGLIN, entitled:

An Act abolishing township government in Hughes County, Oklahoma and providing that the duties of township officers shall be performed by the Board of County Commissioners of said county, and declaring an emergency,

ENROLLED SENATE BILL NO. 80—By JOLLY, entitled:

An Act authorizing and empowering the County Assessor of Caddo County, Oklahoma, to employ extra help at the expense of the county in a sum not to exceed Four Hundred (\$400.00) Dollars annually; such services to be paid by the county in like manner as other salary claims are paid, and declaring an emergency,

ENROLLED SENATE BILL NO. 125—By ANGLIN,
entitled:

An Act authorizing and empowering the Excise Board of Hughes County, Oklahoma, to levy in addition to all other authorized levies for current expenses, a special tax of not to exceed one-half of one mill for improvements to the Free Fair Grounds, situated in Hughes County, adjacent to the City of Holdenville, Oklahoma, for the fiscal years 1929-1930 and 1930-1931, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bills Nos. 80, 125 and 137 were, each, referred to the Acting Governor for consideration.

SPECIAL ORDER

HOUSE BILL NO. 1, by Carmichael, et al, of the House, and Rexroat, Reed and Moore, of the Senate, having been made a Special Order for 2 o'clock, p. m., was taken up for consideration.

Section 1 was read.

Senator Gulager raised a point of order, against consideration of House Bill No. 1, by Carmichael, et al, of the House, and Rexroat, et al, of the Senate, stating the bill had not been printed according to Rule 4, sub-section (b),

of the Standing Orders governing the Senate, which point of order was sustained.

Senator Rexroat moved that the Rules of the Senate be suspended and House Bill No. 1, by Carmichael, et al, of the House, and Rexroat, et al, of the Senate, be taken up for consideration, which motion prevailed.

Upon motion of Senator Rexroat, Section 1, as read, was adopted.

Sections 2, 3 and 4 were read and, upon motions of Senator Rexroat, adopted.

Upon motion of Senator Rexroat, House Bill No. 1 was advanced to engrossment and third reading.

Upon motion of Senator Rexroat, the rules of the Senate were suspended and House Bill No. 1 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 1 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing Ferguson, Fidler, George, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 38.

Nays: 0.

Nays: Anglin, Graham, Gulager. Total, 3.

Not Voting: Johnson (Pott.), Peck. Total, 2.

Excused: Gray. Total 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing Ferguson, Fidler, George, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 38.

Nays: Anglin, Graham, Gulager. Total, 3.

Not Voting: Johnson (Pott.), Peck. Total, 2.

Excused: Gray. Total 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 1, and ordered the same transmitted to the Honorable House.

Senator Gulager sent up the following explanation of his vote on House Bill No. 1, as follows:

Mr. President: The bill is in aid of only people outside the State—to the detriment of the citizenship of all gas using communities and it will destroy the right of all those who enjoy the use of natural gas, in that it will carry beyond the confines and jurisdiction a commodity belonging to us all.

GULAGER.

Senator Thomas, having served notice that he would, moved that the vote be reconsidered by which HOUSE BILL NO. 267, by Harvey, was passed on yesterday, which motion prevailed, upon a roll call as follows:

Ayes: Andrews, Anglin, Austin, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham Gulager, Harper, Hill, Johnson (Creek), Jolly, Kimmerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 38.

Nays: 0.

Not Voting: Blakely, Boyer, Johnson (Pott.), Peck, Wheatley. Total, 5.

Excused: Gray. Total, 1.

Upon motion of Senator Thomas, the vote was reconsidered by which HOUSE BILL NO. 267, by Harvey, was advanced to engrossment and third reading.

Upon motion of Senator Thomas, Section No. 3, being the emergency clause, was stricken.

Upon motion of Senator Thomas, HOUSE BILL NO. 267, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Thomas, the rules of the Senate were suspended and House Bill No. 267 was considered engrossed and placed upon third reading and final passage.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Hill, Harper, Johnson, (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 38.

Nays: 0.

Not Voting Blakely, Boyer, Johnson (Pott.), Peck, Wheatley. Total, 5.

Excused: Gray. Total, 1.

The Bill, as amended, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Bill No. 267, as amended, was referred for engrossment.

GENERAL ORDER

SENATE CONCURRENT RESOLUTION NO. 9—By

Gulager, et al., was taken up for consideration and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 9—By GULAGER, PATTON, WILLIAMS, NESBITT AND FERGUSON OF THE SENATE, and KIGHT, BOYD-STUN, NEWBERRY, WAGNER AND HUTCHINSON of the House.

A RESOLUTION PETITIONING MADAM CONSTANCE WHITNEY WARREN TO PRESENT TO THE STATE OF OKLAHOMA, A SCULPTORED LIFE SIZE STATUE OF A COWBOY AND HIS PONY, PROVIDING FOR ITS LOCATION AND ERECTION, MAINTENANCE AND PRESERVATION.

WHEREAS, Madame Constance Whitney Warren of Paris, formerly of New York City, famous sculptress, has made and exhibited in the French Salon a life-sized statue of a cowboy and his pony, and

WHEREAS, This statue has won official recognition for its beauty and its fine representation of the cowboy and the spirit of the West, and

WHEREAS, Oklahoma is recognized the world over as a cowboy State, and this statue would be an appropriate and valuable acquisition to the Capitol grounds, and

WHEREAS, this statue has served the purpose of exhibition for which it was designed, and information has been conveyed to Mr. Justice Albert C. Hunt of the State Supreme Court by the representative of the sculptress in New York City that Madame Warren might be prevailed upon to present same to the State of Oklahoma free of

all cost upon assurance being given that suitable provision would be made for its proper maintenance and preservation.

NOW THEREFORE BE IT RESOLVED by the Senate and the House of Representatives concurring, that we hereby petition Madame Constance Whitney Warren, through her father, Mr. George Henry Warren of New York City, to present this statue to the State of Oklahoma. In sole consideration of such gift we hereby pledge the State to locate it at a conspicuous place on the Capitol grounds on a suitable and appropriate base which the State will provide, same to be and become the absolute property of the State of Oklahoma, and we further pledge the State to its maintenance and preservation.

BE IT FURTHER RESOLVED THAT The Secretary of State is hereby requested to forward two copies of this resolution to Mr. Charles Cason, Vice-President of the Chemical National Bank of New York, who is assisting in securing this gift to the State of Oklahoma, one of said copies to be forwarded by him to Madame Constance Whitney Warren in Paris and the other to Mr. George Henry Warren in New York City.

BE IT FURTHER RESOLVED, that in the event said statue is presented to the State of Oklahoma, free of all cost as herein provided, that provision shall be made for appropriate unveiling ceremonies and to that end the Presiding Officers of the Senate and House of Representatives, acting jointly, are hereby authorized to appoint a committee of seven consisting of themselves as exofficio members, the Governor as Chairman, a representative of the State Historical Society as Secretary and three others. Said Committee to be designated General Committee in Charge of Warren Statue and to fix a convenient date and to make all necessary arrangements for appro-

priate unveiling ceremonies, and is authorized to appoint such further and additional committees as may be necessary.

BE IT FURTHER RESOLVED, that said General Committee be, and it is hereby directed to extend a special invitation to Oklahoma's own Will Rogers to be present and assist in the unveiling ceremonies.

Upon motion of Senator Gulager, Senate Concurrent Resolution No. 9 was adopted and referred for engrossment.

SENATE BILL NO. 14, by Thomas, was taken up for consideration.

Section 1 was read.

Senator Harper moved that further consideration of Senate Bill No. 14 be indefinitely postponed, which motion failed of adoption.

Upon motion of Senator Thomas, Section 1 was adopted, as read.

Section 2 was read.

Senator Anglin submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 14, by striking Section 2.

ANGLIN.

Senator Gulager moved to table the Anglin amendment, which motion failed of adoption.

Following discussion, Senator Wheatley moved the previous question, which prevailed.

The vote recurring on the Anglin amendment, the same failed of adoption, upon roll call as follows:

Ayes: Andrews, Anglin, Austin, Blakely, Clark, Easter, Harper, Hill, Jolly, Loofbourrow, Otjen, Stigler, Wheatley. Total, 13.

Nays: Boyer, Commons, Darnell, Ferguson, Fidler, George, Graham, Gulager, Johnson (Creek), Johnson (Pott.), Kimerer, Moore, Patton, Powers, Ray, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 23.

Not Voting: Ewing, MacDonald, Nesbitt, Peck, Pullen, Reed, Rexroat. Total, 7.

Excused: Gray. Total, 1.

Senator Smith moved that Senate Bill No. 14 be re-referred to the Committee on Agriculture, for the purpose of redrafting the bill.

Senator Gulager moved to table the Smith motion, which motion, by unanimous consent, he withdrew.

Senator Gulager, as a substitute, moved that Senate Bill No. 14 be referred to the Committee on Livestock and Tenant Farming, for the purpose of redrafting the bill, which motion prevailed.

Upon motion of Senator Harper, SENATE BILL NO. 29, by Ray, was made a Special Order for 2 o'clock, p. m., Wednesday, February 27th, 1929.

THIRD READING

SENATE JOINT RESOLUTION NO. 19 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 38.

Nays: 0.

Not Voting: Blakely, Johnson (Pott.), Peck, Rex-roat, Stewart. Total, 5.

Excused: Gray. Total, 1.

The Resolution having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 38.

Nays: 0.

Not Voting: Blakely, Johnson (Pott.), Peck, Rex-roat, Stewart. Total, 5.

Excused: Gray. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Joint Resolution No. 19, and ordered the same transmitted to the Honorable House.

Senator Darnell presiding.

HOUSE BILL NO. 19 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Otjen, Patton, Powers, Ray, Reed, Rice, Smith, Stewart, Stigler, Terwilleger, Thomas, Williams, William-son. Total, 36.

Nays: 0.

Not Voting: MacDonald, Nesbitt, Peck, Pullen, Rex-roat, Storms, Wheatley. Total, 7.

Excused: Gray. Total 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Otjen, Patton, Powers, Ray, Reed, Rice, Smith, Stewart, Stigler, Terwilleger, Thomas, Williams, Williamson. Total, 36.

Nays: 0.

Not Voting: MacDonald, Nesbitt, Peck, Pullen, Rexroat, Storms, Wheatley. Total, 7.

Excused: Gray. Total 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of House Bill No. 19, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 231 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following result:

Ayes: Andrews, Anglin, Austin, Blakely, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie),

Jolly, Kimerer, Loofbourrow, Otjen, Patton, Powers, Ray, Reed, Rice, Smith, Stewart, Stigler, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Boyer, Commons, Graham, MacDonald, Moore, Nesbitt, Peck, Pullen, Rexroat, Storms. Total, 10.

Excused: Gray. Total 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Otjen, Patton, Powers, Ray, Reed, Rice, Smith, Stewart, Stigler, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Boyer, Commons, Graham, MacDonald, Moore, Nesbitt, Peck, Pullen, Rexroat, Storms. Total, 10.

Excused: Gray. Total 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of House Bill No. 231, and ordered the same transmitted to the Honorable House.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 267 correctly engrossed.

BOYER, Chairman.

The Presiding Officer signed Engrossed Senate Amendment to and Engrossed House Bill No. 267, as amended, and ordered the same returned to the Honorable House.

SENATE BILL NO. 110 was read for the third time at length.

Senator Austin asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 110, line 3, page 2, by adding after the word, "imprisonment," and before the word "Section," at the beginning of line 4, the following: "Provided that the terms and provisions hereof shall not apply to the operation of electrically operated domestic appliances, equipment or machinery."

AUSTIN.

Senate Bill No. 110, as amended, was referred for proper engrossment.

HOUSE BILL NO. 220 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gula-ger, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kim-erer, Loofbourrow, Moore, Otjen, Powers, Pullen, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 31.

Nays: 0.

Not Voting: Anglin, Commons, Graham, Harper, MacDonald, Nesbitt, Patton, Peck, Ray, Reed, Rexroat, Rice. Total, 12.

Excused: Gray. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emer-gency measure?" the roll was called with the following results:

Ayes: Andrews, Austin Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gula-ger, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kim-erer, Loofbourrow, Moore, Otjen, Powers, Pullen, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 31.

Nays: 0.

Not Voting: Anglin, Commons, Graham, Harper,

MacDonald, Nesbitt, Patton, Peck, Ray, Reed, Rexroat, Rice. Total, 12.

Excused: Gray. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of House Bill No. 220, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 294 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbouroow, Moore, Otjen, Powers, Pullen, Ray, Reed, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Anglin, Commons, Graham, Harper, MacDonald, Nesbitt, Patton, Peck, Rexroat, Stigler. Total, 10.

Excused: Gray. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing Ferguson, Fidler, George, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbouroow, Moore, Otjen, Powers, Pullen, Ray, Reed, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Anglin, Commons, Graham, Harper, MacDonald, Nesbitt, Patton, Peck, Rexroat, Stigler. Total, 10.

Excused: Gray. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of House Bill No. 294, and ordered the same transmitted to the Honorable House.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 315—By GRAHAM, STREET, SEARS, MARKER, PARKER, BOYDSTUN, HARROWER, MAXWELL, and STRICKLAND, of the House, and FIDLER and TERWILLEGER, of the Senate, entitled:

An Act to amend Sections 7208, 7213 and 7214, of Article III, Chapter 55, Compiled Oklahoma Statutes, Annotated, 1921, providing for the employment of women and children, and declaring an emergency,

ENGROSSED HOUSE BILL NO. 319—By BOYD-STUN, HARROWER and MOON, entitled:

An Act fixing the number of deputies and their salaries in the office of the Court Clerk of Muskogee County, Oklahoma, repealing all laws in conflict herewith and declaring an emergency,

Upon motion of Senator Storms, the Senate adjourned, to meet under the rules.

FORTY-FOURTH LEGISLATIVE DAY

WEDNESDAY, FEBRUARY 27TH, 1929

The Senate, pursuant to adjournment, met at 1:30 o'clock, p. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 42.

Excused: Gray, Peck. Total, 2.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the Calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Judiciary No. 1, to whom was referred House Bill No. 44 by Briggs, entitled:

An Act amending Section 7297, Compiled Oklahoma Statutes, 1921, relating to appeals to the Supreme Court from orders of the State Industrial Commission, providing for appeal bond and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass as amended.

AUSTIN, Chairman.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred House Bill No. 48 by Stanley, entitled:

An Act providing that non-profit sharing associations that have no capital stock and pay no fees or salaries to their officers and pay not to exceed one hundred dollars, as a burial fund to the beneficiary or beneficiaries named in the certificate issued by them, or only furnish a burial outfit and burial to those entitled thereto under said certificate, and which do not make any assessment against their members until and unless the fund on hand in the treasury of the said association will only pay for the burial of one adult entitled to be buried by said association, shall be exempt from the operation and effect of the insurance laws of the State of Oklahoma, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass as amended, as follows:

That Senator MacDonald be added as a joint author to the bill.

LOOFBOURROW, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary No. 1, to whom was referred House Bill No. 173 by Paul, entitled:

An Act amending Section 2699, Compiled Oklahoma Statutes, 1921, relating to the giving of evidence by one spouse against the other, in Criminal Cases, and providing that in all criminal cases each spouse shall be a competent witness either for or against the other, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

AUSTIN, Chairman.

Upon motion of Senator Austin, the adverse Committee Report on House Bill No. 173 was adopted.

MR. PRESIDENT:

We, your Committee on Live Stock and Tenant Farming, to whom was referred Senate Bill No. 14, entitled:

An Act providing for the keeping of Public Records by persons, firms and corporations who purchase domestic fowls, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass as amended.

BLAKELY, Chairman.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was refer-

red Senate Bill No. 32 by Stewart of the Senate by request, entitled:

An Act amending Section 7, of Senate Bill No. 341, Chapter 113, regular Session Laws of Oklahoma, 1923, relating to Liability of Insurance Companies for Negligent Acts of Motor Carriers insured by them, and regulating suits brought on policies or bonds, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

LOOFBOURROW, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary No. 1, to whom was referred Senate Bill No. 43 by Commons of the Senate, and Roper of the House, entitled:

An Act to amend Section 4236, Article 1, Chapter 25, Compiled Oklahoma Statutes, 1921, relating to the establishment of a Fiscal Agency, and providing for the method of apportionment of interest received on funds deposited with such agency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass, as amended.

AUSTIN, Chairman.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 49 by Boyer, entitled:

An Act authorizing the State Highway Commission to carry Workmen's Compensation Insurance on their

employees who are engaged in manual or mechanical work or labor in the construction or maintenance of State Highways, to pay the premium for said insurance out of the State Highway Construction and Maintenance Fund, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

LOOFBOURROW, Chairman.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 59 by ANGLIN, entitled:

An Act providing for a ten percent Attorney Fee in certain actions to recover on Fire and Life Insurance Policies, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

LOOFBOURROW, Chairman.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 87 by Loofbourrow and Fidler, entitled:

An Act amending Section 7629, Compiled Oklahoma Statutes, 1921, as amended by Session Laws of 1925, Chapter 132, and by Session Laws of 1925, Chapter 92, relating to Life Insurance, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

LOOFBOURROW, Chairman.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 127 by Johnson of Creek, entitled:

An Act to authorize the Issuance of Contingent Endowment Certificates of Insurance by Life Insurance Companies and Fraternal Benefit Societies; to provide for the maintenance of a reserve thereon, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass, as amended.

LOOFBOURROW, Chairman.

MR. PRESIDENT:

We, your Committee on Public Service Corporations, to whom was referred Senate Bill No. 128 by Moore, entitled:

An Act repealing Sections 1, 2, 3 and 4, of Chapter 101, Session Laws of Oklahoma, 1925, relating to Railroad Crossings, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same without recommendation.

JOHNSON (Creek), Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary No. 2, to whom was referred Senate Bill No. 134 by Fidler, entitled:

An Act authorizing certain county officers in counties having a population of 100,000 or more as shown by the last General or Special Federal Census, or any future

General or Special Census, to appoint deputies in said offices by and with the consent of the County Commissioners, the salaries of said deputies to be fixed by the County Commissioners, repealing all laws in conflict herewith and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

DARNELL, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary No. 1, to whom was referred Senate Bill No. 166, by MacDonald, entitled:

An Act providing an exclusive method of Nominating Justices of the Supreme Court by Petition as contemplated by Art. 7, Sec. 3, Constitution, upon a non-partisan basis, and providing a special primary in districts where under existing law nominations are to be made, providing a special primary election therefor, providing for the issuance of Certificates of Nomination and Contests therefor, providing for the Election of Justices of the Supreme Court, in the General Election held throughout the State upon a separate ballot, without regard to the candidates' political affiliations, making it a misdemeanor to violate the provisions hereof and repealing all acts and parts of acts in conflict herewith, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

AUSTIN, Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled Bills begs leave to report Senate Concurrent Resolution No. 9, Senate Bills Nos. 46, 106, and 144 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Concurrent Resolution No. 9 and ordered the same transmitted to the Honorable House for consideration.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 191—By ANGLIN—An Act creating a revolving fund for the State Training School for Negro Boys near Boley, Oklahoma; providing for additions and accretions to said fund and for the maintenance and disbursement thereof; making an appropriation and declaring an emergency.

SENATE BILL NO. 192—By TERWILLEGER—An Act permitting and authorizing the Board of County Commissioners of Tulsa County to give, donate, grant and convey certain real estate to Tulsa County Humane Society, a corporation of Tulsa, Oklahoma, repealing all Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 193.—By FERGUSON, ANDREWS, AUSTIN, HILL, SMITH, GULAGER, GRAHAM and DARNELL.—A Bill entitled an Act repealing "An Act imposing a tax on money and credits in lieu of existing tax or existing law, providing the rate of taxation on such money or credits and a method for scheduling for taxation such money, certificates of de-

posit or evidence thereof, and providing the purposes for which said tax shall be used," being Chapter 72, of Session Laws of 1927.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 183—By SOLDIERS' RELIEF COMMITTEE—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 184—By JOHNSON (Creek), MacDONALD—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 185—By STORMS.—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 186—By ANGLIN.—Referred to Committee on Appropriations.

SENATE BILL NO. 187—By REED, STORMS, STIGLER, et al, (Senate), SNODDY, SMITH, BUSEY, WATSON, et al (House).—Referred to Committee on Agriculture.

SENATE BILL NO. 188—By REED, STORMS, STIGLER, et al (Senate), SNODDY, DITTMER, SMITH, et al (House).—Referred to Committee on Agriculture.

SENATE BILL NO. 189—By GRAHAM.—Referred to Committee on Fish and Game.

SENATE BILL NO. 190—By GULAGER.—Referred to Committee on Legal Advisory.

HOUSE BILL NO. 315—By GRAHAM, STREET, SEARS, MARKER, PARKER, BOYDSTUN, HARROWER, MAXWELL, and STRICKLAND of the House, and FIDLER and TERWILLEGER of the Senate.—Referred to Committee on Judiciary No. 2.

HOUSE BILL NO. 319—By BOYDSTUN, HARROWER, and MOON.

Upon motion of Senator Gulager, the rules of the Senate were suspended and House Bill No. 319, by Boydston, Harrower and Moon, was ordered placed upon the Calendar, without reference to a Committee.

MESSAGES

The following messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 332—By BLACK, HINES, MOON, HOUSTON, BOYDSTUN, FERGUSON and NANCE of the House, and BOYER, STORMS, JOLLY, REXROAT, THOMAS and AUSTIN of the Senate, entitled:

An Act making appropriation for the purchase of farming implements, live stock, motor bus, plumbing supplies, and for the construction of a barn, tool shed, blacksmith shop and hog house at Cameron College: and declaring an emergency.

ENGROSSED HOUSE BILL NO. 132—By JONES (Greer), entitled:

An Act amending Section 8662 Compiled Oklahoma Statutes, 1921, relating to the proposed use of State prison revolving fund, repealing all laws in conflict herewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 137—By WATSON, BROWN, HESTER, MAUK, and PAUL, entitled:

An Act amending Section 9606, Compiled Oklahoma Statutes of 1921, as amended by House Bill 139, Chapter 135, Session Laws of 1925, relating to assessments and taxation of property of corporations, repealing Section 9962, Compiled Oklahoma Statutes, 1921, and all Acts and parts of Acts in conflict herewith and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Very truly yours,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 1—By CAR-MICHAEL, MITCHELL, NANCE, TRENT and THOMAS of the House, and REXROAT, REED and MOORE of the Senate, entitled:

An Act amending Sections 7889, 7891 and 7904, Compiled Oklahoma Statutes, 1921, relating to the creating of domestic corporations for the transportation of natural gas and prescribing regulations for the transportation of natural gas in Interstate Commerce, and for other purposes; repealing Sections 7890, 7893, 7897, 7898 and 7899, of Article 1, Chapter 68, Compiled Oklahoma Statutes, 1921, and all Acts or parts of Acts in conflict herewith, and declaring an emergency.

ENROLLED HOUSE BILL NO. 50—By WASSON entitled:

An Act making an appropriation to pay the mileage of the presidential electors that convened at the Capitol of the State of Oklahoma, on the second day of January, 1929, in obedience to the Act of Congress approved May 29, 1928, and declaring an emergency,

and to inform you and through you the Honorable Senate, that the same have been read for the fourth time, and signed by the Speaker in open session.

Yours Truly,

BERT McDONEL, Chief Clerk.

Senator Rexroat presiding.

House Bill No. 1 was read for the fourth time, the enrolled copy signed by the Presiding Officer, in open session, and ordered returned to the Honorable House.

President Pro Tempore Storms presiding.

House Bill No. 50 was read for the fourth time, the enrolled copy signed by the President Pro Tempore, in open session, and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 270—By SCHLEGEL, ORNER, of the House, and JOHNSON (Creek and Payne) of the Senate, entitled:

An Act providing for two deputies in the office of Court Clerk of Payne County, Oklahoma; fixing their salaries; repealing all laws in conflict herewith and declaring an emergency.

ENROLLED HOUSE BILL NO. 149—By HARVEY (Kiowa) and JONES (Greer), entitled:

An Act authorizing Greer and Kiowa counties to erect memorial statues at each end of the bridge now constructed across the North Fork of Red River on State Highway Number Nine; providing the manner of payment thereof and declaring an emergency.

ENROLLED HOUSE BILL NO. 272—By SCHLEGEL, ORNER of the House, and JOHNSON (Payne and Creek) of the Senate, entitled:

An Act providing for an Assistant County Attorney of Payne County, Oklahoma; prescribing his duties and qualifications; fixing his salary and expenses; providing for a stenographer in the office of said County Attorney; fixing the salary of said stenographer; repealing all laws or parts of laws in conflict herewith, and declaring an emergency.

ENROLLED HOUSE BILL NO. 274—By SMITH, entitled:

An Act amending Section One, Chapter 190, Session Laws of Oklahoma, 1927, relating to School District No. 73, Bryan County, Oklahoma; and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time, and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

House Bills Nos. 149, 270, 272 and 274 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 63—By POWERS, KIMERER of the Senate, and ORENDORFF, CARMACK, GIBSON, CHAMBERS and BARRY of the House, entitled:

An Act amending Section 4152, Compiled Oklahoma Statutes, 1921, repealing all Acts or parts of Acts in con-

flict herewith, and declaring an emergency,

and to advise you and through you the Honorable Senate,

that the same has been passed by the House and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bill No. 63 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 15—By ANGLIN, entitled:

An Act making an appropriation for the purpose of paying the traveling and living expenses of the judges of the Court of Tax Review, and making an appropriation for the per diem, traveling and living expenses and making of transcripts for court reporters of said Court of Tax Review, when such judges and court reporters are outside of their counties of residence and making appropriations for communications and supplies for the State auditor as clerk of said Court of Tax Review, and declaring an emergency,

and to advise you and through you, the Honorable Senate that the same has been read for the fourth time and signed by the Speaker in open session.

Very truly yours,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bill No. 15 was referred to the Acting Governor, for consideration.

SPECIAL ORDER

SENATE BILL NO. 29, by Ray, having been made a Special Order for 2 o'clock, p. m., and the time having arrived, the bill was taken up for consideration.

Sections 1, 2 and 3 were read and adopted, upon motions of Senator Ray.

The question being, "Shall the title of the bill become the title of the Act?" Senator Ray submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 29 by striking therefrom the word, "ten," and inserting the word, "twelve."

RAY.

Upon motion of Senator Ray, Senate Bill No. 29, as amended, was advanced to engrossment and third reading.

Senator Williamson asked unanimous consent, which was granted, to submit the following amendment to Senate Bill No. 29, which was adopted:

Mr. President: I move to amend Senate Bill No. 29, by striking all of line 17 and the words, "return of the," in line 18, page 5.

WILLIAMSON.

Upon motion of Senator Ray, the rules of the Senate were suspended and Senate Bill No. 29, as amended, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 29 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Fidler, George, Harper, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Nesbitt, Otjen, Patton, Pullen, Ray, Reed, Rexroat, Stewart, Storms, Terwilleger, Thomas, Williamson. Total, 30.

Nays: Ferguson, Graham, Gulager, Hill, Loofbourrow, Moore, Powers, Rice, Stigler, Wheatley, Williams. Total, 11.

Not Voting: Smith. Total, 1.

Excused: Gray, Peck. Total 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results.

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Fidler, George, Harper, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Nesbitt, Otjen, Patton, Pullen, Ray, Reed, Rexroat, Stewart, Storms, Terwilleger, Thomas, Williamson. Total, 30.

Nays: Ferguson, Graham, Gulager, Hill, Loofbour-

row, Moore, Powers, Rice, Stigler, Wheatley, Williams.
Total, 11.

Not Voting: Smith. Total, 1.

Excused: Gray, Peck. Total 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

Senate Bill No. 29, as amended, was referred for engrossment.

Senator Graham sent up the following explanation of his vote:

Mr. President: I vote against Senate Bill No. 29, because I believe it will greatly delay the payment of taxes by non-residents and for the following protest of my constituents:

“Nowata, Oklahoma,
February 6, 1929.

HON. GID GRAHAM,
Senate Chamber.

We protest change in present rate of interest on delinquent taxes and request your assistance in seeing that rate is not lowered. Nowata County taxpayers favor present rate.

J. T. NORTON, Editor Daily Star,
F. L. BERRAN, County Treasurer,
C. T. DOUGHERTY, County Commissioner,
SAM F. WILKINSON, Commercial National Bank,
H. L. CAMPBELL, First National Bank,
FRANK MASON.”

GRAHAM.

GENERAL ORDER

Upon motion of Senator Otjen, SENATE JOINT RESOLUTION NO. 18, by Otjen, of the Senate, and Hutchinson and Campbell, of the House, was advanced to engrossment and third reading.

Senator Otjen asked to be excused from Senate attendance, for the balance of this legislative day, which was the order of the Chair.

SENATE BILL NO. 95, by Anglin, was taken up for consideration.

Section 1 was read.

Senator Loofbourrow submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 95, by striking after the word, "him," line 16, page 2, the remainder of said line and all of lines 17 and 18 and line 1, page 3.

LOOFBOURROW.

Upon motion of Senator Anglin, Section 1 was adopted, as read.

Upon motion of Senator Anglin, Senate Bill No. 95 was advanced to engrossment and third reading.

Senator Thomas asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 14, by Thomas.

Section 1 was read.

Senator Williamson submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 14, by adding the following at the end of Section 1, "Provided, further, that every purchaser keeping such a record shall require the seller of such property to endorse thereupon in his own handwriting his name, age, postoffice address or place of residence."

WILLIAMSON.

Upon motion of Senator Thomas, Section 1, as amended, was adopted.

Sections 2 and 3 were read and adopted, upon motions of Senator Thomas.

Upon motion of Senator Thomas, Senate Bill No. 14, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Thomas, the rules of the Senate were suspended and Senate Bill No. 14, as amended, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 14 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Darnell, Ferguson, Fidler, George, Graham, Gulager, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Patton, Pullen, Ray, Reed, Rexroat, Smith, Thomas, Williams, Williamson. Total, 27.

Nays: Andrews, Commons, Easter, Harper, Hill, Powers, Stigler, Storms, Wheatley, total 9.

Not Voting: Ewing, Nesbitt, Rice, Stewart, Terwilleger. Total, 5.

Excused: Gray, Otjen, Peck. Total, 3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

Upon motion of Senator Anglin, Section 4, being the emergency clause, was stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Thomas submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 14, by striking the words, "and declaring an emergency."

THOMAS.

Senate Bill No. 14, as amended, was referred for engrossment.

Senator Fidler sent up the following explanation of his vote on Senate Bill No. 14:

Mr. President: I want this bill out of the Senate, as I am sure it will not pass the House, as written. It has taken too much time here, already. The House has more time and can correct the bill.

FIDLER.

Upon motion of Senator Reed, SENATE BILL NO. 182, by Reed, was advanced to engrossment and third reading.

Upon motion of Senator Reed, the rules of the Senate were suspended and Senate Bill No. 182 was considered engrossed and placed upon third reading and final passage

SENATE BILL NO. 182 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Easter, Ewing, Ferguson, George, Graham, Gulager, Hill, Johnson, (Pott.), Jolly, Loofbourrow, MacDonald, Nesbitt, Patton Powers, Pullen, Ray, Reed, Rexroat, Smith, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 30.

Nays: 0.

Excused: Gray, Otjen, Jeck. Total, 3.

Not Voting: Andrews, Commons, Darnell, Fidler, Harper, Johnson (Creek), Kimerer, Moore, Rice, Stewart, Wheatley. Total, 11.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Easter, Ewing, Ferguson, George, Graham, Gulager, Hill, Johnson, (Pott.), Jolly, Loofbourrow, MacDonald, Nesbitt, Patton, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 30.

Nays: 0.

Excused: Gray, Otjen, Peck. Total, 3.

Not Voting: Andrews, Commons, Darnell, Fidler, Harper, Johnson (Creek), Kimerer, Moore, Rice, Stewart, Wheatley. Total 11.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 182 was referred for engrossment.

Upon motion of Senator Patton, HOUSE BILL NO. 253, by Orendorff, of the House, and Patton, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Patton, the rules of the Senate were suspended and House Bill No. 253 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 253 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer,

Clark, Commons, Easter, Ferguson, George, Graham, Gula-
ger, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Loof-
bourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Pul-
len, Ray, Reed, Smith, Stigler, Storms, Terwilleger,
Thomas, Williams, Williamson. Total, 32.

Nays: 0.

Not Voting: Darnell, Ewing, Fidler, Harper, John-
son (Creek), Rexroat, Rice, Stewart, Wheatley. Total, 9.

Excused: Gray, Otjen, Peck. Total, 3.

The Bill having received the constitutional majority of
the votes of all members elected to and constituting the
Senate, was declared passed.

The question being, "Shall the Bill become an emer-
gency measure?" the roll was called with the following
results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer,
Clark, Commons, Easter, Ferguson, George, Graham, Gula-
ger, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Loof-
bourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Pul-
len, Ray, Reed, Smith, Stigler, Storms, Terwilleger,
Thomas, Williams, Williamson. Total, 32.

Nays: 0.

Not Voting: Darnell, Ewing, Fidler, Harper, John-
son (Creek), Rexroat, Rice, Stewart, Wheatley. Total, 9.

Excused: Gray, Otjen, Peck. Total, 3.

The emergency having received the constitutional two-

thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 253, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Austin, SENATE BILL NO. 22, by Austin, was advanced to engrossment and third reading.

THIRD READING

SENATE BILL NO. 144 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Stigler, Storms, Terwilleger, Thomas, Williams. Total, 35.

Nays: Graham, Wheatley, Williamson. Total, 3.

Not Voting: Ewing, Johnson (Creek), Smith, Stewart. Total, 4.

Excused: Gray, Peck. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Rice, Stigler, Storms, Terwilleger, Thomas, Williams. Total, 35.

Nays: Graham, Wheatley, Williamson. Total, 3.

Not Voting: Ewing, Johnson (Creek), Smith, Stewart. Total, 4.

Excused: Gray, Peck. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 144, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 106 was read for the third time at length.

Senator Stigler moved that Senate Bill No. 106 be referred to the Committee on Fees and Salaries, with instructions that sufficient time be allowed for a public hearing, thereon, which motion failed of adoption.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Darnell, Easter Ewing, Ferguson, Graham, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Reed, Rexroat, Smith, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 31.

Nays: George, Loofbourrow, Stigler. Total, 3.

Not Voting: Blakely, Commons, Fidler, Harper, Rice, Stewart, Wheatley. Total, 7

Excused: Gray, Otjen, Peck. Total, 3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Darnell, Easter Ewing, Ferguson, Graham, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Reed, Rexroat, Smith, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 31.

Nays: George, Loofbourrow, Stigler. Total, 3.

Not Voting: Blakely, Commons, Fidler, Harper, Rice, Stewart, Wheatley. Total, 7

Excused: Gray, Otjen, Peck. Total, 3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 106, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 46 was read for the third time at length.

Upon motion of Senator MacDonald, Senate Bill No. 46, by MacDonald, was made a Special Order for 9:00 o'clock, a. m., Thursday, February 28, 1929.

MESSAGE

The following Message from the Honorable House was received and read:

To the President of the
Honorable Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 19, entitled:

An Act regulating and fixing the salaries of certain county officers, and assistants of Pontotoc County, State of Oklahoma, repealing all laws in conflict herewith, and declaring an emergency,

and to inform you, and through you, the Honorable Sen-

ate, that same has been read for the fourth time and signed by the Speaker Pro Tempore in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

House Bill No. 19 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 332—By BLACK, HINES, MOON, HOUSTON, BOYDSTUN, FERGUSON and NANCE of the House, and BOYER, STORMS, JOLLY, REXROAT, THOMAS and AUSTIN of the Senate, entitled:

An Act making appropriation for the purchase of farming implements, live stock, motor bus, plumbing supplies, and for the construction of a barn, tool shed, blacksmith shop and hog house at Cameron College; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 132—By JONES (Greer), entitled:

An Act amending Section 8662, Compiled Oklahoma Statutes, 1921, relating to the proposed use of State prison revolving fund, repealing all laws in conflict herewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 137—By WATSON, BROWN, HESTER, MAUK, and PAUL, entitled:

An Act amending Section 9606, Compiled Oklahoma Statutes of 1921, as amended by House Bill 139, Chapter 135, Session Laws of 1925, relating to assessment and taxation of property of corporations, and repealing Section 9962, Compiled Oklahoma Statutes, 1921, and all Acts and parts of Acts in conflict herewith and declaring an emergency.

Upon motion of Senator Moore, the Senate adjourned, to meet at 9:00 o'clock, a. m., Thursday, February 28, 1929.

FORTY-FIFTH LEGISLATIVE DAY

THURSDAY, FEBRUARY 28TH, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 42.

Excused: Gray, Otjen. Total, 2.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the calendar:

MR. PRESIDENT:

We, your Committee on Charities and Corrections, to

whom was referred Senate Bill No. 94, by Patton, entitled:

An Act to amend Section 8234, Compiled Oklahoma Statutes, 1921, relating to the duties of the overseers of the poor; and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

POWERS, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary No. 1, to whom was referred Senate Bill No. 120, by Andrews, entitled:

An Act conferring and confirming upon District and Superior Courts remedial jurisdiction to hear and determine controversies and enter declaratory judgments where no further relief is or could be claimed; providing for review of such judgment; for jury trials of such controversies where necessary, defining the terms of said Act; and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass as amended.

AUSTIN, Chairman.

MR. PRESIDENT:

We, your Committee on Judiciary No. 1, to whom was referred Senate Bill No. 153, by Powers, Ray and Kimerer of the Senate, Hester, Gibson and Chambers of the House, entitled:

An Act amending Chapter 157, Session Laws of Oklahoma, 1923, relating to fidelity bonds of employees and officers of banks; repealing all Acts in conflict therewith and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass as amended.

AUSTIN, Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 29 correctly engrossed and Senate Bill No. 63 correctly enrolled.

BOYER, Chairman.

The engrossed copy of Senate Bill No. 29 was signed, in open session, by the President Pro Tempore and ordered transmitted to the Honorable House for further consideration.

Senate Bill No. 63 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered transmitted to the Honorable House for the signature of the Speaker.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 194—By STEWART—An Act amending Sections 497 and 498, and repealing Sections 499 and 500, all of Article 17, Compiled Oklahoma Statutes, 1921, relating to the publication or circulation of libelous or slanderous statements or publications, and declaring an emergency.

SENATE BILL NO. 195.—By BLAKELY (Senate), LOGAN (House).—An Act amending Section 6337, Compiled Oklahoma Statutes of 1921, by increasing the salary of jailers in counties having a population in excess of 53,000 and not to exceed 61,700 and declaring an emergency.

SENATE BILL NO. 196—By JOHNSON (Creek)—An Act providing for the relief of Laura E. Doolin, surviving widow of Curtis M. Doolin, deceased, Dollie Marie Doolin, Roy Edward Doolin, Violet Ellen Doolin, Curtis James Doolin, and Hazel Irene Doolin, minor children of said decedent.

SENATE BILL NO. 197—By EWING—An Act providing for the erection of necessary separate school buildings by the issuance of time warrants by counties and repealing all laws in conflict therewith.

SENATE BILL NO. 198—By FERGUSON—An Act amending Section 10417, of the Compiled Oklahoma Statutes of 1921, requiring an official bond of Treasurers of Independent School Districts, regulating and fixing the amount and conditions thereof, prescribing certain duties for the Treasurer and Board of Education, providing for the suspension of the Treasurer for failing to make reports, and for the appointment of the successor, and declaring an emergency.

SENATE BILL NO. 199—By DARNELL—An Act to legalize all orders, judgments, proceedings and official acts made, rendered, amended and performed in the Superior Court of Custer County, Oklahoma, and declaring an emergency.

SENATE BILL NO. 200.—By JOHNSON (Creek), EWING, GRAY (Senate), ORNER, LOGAN, SCHLEGEL, LEECRAFT, et al., (House)—An Act authorizing the construction and equipping of an infirmary building at the Oklahoma Agricultural and Mechanical College, at Stillwater, providing for the issuance and payment of public building bonds of the State, thereof, providing the manner of expending the proceeds of the bonds, providing for the management of the infirmary and authorizing

and directing the commissioners of the Land Office of the State of Oklahoma, to invest the public building fund of the State of Oklahoma in said bonds, and defining the duties of the Board of Regents in regard thereto.

SECOND READING

The following bills and resolutions were read for the second time and ordered referred to the Committees indicated:

SENATE BILL NO. 191.—By ANGLIN—Referred to Committee on Appropriations.

SENATE BILL NO. 192.—By TERWILLEGER.

Upon motion of Senator Hill, the rules of the Senate were suspended and Senate Bill No. 192, by Terwilleger, was ordered placed upon the Calendar, without reference to a Committee.

SENATE BILL NO. 193.—By ANDREWS, AUSTIN, HILL, SMITH, GULAGER, GRAHAM, DARNELL.

Upon motion of Senator Gulager, Senate Bill No. 193, by Andrews, Austin, Hill, Smith, Gulager, Graham and Darnell, was ordered placed upon the calendar, without reference to a Committee.

HOUSE BILL NO. 332.—By BLACK, HINES, MOON, HOUSTON, BOYDSTUN, FERGUSON and NANCE of the HOUSE, and BOYER, STORMS, JOLLY, REXROAT, THOMAS and AUSTIN of the Senate.—Referred to Committee on Appropriations.

HOUSE BILL NO. 132.—By JONES (Greer).—Referred to Committee on Judiciary No. 2.

HOUSE BILL NO. 137—By WATSON, BROWN, HESTER, MAUK and PAUL.—Referred to Committee on Revenue and Taxation.

SPECIAL ORDER

SENATE BILL NO. 46, By MacDonald, having been made a Special Order for 9 o'clock, a. m., the bill was taken up for consideration.

Upon motion of Senator MacDonald, the vote was reconsidered by which Senate Bill No. 46 was advanced to engrossment and third reading.

Senator Ferguson submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 46, line 5, page 4, by adding after the word, "bonds," the following: "All bonds shall be sold to the bidder who will pay therefor par and accrued interest, and who shall stipulate in his bid the lowest rate of interest which said bonds shall bear. Upon the acceptance of such bid, the bonds shall be issued in accordance therewith and shall be delivered to said purchaser upon payment of the purchase price thereof. Provided that such bidder shall submit with his bid a sum in cash, or its equivalent, equal to two per cent of his bid, and upon acceptance of any bid such deposit shall become the property of the County selling such bonds, and shall be credited to the purchase price thereof upon the understanding that if the purchaser shall fail five (5) days after the tender of the bonds to pay the balance of the purchase price said sale shall be thereby annulled and said deposit shall in such event be retained by the County Commissioners to said county and credited to the account for which such bonds are being issued.

Provided that no tender of the bonds shall be valid until after the expiration of the period of contestibility as now provided by law. All other deposits shall be returned. The County Commissioners selling such bonds shall have the right to reject all bids and re-advertise the bonds for sale."

FERGUSON.

Upon motion of Senator Ferguson, Senate Bill No. 46, as amended, was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and Senate Bill No. 46, as amended, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 46 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Easter, Ferguson, Fidler, George, Graham, Gulager, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Loof-bourrow, MacDonald, Moore, Patton, Peck, Powers, Pullen, Ray, Reed, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Nays: 0.

Not Voting: Andrews, Anglin, Darnell, Ewing, Harper, Kimerer, Nesbitt, Rexroat, Rice, Stewart, Williamson. Total, 11.

Excused: Gray, Otjen. Total, 2,

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Easter, Ferguson, Fidler, George, Graham, Gulager, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Loof-bourrow, MacDonald, Moore, Patton, Peck, Powers, Pullen, Ray, Reed, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Nays: 0.

Not Voting: Andrews, Anglin, Darnell, Ewing, Harper, Kimerer, Nesbitt, Rexroat, Rice, Stewart, Williamson. Total, 11.

Excused: Gray, Otjen. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 46, as amended, was referred for engrossment.

GENERAL ORDER

SENATE BILL NO. 81, by Williamson and Wheatley, of the Senate, and Stanley, of the House, was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Wheatley.

Section 2 was read.

Senator Wheatley submitted the following amendment which was adopted:

Mr. President: I move to amend Senate Bill No. 81, lines 5 and 6, page 3, by striking after the word, "at," in line 5, and before the word, "Dollars," in line 6, the word and figures, "Six (\$6.00)," and inserting in lieu thereof, the words and figures, "at not to exceed Eight (\$8.00)."

WHEATLEY.

Senator Wheatley submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 81, line 7, page 3, by striking after the word, "at," the word and figures, "Six (\$6.00)," and inserting in lieu thereof the words and figures, "at not to exceed Eight (\$8.00)."

WHEATLEY.

Senator Wheatley submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 81, lines 3 and 4, page 6, by striking after the word "exceed," and before the word, "Dollars," in line 4, the word and figures, "Six (\$6.00)," and inserting in lieu thereof the words and figures, "at not to exceed Eight (\$8.00)."

WHEATLEY.

Senator Wheatley asked unanimous consent, which was granted, to strike the word, "shall," line 9, page 2, and insert the word, "may."

Senator Ferguson submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 81, by striking lines 14 and 15, page 4.

FERGUSON.

Upon a roll call, as follows, the Ferguson amendment was adopted:

Ayes: Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Hill, Johnson (Creek), Johnson (Pottawatomie), Kimerer, Patton, Peck, Pullen, Reed, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Williams. Total, 27.

Nays: Austin, Harper, Jolly, Loofbourrow, MacDonald, Moore, Ray, Rexroat, Stewart, Wheatley, Williamson. Total, 11.

Not Voting: Andrews, Anglin, Nesbitt, Powers, Total, 4.

Excused: Gray, Otjen. Total, 2.

Upon motion of Senator Stewart, the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

The Senate reassembled, at 5 o'clock, p. m., with the President Pro Tempore presiding.

By unanimous consent Senator Anglin submitted the

following Committee Report, and the bill was ordered printed and placed upon the Calendar:

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Engrossed House Bill No. 332, by Black, Hines, Moon, Houston, Ferguson, Boydstun, and Nance of the House and Boyer et al., of the Senate, entitled:

An Act making appropriations for the purchase of farming implements, live stock, motor bus, plumbing supplies, and for the construction of a barn, tool shed, blacksmith shop and hog house at Cameron College; and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

Upon motion of Senator Anglin, Senate Bill No. 332 was advanced to engrossment and third reading.

Upon motion of Senator Stewart, the Senate adjourned, to meet at 9:00 o'clock, a. m., Friday, March 1, 1929.

FORTY-SIXTH LEGISLATIVE DAY

FRIDAY, MARCH 1ST, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 43.

Excused: Otjen. Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

Senator Gulager moved that, when the Senate adjourns today, it adjourn to meet at 1:00 o'clock, p. m., Monday, March 4, 1929, which motion prevailed.

COMMITTEE REPORTS

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bills Nos. 14, 46, 85 and 182 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Bills Nos. 14, 46 and 182 and ordered the same transmitted to the Honorable House for further consideration.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 201—By STORMS—An Act authorizing the Mayor and City Council of the City of Waurika, Oklahoma, to waive, remit and refund certain penalty or interest on delinquent paving taxes and assessments, and authorizing the County Treasurer of Jefferson County, Oklahoma, to collect said paving taxes and assessments without collecting the penalty or interest delinquent thereon, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

SENATE BILL NO. 202—By REXROAT—An Act to amend Section 4, Chapter 120, Session Laws, 1921, relating to the number of deputies to the County Assessor of Carter County, State of Oklahoma, declaring an emergency.

SENATE BILL NO. 203—By AUSTIN—An Act re-

lating to the appointment of service agent for express, common law or statutory trusts, providing for service of summons upon such trusts and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and ordered referred to the Committees indicated:

SENATE BILL NO. 194—By STEWART—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 195—By BLAKELY (Senate), LOGAN (House).—Referred to Committee on Fees and Salaries.

SENATE BILL NO. 196—By JOHNSON (Creek).—Referred to Committee on Appropriations.

SENATE BILL NO. 197—By EWING—Referred to Committee on State and County Affairs.

SENATE BILL NO. 198—By FERGUSON—Referred to Committee on Education.

SENATE BILL NO. 199—By DARNELL.

Upon motion of Senator Darnell, the rules of the Senate were suspended and Senate Bill No. 199, by Darnell, was ordered placed upon the Calendar, without reference to a Committee.

SENATE BILL NO. 200—By JOHNSON, EWING, GRAY, (Senate), ORNER, LOGAN, SCHLEGEL, LEE-

CRAFT, et al., (House).—Referred to Committee on Appropriations.

GENERAL ORDER

Upon motion of Senator Terwilleger, SENATE BILL NO. 192, by Terwilleger, was advanced to engrossment and third reading.

Upon motion of Senator Terwilleger, the rules of the Senate were suspended and Senate Bill No. 192 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 192 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams, Total, 34.

Nays: 0.

Not Voting: Andrews, Blakely, Fidler, Hill, Moore, Nesbitt, Rice, Thomas, Williamson. Total, 9.

Excused: Otjen. Total, 1.

The Bill having received the constitutional majority

of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Andrews, Blakely, Fidler, Hill, Moore, Nesbitt, Rice, Thomas, Williamson. Total, 9.

Excused: Otjen. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 192 was referred for engrossment.

Upon motion of Senator Reed, SENATE BILL NO. 176, by Reed, was advanced to engrossment and third reading.

Senator Reed moved that the rules of the Senate be suspended and Senate Bill No. 176 be considered engrossed and placed upon third reading and final passage.

Senator Gulager, as a substitute, moved that Senate

Bill No. 176 be printed and placed upon the Calendar, which motion was tabled, upon motion of Senator Pullen.

The vote recurring on the Reed motion, the same prevailed.

SENATE BILL NO. 176 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Storms, Terwilleger, Wheatley, Williams. Total, 32.

Nays: 0.

Not Voting: Andrews, Blakely, Fidler, Gray, Johnson (Pottawatomie), Moore, Nesbitt, Rice, Stigler, Thomas, Williamson. Total, 11.

Excused: Otjen. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gulager,

Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Storms, Terwilleger, Wheatley, Williams. Total, 32.

Nays: 0.

Not Voting: Andrews, Blakely, Fidler, Gray, Johnson (Pottawatomie), Moore, Nesbitt, Rice, Stigler, Thomas, Williamson. Total, 11.

Excused: Otjen. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 176 was referred for engrossment.

Upon motion of Senator MacDonald, HOUSE BILL NO. 56, by Smith and Leecraft, was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and House Bill No. 56 was considered engrossed and placed upon third reading and final passage.

Senator Jolly raised a point of order, which was not sustained, stating the bill had not been printed, as provided by the rules.

HOUSE BILL NO. 56 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Gulager, Harper, Hill, Johnson (Creek), Kimerer, Loofbourrow, MacDonald, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Rexroat, Smith, Stewart, Storms, Terwilleger, Williams. Total, 30.

Nays: Graham, Johnson (Pottawatomie), Jolly, Stigler, Wheatley. Total, 5.

Not Voting: Andrews, Fidler, Gray, Moore, Reed, Rice, Thomas, Williamson. Total, 8.

Excused: Otjen. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Bill No. 56 was referred for proper engrossment.

THIRD READING

HOUSE BILL NO. 332 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Storms, Terwilleger, Wheatley, Williams. Total, 32.

Nays: 0.

Not Voting: Andrews, Blakely, Fidler, Gray, Johnson (Pottawatomie), Moore, Nesbitt, Rice, Stigler, Thomas, Williamson. Total, 11.

Excused: Otjen. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Storms, Terwilleger, Wheatley, Williams. Total, 32.

Nays: 0.

Not Voting: Andrews, Blakely, Fidler, Gray, Johnson (Pottawatomie), Moore, Nesbitt, Rice, Stigler, Thomas, Williamson. Total, 11.

Excused: Otjen. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open Session, signed

the engrossed copy of House Bill No. 332, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 85 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams. Total, 38.

Nays: 0.

Not Voting: Andrews, Ewing, Rice, Thomas, Williamson. Total, 5.

Excused: Otjen. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed,

Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams. Total, 38.

Nays: 0.

Not Voting: Andrews, Ewing, Rice, Thomas, Williamson. Total, 5.

Excused: Otjen. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open Session, signed the engrossed copy of Senate Bill No. 85, and ordered the same transmitted to the Honorable House.

MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 334—By BOYD-STUN of the House and GULAGER of the Senate, entitled:

An Act authorizing and empowering the Board of Trustees of the Incorporated Town of Fort Gibson, Muskogee County, Oklahoma, to convey in fee simple the Sam

Houston Park located in the Town of Fort Gibson, Oklahoma, to the State of Oklahoma for the use and benefit of a State Park and declaring an emergency.

ENGROSSED HOUSE BILL NO. 324—By STRICKLAND and WIMBISH, entitled:

An Act providing for the appointment of additional Deputy County Assessors in Pontotoc County, Oklahoma, fixing their compensation and term of office and declaring an emergency.

ENGROSSED HOUSE BILL NO. 335—By MOON, HARROWER and BOYDSTUN, entitled:

An Act amending Chapter 202 (House Bill No. 392), Session Laws of 1925, empowering Muskogee County to levy and collect an annual tax for the use and benefit of the Free Oklahoma State Fair at Muskogee, Oklahoma, regulating the expenditure thereof, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 338—By PHILLIPS, entitled:

An Act deferring re-sale of real estate for delinquent taxes in counties having a population of not less than 20,850 nor more than 20,875, according to the official Federal census for the year 1920, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 364—By BUTLER, entitled:

An Act repealing Section 3244 to 3250, Compiled Oklahoma Statutes, 1921, relating to County Court at the

Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams. Total, 38.

Nays: 0.

Not Voting: Andrews, Ewing, Rice, Thomas, Williamson. Total, 5.

Excused: Otjen. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open Session, signed the engrossed copy of Senate Bill No. 85, and ordered the same transmitted to the Honorable House.

MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 334—By BOYD-STUN of the House and GULAGER of the Senate, entitled:

An Act authorizing and empowering the Board of Trustees of the Incorporated Town of Fort Gibson, Muskogee County, Oklahoma, to convey in fee simple the Sam

Houston Park located in the Town of Fort Gibson, Oklahoma, to the State of Oklahoma for the use and benefit of a State Park and declaring an emergency.

ENGROSSED HOUSE BILL NO. 324—By STRICKLAND and WIMBISH, entitled:

An Act providing for the appointment of additional Deputy County Assessors in Pontotoc County, Oklahoma, fixing their compensation and term of office and declaring an emergency.

ENGROSSED HOUSE BILL NO. 335—By MOON, HARROWER and BOYDSTUN, entitled:

An Act amending Chapter 202 (House Bill No. 392), Session Laws of 1925, empowering Muskogee County to levy and collect an annual tax for the use and benefit of the Free Oklahoma State Fair at Muskogee, Oklahoma, regulating the expenditure thereof, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 338—By PHILLIPS, entitled:

An Act deferring re-sale of real estate for delinquent taxes in counties having a population of not less than 20,850 nor more than 20,875, according to the official Federal census for the year 1920, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 364—By BUTLER, entitled:

An Act repealing Section 3244 to 3250, Compiled Oklahoma Statutes, 1921, relating to County Court at the

WHEREAS, the creation of this new Circuit Court District will necessitate the appointment of two additional Judges of such Circuit Court; and

WHEREAS, the Honorable Robert L. Williams, Judge of the United States District Court for the Eastern District of Oklahoma, having served as a member of the State Constitutional Convention, a member of and Chief Justice of the Supreme Court of the State of Oklahoma and as the Governor of this State for four years and having been United States District Judge for the Eastern District of Oklahoma for ten years during all of which time he has served the public with zeal and fidelity; and

WHEREAS, a large part of the litigation coming before the newly established court for the Tenth District will be business originating in Oklahoma and involving complicated Indian land title questions, with which Judge Robert L. Williams is probably more familiar than any other person; and

WHEREAS, the said Judge Robert L. Williams in his ten years of service on the district bench of Eastern Oklahoma and his service as Chief Justice of the Supreme Court of the State of Oklahoma, has demonstrated that he is one of the greatest jurists of America and is thoroughly well grounded in the history of the many complications surrounding titles to lands formerly belonging to the various Indian tribes and now worth many hundreds of millions of dollars because of the oil development; and

WHEREAS, there being two such vacancies to fill and it being the custom to always have one member of the opposite party in each of the judicial circuits;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA:

That we respectfully call the attention of the Attorney General of the United States to the many eminent qualifications possessed by Judge Williams to fill said position of honor and trust in the judiciary of the United States and urge his appointment as one of the new Judges to be appointed for the Tenth Judicial Circuit; and

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the President of the United States, the Attorney General of the United States and to the members of the United States Senate and House of Representatives from Oklahoma.

Senator Anglin moved that the rules of the Senate be suspended and Senate Resolution No. 15 be considered at this time, which motion prevailed.

Upon motion of Senator Anglin, Senate Resolution No. 15 was adopted and referred for engrossment.

Senator Fidler asked unanimous consent, which was granted, to introduce the following Resolution, which was read at length:

SENATE RESOLUTION NO. 16.—By FIDLER.

A RESOLUTION EXPRESSING THE OPPOSITION OF THE SENATE OF THE OKLAHOMA LEGISLATURE AGAINST NATIONAL LEGISLATION AUTHORIZING CONSTRUCTION OF TOLL BRIDGES IN THE STATE OF OKLAHOMA.

WHEREAS, a committee of the House of Representatives of the United States has reported favorably a bill

authorizing the construction of a toll bridge in Oklahoma; and

WHEREAS, the citizenship of Oklahoma is practically unanimous in its opposition to its toll bridges, and in answer to their will the Oklahoma Legislature is now perfecting legislation for the abolishment of toll bridges now existing in Oklahoma;

BE IT, THEREFORE, RESOLVED: That it is the sense of the Oklahoma Senate that the National Congress do not pass the aforesaid mentioned bill, authorizing construction of an additional toll bridge in Oklahoma.

BE IT FURTHER RESOLVED: That a copy of this resolution be sent to each member of the Oklahoma delegation in Congress and to the Speaker of the National House of Representatives.

Senator Fidler moved that the rules of the Senate be suspended and Senate Resolution No. 16 be considered at this time, which motion prevailed.

Upon motion of Senator Fidler, Senate Resolution No. 16 was adopted, as read, and referred for engrossment.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 334—By BOYD-STUN of the House and GULAGER of the Senate, entitled:

An Act authorizing and empowering the Board of Trustees of the Incorporated Town of Fort Gibson, Muskogee County, Oklahoma, to convey in fee simple the Sam

Houston Park located in the Town of Fort Gibson, Oklahoma, to the State of Oklahoma for the use and benefit of a State Park and declaring an emergency.

ENGROSSED HOUSE BILL NO. 324—By STRICKLAND and WIMBISH, entitled:

An Act providing for the appointment of additional Deputy County Assessors in Pontotoc County, Oklahoma, fixing their compensation and term of office and declaring an emergency.

ENGROSSED HOUSE BILL NO. 335—By MOON, HARROWER and BOYDSTUN, entitled:

An Act amending Chapter 202 (House Bill No. 392), Session Laws of 1925, empowering Muskogee County to levy and collect an annual tax for the use and benefit of the Free Oklahoma State Fair at Muskogee, Oklahoma, regulating the expenditure thereof, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 338—By PHILLIPS, entitled:

An Act deferring re-sale of real estate for delinquent taxes in counties having a population of not less than 20,850 nor more than 20,875, according to the official Federal census for the year 1920, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 364—By BUTLER, entitled:

An Act repealing Sections 3244 to 3250, Compiled Oklahoma Statutes, 1921, relating to County Court at the

Town of Grove in Delaware County, Oklahoma and declaring an emergency.

ENGROSSED HOUSE BILL NO. 371—By SNODDY, entitled:

An Act fixing the salaries of county officials and authorizing the employment of certain deputies by county officers in Woods County, Oklahoma, fixing the salaries of such officers and deputies and repealing all laws in conflict therewith.

Upon motion of Senator Stewart, the Senate adjourned, to meet at 1:00 o'clock, p. m., Monday, March 4, 1929.

FORTY-EIGHTH LEGISLATIVE DAY

MONDAY, MARCH 4TH, 1929

The Senate, pursuant to adjournment, met at 1:00 o'clock, p. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 43.

Excused: Boyer. Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by Senator Austin.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the Calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 137 by Watson, Brown, Hester, Mauk and Paul, entitled:

An Act amending Section 9606, Compiled Oklahoma Statutes of 1921, as amended by House Bill 139, Chapter 135, Session Laws of 1925, relating to assessment and taxation of property of corporations, and repealing Section 9962, Compiled Oklahoma Statutes, 1921, and all Acts and parts of Acts in conflict herewith, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

FIDLER, Chairman.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 210 by Whitt, Roe and Lester, entitled:

An Act amending Section 9666, Compiled Oklahoma Statutes, 1921, relating to the assessment of taxable property, and providing for procedure in such assessments in all counties in the state having a population of not less than 52,570, and not more than 54,500, according to the Federal census of 1920, beg leave to report we had the same under consideration and herewith return the same with the recommendation that it do pass.

FIDLER, Chairman.

MR. PRESIDENT:

We, your Committee on Live Stock and Tenant Farming, to whom was referred House Bill No. 301, by Briggs of the House, and Harper of the Senate, entitled:

An Act to prevent live stock from running at large in certain parts of Latimer County, Oklahoma, prescribing punishment for the violation thereof, providing for damages for trespassing animals and distraint thereof, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same without recommendation.

BLAKELY, Chairman.

Upon motion of Senator Harper, further consideration of House Bill No. 301, by Briggs, of the House, and Harper, of the Senate, was indefinitely postponed.

Senator Jolly submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Resolutions Nos. 15 and 16 correctly engrossed.

JOLLY, Vice Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Resolutions Nos. 15 and 16 and referred the resolutions for enrollment.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE CONCURRENT RESOLUTION NO. 10—
By REXROAT.—A Resolution fixing the date of the final adjournment sine die of the Twelfth Session of the Oklahoma Legislature.

Senator Rexroat moved that the rules of the Senate be suspended and Senate Concurrent Resolution No. 10, by Rexroat, be taken up for consideration.

Senator Gray moved to table the Rexroat motion, which motion prevailed.

SENATE BILL NO. 204.—By BLAKELY, MacDONALD—An Act authorizing cities and towns to spray and prune the trees and shrubbery located and growing within said city or town; and providing for the cost thereof, and assessing the same against the said lots, pieces, or parcels of ground upon which said trees or shrubbery are located, and making the cost thereof a lien against the same; providing for the collection thereof; and authorizing cities to purchase the necessary equipment; repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 205.—By ANGLIN.—An Act making appropriation to pay Confederate pensions for the remainder of the fiscal year ending June 30, 1929, and declaring an emergency.

SENATE BILL NO. 206.—By COMMONS.—An Act creating the office of evidence man in the office of County Attorney of Ottawa County, Oklahoma, fixing the salary thereof and declaring an emergency.

GENERAL ORDER

Senator Gulager moved that SENATE BILL NO. 193, by Andrews, Austin, Hill, Smith, Gulager, Graham and Darnell, be advanced to engrossment and third reading, which motion, by unanimous consent, the maker withdrew.

Senator Gulager moved that SENATE BILL NO. 193, by Andrews, Austin, Hill, Smith, Gulager, Graham and Darnell, be referred to the Legal Advisory Committee.

Senator Anglin raised a point of order, against the Gulager motion, stating it would take a suspension of the rules to take up Senate Bill No. 193 for consideration, which point was sustained.

Senator Ferguson moved that the rules of the Senate be suspended and consideration be given SENATE BILL NO. 193.

Senator Terwilleger moved that the Ferguson motion be tabled, which motion prevailed.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 201.—By STORMS.

Upon motion of Senator Hill, the rules of the Senate were suspended and Senate Bill No. 201, by Storms, was ordered placed upon the Calendar, without reference to a Committee.

SENATE BILL NO. 202.—By REXROAT.

Upon motion of Senator Rexroat, the rules of the Senate were suspended and Senate Bill No. 202, by Rexroat, was ordered placed upon the Calendar, without reference to a Committee.

SENATE BILL NO. 203.—By AUSTIN.—Referred to Committee on Judiciary No. 1.

ENGROSSED HOUSE BILL NO. 334—By BOYDSTUN of the House and GULAGER of the Senate.

Upon motion of Senator Gulager, the rules of the Senate were suspended and House Bill No. 334, by Boydston, of the House, and Gulager, of the Senate, was ordered placed upon the Calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 324.—By STRICKLAND and WIMBISH.

Upon motion of Senator Gulager, the rules of the Senate were suspended and House Bill No. 324, by Strickland and Wimbish, was ordered placed upon the Calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 335—By MOON, HARROWER and BOYDSTUN.—Referred to Committee on Legal Advisory.

ENGROSSED HOUSE BILL NO. 338—By PHILLIPS—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 364—By BUTLER—Referred to Committee on Judiciary No. 1.

ENGROSSED HOUSE BILL NO. 371.—By SNODDY.

Upon motion of Senator Powers, the rules of the Senate were suspended and House Bill No. 371, by Snoddy, was ordered placed upon the Calendar, without reference to a Committee.

President Pro Tempore Storms announced the Senate

recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

The Senate, at 5:15 o'clock, p. m., reassembled, with the President Pro Tempore presiding.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 9.—By Gulager, Patton, Williams, Nesbitt and Ferguson of the Senate, and Kight, Boydstun, Newberry, Wagner and Hutchinson of the House, entitled:

A Resolution requesting Geo. H. Warren to present statue to the State of Oklahoma.

and to advise you and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 9 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 63— By Powers, Ray, Kimerer of the Senate, and Orendorff, Carmack Chambers and Barry of the House, entitled:

An Act amending Section 4152, Compiled Oklahoma Statutes, 1921, repealing all acts or parts of acts in conflict herewith, and declaring an emergency,

and to advise you and through you the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Very truly yours,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bill No. 63 was referred to the Acting Governor, for consideration.

To the President of the Senate,

SIR:

I am directed by the House to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 175—By BLACK, entitled:

An Act amending Section 4507, Compiled Oklahoma Statutes, 1921, relating to the right of municipalities to engage in business, acquire, own and maintain public utilities and to issue bonds for said purposes, to be owned exclusively by said municipalities, including the right to

enter into lease contract for such public utility; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 359—By JACOBS of the House, and NESBITT, of the Senate, entitled:

An Act deferring re-sale of real estate for delinquent taxes in counties having a population of not less than 18,406 nor more than 18,425 according to the official federal census for the year 1920, repealing all Acts or parts of Acts in conflict herewith; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 222—By HUTCHINSON, STANLEY, BRIGGS, JONES (Greer), DUNNING and CLOYD of the House, and OTJEN of the Senate, entitled:

An Act amending Section 6982, Compiled Oklahoma Statutes, 1921, relating to the purchasing outside of the State of Oklahoma and the transportation into Oklahoma of tax-free alcohol, for use in scientific institutions, colleges, universities and hospitals, and declaring an emergency,

ENGROSSED HOUSE BILL NO. 352—By SCHLEGEL and ORNER of the House, and JOHNSON (Creek and Payne), of the Senate, entitled:

An Act providing for the appointment of an undersheriff, two deputy sheriffs and a jailor of Payne County, Oklahoma; fixing their salaries; repealing all laws in conflict herewith and declaring an emergency,

ENGROSSED HOUSE BILL NO. 104—By HARVEY, MATHERLY, LOWRY, CARMACK, HARROWER, CLOYD, WHITT, STRICKLAND, MAUK, CARTWRIGHT, BUSEY, and HOOVER, entitled:

An Act regulating the sale or distribution of pamphlets, publications, and books and providing a penalty for violation of the act, and declaring an emergency,

ENGROSSED HOUSE BILL NO. 285—By THOMAS, BRIGGS, BROWN, CLOYD, KEENAN, LOGAN, and LEECRAFT of the House, and GRAY, FIDLER, WILLIAMSON, AUSTIN and STORMS of the Senate, entitled:

An Act amending Section 5505, of the Compiled Oklahoma Statutes of 1921, relating to eminent domain and condemnation proceedings by railroads and other corporations, authorizing the State of Oklahoma and its various educational, reformatory, penal and eleemosynary institutions and other departments of State to institute condemnation proceedings in the same manner and under the procedure authorized for railroad corporations, and declaring an emergency,

ENGROSSED HOUSE JOINT RESOLUTION NO. 11—By CLOYD, WATSON, STREET, GRAHAM, EYLAR, HOOVER, MARKER, BYRUM, and NOBLE of the House, and GEORGE, WILLIAMSON, FIDLER, RICE, PECK and JOHNSON (Pottawatomie) of the Senate, entitled:

A Resolution making an appropriation for payment of drainage assessments against State school and other public lands of the State located in recognized drainage districts, and declaring an emergency,

and to advise you, and through you the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 114—By GRAHAM, WILSON and LOGAN of the House, and FIDLER of the Senate, entitled:

An Act making appropriations to be paid the cities and towns named, the total of the amount of money collected by the State Insurance Commission from the Insurance companies, and which has been turned into the State Treasury as provided in Article 5, Chapter 29, Compiled Oklahoma Statutes, 1921, and declaring an emergency.

ENROLLED HOUSE BILL NO. 220—By ODELL, entitled:

An Act providing for the appointment of a Deputy County Superintendent of Schools in Woodward County, fixing the salary thereof and declaring an emergency.

ENROLLED HOUSE BILL NO. 231—By KENISON of the House, and KIMERER of the Senate, entitled:

An Act authorizing the County Commissioners of Blaine County, Oklahoma, to make a special levy for the purpose of erecting buildings for the Free Fair Association upon real estate owned by the said county or any municipal corporation therein, under contract or lease, for use as exhibit grounds for Free County Fair, and declaring an emergency.

ENROLLED HOUSE BILL NO. 294—By WATSON (By Request), entitled:

An Act fixing the salary of the County Court stenog-

rapher of Lincoln County, Oklahoma, and repealing all Acts or parts of Acts in conflict herewith and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time, and signed by the Speaker in open session.

Yours truly,
BERT McDONEL, Chief Clerk.

House Bills Nos. 114, 220, 231 and 294 were, each, read for the fourth time, the enrolled copies signed by the President Pro Tempore and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 253—By OREN-DORFF of the House, and PATTON of the Senate, entitled:

An Act amending Section 3973, Compiled Oklahoma Statutes, 1921, as amended by Chapter 119, Session Laws of Oklahoma, 1927, relating to the herding of domestic animals, and declaring an emergency.

ENROLLED HOUSE BILL NO. 332—By BLACK, HINES, MOON, HOUSTON, FERGUSON, BOYDSTUN, and NANCE of the House; and BOYER, STORMS, JOLLY, REXROAT, THOMAS and AUSTIN of the Senate, entitled:

An Act making appropriations for the purchase of farming implements, live stock, motor bus, plumbing sup-

plies, and for the construction of a barn, tool shed, blacksmith shop and hog house at Cameron College; and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time, and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

House Bills Nos. 253 and 332 were, each, read for the fourth time, the enrolled copies signed by the President Pro Tempore, and ordered returned to the Honorable House.

HOUSE BILLS ON FIRST READING

The following bills were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 175—By BLACK, entitled:

An Act amending Section 4507, Compiled Oklahoma Statutes, 1921, relating to the right of municipalities to engage in business, acquire, own and maintain public utilities and to issue bonds for said purposes, to be owned exclusively by said municipalities, including the right to enter into lease contract for such public utility; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 359—By JACOBS of the House, and NESBITT of the Senate, entitled:

An Act deferring re-sale of real estate for delinquent taxes in counties having a population of not less than 18,406 nor more than 18,425 according to the official

federal census for the year 1920, repealing all Acts or parts of Acts in conflict herewith; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 222—By HUTCHINSON, STANLEY, BRIGGS, JONES (Greer), DUNNING and CLOYD of the House, and OTJEN of the Senate entitled:

An Act amending Section 6982, Compiled Oklahoma Statutes, 1921, relating to the purchasing outside of the State of Oklahoma and the transportation into Oklahoma of tax-free alcohol, for use in scientific institutions, colleges, universities and hospitals, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 352—By SCHLEGEL and ORNER of the House, and JOHNSON (Creek and Payne), of the Senate, entitled:

An Act providing for the appointment of an undersheriff, two deputy sheriffs and a jailor of Payne County, Oklahoma; fixing their salaries; repealing all laws in conflict herewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 104—By HARVEY, MATHERLY, LOWRY, CARMACK, HARROWER, CLOYD, WHITT, STRICKLAND, MAUK, CARTWRIGHT, BUSEY, and HOOVER, entitled:

An Act regulating the sale or distribution of pamphlets, publications, and books and providing a penalty for violation of the act, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 285—By THOMAS, BRIGGS, BROWN, CLOYD, KEENAN, LOGAN, and

LEECRAFT of the House, and GRAY, FIDLER, WILLIAMSON, AUSTIN and STORMS of the Senate, entitled:

An Act amending Section 5505, of the Compiled Oklahoma Statutes of 1921, relating to eminent domain and condemnation proceedings by railroads and other corporations, authorizing the State of Oklahoma and its various educational, reformatory, penal and eleemosynary institutions and other departments of State to institute condemnation proceedings in the same manner and under the procedure authorized for railroad corporations, and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 11
—By CLOYD, WATSON, STREET, GRAHAM, EYLAR, HOOVER, MARKER, BYRUM, and NOBLE of the House, and GEORGE, WILLIAMSON, FIDLER, RICE, PECK and JOHNSON (Pottawatomie) of the Senate, entitled:

A Resolution making an appropriation for payment of drainage assessments against State school and other public lands of the State located in recognized drainage districts, and declaring an emergency.

Upon motion of Senator Smith, the Senate adjourned, to meet at 9:00 o'clock, a. m., Tuesday, March 5, 1929.

FORTY-NINTH LEGISLATIVE DAY

TUESDAY, MARCH 5TH, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bills Nos. 22 and 165 correctly engrossed.

BOYER, Chairman.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 207—By WHEATLEY—An Act validating all informal and irregular certificate of acknowledgments, defective executions of acknowledgments to deeds and other instruments that have been of record in the proper office of any county in the State of Oklahoma prior to January 1, 1925; repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 208—By LOOFBOURROW—An Act authorizing and empowering the County Commissioners of Cimarron County, Oklahoma, to include a special item in its estimate for the fiscal years ending June 30, ----, and June 30, ----, for the purpose of erecting buildings and making improvements on the lands owned by the Free Fair Association of Cimarron County, authorizing and empowering the County Excise Board to make a levy, in addition to the maximum levy for current expense purposes, therefor, and declaring an emergency.

SENATE BILL NO. 209—By GRAY—An Act amending Section 1660, Compiled Oklahoma Statutes, 1921, relating to granting or using free franks or passes and declaring an emergency.

SENATE BILL NO. 210—By JOHNSON (Creek)—An Act amending Chapter 113, Session Laws, 1923, and providing for the supervision, regulation, and conduct of the transportation of persons, freight and property for compensation over the public highways of the State of

Oklahoma by motor vehicles; conferring jurisdiction upon the Corporation Commission, providing for the enforcement of the provisions of this Act and for the punishment for violations of this Act, and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 11—By AUSTIN, LOOFBOURROW, MOORE, WILLIAMS.—A Resolution authorizing the appointment of a joint committee from the Senate and House of Representatives of Oklahoma to negotiate with the State of Texas over the settlement of the western boundary of Oklahoma and the eastern boundary of the Panhandle of Texas; authorizing said Committee to negotiate terms upon which said boundary line may be settled; providing for the payment of the expenses and per diem of said committee from the contingent fund of the respective houses; continuing the existence of said committee during the remainder of the present session of the Legislature and authorizing it to carry on its negotiations and remain in existence after the adjournment of the present session of the Legislature.

SENATE JOINT RESOLUTION NO. 22—By WHEATLEY—A Joint Resolution continuing permission to picture the past and present historically of Oklahoma and its achievements and making an appropriation therefor.

SECOND READING

The following bills and resolutions were read for the second time and ordered referred to the Committees indicated:

SENATE BILL NO. 204.—By BLAKELY, MacDONALD.—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 205.—By ANGLIN.—Referred to Committee on Appropriations.

SENATE BILL NO. 206.—By COMMONS.

Upon motion of Senator Commons, the rules of the Senate were suspended and Senate Bill No. 206, by Commons, was ordered placed upon the Calendar, without reference to a committee.

HOUSE BILL NO. 175.—By BLACK.—Referred to Committee on Municipal Corporations.

HOUSE BILL NO. 359.—By JACOBS of the House, and NESBITT of the Senate.—Referred to the Committee on Revenue and Taxation.

HOUSE BILL NO. 222.—By HUTCHINSON, STANLEY, BRIGGS, JONES (Greer), DUNNING and CLOYD of the House, and OTJEN of the Senate.—Referred to Committee on Drugs and Pure Food.

HOUSE BILL NO. 352.—By SCHLEGEL and ORNER of the House, and JOHNSON (Creek and Payne) of the Senate.

Upon motion of Senator Johnson (Creek), the rules of the Senate were suspended and House Bill No. 352, by Schlegel and Orner, of the House, and Johnson (Creek), of the Senate, was ordered placed upon the Calendar, without reference to a committee.

HOUSE BILL NO. 104.—By HARVY, MATHERLY, LOWRY, CARMACK, HARROWER, CLOYD, WHITT, STRICKLAND, MAUK, CARTWRIGHT, BUSEY, and HOOVER.—Referred to Committee on Judiciary No. 1.

HOUSE BILL NO. 285.—By THOMAS, BRIGGS, BROWN, CLOYD, KEENAN, LOGAN and LEECRAFT of the House, and GRAY, FIDLER, WILLIAMSON,

AUSTIN and STORMS of the Senate.—Referred to Committee on Legal Advisory.

HOUSE JOINT RESOLUTION NO. 11.—By CLOYD, WATSON, STREET, GRAHAM, EYLAR, HOOVER, MARKER, BYRUM, and NOBLE of the House, and GEORGE, WILLIAMSON, FIDLER, RICE, PECK, and JOHNSON (Pottawatomie) of the Senate.—Referred to Committee on Appropriations.

Upon motion of Senator Hill, SENATE BILL NO. 195, by Blakely, of the Senate, and Logan, of the House, was ordered withdrawn from the Committee on Fees and Salaries and ordered placed upon the Calendar.

THIRD READING

HOUSE BILL NO. 288, was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley. Total, 29.

Nays: 0.

Not Voting: Andrews, Anglin, Austin, Blakely, Graham, Kimerer, Loofbourrow, Moore, Pullen, Ray, Reed, Rexroat, Thomas, Williams, Williamson. Total, 15.

The Bill having received the constitutional majority

of the votes of all members elected to and constituting the Senate was declared passed.

Upon motion of Senator Gulager, the emergency clause was stricken from House Bill No. 288.

House Bill No. 288, as amended, was referred for proper engrossment.

SENATE BILL NO. 165, was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Reed, Rice, Smith, Stewart, Storms, Terwilleger, Wheatley, Williams. Total, 35.

Nays: Stigler. Total, 1.

Not Voting: Andrews, Anglin, Johnson (Pott.), Pullen, Ray, Rexroat, Thomas, Williamson. Total, 8.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gra-

ham, Gray, Gulager, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Reed, Rice, Smith, Stewart, Storms, Terwilleger, Wheatley, Williams. Total, 35.

Nays: Stigler. Total, 1.

Not Voting: Andrews, Anglin, Johnson (Pott.), Pullen, Ray, Rexroat, Thomas, Williamson. Total, 8.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 165, and ordered the same transmitted to the Honorable House.

SENATE BILL NO 22 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rice, Smith, Stewart, Terwilleger, Williams. Total, 33.

Nays: Blakely, Moore, Stigler, Storms, Wheatley. Total, 5.

Not Voting: Andrews, Anglin, Ray, Rexroat, Thomas, Williamson. Total 6.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

Upon motion of Senator Austin, the emergency clause was stricken from Senate Bill No. 22.

Senate Bill No. 22, as amended, was referred for proper engrossment.

GENERAL ORDER

Upon motion of Senator Boyer, SENATE BILL NO. 201, by Storms, was advanced to engrossment and third reading.

Upon motion of Senator Boyer, the rules of the Senate were suspended and SENATE BILL NO. 201, by Storms, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 201, was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Reed, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams. Total, 36.

Nays: 0.

Not Voting: Andrews, Anglin, Ferguson, Pullen, Ray, Rexroat, Thomas, Williamson. Total, 8.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Reed, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams. Total, 36.

Nays: 0.

Not Voting: Andrews, Anglin, Ferguson, Pullen, Ray, Rexroat, Thomas, Williamson. Total, 8.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

Senate Bill No. 201 was referred for proper engrossment.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION.

The Senate reassembled, at 5 o'clock, p. m., and was called to order by the President Pro Tempore.

GENERAL ORDER

Senator Darnell moved that SENATE BILL NO. 199, by Darnell, be advanced to engrossment and third reading, which motion prevailed.

Upon motion of Senator Darnell, the rules of the Senate were suspended and Senate Bill No. 199, by Darnell, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 199 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Nesbitt, Otjen, Patton, Powers, Pullen, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Andrews, Anglin, Clark, Graham, Harper, MacDonald, Moore, Peck, Ray, Reed, Rice. Total, 11.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Nesbitt, Otjen, Patton, Powers, Pullen, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Andrews, Anglin, Clark, Graham, Harper, MacDonald, Moore, Peck, Ray, Reed, Rice. Total, 11.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 199 was referred for proper engrossment.

Senator Rexroat moved that SENATE BILL NO. 202, by Rexroat, be advanced to engrossment and third reading, which motion prevailed.

By unanimous consent, the words, "BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA," were inserted, preceding line 1, of the bill.

By unanimous consent, the word and figure, "Section 1, were inserted in line 1, preceding the words, and figure, "That Section 4."

Upon motion of Senator Rexroat, the rules of the Senate were suspended and Senate Bill No. 202, by Rexroat, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 202 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Commons, Darnell, Easter, Ferguson, George, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Powers, Pullen, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 31.

Nays: 0.

Not Voting: Andrews, Anglin, Boyer, Clark, Ewing, Fidler, Graham, Harper, Moore, Peck, Ray, Reed, Rice. Total, 13.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Commons, Darnell, Easter, Ferguson, George, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Powers, Pullen, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 31.

Not Voting: Andrews, Anglin, Boyer, Clark, Ewing, Fidler, Graham, Harper, Moore, Peck, Ray, Reed, Rice. Total, 13.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

Senate Bill No. 202, as amended, was referred for engrossment.

Senator Blakely moved that SENATE BILL NO. 195, by Blakely, of the Senate, and Logan, of the House, be advanced to engrossment and third reading, which motion prevailed.

Upon motion of Senator Blakely, the rules of the Senate were suspended and Senate Bill No. 195 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 195 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Blakely, Boyer, Darnell, Easter, Ferguson, George, Gulager, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Nesbitt, Otjen, Patton, Powers, Pullen, Rexroat, Smith, Stewart, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 25.

Nays: 0.

Nays: Austin, Commons, Loofbourrow, Stigler, Wheatley. Total, 5.

Not Voting: Andrews, Anglin, Clark, Ewing, Fidler, Graham, Gray, Harper, Hill, Moore, Peck, Ray, Reed, Rice. Total, 14.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senator Pullen served notice that he would, on the next legislative day, move to reconsider the vote by which Senate Bill No. 195 was passed.

Senator Loofbourrow sent up the following explanation of his vote on Senate Bill No. 195:

Mr. President: I vote NO, for the reason this bill repeals any special or local law, heretofore passed, which may effect several counties.

LOOFBOURROW.

Upon motion of Senator Loofbourrow, SENATE BILL NO. 23, by Loofbourrow, of the Senate, and Allen, of the House, was stricken from the Calendar.

MESSAGES

The following Messages from the Acting Governor were received and read:

March 1, 1929.

To the President and Members
of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bill No. 15, entitled:

"An Act making an appropriation for the purpose of paying the traveling and living expenses of the Judges of the Court of Tax Review, and making an appropriation for

the per diem, traveling and living expenses, and making of transcripts for court reporters of said Court of Tax Review, when such judges and court reporters are outside of their counties of residence and making appropriations for communications and supplies for the State Auditor, as clerk of said Court of Tax Review, and declaring an emergency,"

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY, Acting Governor.

March 1, 1929.

To the President and Members
of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bill No. 80, entitled:

"An Act authorizing and empowering the County Assessor of Caddo County, Oklahoma, to employ extra help at the expense of the county in a sum of not to exceed Four Hundred (\$400.00) Dollars annually; such services to be paid by the county in like manner as other salary claims are paid, and declaring an emergency,"

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY, Acting Governor.

March 1st, 1929.

To the President and Members
of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bill No. 125, entitled:

"An Act authorizing and empowering the Excise Board of Hughes County, Oklahoma, to levy in addition to all other authorized levies for current expenses, a special tax of not to exceed one-half of one mill for improvements to the free fair grounds, situated in Hughes County, adjacent to the city of Holdenville, Oklahoma, for the fiscal years, 1929-1930 and 1930-1931, and declaring an emergency,"

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY,
Acting Governor.

March 1st, 1929.

To the President and Members
of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bill No. 137, entitled:

"An Act abolishing township government in Hughes County, Oklahoma, and providing that the duties of town-

ship officers shall be performed by the Board of County Commissioners of said county, and declaring an emergency,"

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY,
Acting Governor.

Upon motion of Senator Gulager, the Senate adjourned to meet at 9:00 o'clock, a. m., Wednesday, March 6, 1929 .

FIFTIETH LEGISLATIVE DAY

WEDNESDAY, MARCH 6th, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the calendar:

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House Bill No. 175 by Black, entitled:

An Act amending Section 4507, Compiled Oklahoma Statutes, 1921, relating to the right of municipalities to engage in business, acquire, own and maintain public utilities and to issue bonds for said purposes, to be owned exclusively by said municipalities, including the right to enter into lease contract for such public utility; and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

MacDONALD, Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 288, Senate Bills Nos. 22 and 201 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendment to and Engrossed House Bill No. 288, as amended, Engrossed Senate Bills Nos. 22 and 201 and ordered, each, transmitted to the Honorable House, for consideration.

FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 211—By GRAY, STORMS, RICE and BOYER.—An Act providing for the appointment of county agents and county home demonstration agents by the extension division of the Oklahoma Agricultural and Mechanical College co-operating with the United States De-

partment of Agriculture and making the appropriation therefor, authorizing counties to pay the expenses thereof, repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 212—By KIMERER, HILL, WILLIAMSON, POWERS, OTJEN and GULAGER.—An Act providing that persons taking orders for articles and collecting purchase price thereof upon delivery of merchandise, shall procure an annual county license and providing that persons engaged in such occupation without procuring the license shall be guilty of a misdemeanor, prescribing the punishment therefor, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 23—By STIGLER (Senate), BELEW (House).—A Joint Resolution authorizing the excise board of Haskell County to transfer any unused revenue or funds derived by virtue of a levy for tick eradication in said county for the fiscal year ending June 30, 1928, to the court fund of said county for the fiscal years ending June 30, 1929 and June 30, 1930, and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 207—By WHEATLEY—Referred to Committee on Judiciary No. 1.

SENATE BILL NO. 208—By LOOFBOURROW.

Upon motion of Senator Loofbourrow, the rules of the Senate were suspended and Senate Bill No. 208, by

Loofbourrow, was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 209—By GRAY—Referred to Committee on Public Service Corporations.

SENATE BILL NO. 210—By JOHNSON (Creek).—Referred to Committee on Public Service Corporations.

SENATE JOINT RESOLUTION NO. 22—By WHEATLEY—Referred to Committee on Appropriations.

MESSAGES

The following messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 3—By GRAHAM, HESTER, CLOYD, GIBSON, SEARS, MARKER, DITTMER, PAUL, DRAKE, WIMBISH, SMITH, BUTLER, TRENT, BUNCH, PARKER, SNODDY, PERRYMAN, MAUK, and HERSCHBERGER, entitled:

An Act authorizing the State Highway Commission to purchase any intra-state toll bridge located on any State Highway, making an appropriation therefor and directing the State Highway Commission to build a free bridge to serve any State Highway now served by a toll bridge which cannot be acquired under the provisions of this Act.

ENGROSSED HOUSE BILL NO. 20—By STANLEY, LEWIS, WASSON, HEAD, PAUL, BUSEY, PHILLIPS, WHITAKER, STOVALL, FAULK, JACOBS, LEECRAFT, ROE, BARRY, CHAMBERS, CARTWRIGHT, WAGNER, and SKINNER, entitled:

An Act providing for the taking of fish other than game fish from the waters of the State of Oklahoma by the use of seines, nets, or spears, describing the kind of fish that may be taken, the kind of spears that may be used, and the kind of nets that may not be used, and exempting private lakes and ponds from the operation of the fish and game laws of the State of Oklahoma, and repealing all laws in conflict therewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 13—By STANLEY, LEWIS, WASSON, PAUL, BUSEY, JACOBS, HEAD, WAGNER, PHILLIPS, WHITAKER, DYER, STOVALL and LEECRAFT, entitled:

An Act amending Section 17, Chapter 35, of the Session Laws of Oklahoma, 1927, relating to fish and game and fixing penalty for violation, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 4—By STOVALL, GRAHAM, STREET, MITCHELL, CLOYD, LEECRAFT, BRIGGS, LOGAN, SKINNER, KING, JACOBS, WAGNER, BYRUM, GIBSON, HOWARD, CHAMBERS, OREN-DORFF, EYLAR, HERSCHBERGER, HOOVER, ROE, DUNNING, KEENAN, LOWRY, JONES (Greer), STRICKLAND, MAUK, STANLEY and PAUL, entitled:

An Act authorizing and directing the Board of Regents of the University to complete the Oklahoma Hospital for Crippled Children, making improvements on grounds and equipping the said hospital and making an appropriation for the same and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House of Representatives, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you the Honorable Senate, that they have concurred in Senate Amendments to

ENGROSSED HOUSE BILL NO. 56—By SMITH and LEECRAFT, entitled:

An Act amending Section 3780, Compiled Oklahoma Statutes, 1921, pertaining to adulterated feed stuffs, and repealing all laws in conflict herewith,

ENGROSSED HOUSE BILL NO. 267—By HARVEY, entitled:

An Act increasing the salaries of the deputies of the County Clerk's office of Kiowa County, Oklahoma, and same have been passed by the House as amended.

Yours very truly,

BERT McDONEL, Chief Clerk.

A Message from the Honorable House transmitting "Engrossed Concurrent Resolution No. 7, By Brown, Cartwright, Roe, Keenan, Harvey, and Cloyd, entitled: A Concurrent Resolution memorializing Congress to appropriate \$10,000,000.00, for the purpose of eradicating and exterminating cotton boll weevils in the State of Oklahoma," was ordered returned to the Honorable House for correction.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 158—By WHEATLEY, entitled:

An Act fixing the salaries of certain county officials of Craig County, Oklahoma, repealing all Acts in conflict herewith and declaring an emergency,

and to advise you and through you, the Honorable Senate, that the same has been passed by House and signed by the Speaker in open session.

Yours truly,

BERT McDONEL,
Chief Clerk.

Engrossed Senate Bill No. 158 was ordered referred for enrollment.

Senator Harper Presiding.

GENERAL ORDER

SENATE CONCURRENT RESOLUTION NO. 11—
By AUSTIN, et al., was taken up for consideration and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 11—By
By AUSTIN, et al., was taken up for consideration and
STORMS of the Senate, CARMACK, CARMICHAEL,
NANCE and DUNNING of the House.

A RESOLUTION AUTHORIZING THE APPOINTMENT OF A JOINT COMMITTEE FROM THE SENATE AND HOUSE OF REPRESENTATIVES OF OKLAHOMA TO NEGOTIATE WITH THE STATE OF TEXAS OVER THE SETTLEMENT OF THE WESTERN BOUNDARY OF OKLAHOMA AND THE EASTERN BOUNDARY OF THE PANHANDLE OF TEXAS; AUTHORIZING SAID COMMITTEE TO NEGOTIATE TERMS UPON WHICH SAID BOUNDARY LINE MAY BE SETTLED; PROVIDING FOR THE PAYMENT OF THE EXPENSES AND PER DIEM OF SAID COMMITTEE FROM THE CONTINGENT FUND OF THE RESPECTIVE HOUSES; CONTINUING THE EXISTENCE OF SAID COMMITTEE DURING THE REMAINDER OF THE PRESENT SESSION OF THE LEGISLATURE AND AUTHORIZING IT TO CARRY ON ITS NEGOTIATIONS AND REMAIN IN EXISTENCE AFTER THE ADJOURNMENT OF THE PRESENT SESSION OF THE LEGISLATURE.

WHEREAS, there is now pending in the Supreme Court of the United States a case styled: State of Oklahoma v. State of Texas, 272 U. S. 21, involving the location of the true 100th meridian, said meridian being the western boundary line of the State of Oklahoma and the eastern boundary line of the Panhandle of the State of Texas; and,

WHEREAS, in said case the Supreme Court of the United States has appointed a locating commission to re-survey said true 100th meridian and report the result thereof to the Supreme Court of the United States; and,

WHEREAS, said re-survey has been made and by which land heretofore constituting a part of the State of Oklahoma will be by said re-survey, if the same is approved by the Supreme Court of the United States, transferred to the State of Texas and the State of Oklahoma will thereby lose approximately 23,000 acres of land and the title to property therein will be seriously affected and a general state of confusion to the inhabitants of said territory will result; and,

WHEREAS, SENATE JOINT RESOLUTION NO. 196, passed by the Seventieth Congress, Second Session, gives the consent of Congress to the State of Oklahoma and the State of Texas to negotiate and enter into a compact or agreement respecting the western boundary line of the State of Oklahoma and the eastern boundary line of the Panhandle of the State of Texas; and,

WHEREAS, the Legislature is advised that the Legislature of the State of Texas contemplates adjourning its present session by March 15, 1929; and,

WHEREAS, by reason of said facts an emergency exists,

BE IT THEREFORE HEREBY RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That a joint committee of the Senate and the House of Representatives of the State of Oklahoma, consisting of three (3) members of the Senate, and three (3) members of the House of Representatives, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives, to be ex officio members of said committee, and by reason of such membership to have all the authority and rights of a member of said committee, be appointed by the respective bodies, the members thereof from the Senate to be appointed by the President Pro Tempore of the Senate, and the members thereof from the House of Representatives to be appointed by the Speaker of said House.

And said committee is hereby authorized and empowered to go to Austin, Texas, to confer with the Legislature of the State of Texas, and the Governor and the Attorney General of said State, or any committee or authority designated thereby, for the purpose of negotiating and stipulating such terms of settlement of the dispute between the two States over the boundary line as aforesaid, as may be mutually agreed upon, and to secure and enter into an agreement from and with the State of Texas, subject to ratification as hereinafter provided, which may be filed in the Supreme Court of the United States in the case of State of Oklahoma v. State of Texas, above mentioned, to the end that said court may adopt said agreement as the decision of said court and locate the true boundary line between the States of Texas and Oklahoma, as may be agreed upon by the State of Oklahoma and the State of Texas, and to join in such stipulation to be filed in said cause as may be necessary or effectual to hold in abeyance the final decree therein until the Legislature may fully ratify the same or otherwise direct.

The committee herein provided for is hereby authorized under the supervision and by and with the consent of the Governor to propose such terms of settlement as they deem just and proper by which Oklahoma may retain and be awarded and decreed the ownership and possession of the strip of land above referred to so that the boundary line between the two States above mentioned may be established as and decreed to be the line as recognized at this time as the 100th meridian and that the Supreme Court of the United States may in its decree in said case above mentioned upon stipulation or agreement of the parties, establish the boundary line between the States of Oklahoma and Texas on the 100th meridian, as now recognized and which now constitutes the western boundary line of the State of Oklahoma and the eastern boundary line of the Panhandle of the State of Texas.

The Committee herein provided for is hereby authorized to continue its efforts at such negotiations and to continue in existence during the remainder of the present session of the Legislature of the State of Oklahoma, or until said negotiations have been completed, and the said committee is hereby specifically authorized in the event said negotiations are not completed before the adjournment of the present session of the Legislature to continue in existence and to continue such negotiations after the adjournment of this session of the Legislature, or until terms for settlement of the boundary line above mentioned may be agreed upon between the two States.

The expenses and per diem of said committee shall be paid from the contingent fund of the respective Houses, the expenses and per diem of the members of each House to be paid from the contingent fund of said House of which they are a member.

The Attorney General of the State of Oklahoma is hereby requested to designate an Assistant Attorney Gen-

eral to accompany said committee to Austin, Texas, and to assist said committee in the negotiations herein authorized.

The committee herein provided for shall from time to time report the result of its efforts to the respective Houses of the Legislature for their ratification and the terms agreed upon shall not be binding upon the State of Oklahoma until and unless the same shall be approved by the Legislature of the State of Oklahoma.

Upon motion of Senator Austin, Senate Concurrent Resolution No. 11 was adopted, and referred for engrossment.

Senator Rexroat moved that SENATE CONCURRENT RESOLUTION NO. 10, by Rexroat, be taken up for consideration, which motion prevailed.

Senate Concurrent Resolution No. 10 was read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 10—By REXROAT.—A Resolution fixing the date for the final adjournment sine die of the Twelfth Session of the Oklahoma Legislature.

RESOLVED, by the Senate, the House of Representatives concurring therein, that the regular session of the twelfth legislature of the State of Oklahoma, shall adjourn sine die, at twelve o'clock noon on Wednesday, March 20, 1929.

Upon motion of Senator Gulager, further consideration of Senate Concurrent Resolution No. 10 was indefinitely postponed.

The Presiding Officer announced the Senate recessed,

for the purpose of resolving itself into a Court of Impeachment, subject to the call of the chair.

The Senate reassembled, at 10:30 o'clock a. m., with the President Pro Tempore presiding.

A Committee from the Honorable House, composed of Representatives Stovall, Dixon and Mrs. Eylar, was received, who advised the Senate the House of Representatives was ready to meet in Joint Session, for the purpose of receiving Captain Ira C. Eaker, of the Air Service of the U. S. Army.

The report was received and the Committee advised that the Senate would immediately repair to the House Chamber, for the purpose set forth in the report.

Upon motion of Senator MacDonald, the Senate repaired to the House Chamber, for the purpose of a joint session.

JOINT SESSION

The Joint Session was called to order by President Pro Tempore Storms of the Senate.

By unanimous consent, roll call of the two bodies was dispensed with.

A Joint Committee, composed of Senators MacDonald, Fidler and Terwilliger, for the Senate, and Representatives Graham, Black, Smith and Leecraft, for the House was appointed, to escort Captain Ira C. Eaker to the Speaker's desk.

Speaker Nance introduced to the Joint Session, mem-

bers of the Eaker party, who were in part, Acting Governor W. J. Holloway, Hon. W. B. Estes, President of the State Chamber of Commerce, who, in turn introduced Mr. Ralph Berry, Chairman of the Committee on Aviation, of the State Chamber of Commerce.

Mr. Berry introduced Captain Eaker to the Joint Session.

Captain Ira C. Eaker spoke as follows:

MEMBERS OF THE LEGISLATURE OF THE STATE
OF OKLAHOMA:

I told some of my friends when I finished my endurance flight that it had been my understanding that it was an endurance flight and not a test of endurance speaking, but there has been some "question mark" about this since our landing.

I think the average soldier is not gifted with words but I would be very thankful indeed if I did not take this opportunity to thank the Body, who represent the people of Oklahoma, for their kindness to me.

The only thing in the world that I know more about than you do, is flying, so I will take this opportunity to tell you of one or two phases of our endurance flight.

We decided we could stay in the air a considerable length of time by refueling the plane while flying. Refueling by the light of day had been done before, but we knew that it would be necessary for us to refuel at night. So we made a great many experiments and found that by illuminating the plane below us we could refuel at night. We were almost ready to start from Washington to California, where we could expect the best ten days of January weather, when we were informed by Federal Engi-

neers of another difficulty we probably would encounter. Because of the fact that the plane would be continuing in the air for a long time, it would accumulate static electricity. The refueling plane, with its tail skid dragging the ground a few moments before, would have accumulated electricity. In the refueling process, when the hose from the refueling plane touched our plane there would be a spark of electricity which might ignite the gasoline and destroy both planes. To eliminate this possibility, we attached a sheet of copper on top of the wing of the Question Mark and grounded it to the fuselage and motor. Then we wrapped the hose of the refueling plane with copper wire. Each time the plane settled above us to transfer the fuel, we would first touch the copper wound hose to the copper plate and the electricity was discharged before the gasoline was transferred, and this made the transferring of the fuel comparatively safe.

The army has always done whatever it could for the protection of the country and some things learned on this test will make aviation much safer; it will also eventually be used to speed up commercial aviation. We intend later to take an army plane and demonstrate this.

I have met the sons of Oklahoma in a great many parts of the world and never have I had to feel ashamed of their skill and resourcefulness. I have met the daughters of Oklahoma in a great many of the walks and societies of life, and I have always found them to be gracious and faithful to their duties.

It is a matter of considerable pride to me that these qualities are known to the world. In Arizona, in 1919, I had to make a forced landing. I landed near a mining camp and some of the miners seemed to think the occasion afforded them an opportunity to have some fun at my expense. In other words, it was not at all a friendly

reception. After a while, an old miner came forward and asked me where I came from. I told him I was born in Texas and reared in Oklahoma and he turned to the miners and said, "That's a bad combination to fool with. I know, because I have been over the Chisholm trail."

I have had a wonderful reception all over this section of the country, and it is a matter of pride to me, and if there is anything, in any way, at any time, I can do to promote the welfare of the citizens of this State, I will indeed be glad to be called upon.

I thank you.

Acting Governor Holloway spoke as follows:

Mr. President, Mr. Speaker, Captain Eaker, Members of the Joint Assembly of the Oklahoma Legislature, and Fellow Citizens:

This is a red letter day for the State of Okla. No nobler thing can we do at any time than to st. proper and adequate expression of our admiration and love for a distinguished citizen of this State. This is the spirit that makes our Republic great. This is the spirit that makes our State grow; the fact that we are willing and anxious to acknowledge credit where credit is due and properly express the feelings of our heart for any citizen who has done something worth while. I wish therefore, as Acting Chief Executive of this State, to commend the members of this Assembly for having passed this Resolution, which I shall read for the benefit of those who were not present when it was passed:

JOINT SESSION RESOLUTION NO. 1—By MacDONALD, and NESBITT, of the Senate, and SMITH and LEE-CRAFT, of the House.

A RESOLUTION HONORING AND COMMENDING

IRA C. EAKER, CAPTAIN, AIR SERVICE, UNITED STATES ARMY, AND HIS INTREPIDITY AND ABILITY EVIDENCED AS CHIEF PILOT OF THE UNITED STATES ARMY ENDURANCE FLIGHT PLANE, "QUESTION MARK."

WHEREAS, Ira C. Eaker, Captain, Air Service, United States Army, a native Oklahoman, and a former citizen of Durant and student of the Southeastern State Teachers' College, entered the army of the United States in the early part of 1917, since which time he has served with honor and ability that deserved for him promotion from the rank of Second Lieutenant to Captain; and

WHEREAS, Captain Ira C. Eaker was the chief pilot of the United States Army endurance flight plane, "Question Mark," which plane was designated by the Air Service of the Army of the United States for an endurance flight that resulted in breaking all previous records and in establishing the most historical and epoch-making record in the world's history of aviation by remaining in the air for 150 hours, 40 minutes and 15 seconds, under the chief pilotship of Captain Ira C. Eaker; and

WHEREAS, the said endurance flight and record established have presented to the aeronautical industry and aviation in all of its phases revelations of a scientific and aeronautical nature that will prove to be of much use and practical service to aviation in such a way as to insure its orderly advancement:

NOW, THEREFORE, BE IT RESOLVED BY THE JOINT ASSEMBLY OF THE LEGISLATURE OF OKLAHOMA: That The State of Oklahoma extend to and does hereby transmit its heartfelt congratulations, appreciation and best wishes to Captain Ira C. Eaker, for the

distinguished services he has rendered to the army and to aviation, and the honors he has brought to himself, his Alma Mater and the State of Oklahoma.

Adopted by the Senate January 9th, 1929

C. S. STORMS

President Pro Tem. of the Senate.

Adopted by the House of Representatives January 9th, 1929.

JIM NANCE,

Speaker of the House of Representatives.

Attested: GRAVES LEEPER,

(SEAL) Secretary of State.

My fellow citizens, I am happy to have the honor to present to our distinguished former citizen, Captain Eaker, this original Resolution, passed by your Honorable Body. I am quite certain that Captain Eaker appreciates this compliment paid him by the citizens of Oklahoma, perhaps as much as any words of commendation that have ever come his way.

This is a day of great achievement. Our greatest achievements are coming from the ranks of the average citizens of America. This boy was an ordinary country boy from southeastern Oklahoma, Bryan County, an average humble citizen of the State, an humble citizen of the Republic, but by his remarkable exemplification of courage he has risen in the estimation of his fellows from an humble position to that of one of the distinguished sons of this Republic.

This same opportunity and privilege is within the

realm of possibility of any son and daughter of our great country, who has the integrity, the nerve and the ability, plus the necessary ambition to do something worth while. I want to say to you, Captain Eaker, and I am trying to speak not only for this distinguished assembly of citizens but for all the people of Oklahoma, our hats are off to you, Sir. We are proud of you as a former citizen of this State, and I want you to know that we feel that you have brought luster on the name of Oklahoma. A young man just less than 33 years of age; one of the greatest flyers in the world, and yet, as General Barrett remarked to me this morning, "He is our flier, too."

When you stop and contemplate the scientific achievements that were done under his leadership, you must be proud of our citizenship and lift your hat when in the presence of the American flag, and in the presence of such a splendid, clean, young man as Captain Eaker. This is the thing that makes America great; the thing that makes possible real leadership in this great free country of ours.

It is therefore a great pleasure, Captain Eaker, that I stand here and present to you this parchment of paper on behalf of the Legislature of Oklahoma and on behalf of the hundreds and thousands of admiring friends you have throughout the State. We hope the expression of truth and sentiment contained in this parchment will be to you an everlasting inspiration in the noble work you are doing for the advancement of the cause of science; for the advancement of that field of transportation which is revolutionizing the entire world. We hope that God Almighty will bless you and spare you, Sir, for many more years of active and useful service, and may this be, to you, to your children, and to your children's children, a thing that will always bring pleasure to you, and may it be an everlasting inspiration for the distinguished

service you have rendered this State and the great Republic of the United States, of which you are an honored officer in its army.

Upon motion of Representative Graham, the Joint Session was dissolved.

The Senate reassembled, in its Chamber, with the President Pro Tempore presiding.

Upon motion of Senator Wheatley, 250 extra copies of the addresses of Acting Governor Holloway and Captain Ira C. Eaker, were ordered printed, for the purpose of supplying a copy to various Chambers of Commerce of Oklahoma.

Senator Boyer submitted the following Committee report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolution No. 11, Senate Bills Nos. 199, 202, correctly engrossed; Senate Concurrent Resolution No. 9, Senate Bill No. 158, Senate Resolutions Nos. 15 and 16 correctly enrolled.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Concurrent Resolution No. 11, Engrossed Senate Bills Nos. 199 and 202 and ordered, each, transmitted to the Honorable House for consideration.

The President Pro Tempore, in open session, signed Enrolled Senate Concurrent Resolution No. 9 and ordered the same transmitted to the Honorable House for the signature of the Speaker.

Senate Bill No. 158 was read for the fourth time, the enrolled copy signed by the President Pro Tempore, in open session, and ordered transmitted to the Honorable House for the signature of the Speaker.

The President Pro Tempore, in open session, signed Enrolled Senate Resolutions Nos. 15 and 16 and ordered, each, transmitted to the Secretary of State.

Upon motion of Senator Nesbitt, HOUSE BILL NO. 359, by Jacobs, of the House, and Nesbitt, of the Senate, was ordered withdrawn from the Committee on Revenue and Taxation and placed upon the calendar.

GENERAL ORDER

Upon motion of Senator Gulager, HOUSE BILL NO. 334, by Boydston, of the House, and Gulager, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Commons, SENATE BILL NO. 206, by Commons, was advanced to engrossment and third reading.

Upon motion of Senator Fidler, SENATE BILL NO. 159, by Fidler of the Senate, and Hoover, et al., of the House, was advanced to engrossment and third reading.

Upon motion of Senator Fidler, SENATE BILL NO. 167, by Fidler, was advanced to engrossment and third reading.

The Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

The Senate reassembled, at 5 o'clock p. m., with President Pro Tempore Storms presiding.

Senator Pullen, having served notice that he would, moved that the vote be reconsidered by which Senate Bill No. 195, by Blakely, of the Senate, and Logan, of the House, was passed on yesterday.

Upon motion of Senator Otjen, the Pullen motion was tabled.

Upon motion of Senator Blakely, the emergency clause to Senate Bill No. 195 was stricken.

Senate Bill No. 195 was referred for engrossment.

Upon motion of Senator Johnson (Creek), HOUSE BILL NO. 352, by Schlegel and Orner, of the House, and Johnson (Creek), of the Senate, was advanced to engrossment and third reading.

Senator Johnson (Creek), moved that the rules of the Senate be suspended and House Bill No. 352, by Schlegel and Orner, of the House, and Johnson (Creek), of the Senate, be considered engrossed and placed upon third reading and final passage, which motion prevailed.

HOUSE BILL NO. 352 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with following results:

Ayes: Andrews, Austin, Blakely, Boyer, Commons, Darnell, Ewing, Ferguson, George, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pottawatomie), Kimerer, Loof-

bourrow, MacDonald, Nesbitt, Otjen, Peck, Powers, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 32.

Nays: 0.

Not Voting: Anglin, Clark, Easter, Fidler, Graham, Harper, Jolly, Moore, Patton, Pullen, Rice, Thomas. Total, 12.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Commons, Darnell, Ewing, Ferguson, George, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pottawatomie), Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Peck, Powers Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 32.

Nays: 0.

Not Voting: Anglin, Clark, Easter, Fidler, Graham, Harper, Jolly, Moore, Patton, Pullen, Rice, Thomas. Total, 12.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed

the engrossed copy of House Bill No. 352, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Boyer, SENATE BILL NO. 155, by Boyer, was advanced to engrossment and third reading.

Upon motion of Senator Boyer, the rules of the Senate were suspended and Senate Bill No. 155, by Boyer, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 155 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Commons, Darnell, Ewing, Ferguson, George, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Nesbitt, Otjen, Peck, Powers, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 31.

Nays: Loofbourrow, Wheatley. Total, 2.

Not Voting: Andrews, Anglin, Clark, Easter, Fidler, Graham, Harper, Moore, Patton, Pullen, Rice. Total, 11.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Commons, Darnell, Ewing, Ferguson, George, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Nesbitt, Otjen, Peck, Powers, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 31.

Nays: Loofbourrow, Wheatley. Total, 2.

Not Voting: Andrews, Anglin, Clark, Easter, Fidler, Graham, Harper, Moore, Patton, Pullen, Rice. Total, 11.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 155 was ordered referred for engrossment.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Joint Resolution No. 18 correctly engrossed.

BOYER, Chairman.

THIRD READING

SENATE JOINT RESOLUTION NO. 18 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Commons, Darnell, Ferguson, George, Gray, Gulager, Hill, Johnson (Creek),

Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Peck, Powers, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 32.

Nays: 0.

Not Voting: Andrews, Anglin, Clark, Easter, Ewing, Fidler, Graham, Harper, Moore, Patton, Pullen, Rice, Total, 12.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Commons, Darnell, Ferguson, George, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Peck, Powers, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 32.

Nays: 0.

Not Voting: Andrews, Anglin, Clark, Easter, Ewing, Fidler, Graham, Harper, Moore, Patton, Pullen, Rice, Total, 12.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed

the engrossed copy of Senate Joint Resolution No. 18, and ordered the same transmitted to the Honorable House.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 3—By GRAHAM, HESTER, CLOYD, GIBSON, SEARS, MARKER, DITTMER, PAUL, DRAKE, WIMBISH, SMITH, BUTLER, TRENT, BUNCH, PARKER, SNODDY, PERRYMAN, MAUK, and HERSCHBERGER, entitled:

An Act authorizing the State Highway Commission to purchase any intra-state toll bridge located on any State Highway, making an appropriation therefor and directing the State Highway Commission to build a free bridge to serve any State Highway now served by a toll bridge which cannot be acquired under the provisions of this Act.

ENGROSSED HOUSE BILL NO. 20—By STANLEY, LEWIS, WASSON, HEAD, PAUL, BUSEY, PHILLIPS, WHITAKER, STOVALL, FAULK, JACOBS, LEECRAFT, ROE, BARRY, CHAMBERS, CARTWRIGHT, WAGNER, and SKINNER, entitled:

An Act providing for the taking of fish other than game fish from the waters of the State of Oklahoma by the use of seines, nets, or spears, describing the kind of fish that may be taken, the kind of spears that may be used, and the kind of nets that may not be used, and exempting private lakes and ponds from the operation of the fish and game laws of the State of Oklahoma, and repealing all laws in conflict therewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 13—By STANLEY, LEWIS, WASSON, PAUL, BUSEY, JACOBS, HEAD, WAGNER, PHILLIPS, WHITAKER, DYER, STOVALL and LEECRAFT, entitled:

An Act amending Section 17, Chapter 35, of the Session Laws of Oklahoma, 1927, relating to fish and game and fixing penalty for violation, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 4—By STOVALL, GRAHAM, STREET, MITCHELL, CLOYD, LEECRAFT, BRIGGS, LOGAN, SKINNER, KING, JACOBS, WAGNER, BYRUM, GIBSON, HOWARD, CHAMBERS, ORENDORFF, EYLAR, HERSCHBERGER, HOOVER, ROE, DUNNING, KEENAN, LOWRY, JONES (Greer), STRICKLAND, MAUK, STANLEY and PAUL, entitled:

An Act authorizing and directing the Board of Regents of the University to complete the Oklahoma Hospital for Crippled Children, making improvements on grounds and equipping the said hospital and making an appropriation for the same and declaring an emergency.

Upon motion of Senator Stewart, the Senate adjourned, to meet at 9:00 o'clock a. m., Thursday, March 7, 1929.

FIFTY-FIRST LEGISLATIVE DAY

THURSDAY, MARCH 7TH, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on State and County Affairs, to

whom was referred House Bill No. 121, by Boydstun, entitled:

An Act amending Section 10938, Compiled Oklahoma Statutes, 1921, relating to organization of townships, repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

REXROAT, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Engrossed House Bill No. 315, by Graham, Street, Sears, Marker, Parker, Boydstun, Harrower, Eylar, Hoover, Newberry, Maxwell, Strickland, of the House, and Fidler and Terwilleger, of the Senate, entitled:

An Act to amend Sections 7208, 7213, and 7214, of Article 111, Chapter 55, Compiled Oklahoma Statutes, Annotated, 1921, providing for the employment of women and children, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

DARNELL, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate Bill No. 205, by Anglin, entitled:

An Act making appropriation to pay Confederate pensions for the remainder of the fiscal year ending June 30, 1929, and declaring an emergency, beg leave to report that

we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

Upon motion of Senator Anglin, the rules of the Senate were suspended and SENATE BILL NO. 205, by Anglin, was advanced to engrossment and third reading.

Upon motion of Senator Anglin, the rules of the Senate were suspended and Senate Bill No. 205, by Anglin, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 205 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 35.

Nays: 0.

Not Voting: Andrews, Ewing, Gulager, Johnson (Creek), Johnson (Pott.), MacDonald, Otjen, Ray, Rice. Total, 9.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 35.

Nays: 0.

Not Voting: Andrews, Ewing, Gulager, Johnson (Creek), Johnson (Pott.), MacDonald, Otjen, Ray, Rice. Total, 9.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

Senate Bill No. 205 was referred for engrossment.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bills Nos. 167 and 206 correctly engrossed.

BOYER, Chairman.

FIRST READING

The following resolution was introduced and read for the first time:

SENATE JOINT RESOLUTION NO. 24—By WHEATLEY, WILLIAMSON.—A Joint Resolution providing for the recognition and establishment of Independence Sunday, to be observed by religious-patriotic services and the display of the American Flag, the Sunday preceding the Fourth of July of each year, or on the Fourth when that date falls on Sunday.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 211—By GRAY, STORMS, RICE, BOYER—Referred to the Committee on Agriculture.

SENATE BILL NO. 212—By KIMERER, HILL, WILLIAMSON, POWERS, OTJEN, GULAGER—Referred to Committee on Judiciary No. 1.

SENATE JOINT RESOLUTION NO. 23—By STIGLER (Senate), BELEW (House).

Upon motion of Senator Stigler, the rules of the Senate were suspended and Senate Joint Resolution No. 23, by Stigler, of the Senate, and Belew, of the House, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 3—By GRAHAM, HESTER, CLOYD, GIBSON, SEARS, MARKER, DITTMER, PAUL, DRAKE, WIMBISH, SMITH, BUTLER, TRENT, BUNCH, PARKER, SNODDY, PERRYMAN, MAUK, and HERSCHBERGER.—Referred to Committee on Roads and Highways.

HOUSE BILL NO. 20—By STANLEY, LEWIS, WASSON, HEAD, PAUL, BUSEY, PHILLIPS, WHITAKER,

STOVALL, FAULK, JACOBS, LEECRAFT, ROE, BARRY, CHAMBERS, CARTWRIGHT, WAGNER, and SKINNER—Referred to Committee on Fish and Game.

HOUSE BILL NO. 13—By STANLEY, LEWIS, WASSON, PAUL, BUSEY, JACOBS, HEAD, WAGNER, PHILLIPS, WHITAKER, DYER, STOVALL and LEECRAFT—Referred to Committee on Fish and Game.

HOUSE BILL NO. 4—By STOVALL, GRAHAM, STREET, MITCHELL, CLOYD, LEECRAFT, BRIGGS LOGAN, SKINNER, KING, JACOBS, WAGNER, BYRUM, GIBSON, HOWARD, CHAMBERS, ORENDORFF, EYLAR, HERSCHBERGER, HOOVER, ROE, DUNNING, KEENAN, LOWRY, JONES (Greer), STRICKLAND, MAUK, STANLEY, and PAUL—Referred to Committee on Appropriations.

THIRD READING

SENATE BILL NO. 206 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Ferguson, Fidler, George, Graham, Gray, Harper, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Peck, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilliger, Wheatley, Williams, Williamson. Total, 31.

Nays: 0.

Not Voting: Andrews, Easter, Ewing, Gulager, Hill,

Johnson (Creek), MacDonald, Otjen, Powers, Pullen, Ray, Rice, Thomas. Total, 13.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Ferguson, Fidler, George, Graham, Gray, Harper, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Peck, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 31.

Nays: 0.

Not Voting: Andrews, Easter, Ewing, Gulager, Hill, Johnson (Creek), MacDonald, Otjen, Powers, Pullen, Ray, Rice, Thomas. Total, 13.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 206, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 167 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Peck, Pullen, Reed, Rexroat, Rice, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 34.

Nays: 0.

Not Voting: Andrews, Easter, Gulager, MacDonald, Otjen, Powers, Ray, Smith, Stewart, Wheatley. Total, 10.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Peck, Pullen, Reed, Rexroat, Rice, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 34.

Nays: 0.

Not Voting: Andrews, Easter, Gulager, MacDonald, Otjen, Powers, Ray, Smith, Stewart, Wheatley. Total, 10.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed

the engrossed copy of Senate Bill No. 167, and ordered the same transmitted to the Honorable House.

GENERAL ORDER

Upon motion of Senator Loofbourrow, SENATE BILL NO. 208, by Loofbourrow, was advanced to engrossment and third reading.

Upon motion of Senator Loofbourrow, the rules of the Senate were suspended and Senate Bill No. 208, by Loofbourrow, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 208 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Ferguson, Fidler, George, Graham, Gray, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Peck, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Andrews, Easter, Ewing, Gulager, Harper, Johnson (Creek), MacDonald, Otjen, Patton, Powers, Ray. Total, 11.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Ferguson Fidler, George, Graham, Gray, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Peck, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Andrews, Easter, Ewing, Gulager, Harper, Johnson (Creek), MacDonald, Otjen, Patton, Powers, Ray. Total, 11.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

Senate Bill No. 208 was referred for engrossment.

MESSAGES

The following Message from the Honorable House was received and read:

To the President of the Senate:

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 241—By DRAKE, CARMACK, KEENAN, BROWN, and MATHERLY of

the House, and ANDREWS of the Senate, and Joint Committees of House and Senate on Roads and Highways, entitled:

An Act authorizing the State Highway Commission of the State of Oklahoma to acquire, condemn, construct and maintain bridges spanning or to span any stream which forms the boundary line between this and any other state; providing for the expenditure of State Highway Construction and Maintenance Funds therefor; providing that such bridges shall connect designated State Highways in this state with designated state highways of such other state, provided that such other state shall have enacted a statute with provisions similar to this Act; providing that the State Highway Commission shall not expend more than one-half of the amount necessary to acquire, condemn, construct or maintain any such bridge; providing for condemnation and the manner of proceeding thereof; and repealing all Acts and parts of Acts in conflict herewith,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House of Representatives, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

At 1:15 o'clock, p. m., the Senate reassembled, with President Pro Tempore Storms presiding.

Senator Boyer submitted the following Committee Reports:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bills Nos. 155, 195, 205 and 208 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Bills Nos. 155, 195, 205 and 208 and ordered, each, transmitted to the Honorable House for consideration.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

The Senate reassembled, with President Pro Tempore Storms presiding.

COMMITTEE REPORTS

By unanimous consent, the following Committee Reports were submitted, the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Legal Advisory, to whom was referred House Bill No. 285, by Thomas, Briggs, Brown, Cloyd, Keenan, Logan, and Leecraft of the House, and Gray, Fidler, Williamson, Austin and Storms of the Senate, entitled:

An Act amending Section 5505, of the Compiled Oklahoma Statutes of 1921, relating to eminent domain and condemnation proceedings by railroads and other corporations, authorizing the State of Oklahoma and its various educational, reformatory, penal and eleemosynary institutions and other departments of State to institute condemnation proceedings in the same manner and under the

procedure authorized for railroad corporations, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

SMITH, Chairman.

Upon motion of Senator Gray, the rules of the Senate were suspended and HOUSE BILL NO. 285, by Thomas, et al., of the House, and Gray, et al., of the Senate, was advanced to engrossment and third reading.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 338, by Philhps, entitled:

An Act deferring re-sale of real estate for delinquent taxes in counties having a population of not less than 20,850 nor more than 20,875, according to the official Federal census for the year 1920, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

FIDLER, Chairman.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 69, by Pullen, entitled:

An Act authorizing a tax levy in cities and towns for the purpose of providing a fund for the maintenance or employment of brass bands for municipal purposes, and providing for the submission of the question of levying a tax for such purpose to the voters of such cities and

towns within said State who may avail themselves of the privileges, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

FIDLER, Chairman.

GENERAL ORDER

Upon motion of Senator Andrews, HOUSE BILL NO. 302, by Whitt, Lester and Roe, was advanced to engrossment and third reading.

Upon motion of Senator Andrews, the rules of the Senate were suspended and House Bill No. 302 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 302 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Commons, Darnell, Ewing, Ferguson, Fidler, George, Gray, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Powers, Reed, Smith, Stewart, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 31.

Nays: 0.

Not Voting: Anglin, Clark, Easter, Graham, Gulager, Harper, Patton, Peck, Pullen, Ray, Rexroat, Rice, Terwilleger. Total, 13.

The Bill having received the constitutional majority

of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Commons, Darnell, Ewing, Ferguson, Fidler, George, Gray, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Powers, Reed, Smith, Stewart, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 31.

Nays: 0.

Not Voting: Anglin, Clark, Easter, Graham, Gulager, Harper, Patton, Peck, Pullen, Ray, Rexroat, Rice, Terwilleger. Total, 13.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 302, and ordered the same transmitted to the Honorable House.

MESSAGES

The following Message from the Acting Governor was received and read:

To the President and Members
of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bill No. 63, entitled:

"An Act amending Section 4152, Compiled Oklahoma Statutes, 1921, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency,"

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY, Acting Governor.

HOUSE BILLS ON FIRST READING

The following bill was received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 241—By DRAKE, CARMACK, KEENAN, BROWN, and MATHERLY of the House, and ANDREWS of the Senate, and Joint Committees of House and Senate on Roads and Highways, entitled:

An Act authorizing the State Highway Commission of the State of Oklahoma to acquire, condemn, construct and maintain bridges spanning or to span any stream which forms the boundary line between this and any other state; providing for the expenditure of State Highway Construction and Maintenance Funds therefor; providing that such bridges shall connect designated state highways in this state, with designated state highways of such other state, provided that such other state shall have enacted a statute with provisions similar to this Act; providing that the State Highway Commission shall not expend more than one-half of the amount necessary to acquire, condemn, construct or maintain any such bridge; providing for condemnation and the manner of proceeding thereof; and repealing all Acts and parts of Acts in conflict herewith.

Upon motion of Senator Austin, the Senate adjourned, to meet at 9:00 o'clock, a. m., Friday, March 8, 1929.

FIFTY-SECOND LEGISLATIVE DAY

FRIDAY, MARCH 8TH, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Report was submitted, the bill ordered printed and placed upon the Calendar.

MR. PRESIDENT:

We, your Committee on State and County Affairs,

to whom was referred Senate Bill No. 197, by Ewing, entitled:

An Act providing for the erection of necessary separate school buildings by the issuance of time warrants by counties and repealing all laws in conflict therewith, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

REXROAT, Chairman.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 56—By SMITH and LEECRAFT of the House and NESBITT and MacDONALD of the Senate, entitled:

An Act amending Section 3780, Compiled Oklahoma Statutes, 1921, pertaining to adulterated feed stuffs, and repealing all laws in conflict herewith,

ENROLLED HOUSE BILL NO. 267—By HARVEY, entitled:

An Act increasing the salaries of the deputies of the County Clerk's office of Kiowa County, Oklahoma,

and to inform you, and through you, the Honorable Senate, that the same have been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bill No. 267 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 375—By FERGUSON, entitled:

An Act amending Chapter 84, of the Session Laws of Oklahoma, 1925, relating to the salaries of certain deputies in the office of the County Clerk, County Assessor, County Treasurer and Court Clerk in Texas County, Oklahoma, being a county having a population of not less than 13,950 inhabitants and not more than 13,990 inhabitants, according to the last Federal census of 1920, repealing all laws in conflict herewith and declaring an emergency,

ENGROSSED HOUSE BILL NO. 386—By BABB and KIDD of the House and HARPER of the Senate, entitled:

An Act fixing the salaries of the County Clerk and regular deputies in the office of the County Clerk of

LeFlore County, Oklahoma, repealing all conflicting laws, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 100—By JOHN-SON (Creek), entitled:

An Act repealing Chapter 163, Oklahoma Session Laws, 1925, providing for the salaries and expenses of the County Commissioners of Creek County,

ENGROSSED SENATE BILL NO. 192—By TER-WILLEGER, entitled:

An Act permitting and authorizing the Board of County Commissioners of Tulsa County to give, donate, grant and convey certain real estate to Tulsa County Humane Society, a corporation of Tulsa, Oklahoma, repealing all Acts in conflict herewith and declaring an emergency,

ENGROSSED SENATE BILL NO. 176—By REED, entitled:

An Act providing for three deputies in the office of

the County Clerk of Beckham County, Oklahoma, fixing their salaries and declaring an emergency,

ENGROSSED SENATE BILL NO. 182—By REED, entitled:

An Act fixing the number of deputy sheriffs, and their salaries, in Beckham County, Oklahoma, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk

Engrossed Senate Bills Nos. 100, 176, 182 and 192 were referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 158—By WHEATLEY, entitled:

An Act fixing the salaries of certain county officials of Craig County, Oklahoma and of certain deputy county officials of Craig County, Oklahoma, repealing all Acts in conflict herewith and declaring an emergency.

ENROLLED SENATE CONCURRENT RESOLUTION NO. 9—By GULAGER, PATTON, WILLIAMS,

NESBITT, and FERGUSON of the Senate and KIGHT, BOYDSTUN, WAGNER and HUTCHINSON of the House, entitled:

A Resolution requesting Geo. H. Warren to present statue to the State of Oklahoma,

and to advise you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker Pro Tempore in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bill No. 158 was ordered referred to the Acting Governor for consideration.

Enrolled Senate Concurrent Resolution No. 9 was ordered referred to the Secretary of State.

FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 213—By FERGUSON (Senate), WEBBER (House).—An Act creating a fund in Pawnee County hereby designated "Court House Fund"; limiting said fund to Two Hundred Thousand Dollars; converting the sinking fund of said county, not anticipated by bonded indebtedness or judgments, into "Court House Fund"; authorizing and directing the annual levy and collection of a tax on all taxable property in said county of not to exceed one mill on the dollar, to be added to said fund; providing for the handling of said fund during the accumulation thereof; authorizing the expenditure thereof in the

erection, furnishing and equipping of a court house and jail in said county; and providing the method for such expenditure; and declaring an emergency.

SECOND READING

The following bill and resolution were read for the second time and referred to the Committees indicated:

SENATE JOINT RESOLUTION NO. 24—By WHEATLEY, WILLIAMSON.

Upon motion of Senator Wheatley, the rules of the Senate were suspended and Senate Joint Resolution No. 24, by Wheatley and Williamson, was ordered placed upon the Calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 241—By DRAKE, CARMACK, KEENAN, BROWN, and MATHERLY of the House and ANDREWS of the Senate, and Joint Committees of the House and Senate on Roads and Highways.—Referred to Committee on Roads and Highways.

GENERAL ORDER

Upon motion of Senator Stigler, SENATE JOINT RESOLUTION NO. 23, by Stigler, of the Senate, and Belew, of the House, was advanced to engrossment and third reading.

Upon motion of Senator Stigler, the rules of the Senate were suspended and Senate Joint Resolution No. 23, by Stigler, of the Senate, and Belew, of the House, was considered engrossed and placed upon third reading and final passage.

SENATE JOINT RESOLUTION NO. 23 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, George, Graham, Gray, Gulager, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Patton, Peck, Powers, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Nays: 0.

Not Voting: Anglin, Blakely, Ferguson, Fidler, Harper, Johnson (Creek), MacDonald, Nesbitt, Otjen, Pullen, Ray, Reed, Williamson. Total, 13.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, George, Graham, Gray, Gulager, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Patton, Peck, Powers, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Nays: 0.

Not Voting: Anglin, Blakely, Ferguson, Fidler, Har-

per, Johnson (Creek), MacDonald, Nesbitt, Otjen, Pullen, Ray, Reed, Williamson. Total, 13.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Joint Resolution No. 23 was referred for engrossment.

Upon motion of Senator Gulager, HOUSE BILL NO. 282, by Boydstun, Harrower and Moon, was advanced to engrossment and third reading.

THIRD READING

HOUSE BILL NO. 285 was read for the third time at length.

Upon motion of Senator Wheatley, further consideration of House Bill No. 285 was deferred, temporarily.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

The Senate reassembled, at 5 o'clock, p. m., with President Pro Tempore Storms presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Joint Resolu-

tion No. 23 correctly engrossed; Senate Bills Nos. 100, 176, 182 and 192 correctly enrolled.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Joint Resolution No. 23 and ordered the same transmitted to the Honorable House, for consideration.

Senate Bills Nos. 100, 176, 182 and 192 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered transmitted to the Honorable House for the signature of the Speaker.

Upon motion of Senator Gulager, HOUSE BILL NO. 335, by Moon, was ordered withdrawn from the Committee on Legal Advisory and placed upon the Calendar.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 375—By FERGUSON, entitled:

An Act amending Chapter 84, of the Session Laws of Oklahoma, 1925, relating to the salaries of certain deputies in the office of the County Clerk, County Assessor, County Treasurer and Court Clerk in Texas County, Oklahoma, being a county having a population of not less than 13,950 inhabitants and not more than 13,990 inhabitants, according to the last Federal census of 1920, repealing all laws in conflict herewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 386—By BABB and KIDD of the House and HARPER of the Senate, entitled:

An Act fixing the salaries of the County Clerk and regular deputies in the office of the County Clerk of LeFlore County, Oklahoma, repealing all conflicting laws, and declaring an emergency.

President Pro Tempore Storms on account of becoming Acting Governor, named Wade H. Loofbourrow, as presiding officer for the next two legislative days.

Upon motion of Senator Rexroat, the Senate adjourned, to meet at 9:00 o'clock, a. m., Monday, March 11, 1929.

FIFTY-FOURTH LEGISLATIVE DAY

MONDAY, MARCH 11TH, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by Senator Wade H. Loofbourrow.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 43.

Excused: Storms. Total, 1.

The Presiding Officer announced a quorum present.

Prayer was offered by Dr. George W. Sheafor, a Baptist, minister.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Engrossed House Joint Resolution No. 11 by Cloyd, et al., entitled:

A Resolution making an appropriation for the payment of drainage assessments against the State School and other public lands of the State located in recognized drainage districts, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Drugs and Pure Foods, to whom was referred House Bill No. 222 by Hutchinson, Stanley, Briggs, Jones (Greer), Dunning of the House, and Otjen of the Senate, entitled:

An Act amending Section 6982, Compiled Oklahoma Statutes, 1921, relating to the purchasing outside of the State of Oklahoma and the transportation into Oklahoma of tax-free alcohol, for use in scientific institutions, colleges, universities, hospitals, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

JOHNSON (Pott.), Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 52 by Anglin, entitled:

An Act appropriating \$500,000.00 from the general revenue fund in the State Treasury to be placed into the

special common school equalization fund, and apportioned by the State Board of Education among the various school districts in accordance with the terms and provisions of House Bill No. 241, of the Session Laws, 1927, for the remainder of the fiscal year, ending June 30, 1929, providing that the above amount shall be in addition to that provided for in said House Bill No. 241 of the Session Laws, 1927, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 191 by Anglin, entitled:

An Act creating a revolving fund for the State Training School for Negro Boys near Boley, Oklahoma; providing for additions and accretions to said fund and for the maintenance and disbursement thereof; making an appropriation and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

FIRST READING

The following bills were introduced and read for the first time:

SENATE BILL NO. 214—By PATTON, HARPER, (Senate); ORENDORFF, (House)—An Act permitting the city of Fort Smith, Arkansas, to acquire, own, improve and operate an air port or flying field in Sequoyah County,

Oklahoma; repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 215—By FERGUSON (Senate); WEBBER (House)—An Act creating a fund in Pawnee County hereby designated "Court House Fund"; limiting said fund to Two Hundred Thousand Dollars; converting the sinking fund of said county, not anticipated by bonded indebtedness or judgments, into "Court House Fund"; authorizing the annual levy and collection of a tax on all taxable property in said county of not to exceed one mill on the dollar, to be added to said fund; providing for the handling of said fund during the accumulation thereof; authorizing the expenditure thereof in the erection, furnishing and equipping of a court house and jail in said county; and providing the method for such expenditure; and declaring an emergency.

SENATE BILL NO. 216—By LOOFBOURROW (Senate), ALLEN (Beaver-Harper), (House)—An Act authorizing the appointment of a deputy county assessor, in Harper County, Oklahoma, and providing for the fixing of the salary thereof, and declaring an emergency.

SECOND READING

The following bills were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 213—By FERGUSON (Senate), WEBBER (House).

Upon motion of Senator Ferguson, the rules of the Senate were suspended and Senate Bill No. 213, by Ferguson, of the Senate, and Webber, of the House, was ordered placed upon the calendar, without reference to a Committee.

HOUSE BILL NO. 375—By FERGUSON.

Upon motion of Senator Gulager, the rules of the Senate were suspended and House Bill No. 375, by Ferguson, was ordered placed upon the calendar, without reference to a Committee.

HOUSE BILL NO. 386—By BABB and KIDD of the House, and HARPER of the Senate.

Upon motion of Senator Moore, the rules of the Senate were suspended and House Bill No. 386, by Babb and Kidd, of the House, and Harper, of the Senate, was ordered placed upon the calendar, without reference to a Committee.

GENERAL ORDER

Upon motion of Senator Gulager, HOUSE BILL NO. 319, by Boydston, Harrower and Moon, was advanced to engrossment and third reading.

MESSAGES

The following Message from the Acting Governor was received and read:

To the President and Members
of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bill No. 158, entitled: "An Act fixing the salaries of certain county officials of Craig County, Oklahoma, and of certain deputy county officials of Craig County,

Oklahoma, repealing all Acts in conflict herewith, and declaring an emergency,"

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY, Acting Governor.

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 388—By BROWN and FISCHL, entitled:

An Act relating to the office of the Sheriff of Carter County, fixing the number of deputies, regulating the salaries of Deputy Sheriffs and the fees to be paid in the Sheriff's office of Carter County, Oklahoma, providing for the appointment of a Bertillion expert and finger print man and providing penalty for charging constructive mileage; repealing Section Seven, of Chapter 120, of the 1921 Session Laws of Oklahoma.

ENGROSSED HOUSE BILL NO. 313—By WHITAKER, entitled:

An Act regulating fishing and the taking of fish in the portions of the streams known as Deep Fork and North Canadian Rivers, situate within the confines of McIntosh County, Oklahoma; permitting the trapping,

netting, seining and gigging of fish therein; repealing all Acts and parts of Acts in conflict herewith.

ENGROSSED HOUSE BILL NO. 58—By KEENAN, entitled:

An Act repealing Sections 1, 2, 3, 4, and 5 of Chapter 31, of the Acts of the Ninth Legislature, 1923, being an Act fixing the salaries of the County Attorneys of all counties in the State of Oklahoma having a population of not less than 19,800, and not more than 19,900, as shown by the Federal census of 1920,

and to inform you, and through you, the Honorable Senate that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 352—By SCHLEGEL and ORNER of the House and JOHNSON (Creek), of the Senate, entitled:

An Act providing for the appointment of an undersheriff, two deputy sheriffs, and a jailor of Payne County, Oklahoma; fixing their salaries; repealing all laws in conflict herewith and declaring an emergency,

and to inform you and through you the Honorable Sen-

ate, that the same has been read for the fourth time, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bill No. 352 was read for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer, and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 11—By AUSTIN, LOOFBOURROW, MOORE, STORMS and WILLIAMS (Senate), CARMACK, CARMICHAEL, DUNNING, NANCE (House), entitled:

A Resolution authorizing the appointment of a joint committee from the Senate and House of Representatives of Oklahoma to negotiate with the State of Texas over the settlement of the Western Boundary of Oklahoma, and the Eastern Boundary of the Panhandle of Texas; authorizing said committee to negotiate terms upon which said boundary line may be settled; providing for the payment of the expenses and per diem of said committee from the contingent fund of the respective Houses, continuing the existence of said committee during the remainder of the present session of the Legislature and authorizing it to carry on its negotiations and remain in existence after the adjournment of the present session of the legislature,

and to inform you, and through you, the Honorable

Senate, that the same has been adopted by the House, as amended, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Concurrent Resolution No. 11 was read, as follows:

HOUSE AMENDMENT NO. 1: On line 16, after the word, "and," change word "three" and figure, "(3)," to word, "four," and figure, "(4.)"

Upon motion of Senator Moore, the Senate concurred in House Amendment to Senate Concurrent Resolution No. 11.

Upon motion of Senator Moore, SENATE CONCURRENT RESOLUTION NO. 11, as amended, was adopted, and referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 31—By TERWIL-
LEGER, entitled:

An Act amending Section 4721, of Article 16, Chapter 29, Compiled Oklahoma Statutes, Annotated, 1921, relating to the jurisdiction of municipal criminal courts, and declaring an emergency,

and to inform you, and through you, the Honorable Senate that same has been passed by the House of Repre-

sentatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bill No. 31 was referred for enrollment.

Enrolled HOUSE BILL NO. 56, by Smith and Lee-craft, of the House, and Nesbitt and MacDonald, of the Senate, having been received on the last legislative day, March 8th, was read for the fourth time, the enrolled copy signed by Presiding Officer Loofbourrow, and ordered returned to the Honorable House.

The Presiding Officer announced the Senate at ease, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

The Senate reassembled, at 1:15 o'clock, p. m., with Senator Loofbourrow presiding.

GENERAL ORDER

Senator Powers moved that HOUSE BILL NO. 371, by Snoddy, be advanced to engrossment and third reading, which motion prevailed.

Upon motion of Senator Powers, the rules of the Senate were suspended and House Bill No. 371 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 371 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Johnson (Creek), Kimerer, Loof-bourrow, MacDonald, Moore, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Ter-willeger, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Andrews, Gray, Hill, Johnson (Pott.), Jolly, Nesbitt, Stigler, Thomas, Williamson. Total, 9.

Excused: Storms. Total, 1.

The bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The presiding officer, in open session, signed the engrossed copy of House Bill No. 371, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Ferguson, SENATE BILL NO. 213, by Ferguson, was ordered stricken from the Calendar.

HOUSE BILLS ON FIRST READING

The following bills were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 388—By BROWN and FISCHL, entitled:

An Act relating to the office of the Sheriff of Carter

County, fixing the number of deputies, regulating the salaries of Deputy Sheriffs, and the fees to be paid in the Sheriff's office of Carter County, Oklahoma, providing for the appointment of a Bertillion expert and finger print man and providing penalty for charging constructive mileage; repealing Section Seven, of Chapter 120, of the 1921 Session Laws of Oklahoma.

ENGROSSED HOUSE BILL NO. 313—By WHITAKER, entitled:

An Act regulating fishing and the taking of fish in the portions of the streams known as Deep Fork and North Canadian Rivers, situate within the confines of McIntosh County, Oklahoma; permitting the trapping, netting, seining and gigging of fish therein; repealing all Acts and parts of Acts in conflict herewith.

ENGROSSED HOUSE BILL NO. 58—By KEENAN, entitled:

An Act repealing Sections 1, 2, 3, 4, and 5, of Chapter 31, of the Acts of the Ninth Legislature, 1923, being an Act fixing the salaries of the County Attorneys of all counties in the State of Oklahoma having a population of not less than 19,800, and not more than 19,900, as shown by the Federal census of 1920.

Upon motion of Senator Stewart, the Senate adjourned to meet at 9:00 o'clock, a. m., Tuesday, March 12, 1929.

FIFTY-FIFTH LEGISLATIVE DAY

TUESDAY, MARCH 12TH, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by Senator Wade H. Loofbourrow.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 43.

Excused: Storms. Total, 1.

The Presiding Officer announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled Bills begs leave to report Senate Concurrent Resolution No. 11 correctly enrolled.

BOYER, Chairman.

The Presiding Officer, in open session, signed Enrolled Senate Concurrent Resolution No. 11 and ordered the same transmitted to the Honorable House, for the signature of the Speaker.

FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 217—By THOMAS—An Act amending Section 8716, Compiled Oklahoma Statutes, 1921, relating to dental hygienists and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 214—By PATTON, HARPER (Senate), ORENDORFF (House).

Upon motion of Senator Harper, the rules of the Senate were suspended and Senate Bill No. 214, by Patton and Harper, of the Senate, and Orendorff, of the House, was ordered placed upon the Calendar, without reference to a Committee.

SENATE BILL NO. 215—By FERGUSON (Senate), WEBBER (House).

Upon motion of Senator Ferguson, the rules of the

Senate were suspended and Senate Bill No. 215, by Ferguson, of the Senate, and Webber, of the House, was ordered placed upon the Calendar, without reference to a Committee.

SENATE BILL NO. 216—By LOOFBOURROW (Senate), ALLEN (House).

Upon motion of Senator Austin, the rules of the Senate were suspended and Senate Bill No. 216, by Loofbourrow, of the Senate, and Allen, of the House, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 388—By BROWN and FISCHL.

Upon motion of Senator Rexroat, the rules of the Senate were suspended and House Bill No. 388, by Brown and Fischl, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 313—By WHITAKER.—Referred to Committee on Fish and Game.

HOUSE BILL NO. 58—By KEENAN.—Referred to Committee on Fees and Salaries.

GENERAL ORDER

SENATE BILL NO. 81, by Williamson and Wheatley, of the Senate, and Stanley, of the House, was taken up for further consideration.

Section 2 was read.

Senator Anglin submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 81, line 6, page 2, by striking all of Section 2, and inserting the following:

Section 2. The Secretary of the State Election Board shall be Secretary of the Senate and draw the salary and be allowed assistants as is now provided by law. The Senate shall also elect the following, at the salaries named:

One Chief Enrolling and Engrossing Clerk at not to exceed Eight* (\$8.00) Dollars per day.

Three Assistant Enrolling and Engrossing Clerks at not to exceed Five (\$5.00) Dollars per day.

One Sergeant-at-Arms at not to exceed Eight (\$8.00) Dollars per day.

Not to exceed Three Assistant Sergeant-at-Arms at not to exceed Six (\$6.00) Dollars per day.

One Calendar clerk at not to exceed Seven (\$7.00) Dollars per day.

One Journal Clerk at Ten (\$10.00) Dollars per day.

One Reading Clerk at Ten (\$10.00) Dollars per day.

One Postmaster at Five (\$5.00) Dollars per day.

One Secretary to the President of the Senate at Six (\$6.00) Dollars per day.

One Secretary to the President Pro Tempore at Six (\$6.00) Dollars per day.

One Chaplain at Five (\$5.00) Dollars per day.

Eight Doorkeepers at Six (\$6.00) Dollars per day, each.

One Property Custodian at Five (\$5.00) Dollars per day.

One Assistant Property custodian at Five (\$5.00) Dollars per day.

One Cloakroom Attendant at Five (\$5.00) Dollars per day.

One Telephone Attendant at Five (\$5.00) Dollars per day.

One Assistant Telephone Attendant at Four (\$4.00) Dollars per day.

One Chief Page at Five (\$5.00) Dollars per day.

Not to exceed 7 assistant pages, at Four (\$4.00) Dollars, each, per day.

One Messenger at Five (\$5.00) Dollars per day.

One Chief Janitor at Four (\$4.00) Dollars per day.

Not to exceed four assistant janitors at Three and 50/100 (\$3.50) Dollars, each, per day.

One Clerk to Appropriations Committee, who shall be a stenographer, at not to exceed Eight (\$8.00) Dollars per day.

One Chief Stenographer at not to exceed Six (\$6.00) Dollars per day.

Six Stenographers, who shall be committee clerks, at not to exceed Six (\$6.00) Dollars, each, per day.

Ten Stenographers, at Five (\$5.00) Dollars each, per day.

One Assistant Secretary to the Secretary of the Senate, at Five (\$5.00) Dollars per day.

One Night watchman at Five (\$5.00) Dollars per day.

One Senate Auditor at Six (\$6.00) Dollars per day.

Such employees shall be paid out of the State Treasury, on warrants of the Auditor, issued on vouchers, certified by the President and Secretary of the Senate.

HOUSE OF REPRESENTATIVES

The following positions are hereby created in the House of Representatives, at the salaries hereinafter named:

One Chief Clerk at not to exceed Seven (\$7.00) Dollars per day.

Two Assistant Clerks at not to exceed Five (\$5.00) Dollars, each, per day.

One Reading Clerk at not to exceed Ten (\$10.00) Dollars per day.

One Messenger to the Speaker at not to exceed Five (\$5.00) Dollars per day.

One Secretary to the Speaker at not to exceed Six (\$6.00) Dollars per day.

One Sergeant-at-Arms at not to exceed Eight (\$8.00) Dollars per day.

Four Assistant Sergeant-at-Arms at not to exceed Six (\$6.00) Dollars each, per day.

Eight Doorkeepers at not to exceed Six (\$6.00) Dollars, each, per day.

One Chaplain at not to exceed Five (\$5.00) Dollars per day.

One Chief Enrolling and Engrossing Clerk at not to exceed Eight (\$8.00) Dollars per day.

Three Assistant Enrolling and Engrossing Clerks, at not to exceed Five (\$5.00) Dollars, each, per day.

One Committee Clerk who shall also be a stenographer, at not to exceed Six (\$6.00) Dollars per day.

Fifteen Committee Clerks who shall also be stenographers, at not to exceed Five (\$5.00) Dollars per day.

One Postmaster at not to exceed Five (\$5.00) Dollars per day.

One Telephone Operator at not to exceed Five (\$5.00) Dollars, per day.

One Assistant Telephone Operator at not to exceed Four (\$4.00) Dollars per day.

One Day Watchman and cloak room attendant at not to exceed Five (\$5.00) Dollars per day.

One Night Watchman at not to exceed Five (\$5.00) Dollars per day.

One Chief Janitor at not to exceed Four (\$4.00) Dollars per day.

Four Assistant Janitors at not to exceed Three and 50/100 (\$3.50) Dollars, each, per day.

One House Auditor at not to exceed Six (\$6.00) Dollars per day.

One Chief Journal Clerk at not to exceed Ten (\$10.00) Dollars per day.

One Assistant Journal Clerk at not to exceed Six (\$6.00) Dollars per day.

One Minute Clerk at not to exceed Five (\$5.00) Dollars per day.

One Calendar Clerk at not to exceed Eight (\$8.00) Dollars per day.

Two Official Reporters at not to exceed Six (\$6.00) Dollars per day.

One Property Custodian at not to exceed Five (\$5.00) Dollars per day.

One Assistant Property Custodian at not to exceed Five (\$5.00) Dollars per day.

One Chief Page at not to exceed Five (\$5.00) Dollars per day.

Not to exceed nine Assistant Pages at Four (\$4.00) Dollars per day.

Such employees*shall be paid out of the State Treas-

ury, upon warrants of the Auditor, issued on vouchers, certified by the Speaker of the House and the House Auditor.

ANGLIN.

Senator Ferguson, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 81, line 6, page 2, by striking all of Section 2, and inserting the following:

Section 2. The Secretary of the State Election Board shall be Secretary of the Senate and draw the salary and be allowed assistants as is now provided by law. The Senate shall also elect the following at salaries named:

One Chief Engrossing and Enrolling Clerk at not to exceed Eight (\$8.00) Dollars per day.

Three Assistant Enrolling and Engrossing Clerks at not to exceed Five (\$5.00) Dollars per day.

One Sergeant-at-Arms at not to exceed Eight (\$8.00) dollars per day.

Not to exceed three Assistant Sergeant-at-Arms at not to exceed six (\$6.00) Dollars per day.

One Calendar Clerk at not to exceed Seven (\$7.00) Dollars per day.

One Journal Clerk at Ten (\$10.00) Dollars per day.

One Reading Clerk at Ten (\$10.00) Dollars per day.

One Postmaster at Five (\$5.00) Dollars per day.

One Secretary to the President of the Senate at Six (\$6.00) Dollars per day.

One Secretary to the President Pro Tempore at Six (\$6.00) Dollars per day.

One Chaplain at Five (\$5.00) Dollars per day.

Eight Doorkeepers at Five (\$5.00) Dollars per day.

One Property Custodian at Five (\$5.00) Dollars per day.

One Assistant Property Custodian at Five (\$5.00) Dollars per day.

One Cloak Room Attendant at Five (\$5.00) Dollars per day.

One Telephone Attendant at Six (\$6.00) Dollars per day.

One Assistant Telephone Attendant at Four (\$4.00) Dollars per day.

One Chief Page at Four (\$4.00) Dollars per day.

Not to exceed seven Assistant Pages at Three (\$3.00) Dollars per day.

One Messenger at Four (\$4.00) Dollars per day.

One Chief Janitor at Four (\$4.00) Dollars per day.

Not to exceed four assistant janitors at Three and 50/100 (\$3.50) Dollars per day.

One Clerk to Appropriations Committee, who shall be a stenographer, at not to exceed Eight (\$8.00) Dollars per day.

One Chief Stenographer at not to exceed Six (\$6.00) Dollars per day.

Eleven Stenographers at Five (\$5.00) Dollars per day, providing that one stenographer shall be assigned to each four members of the Senate.

One Assistant Secretary to the Secretary of the Senate, at Five (\$5.00) Dollars per day.

One Night watchman at Five (\$5.00) Dollars per day.

One Senate Auditor at Six (\$6.00) Dollars per day.

Such employees shall be paid out of the State Treasury on warrants of the Auditor, issued on vouchers, certified by the President and Secretary of the Senate.

HOUSE OF REPRESENTATIVES

The following positions are hereby created in the House of Representatives at the salaries hereinafter named:

One Chief Clerk at not to exceed Seven (\$7.00) Dollars per day.

Two Assistant clerks at not to exceed Five (\$5.00) Dollars per day.

One Reading Clerk at not to exceed Ten (\$10.00) Dollars per day.

One Messenger to the Speaker at not to exceed Five (\$5.00) Dollars per day.

One Secretary to the Speaker at not to exceed Six (\$6.00) Dollars per day.

One Sergeant-at-Arms at not to exceed Eight (\$8.00) Dollars per day.

Four Assistant Sergeant-at-Arms at not to exceed Six (\$6.00) Dollars per day.

Eight Doorkeepers at not to exceed Six (\$6.00) Dollars per day.

One Chaplain at not to exceed Five (\$5.00) Dollars per day.

One Chief Enrolling and Engrossing Clerk at not to exceed Eight (\$8.00) Dollars per day.

Three Assistant Enrolling and Engrossing Clerks at not to exceed Five (\$5.00) Dollars per day.

One Committee Clerk, who shall also be a stenographer, at not to exceed Six (\$6.00) Dollars per day.

Fifteen Committee Clerks, who shall also be stenographers at not to exceed Five (\$5.00) Dollars per day.

One Postmaster at not to exceed Five (\$5.00) Dollars per day.

One Telephone Operator at not to exceed Five (\$5.00) Dollars per day.

One Assistant Telephone Operator at not to exceed Four (\$4.00) Dollars per day.

One day Watchman and cloak room attendant at not to exceed Five (\$5.00) Dollars per day.

One Night watchman at not to exceed Five (\$5.00) Dollars per day.

One Chief Janitor at not to exceed Four (\$4.00) Dollars per day.

Four Assistant Janitors at not to exceed Three and 50/100 (\$3.50) Dollars per day.

One House Auditor at not to exceed Six (\$6.00) Dollars per day.

One Chief Journal Clerk at not to exceed Ten (\$10.00) Dollars per day.

One Assistant Journal Clerk at not to exceed Six (\$6.00) Dollars per day.

One Minute Clerk at not to exceed Five (\$5.00) Dollars per day.

One Calendar Clerk at not to exceed Eight (\$8.00) Dollars per day.

Two Official Reporters at not to exceed Six (\$6.00) Dollars per day.

One Property Custodian at not to exceed Five (\$5.00) Dollars per day.

One Assistant Property Custodian at not to exceed Five (\$5.00) Dollars per day.

One Chief Page at not to exceed Five (\$5.00) Dollars per day.

Not to exceed nine Assistant pages at Four (\$4.00) Dollars per day.

Such employees shall be paid out of the State Treasury, on warrants of the Auditor, issued on vouchers, certified by the Speaker of the House and the House Auditor.

FERGUSON.

Upon motion of Senator Fidler, SENATE BILL NO. 81 was referred to a Special Committee, composed of Senators Anglin, Wheatley and Ferguson, for further consideration, with instructions to report back to the Senate as soon as possible.

Upon motion of Senator Fidler, HOUSE BILL NO. 315, by Graham, Street, et al, of the House, and Fidler and Terwilleger, of the Senate, was advanced to engrossment and third reading.

HOUSE BILL NO. 335, by Moon, Harrower and Boyd-stun, was taken up for consideration.

Section I was read.

Senator Gulager submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 335, by substituting in lieu thereof, the following:

HOUSE BILL NO. 335—By MOON.

AN ACT AMENDING CHAPTER 202 (HOUSE BILL NO. 392), SESSION LAWS OF 1925, EMPOW-

ERING MUSKOGEE COUNTY TO LEVY AND COLLECT AN ANNUAL TAX FOR THE USE AND BENEFIT OF THE FREE OKLAHOMA STATE FAIR AT MUSKOGEE, OKLAHOMA, REGULATING THE EXPENDITURE THEREOF, AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. The County Commissioners and other proper officers of Muskogee County, Oklahoma, are hereby authorized and empowered to and shall levy and collect, annually, until otherwise provided by law, an annual tax of not less than one-half ($\frac{1}{2}$) mill, on the dollar valuation, against all taxable property within said county, for the purpose of raising an annual fund for the support, maintenance, improvement, and enlargement of the Free Oklahoma State Fair held annually at Muskogee, which monies shall be only used in payment of the agricultural and live stock premiums offered by the Fair. Provided, that the Board of County Commissioners shall appoint a freeholder of Muskogee County, who has been a resident thereof for five years, to act as auditor for the Muskogee Free State Fair, who shall hold office at the pleasure of the County Commissioners. Provided further, the said auditor shall audit and pass upon all claims pertaining to the running of said Muskogee State Fair, including the premiums paid, proceeds from ground rent, grand stand seats, before payment of any claim or account by treasurer of said Muskogee Free State Fair. Provided further, that for all printing of premiums, list or other expense which will amount to a sum of one hundred dollars (\$100.00) or above, shall be advertised and let to the lowest competitive bidder after advertisement, exclusive of the cost for entertainment features.

SECTION 2. The money raised by said tax shall not be used for any other purpose.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval.

Upon motion of Senator Gulager, House Bill No. 335, as amended, was advanced to engrossment and third reading.

MESSAGES

The following Message from the Honorable House was received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 261—By MOON and DYER, entitled:

An Act, amending Sections 1, 2, and 5 of Chapter 45, Session Laws of 1925, relating to Fish and Game Commission, providing certain qualifications, and manner of removal from office, fixing salaries and expenses, prescribing duties and powers, authorizing condemnation proceedings for acquiring lands, repealing all Acts or parts of Acts in conflict herewith and declaring an emergency,

and to advise you, and through you, the Honorable Senate,

that the same has been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

The Presiding Officer announced the Senate at ease, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

The Senate, at 1 o'clock, p. m., reassembled, with Senator Loofbourrow presiding.

Senator Storms asked to be recorded present, which was the order.

GENERAL ORDER

Upon motion of Senator Harper, HOUSE BILL NO. 386, by Babb and Kidd, of the House, and Harper, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Harper, the rules of the Senate were suspended and HOUSE BILL NO. 386, by Babb and Kidd, of the House, and Harper, of the Senate, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 386 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Easter, Ferguson, George, Gray, Gulager,

Harper, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Darnell, Ewing, Fidler, Graham, Johnson (Creek), MacDonald, Rice. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Easter, Ferguson, George, Gray, Gulager, Harper, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Darnell, Ewing, Fidler, Graham, Johnson (Creek), MacDonald, Rice. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the en-

grossed copy of House Bill No. 386, and ordered the same transmitted to the Honorable House.

SPECIAL COMMITTEE REPORT

In the matter of amendments to SENATE BILL NO. 81, By Williamson and Wheatley, of the Senate, and Stanley, of the House, unanimous consent was granted Senators Anglin and Ferguson to withdraw their amendments, submitted during the morning session.

Senator Wheatley submitted the following Special Committee Report, which was adopted, upon motion of Senator Wheatley:

Mr. President: We, your Special Committee, appointed to re-draft SENATE BILL NO. 81, beg leave to make the following report:

That Senate Bill No. 81 be left in its original form, with the exception of Section 2, which shall read as follows:

SECTION 2. The Secretary of the State Election Board shall be Secretary of the Senate and draw the salary and be allowed assistants as is now provided by law. The Senate shall also elect the following at the salaries named:

One Chief Enrolling and Engrossing Clerk at not to exceed Eight (\$8.00) Dollars per day.

Not to exceed five Assistant Enrolling and Engrossing Clerks at not to exceed Five (\$5.00) Dollars, each, per day.

One Sergeant-at-Arms at not to exceed Seven (\$7.00) Dollars per day.

Not to exceed three Assistant Sergeants-at-Arms, at not to exceed Six (\$6.00) Dollars, each, per day.

One Calendar Clerk at not to exceed Eight (\$8.00) Dollars per day.

One Journal Clerk at Ten (\$10.00) Dollars per day.

One Reading Clerk at Ten (\$10.00) Dollars per day.

One Postmaster at Five (\$5.00) Dollars per day.

One Secretary to the President of the Senate, at Six (\$6.00) Dollars per day.

One Secretary to the President Pro Tempore at Six (\$6.00) Dollars per day.

One Chaplain at Five (\$5.00) Dollars per day.

Six Doorkeepers at Five (\$5.00) Dollars, each, per day.

One Property Custodian at Five (\$5.00) Dollars, each, per day.

One Cloakroom attendant at Five (\$5.00) Dollars per day.

One Telephone attendant at Six (\$6.00) Dollars per day.

One Assistant telephone attendant at Four (\$4.00) Dollars per day.

One Chief Page at Five (\$5.00) Dollars per day.

Not to exceed seven Assistant Pages, at Four (\$4.00) Dollars, each, per day.

One Messenger at Four (\$4.00) Dollars per day.

One Chief Janitor at Four (\$4.00) Dollars per day.

Not to exceed two Assistant Janitors, at Four (\$4.00) Dollars, each, per day.

One Clerk to Appropriations Committee, who shall be a stenographer, at not to exceed Seven (\$7.00) Dollars per day.

One Chief Stenographer at not to exceed Six (\$6.00) Dollars per day.

Twelve Stenographers at Six (\$6.00) Dollars per day, each, provided that no stenographer shall be assigned exclusively to any one Senator.

One Assistant Secretary to the Secretary of the Senate at Six (\$6.00) Dollars per day.

One Night Watchman at Five (\$5.00) Dollars per day.

One Senate Auditor at Six (\$6.00) Dollars per day.

Such employees shall be paid out of the State Treasury, on warrants of the Auditor, issued on vouchers certified by the President and Secretary of the Senate.

HOUSE OF REPRESENTATIVES

The following positions are hereby created in the House of Representatives at the salaries hereinafter named:

One Chief Clerk at not to exceed Seven (\$7.00) Dollars per day.

Two Assistant Clerks at not to exceed Five (\$5.00) Dollars per day.

One Reading Clerk at not to exceed Ten (\$10.00) Dollars per day.

One Messenger to the Speaker at not to exceed Five (\$5.00) Dollars per day.

One Secretary to the Speaker at not to exceed Six (\$6.00) Dollars per day.

One Sergeant-at-Arms at not to exceed Eight (\$8.00) Dollars per day.

Four Assistant Sergeants-at-Arms at not to exceed Six (\$6.00) Dollars, each, per day.

Eight Doorkeepers at not to exceed Six (\$6.00) Dollars, each, per day.

One Chaplain at not to exceed Five (\$5.00) Dollars per day.

One Chief Enrolling and Engrossing Clerk at not to exceed Eight (\$8.00) Dollars per day.

Three Assistant Enrolling and Engrossing Clerks at not to exceed Five (\$5.00) Dollars, each, per day.

One Committee Clerk, who shall also be a stenographer at not to exceed Six (\$6.00) Dollars per day.

Fifteen Committee Clerks, who shall also be stenog-

raphers, at not to exceed Five (\$5.00) Dollars, each, per day.

One Postmaster at not to exceed Five (\$5.00) Dollars per day.

One Telephone Operator at not to exceed Five (\$5.00) Dollars per day.

One Assistant Telephone Operator at not to exceed Four (\$4.00) Dollars per day.

One Day Watchman and Cloakroom Attendant at not to exceed Five (\$5.00) Dollars per day.

One Night Watchman at not to exceed Five (\$5.00) Dollars per day.

One Chief Janitor at not to exceed Four (\$4.00) Dollars per day.

Four Assistant Janitors at not to exceed Three and 50/100 (\$3.50) Dollars, each, per day.

One House Auditor at not to exceed Six (\$6.00) Dollars per day.

One Chief Journal Clerk at not to exceed Ten (\$10.00) Dollars per day.

One Assistant Journal Clerk at not to exceed Six (\$6.00) Dollars per day.

One Minute Clerk at not to exceed Five (\$5.00) Dollars per day.

One Calendar Clerk at not to exceed Eight (\$8.00) Dollars per day.

Two Official Reporters at not to exceed Six (\$6.00) Dollars, each, per day.

One Property Custodian at not to exceed Five (\$5.00) Dollars per day.

One Assistant Property Custodian at not to exceed Five (\$5.00) Dollars per day.

One Chief Page at not to exceed Five (\$5.00) Dollars per day.

Not to exceed nine Assistant Pages, at Four (\$4.00) Dollars, each, per day.

Such employees shall be paid out of the State Treasury, on warrants of the Auditor, issued on vouchers, certified by the Speaker of the House and House Auditor.

Respectfully submitted,

WHEATLEY, Chairman.

Upon motion of Senator Wheatley, SENATE BILL NO. 81, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Wheatley, the rules of the Senate were suspended and Senate Bill No. 81, as amended, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 81 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rex-roaf, Rice, Smith, Stewart, Stigler, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 41.

Nays: Graham. Total, 1.

Not Voting: MacDonald, Storms. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rex-roaf, Rice, Smith, Stewart, Stigler, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 41.

Nays: Graham. Total, 1.

Not Voting: MacDonald, Storms. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

Senate Bill No. 81, as amended, was referred for engrossment.

Senator Anglin made the observation that, on today, the Supreme Court of Oklahoma had, in Case No. 20,156, enjoined the State Auditor, in the matter of the payment of claims for "Extra Help," pending the enactment of necessary legislation, and moved that the Presiding Officer appoint a Special Committee of 5, to confer with the Attorney General and draft a bill, providing for additional help for the Investigating Committees of the Honorable House, as well as for the Senate, sitting as a Court of Impeachment.

The motion prevailed and the Presiding Officer appointed Senators Commons, Anglin, Otjen, Hill and Wheatley, as such Special Committee.

The Presiding Officer announced the Senate at ease, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

The Senate, at 5 o'clock, p. m., reassembled, with Senator Loofbourrow presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 81 correctly engrossed.

BOYER, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Bill No. 81 and ordered the same transmitted to the Honorable House for further consideration.

HOUSE BILLS ON FIRST READING

The following bill was received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 261—By MOON and DYER, entitled:

An Act amending Section 1, 2 and 5 of Chapter 45, Session Laws of 1925, relating to Fish and Game Commission, providing certain qualifications, and manner of removal from office, fixing salaries and expenses, prescribing duties and powers, authorizing condemnation proceedings for acquiring lands, repealing all Acts or parts of Acts in conflict herewith and declaring an emergency.

Upon motion of Senator Storms, the Senate adjourned, to meet at 9:00 o'clock, a. m., Wednesday, March 13th, 1929.

FIFTY-SIXTH LEGISLATIVE DAY

WEDNESDAY, MARCH 13TH, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Roads and Highways, to

whom was referred Senate Bill No. 86 by Johnson of Creek, entitled:

An Act amending Section 2, Chapter 16, Oklahoma Session Laws, 1923, relating to the maximum speed a motor vehicle may be driven upon the highways of Oklahoma and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANDREWS, Chairman.

Ok'd:

W. C. Austin, Fidler, Gulager, Alvin Moore, Williams, Clarence Johnson, W. P. Kimerer, D. H. Powers, Wade H. Loofbourrow, Stewart, J. B. Harper, E. V. George, F. M. Johnson, Ira A. Hill, Geo. D. Peck, L. E. Smith, C. S. Storms, Mac Q. Williamson, C. H. Terwilleger, W. J. Otjen, Harry Jolly, Dave Boyer, W. G. Stigler.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 335 correctly engrossed and Senate Bill No. 31 correctly enrolled.

BOYER, Chairman.

Senate Bill No. 31 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered transmitted to the Honorable House for the signature of the Speaker.

FIRST READING

The following bills were introduced and read for the first time:

SENATE BILL NO. 218—By COMMONS, HILL, WHEATLEY, ANGLIN, OTJEN.—An Act providing for employees of the Senate of the Twelfth Legislature sitting as a court of impeachment, made necessary by reason of existing emergencies, making appropriation therefor, and declaring an emergency.

SENATE BILL NO. 219—By BOYER—An Act authorizing any peace officer of Oklahoma to file in any justice of the peace court of the county where the violation occurred, and to there prosecute any violation of the highway or the automobile license laws of this state, the maximum penalty of which is within the jurisdiction of a justice of the peace, without the complaint so filed being approved by the county attorney or the prosecution being conducted thereby, and declaring an emergency.

SECOND READING

The following bills were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 217—By THOMAS—Referred to Committee on Drugs and Pure Food.

ENGROSSED HOUSE BILL NO. 261—By MOON and DYER—Referred to Committee on Fish and Game.

THIRD READING

HOUSE BILL NO. 334 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Hill, Jolly, Kimerer, Loofbourrow, Nesbitt, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 30.

Nays: 0.

Not Voting: Andrews, Anglin, Blakely, Commons, Fidler, Harper, Johnson (Creek), Johnson (Pott.), MacDonald, Moore, Otjen, Ray, Stewart, Williams. Total, 14.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Hill, Jolly, Kimerer, Loofbourrow, Nesbitt, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 30.

Nays: 0.

Not Voting: Andrews, Anglin, Blakely, Commons, Fidler, Harper, Johnson (Creek), Johnson (Pott.), MacDonald, Moore, Otjen, Ray, Stewart, Williams. Total, 14.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed

the engrossed copy of House Bill No. 334, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 282 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Graham, Gray, Gulager, Harper, Hill, Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 34.

Not Voting: Andrews, Anglin, Fidler, George, Johnson (Creek), Johnson (Pott.), MacDonald, Otjen, Ray, Stewart. Total, 10.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 282, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 335 was read for the third time at length.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Jolly, Kimerer,

Loofbourrow, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Anglin, Fidler, Johnson (Creek), Johnson (Pott.), MacDonald, Otjen, Stewart. Total, 7.

The Bill, as amended, having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Anglin, Fidler, Johnson (Creek), Johnson (Pott.), MacDonald, Otjen, Stewart. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed

the Engrossed Senate Amendments to and Engrossed House Bill No. 335, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 319 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Harper, Johnson (Creek), Johnson (Pott.), MacDonald, Otjen. Total, 5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Harper, Johnson (Creek), Johnson (Pott.), MacDonald, Otjen. Total 5.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 319, and ordered the same transmitted to the Honorable House.

GENERAL ORDER

Upon motion of Senator Ferguson, SENATE BILL NO. 215, by Ferguson, of the Senate, and Webber, of the House, was advanced to engrossment and third reading.

Upon motion of Senator Ferguson, the rules of the Senate were suspended and Senate Bill No. 215, by Ferguson, of the Senate, and Webber, of the House, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 215 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart,

Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Johnson (Creek), Johnson (Pott.), MacDonald, Otjen, Rice. Total, 5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Johnson (Creek), Johnson (Pott.), MacDonald, Otjen, Rice. Total, 5.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

Senate Bill No. 215 was referred for engrossment.

Upon motion of Senator Rexroat, HOUSE BILL NO. 388, by Brown and Fischl, was advanced to engrossment and third reading.

Upon motion of Senator Rexroat, the rules of the Senate were suspended and House Bill No. 388, by Brown and Fischl, was considered engrossed and placed upon third reading and final passage.

Senator Rexroat asked unanimous consent, which was granted, to amend House Bill No. 388, by adding to the title, thereof, the words, "and declaring an emergency," and by adding at the end of the bill, as a new Section, the emergency clause.

HOUSE BILL NO. 388 was read for the third time at length.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Nesbitt, Patton, Powers, Pullen, Ray, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 36.

Nays: 0.

Not Voting: Blakely, Johnson (Creek), MacDonald, Moore, Otjen, Peck, Reed, Thomas. Total, 8.

The Bill, as amended, having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Nesbitt, Patton, Powers, Pullen, Ray, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 36.

Nays: 0.

Not Voting: Blakely, Johnson (Creek), MacDonald, Moore, Otjen, Peck, Reed, Thomas. Total, 8.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

House Bill No. 388 was referred for engrossment.

Upon motion of Senator Harper, SENATE BILL NO. 214, by Patton and Harper, of the Senate, and Orendorff, of the House, was advanced to engrossment and third reading.

Senator Harper asked unanimous consent, which was granted, to strike the words, "Sequoyah County, Oklahoma," and insert in lieu thereof the words, "State of Oklahoma," in the title of the bill and in line 3, of Section 1.

Upon motion of Senator Harper, the rules of the Senate were suspended and Senate Bill No. 214, by Patton and Harper, of the Senate, and Orendorff of the House, as amended, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 214 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimmerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Andrews, Blakely, Johnson (Creek), MacDonald, Thomas. Total, 5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimmerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Andrews, Blakely, Johnson (Creek), MacDonald, Thomas. Total, 5.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

Senate Bill No. 214 was referred for engrossment.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

The Senate reassembled, with the President Pro Tempore presiding.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 16, By BOYD-STUN, HARROWER, WAGNER, DANIEL, HOWARD, ROPER, BROWN, DRAKE, ORENDORFF, PAUL, FAULK, KING, KIDD, LEECRAFT, CLOYD, MITCHELL, and PARKER of the House, and PATTON of the Senate, entitled:

An Act amending Section 8172, of Chapter 133, Session Laws of Oklahoma, 1925, relating to Pensions of Confederate Soldiers and Sailors and their Widows, and declaring an emergency,

and to inform you, and through you, the Honorable Sen-

ate that the same has been passed by the House and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 11—By AUSTIN, LOOFBOURROW, MOORE, STORMS and WILLIAMS of the Senate, and CARMACK, CARMICHAEL, DUNNING and NANCE of the House, entitled:

A Resolution authorizing the appointment of a Joint Committee from the Senate and House of Representatives of Oklahoma to negotiate with the State of Texas over the settlement of the Western Boundary of the Panhandle of Texas, authorizing said committee to negotiate terms upon which said boundary line may be settled; providing for the payment of the expenses and per diem of said committee from the contingent fund of the respective Houses; continuing the existence of said committee during the remainder of the present session of the Legislature and authorizing it to carry on its negotiations and remain in existence after the adjournment, of the present session of the Legislature,

and to inform you, and through you, the Honorable Senate, that the same has been adopted by the House and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 11 was ordered referred to the Secretary of State.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 192—By TERWIL-
LEGER, entitled:

An Act permitting and authorizing the Board of County Commissioners of Tulsa County to give, donate, grant, and convey certain real estate to Tulsa County Humane Society, a corporation of Tulsa, Oklahoma, repealing all Acts in conflict therewith and declaring an emergency.

ENROLLED SENATE BILL NO. 182—By REED,
entitled:

An Act fixing the number of deputy sheriffs, and their salaries, in Beckham County, Oklahoma, and declaring an emergency.

ENROLLED SENATE BILL NO. 176—By REED,
entitled:

An Act providing for three deputies in the office of the county clerk of Beckham County, Oklahoma, fixing their salaries, and declaring an emergency.

ENROLLED SENATE BILL NO. 100—By JOHN-
SON (Creek), entitled:

An Act repealing Chapter 163, Oklahoma Session

Laws, 1925, providing for the salaries and expenses of the County Commissioners of Creek County,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bills Nos. 100, 176, 182 and 192 were, each, referred to the Acting Governor, for consideration.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

At 12 o'clock, noon, the Senate reassembled, with President Pro Tempore Storms presiding.

Senator Fidler asked unanimous consent, to introduce the following Senate Resolution, which was read at length and considered:

SENATE RESOLUTION NO. 17—By FIDLER, STORMS, and LOOFBOURROW.

A RESOLUTION OF RESPECT FOR THE REVER-
END H. J. P. HORNE, GRANDFATHER OF
HIS EXCELLENCY, ACTING GOVERNOR W.
J. HOLLOWAY.

BE IT RESOLVED BY THE PEOPLE OF THE STATE
OF OKLAHOMA:

FIRST: That we express to the relatives of the

Reverend H. J. P. Horne, grandfather of Acting Governor W. J. Holloway, whose death at Arkadelphia, Arkansas, is reported as of 4:00 a. m., this date, our sympathy in this hour of their bereavement.

SECOND: That a copy of this resolution be spread upon our record, and a copy forwarded to Acting Governor W. J. Holloway.

THIRD: That the Auditor of the State Senate be authorized to provide suitable floral wreath for the deceased.

Upon motion of Senator Fidler, Senate Resolution No. 17 was adopted and referred for engrossment.

HOUSE BILLS ON FIRST READING

The following bill was received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 16, By BOYD-STUN, HARROWER, WAGNER, DANIEL, HOWARD, ROPER, BROWN, DRAKE, ORENDORFF, PAUL, FAULK, KING, KIDD, LEECRAFT, CLOYD, MITCHELL, and PARKER of the House, and PATTON of the Senate, entitled:

An Act amending Section 8172, of Chapter 133, Session Laws of Oklahoma, 1925, relating to Pensions of Confederate Soldiers and Sailors and their Widows, and declaring an emergency.

Upon motion of Senator Fidler, the Senate adjourned, out of respect to the memory of H. J. P. Horne, the grandfather of Acting Governor W. J. Holloway, to meet at 9:00 o'clock, a. m., Thursday, March 14, 1929.

FIFTY-SEVENTH LEGISLATIVE DAY

THURSDAY, MARCH 14TH, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourrow, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 43.

Excused: MacDonald. Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the Calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Privileges and Elections, to whom was referred House Joint Resolution No. 9, by Jones (Greer), and Carmack, entitled:

A Resolution providing for assumption by State Election Board of obligations incurred in holding special elections in Fourth Senatorial District of the State of Oklahoma for which no funds are available in counties comprising such district, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WILLIAMSON, Chairman.

MR. PRESIDENT:

We, your Committee on Fish and Game, to whom was referred House Bill No. 261, by Moon and Dyer, entitled:

An Act amending Sections 1, 2, and 5 of Chapter 45, Session Laws of 1925, relating to Fish and Game Commission, providing certain qualifications, and manner of removal from office, fixing salaries and expenses, prescribing duties and powers, authorizing condemnation proceedings for acquiring lands, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

HILL, Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 388,

Senate Resolution No. 17, Senate Bills Nos. 214 and 215 all correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 388, as amended; Engrossed Senate Bills Nos. 214 and 215 and ordered each transmitted to the Honorable House, for consideration.

The President Pro Tempore, in open session, signed Engrossed Senate Resolution No. 17 and ordered the same referred for enrollment.

FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 220—By GRAY (Senate), MATHERLY (House)—An Act amending Section 10696; Compiled Oklahoma Statutes, 1921, placing the duties of the State Board of Vocational Education under the control of the Board of Regents of the Oklahoma Agricultural and Mechanical College; repealing all Acts in conflict therewith, and declaring an emergency.

SECOND READING

The following bills were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 218—By COMMONS, HILL, WHEATLEY, ANGLIN and OTJEN.

Upon motion of Senator Hill, the rules of the Senate

were suspended and SENATE BILL NO. 218, by Commons, Hill, Wheatley, Anglin and Otjen, was ordered placed upon the Calendar, without reference to a Committee.

SENATE BILL NO. 219—By BOYER.—Referred to Committee on Judiciary No. 1.

ENGROSSED HOUSE BILL NO. 16—By BOYD-STUN, HARROWER, WAGNER, DANIEL, HOWARD, ROPER, BROWN, DRAKE, ORENDORFF, PAUL, FAULK, KING, KIDD, LEECRAFT, CLOYD, MITCHELL and PARKER of the House, and PATTON of the Senate.—Referred to Committee on Soldiers' Relief.

GENERAL ORDER

Upon motion of Senator Ferguson, HOUSE BILL NO. 119, by Graham, Cloyd and the Soldiers' Relief Committee, was advanced to engrossment and third reading.

Upon motion of Senator Ferguson the rules of the Senate were suspended and HOUSE BILL NO. 119, by Graham, Cloyd and the Soldiers' Relief Committee, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 119 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton,

Peck, Powers, Pullen, Reed, Rexroat, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 35.

Nays: 0.

Not Voting: Anglin, Harper, Loofbourrow, Ray, Rice, Smith, Stewart, Williams. Total, 8.

Excused: MacDonald. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 35.

Nays: 0.

Not Voting: Anglin, Harper, Loofbourrow, Ray, Rice, Smith, Stewart, Williams. Total, 8.

Excused: MacDonald. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 119, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Ferguson, HOUSE BILL NO. 117, by Graham and the Soldiers' Relief Committee, was advanced to engrossment and third reading.

Upon motion of Senator Ferguson, the rules of the Senate were suspended and HOUSE BILL NO. 117, by Graham and the Soldiers' Relief Committee, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 117 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 35.

Nays: 0.

Not Voting: Andrews, Anglin, Ewing, Peck, Rice, Smith, Stewart, Williams. Total, 8.

Excused: MacDonald. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Powers, Pullen, Ray, Reed, Rexroat, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 35.

Nays: 0.

Not Voting: Andrews, Anglin, Ewing, Peck, Rice, Smith, Stewart, Williams. Total, 8.

Excused: MacDonald. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 117, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Terwilleger, HOUSE BILL NO. 175, by Black, was advanced to engrossment and third reading.

Upon motion of Senator Terwilleger, the rules of the Senate were suspended and HOUSE BILL NO 175, by Black, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 175 was read for the third time at length.

By unanimous consent, further consideration of House Bill No. 175 was deferred for this legislative day.

Senator Harper moved that the Senate not consider any House measure until that body considers Senate measures, now on its Calendar.

The President Pro Tempore declared the motion out of order, stating it would take a suspension of the Senate Rules.

Senator Harper moved that the rules of the Senate be suspended and the Senate refuse to consider any House measures until that Body considers Senate measures, now on its Calendar.

Senator Otjen moved to table the Harper motion, which motion prevailed.

Upon motion of Senator Johnson (Creek) SENATE BILL NO. 86, by Johnson (Creek), was advanced to engrossment and third reading.

The President Pro Tempore introduced Honorable G. M. Peters, of Liberty, Missouri, an ex-member of the Missouri State Legislature.

The President Pro Tempore announced the Senate at ease, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

At 1:00 o'clock, p. m., the Senate reassembled, with the President Pro Tempore presiding.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the House has this day concurred in Senate amendments to:

HOUSE BILL NO. 335—By MOON, HARROWER, BOYDSTUN, entitled:

An Act amending Chapter 202 (House Bill No. 392), Session Laws of 1925, empowering Muskogee County to levy and collect an annual tax for the use and benefit of the Free Oklahoma State Fair at Muskogee, Oklahoma, regulating the expenditure thereof, and declaring an emergency,

and same has been passed as amended.

Yours truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 7—By BROWN, CARTWRIGHT, ROE, KEENAN, HARVEY and CLOYD, entitled:

A Concurrent Resolution memorializing Congress to extend aid for the purpose of eradicating and exterminating cotton boll weevils in the State of Oklahoma,

and to inform you, and through you, the Honorable Senate, that the same has been corrected and adopted by the House of Representatives and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 8—By BYRUM, BROWN, STRICKLAND, CARMICHAEL, DYER, HOWARD, KING, ORENDORFF, PAUL, STANLEY, WHITAKER, GIBSON, KIGHT, CHAMBERS, MITCHELL and DRAKE, entitled:

An Act relating to the manufacture, sale and distribution of ice, providing for the repeal of Chapter 147, Session Laws of Oklahoma, 1925, the same being an Act declaring the manufacture, sale and distribution of ice to be a public business, placing same under the jurisdiction of the Corporation Commission, providing a license fee, and penalty for violation thereof and providing the Corporation Commission shall have no jurisdiction over the manufacture, sale or distribution of ice.

ENGROSSED HOUSE BILL NO. 341—By BARRY of the House and ANGLIN of the Senate, entitled:

An Act amending Section 10,465, Compiled Oklahoma Statutes, 1921, regarding transportation in school districts, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 402—By PATTERSON (Seminole), entitled:

An Act providing the compensation for the county attorney, and providing for the appointment and compensation of deputies, assistants and stenographers for certain county offices of Seminole County, Oklahoma; and repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 39—By MITCHELL and PERRYMAN, entitled:

An Act authorizing the county attorney of certain counties of the State of Oklahoma whose population was not less than 36,536, and not more than 36,636, as shown by the last federal county census, to appoint a county evidence man, fixing his salary, providing for traveling expenses, and repealing all laws in conflict therewith.

ENGROSSED HOUSE BILL NO. 413—By NOBLE, entitled:

An Act repealing Chapter 132, Session Laws of Oklahoma, 1927, relating to the office of county attorney of Pottawatomie County, Oklahoma, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 417—By WHITT, ROE, and LESTER, entitled:

An Act abolishing the offices of township trustee, township clerk and township treasurer of each municipal township in Pittsburg county, State of Oklahoma, and conferring the powers and duties of said offices on the Board of County Commissioners, county clerk and county treasurer of Pittsburg County, Oklahoma; repealing all laws in conflict herewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 423—By CLOYD, entitled:

An Act authorizing the county superintendent of Cleveland County, Oklahoma, to appoint by, and with the consent and approval of, the county commissioners of said county, an assistant county superintendent, having the same qualifications as are required by law of a county superintendent, at a salary of \$1,200.00 per annum, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 424—By CLOYD, entitled:

An Act authorizing the Board of County Commissioners of Cleveland County, Oklahoma, to make, and the county excise board of Cleveland County, Oklahoma, to approve, an estimate for the purchase of grounds and the erection of buildings for free county fair purposes to be the exclusive property of Cleveland County, Oklahoma; and authorizing the levy of a tax in addition to all other taxes now authorized by law of not to exceed one mill upon all the taxable property in said county for the year 1929; providing for an annual levy, in addition to all other levies now authorized by law, of not to exceed one-fourth mill upon all taxable property in said county for the purpose of improving, maintaining and enlarging said county fair buildings and grounds and for the support and maintenance of the free fair to be conducted therein, repealing Chapter 210, Session Laws of Oklahoma, 1927; repealing all Acts or parts of Acts in conflict herewith and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 29—By HOUSTON, of the House, and EWING of the Senate, entitled:

An Act appropriating two hundred Dollars (\$200.00)

for the purpose of removing an obstruction in Cimarron river for protection of State Land, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 401—By WHITT, entitled:

An Act repealing Sections 3358, 3359, 3360, 3361, 3362, 3363, and 3364, inclusive, Compiled Oklahoma Statutes, 1921, relating to the County Court of Pittsburg County, Oklahoma, providing for the disposition of the records at Crowder, Oklahoma, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 371—By SNODDY, entitled:

An Act fixing the salaries of county officials and authorizing the employment of certain deputies by county officers in Woods County, Oklahoma, fixing the salaries of such officers and deputies and repealing all laws in conflict therewith,

and to inform you, and through you, the Honorable Sen-

ate, that the same has been passed by the House and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

House Bill No. 371 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 201—By STORMS, entitled:

An Act authorizing the mayor and city council of the City of Waurika, Oklahoma, to waive, remit and refund certain penalty or interest on delinquent paving taxes and assessments and authorizing the County Treasurer of Jefferson County, Oklahoma, to collect said paving taxes and assessments without collecting the penalty or interest delinquent thereon, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency,

ENGROSSED SENATE BILL NO. 22—By AUSTIN, entitled:

An Act authorizing County appropriations and levies to provide funds for making certain refunds to County Treasurer and authorizing such refunds,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bills Nos. 22 and 201 were each referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 31—By TERWIL-
LEGER, entitled:

An Act amending Section 4721, of Article 16, Chapter 29, Compiled Oklahoma Statutes, Annotated, 1921, relating to the jurisdiction of municipal criminal courts, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bill No. 31 was referred to the Acting Governor for consideration.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

At 5 o'clock, p. m., the Senate reassembled, with President Pro Tempore Storms presiding.

FIRST READING

Senator Gray asked unanimous consent, which was granted, to submit the following resolution, which was read at length:

SENATE CONCURRENT RESOLUTION NO. 12—By
GRAY of Senate and WATSON of House.

AN ACT GIVING ASSENT OF BOTH HOUSES OF
THE LEGISLATURE OF THE STATE OF
OKLAHOMA TO THE PAYMENT OF GRANTS
OF MONEY BY THE FEDERAL GOVERN-
MENT UNDER THE PROVISIONS OF AN ACT
BY THE UNITED STATES CONGRESS
KNOWN AS "THE CAPPER-KETCHAM ACT"
AND PROVIDING FOR THE EXPENDITURE
OF SAME THROUGH THE EXTENSION DI-
VISION OF THE OKLAHOMA AGRICUL-
TURAL AND MECHANICAL COLLEGE AND
DECLARING AN EMERGENCY.

WHEREAS, the Congress of the United States has passed an Act approved by the President, May 22, 1928, entitled, "An Act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act entitled 'An Act donating public lands of the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts' approved July 2, 1862, and all Acts supplementary thereto, and the United States Department of Agriculture," and,

WHEREAS, it is provided in Section 1 of the Act aforesaid, that the grants of money authorized by this

Act shall be paid annually "to each State which shall by action of its legislature assent to the provisions of this Act;" therefore, be it

RESOLVED by both houses of the legislature of the State of Oklahoma that the assent of the legislature of the State of Oklahoma be and is hereby given to the provisions and requirements of said Act, and that the trustees of the Agricultural and Mechanical College of Oklahoma be and they are hereby authorized and empowered to receive the grants of money appropriated under said Act, and to organize and conduct agricultural extension work which shall be carried on through the Extension Division of said college in accordance with the terms and conditions expressed in the Act of Congress aforesaid.

By unanimous consent, consideration was given Senate Concurrent Resolution No. 12.

Upon motion of Senator Gray, Senate Concurrent Resolution No. 12 was adopted, as read, and referred for engrossment.

COMMITTEE REPORTS

By unanimous consent, the following Committee Reports were submitted, the bills ordered printed and placed upon the Calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Engrossed House Bill No. 4, by Stovall, et al, entitled:

An Act authorizing and directing the Board of Re-

gents of the University to complete the Oklahoma Hospital for Crippled Children, making improvements on grounds and equipping the said hospital and making an appropriation for the same and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Fish and Game, to whom was referred House Bill No. 13, by Stanley, Lewis, Wasson, Head, Paul, Busey, Jacobs, Wagner, Phillips, Whitaker, Dyer, Stovall and Leecraft, entitled:

An Act amending Section 17, Chapter 35, of the Session Laws of Oklahoma, 1927, relating to fish and game and fixing penalty for violation, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass as amended by the Committee on Fish and Game, as follows:

By striking the word "May" in line five of Section One and substituting in lieu thereof the word "June."

By striking the remainder of Section One, commencing with the word "provided" in line nine of Section One.

HILL, Chairman.

MR. PRESIDENT:

We, your Committee on Soldiers' Relief, to whom was referred House Bill No. 16, by Boydstun, Harrower, Wagner, Daniel, Howard, Roper, Brown, Drake, Orendorff,

Paul, Faulk, King, Kidd, Leecraft, Cloyd, Mitchell and Parker, of the House, and Patton, of the Senate, entitled:

An Act amending Section 8172, of Chapter 133, Session Laws of Oklahoma, 1925, relating to pension of Confederate soldiers and sailors and their widows, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

FERGUSON, Chairman.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 7—By BROWN, CARTWRIGHT, ROE, KEENAN, HARVEY and CLOYD, entitled:

A Concurrent Resolution memorializing Congress to extend aid for the purpose of eradicating and exterminating cotton boll weevils in the State of Oklahoma.

ENGROSSED HOUSE BILL NO. 8—By BYRUM, BROWN, STRICKLAND, CARMICHAEL, DYER, HOWARD, KING, ORENDORFF, PAUL, STANLEY, WHITAKER, GIBSON, KIGHT, CHAMBERS, MITCHELL and DRAKE, entitled:

An Act relating to the manufacture, sale and distribution of ice, providing for the repeal of Chapter 147, Session Laws of Oklahoma, 1925, the same being an Act declaring the manufacture, sale and distribution of ice to be a public business, placing same under the jurisdiction of the Corporation Commission; providing a license fee, and penalty for violation thereof and providing the Cor-

poration Commission shall have no jurisdiction over the manufacture, sale or distribution of ice.

ENGROSSED HOUSE BILL NO. 341—By BARRY of the House, and ANGLIN of the Senate, entitled:

An Act amending Section 10,465, Compiled Oklahoma Statutes, 1921, regarding transportation in school districts, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 402—By PATTERSON (Seminole), entitled:

An Act providing the compensation for the county attorney, and providing for the appointment and compensation of deputies, assistants and stenographers for certain county offices of Seminole County, Oklahoma; and repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 39—By MITCHELL and PERRYMAN, entitled:

An Act authorizing the county attorney of certain counties of the State of Oklahoma whose population was not less than 36,536, and not more than 36,636, as shown by the last federal county census, to appoint a county evidence man, fixing his salary, providing for traveling expenses, and repealing all laws in conflict therewith.

ENGROSSED HOUSE BILL NO. 413—By NOBLE, entitled:

An Act repealing Chapter 132, Session Laws of Oklahoma, 1927, relating to the office of county attorney of Pottawatomie County, Oklahoma, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 417—By WHITT, ROE and LESTER, entitled:

An Act abolishing the offices of township trustee, township clerk and township treasurer of each municipal township in Pittsburg county, State of Oklahoma, and conferring the powers and duties of said offices on the Board of County Commissioners, county clerk and county treasurer of Pittsburg County, Oklahoma; repealing all laws in conflict herewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 423—By CLOYD, entitled:

An Act authorizing the county superintendent of Cleveland County, Oklahoma, to appoint by, and with the consent and approval of, the county commissioners of said county, an assistant county superintendent, having the same qualifications as are required by law of a county superintendent, at a salary of \$1,200.00 per annum, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 424—By CLOYD, entitled:

An Act authorizing the Board of County Commissioners of Cleveland County, Oklahoma, to make, and the county excise board of Cleveland County, Oklahoma, to approve, an estimate for the purchase of grounds and the erection of buildings for free county fair purposes to be the exclusive property of Cleveland County, Oklahoma; and authorizing the levy of a tax in addition to all other taxes now authorized by law of not to exceed one mill upon all the taxable property in said county for the year 1929; providing for an annual levy, in addition to all other levies now authorized by law, of not to exceed one-fourth mill upon all taxable property in said county for the purpose of improving, maintaining and enlarging

said county fair buildings and grounds and for the support and maintenance of the free fair to be conducted therein, repealing Chapter 210, Session Laws of Oklahoma, 1927; repealing all Acts or parts of Acts in conflict herewith and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 29—By HOUSTON, of the House, and EWING of the Senate, entitled:

An Act appropriating two hundred Dollars (\$200.00) for the purpose of removing an obstruction in Cimarron river for protection of State Land, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 401—By WHITT, entitled:

An Act repealing Sections 3358, 3359, 3360, 3361, 3362, 3363, and 3364, inclusive, Compiled Oklahoma Statutes, 1921, relating to the County Court of Pittsburg County, Oklahoma, providing for the disposition of the records at Crowder, Oklahoma, and declaring an emergency,

Upon motion of Senator Austin, the Senate adjourned. te meet at 9:00 o'clock, a. m., Friday, March 15, 1929.

FIFTY-EIGHTH LEGISLATIVE DAY

FRIDAY, MARCH 15TH, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Reso-

lution No. 12, Senate Bills Nos. 86 and 110 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Concurrent Resolution No. 12 and ordered the same transmitted to the Honorable House for consideration.

FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 221—By AUSTIN, LOOFBOURROW, WILLIAMS, MOORE—An Act continuing the Joint Committee of the Legislature provided for by Senate Concurrent Resolution No. 22 after the adjournment of the Twelfth Session of the Legislature, fixing their powers and duties, providing for their per diem and expenses, making an appropriation therefor, and declaring an emergency.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 220—By GRAY (Senate), MATHERLY (House).—Referred to the Committee on Agriculture.

HOUSE BILL NO. 8—By BYRUM, BROWN, STRICKLAND, CARMICHAEL, DYER, HOWARD, KING, ORENDORFF, PAUL, STANLEY, WHITAKER, GIBSON, KIGHT, CHAMBERS, MITCHELL and DRAKE.—Referred to Committee on Public Service Corporations.

HOUSE BILL NO. 341—By BARRY of the House and ANGLIN of the Senate.—Referred to the Committee on Education.

HOUSE BILL NO. 402—By PATTERSON (Seminole).

Upon motion of Senator Smith, the rules of the Senate were suspended and HOUSE BILL NO. 402, by Patterson (Seminole), was ordered placed upon the calendar, without reference to a Committee.

HOUSE BILL NO. 39—By MITCHELL and PERRYMAN.

Upon motion of Senator Easter, the rules of the Senate were suspended and HOUSE BILL NO. 39, by Mitchell and Perryman, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 417—By WHITT, ROE and LESTER.—Referred to Committee on State and County Affairs.

HOUSE BILL NO. 423—By CLOYD.

Upon motion of Senator George, the rules of the Senate were suspended and HOUSE BILL NO. 423, by Cloyd, was ordered placed upon the Calendar without reference to a Committee.

HOUSE BILL NO. 424—By CLOYD.

Upon motion of Senator George, the rules of the Senate were suspended and HOUSE BILL NO. 424, by Cloyd, was ordered placed upon the Calendar without reference to a Committee.

HOUSE JOINT RESOLUTION NO. 29—By HOUSTON, of the House, and EWING, of the Senate.—Referred to the Committee on Appropriations.

HOUSE BILL NO. 401—By WHITT—Referred to the Committee on State and County Affairs.

GENERAL ORDER

Upon motion of Senator Clark, SENATE BILL NO. 68, by Clark, was stricken from the calendar.

Upon motion of Senator Loofbourrow, SENATE BILL NO. 216, by Loofbourrow, of the Senate, and Allen, of the House, was advanced to engrossment and third reading.

Upon motion of Senator Loofbourrow, the rules of the Senate were suspended and Senate Bill No. 216, by Loofbourrow, of the Senate, and Allen, of the House, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 216 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Blakely, Clark, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Patton, Peck, Powers, Pullen, Ray, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Williams. Total, 30.

Nays: 0.

Not Voting: Anglin, Austin, Boyer, Commons, Easter, Jolly, Moore, Nesbitt, Otjen, Reed, Stewart, Thomas, Wheatley, Williamson. Total, 14.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Blakely, Clark, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Patton, Peck, Powers, Pullen, Ray, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Williams. Total, 30.

Nays: 0.

Not Voting: Anglin, Austin, Boyer, Commons, Easter, Jolly, Moore, Nesbitt, Otjen, Reed, Stewart, Thomas, Wheatley, Williamson. Total, 14.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

SENATE BILL NO. 216 was referred for engrossment.

Upon motion of Senator Pullen, HOUSE BILL NO. 4, by Stovall, Graham, Street, et al., of the House, was advanced to engrossment and third reading.

Senator Pullen moved that the rules of the Senate

be suspended and House Bill No. 4, by Stovall, Graham, Street, et al., of the House, be considered engrossed and placed upon third reading and final passage, which motion prevailed.

Senator Loofbourrow moved that the vote be reconsidered by which the rules of the Senate were suspended and House Bill No. 4, by Stovall, Graham, Street, et al., of the House, was considered engrossed and placed upon third reading and final passage.

The hour having arrived, for the convening of the Senate, sitting as a Court of Impeachment, the President Pro Tempore announced the Senate recessed, subject to the call of the Chair.

At 1 o'clock, p. m., the Senate reassembled, with President Pro Tempore Storms presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Resolution No. 17 and Senate Bills Nos. 22 and 201 correctly enrolled.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Enrolled Senate Resolution No. 17 and ordered the same transmitted to the Secretary of State.

Senate Bills Nos. 22 and 201 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered transmitted to the Honorable House for consideration.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you and through you the Honorable Senate that the House has this day concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 288—By BOYD-STUN, HARROWER, MOON, entitled:

An Act fixing the salaries of the deputies or assistants in the office of County Superintendent of Public Instruction in and for Muskogee County and fixing the number of deputies to said official, repealing all laws in conflict therewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 388—By BROWN and FISCHL, entitled:

An Act relating to the office of the sheriff of Carter County, fixing the number of deputies, regulating the salaries of deputy sheriffs and the fees to be paid in the sheriff's office of Carter County, Oklahoma, providing for the appointment of a bertillion expert and finger print man and providing penalty for charging constructive mileage; repealing Section Seven of Chapter 120, of the 1921 Session Laws of Oklahoma,

and that the same have been passed, as amended.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 378—By BYRUM and PATTERSON, entitled:

An Act governing cities of the first class situated in two counties, having a population of 20,000 or less, as shown by any legal census; designating the elective officers thereof; regulating the salaries, power and duty of said officers; defining the powers, duties and authority of the County Excise Boards of each county of which said city is a part; defining wards; regulating the making of the annual estimate of said city and requiring the County Clerk of each county of which the city is a part to make certain reports; repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency,

and to inform you, and through you, the Honorable Senate that the same has been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 282—By BOYD-STUN, HARROWER and MOON, entitled:

An Act fixing the salary of the County Assessor of Muskogee County, Oklahoma, and repealing all laws in conflict herewith.

ENROLLED HOUSE BILL NO. 386—By BABB and KIDD, of the House, and HARPER, of the Senate, entitled:

An Act fixing the salaries of the County Clerk and regular deputies in the office of the County Clerk of LeFlore County, Oklahoma, repealing all conflicting laws and declaring an emergency.

ENROLLED HOUSE BILL NO. 302—By WHITT, LESTER and ROE, entitled:

An Act authorizing and directing the Board of County Commissioners of Pittsburg County, Oklahoma, to include in its annual estimate, and the Excise Board of said County to make an extra annual levy in a sum of equal to one-half of one mill for a District Court Fund to cover expenditures for jurors and witnesses, bailiffs and other expenses of District Court, declaring the same not to be a current expense, repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

ENROLLED HOUSE BILL NO. 334—By BOYDSTUN, of the House, and GULAGER, of the Senate, entitled:

An Act authorizing and empowering the Board of Trustees of the Incorporated Town of Fort Gibson, Muskogee County, Oklahoma to convey in fee simple the Sam Houston Park located in the town of Fort Gibson, Oklahoma, to the State of Oklahoma for the use and benefit of a State Park, and declaring an emergency.

ENROLLED HOUSE BILL NO. 319—By BOYDSTUN, HARROWER and MOON, entitled:

An Act fixing the number of deputies and their salaries in the office of the Court Clerk of Muskogee County, Oklahoma, repealing all laws in conflict herewith, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bills Nos. 282, 302, 319, 334 and 386 were, each, read for the fourth time, the enrolled copies signed by the President Pro Tempore, in open session, and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 16—By FERGUSON, entitled:

An Act authorizing cities, towns, townships and school districts which have a surplus on hand in the sinking fund, against which no indebtedness exists, to transfer the same to the general fund of said municipalities, and declaring an emergency,

and to inform you, and through you, the Honorable Senate that the same has been passed by the House as amended, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed House Amendments to Senate Bill No. 16 were read by the clerk, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1. That on Page 1, Section 1, Line 1, after the word "any" and before the word "city" insert the word "county."

ENGROSSED HOUSE AMENDMENT NO. 2. That the words "municipalities" or "municipality," wherever the same appear in this bill, be stricken, and in lieu thereof insert the following: "county, city, town, township or school district," (also see title.)

ENGROSSED HOUSE AMENDMENT NO. 3. That line 6 of Section 1, ("and where the same is not needed for sinking fund purposes") be stricken.

ENGROSSED HOUSE AMENDMENT NO. 4. That on page 1, Section 1, at the end of line 6, after the word "purposes" and before the word "the" insert the following: "the county excise board, on application of."

ENGROSSED HOUSE AMENDMENT NO. 5. That on page 1, Section 1, line 7, the word "are" be changed to "is."

ENGROSSED HOUSE AMENDMENT NO. 6. That on page 1, Section 1, line 8, the words "and directed" be stricken.

ENGROSSED HOUSE AMENDMENT NO. 7. That at the end of Section 1, the following be added: "Provided that the excise board of the county shall first approve the same after advertising in some legal newspaper of the county for four weekly issues, their intention so to do."

ENGROSSED HOUSE AMENDMENT NO. 8. That the following be added to Section 1, immediately following Engrossed House Amendment No. 7 (just preceding): "Provided that in no case may any part of the sinking fund be transferred while there are any bonds or judgments outstanding against said city, town, county, township or school district."

ENGROSSED HOUSE AMENDMENT NO. 9. That the name Webber, (of the House), be added as joint author.

ENGROSSED HOUSE AMENDMENT NO. 10. That in line 1 of the title after the word "ACT" and before the word "CITIES," insert the word "COUNTIES," also see amendment No. 2 as to "municipalities."

Upon motion of Senator Ferguson, the Senate concurred in House Amendments to Senate Bill No. 16.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Patton, Peck, Powers, Pullen, Ray, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Gray, Jolly, Nesbitt, Otjen, Reed, Rexroat, Stewart. Total, 7.

The Bill, as amended, having received the constitu-

tional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Patton, Peck, Powers, Pullen, Ray, Rice, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Gray, Jolly, Nesbitt, Otjen, Reed, Rexroat, Stewart. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed Engrossed House Amendments to Senate Bill No. 16 and referred the bill, as amended, for enrollment.

GENERAL ORDER

Upon motion of Senator Gulager, HOUSE JOINT RESOLUTION NO. 9, by Jones (Greer), and Carmack, was advanced to engrossment and third reading.

Upon motion of Senator Smith, HOUSE BILL NO. 324, by Strickland and Wimbish, was advanced to engrossment and third reading.

HOUSE BILL NO. 4, by Stovall, Graham, Street, et al., of the House, was taken up for further consideration.

Senator Loofbourrow asked unanimous consent, which was granted, to withdraw his motion, to reconsider the vote by which House Bill No. 4, by Stovall, Graham, Street, et al., of the House, was considered engrossed and placed upon third reading and final passage.

Upon motion of Senator Anglin, HOUSE BILL NO. 4, by Stovall, Graham, Street, et al., of the House, was made a Special Order for 5:00 o'clock, p. m., of this legislative day.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair, at 5 o'clock, p. m.

At 5:00 o'clock, p. m., the Senate reassembled, with President Pro Tempore Storms presiding.

SPECIAL ORDER

House Bill No. 4, by Stovall, Graham, Street, et al., of the House, having been made a Special Order for 5:00 o'clock, p. m., was taken up for further consideration.

HOUSE BILL NO 4 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Easter, Ewing, Ferguson, Fidler, George,

Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Rex-roat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 41.

Nays: Darnell, Graham. Total, 2.

Not Voting: Reed. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Easter, Ewing, Ferguson, Fidler, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Rex-roat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 41.

Nays: Darnell, Graham. Total, 2.

Not Voting: Reed. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore in open session signed

the Engrossed copy of House Bill No. 4, and ordered same transmitted to the Honorable House.

Senator Graham sent up the following explanation of his vote:

Mr. President: I vote against House Bill No. 4, because, the last legislature appropriated \$300,000.00 to build and equip this building and now we are called upon to vote an additional \$150,000.00—wholly unauthorized and illegally and unjustly incurred.

GRAHAM.

MESSAGES

The following Messages from the Acting Governor were received and read:

To the President and Members
of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bill No. 31, entitled:

“An Act amending Section 4721, of Article 16, Chapter 29, Compiled Oklahoma Statutes, Annotated, 1921, relating to the jurisdiction of municipal criminal courts, and declaring an emergency,”

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY, Acting Governor.

To the President and Members
of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bills Nos. 100, 176, 182 and 192, entitled:

ENROLLED SENATE BILL NO. 100:

"An Act repealing Chapter 163, Oklahoma Session Laws 1925, providing for the salaries and expenses of the County Commissioners of Creek County."

ENROLLED SENATE BILL NO. 176:

"An Act providing for three deputies in the office of the county clerk of Beckham County, Oklahoma, fixing their salaries and declaring an emergency."

ENROLLED SENATE BILL NO. 182:

"An Act fixing the number of deputy sheriffs and their salaries, in Beckham County, Oklahoma, and declaring an emergency."

ENROLLED SENATE BILL NO. 192:

"An Act permitting and authorizing the Board of County Commissioners of Tulsa County to give, donate, grant, and convey certain real estate to Tulsa County Humane Society, a corporation of Tulsa, Oklahoma, repealing all Acts in conflict herewith and declaring an emergency."

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY, Acting Governor.

THIRD READING

HOUSE BILL NO. 285 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Rexroat, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 39.

Nays: 0.

Not Voting: Harper, Reed, Rice, Smith, Williams. Total, 5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Rexroat, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 39.

Nays: 0.

Not Voting: Harper, Reed, Rice, Smith, Williams.
Total, 5.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 285, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 86 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williamson. Total, 39.

Nays: Wheatley. Total, 1.

Not Voting: Harper, Reed, Rice, Williams. Total, 4.

The Bill having received the constitutional majority of the vote of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Rexroat, Smith, Stewart, Stigler, Storms, Terwilliger, Thomas, Williamson. Total, 39.

Nays: Wheatley. Total, 1.

Not Voting: Harper, Reed, Rice, Williams. Total, 4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

By unanimous consent, the Clerk of the Enrolling and Engrossing Department was instructed to amend the title of Senate Bill No. 86, to conform with the body of the bill.

Senator Anglin served notice that he would, on the next legislative day, move to reconsider the vote by which Senate Bill No. 86 was passed.

HOUSE BILL NO. 175, having been read previously, for the third time, was placed on third reading and final passage.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, George, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Stewart, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williamson. Total, 35.

Nays: 0.

Not Voting: Clark, Fidler, Graham, Harper, Reed, Rexroat, Rice, Smith, Williams. Total, 9.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, George, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 35.

Nays: 0.

Not Voting: Clark, Fidler, Graham, Harper, Reed, Rexroat, Rice, Smith, Williams. Total, 9.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 175, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 110 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, George, Gray, Gulager, Hill, Johnson (Pottawatomie), Jolly, Kimerer, MacDonald, Nesbitt, Peck, Pullen, Ray, Rice, Stigler, Storms, Williamson. Total, 24.

Nays: Ferguson, Otjen, Powers, Stewart. Total, 4.

Not Voting: Clark, Ewing, Fidler, Graham, Harper, Johnson (Creek), Loofbourrow, Moore, Patton, Reed, Rexroat, Smith, Terwilleger, Thomas, Wheatley, Williams. Total, 16.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senator Austin asked unanimous consent, which was granted, to strike the emergency section to Senate Bill No. 110.

Senator Gray served notice that he would, on the next legislative day, move to reconsider the vote by which SENATE BILL NO. 110, by Austin, was passed.

GENERAL ORDER

Senator Stewart moved that HOUSE BILL NO. 48, by Stanley, be advanced to engrossment and third reading, which motion failed of adoption.

Upon motion of Senator Loofbourrow, HOUSE BILL NO. 375, by Ferguson, was advanced to engrossment and third reading.

Upon motion of Senator Loofbourrow, the rules of the Senate were suspended and House Bill No. 375, by Ferguson, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 375 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Rexroat, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 36.

Nays: 0.

Not Voting: Andrews, Clark, Fidler, Harper, Reed, Rice, Smith, Williams. Total, 8.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Rexroat,

Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 36.

Nays: 0.

Not Voting: Andrews, Clark, Fidler, Harper, Reed, Rice, Smith, Williams. Total, 8.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 375, and ordered the same transmitted to the Honorable House.

Senator Patton moved that HOUSE BILL NO. 16, by Boydston, et al., of the House, and Patton, of the Senate, be advanced to engrossment and third reading.

Senator Pullen, as a substitute, moved that HOUSE BILL NO. 16, by BOYDSTUN, et al., of the House and Patton, of the Senate, be made a Special Order at 12:30 o'clock, p. m., Saturday, March 16.

Senator Stewart, as a substitute for all pending motions, moved that HOUSE BILL NO. 16, by Boydston, et al., of the House, and Patton, of the Senate, be made a Special Order, for 9 o'clock, a. m., Monday, March 18, 1929, which motion prevailed.

Upon motion of Senator Otjen, HOUSE BILL NO. 222, by Hutchinson, et al., of the House, and Otjen, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Otjen, the rules of the Senate were suspended and HOUSE BILL NO. 222, by Hutchinson,

et al., of the House, and Otjen, of the Senate, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 222 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Easter, Ferguson, George, Gray, Gulager, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 31.

Nays: 0.

Not Voting: Clark, Darnell, Ewing, Fidler, Graham, Harper, Johnson (Creek), Moore, Reed, Rexroat, Rice, Smith, Williams. Total, 13.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Easter, Ferguson, George, Gray, Gulager, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 31.

Nays: 0.

Not Voting: Clark, Darnell, Ewing, Fidler, Graham, Harper, Johnson (Creek), Moore, Reed, Rexroat, Rice, Smith, Williams. Total, 13.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 222, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 218, by Commons, Hill, Wheatley, Anglin and Otjen, was taken up for consideration.

Section 1 was read.

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 218, line 13, page 2, by adding after the words, "per day," the words, "Two Reporters at not to exceed Two (\$2.00) Dollars, per hour, and One (\$1.00) Dollar, per page for transcript of evidence and proceedings."

COMMONS.

Upon motion of Senator Commons, Section 1, as amended, was adopted.

Upon motion of Senator Pullen, SENATE BILL NO. 218, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Pullen, the rules of the Senate were suspended and SENATE BILL NO. 218 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 218 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ferguson, George, Gray, Gulager, Hill, Johnson (Pott.), Jolly, Kimerer, Loof-bourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Rice, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 33.

Nays: 0.

Not Voting: Clark, Ewing, Fidler, Graham, Harper, Johnson (Creek), Moore, Reed, Rexroat, Smith, Williams. Total, 11.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ferguson, George, Gray, Gulager, Hill, Johnson (Pott.), Jolly, Kimerer, Loof-bourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Rice, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 33.

Nays: 0.

Not Voting: Clark, Ewing, Fidler, Graham, Harper, Johnson (Creek), Moore, Reed, Rexroat, Smith, Williams. Total, 11.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 218 was referred for engrossment.

Upon motion of Senator Williamson, HOUSE JOINT RESOLUTION NO. 11, by Cloyd, et al., of the House, and George, Williamson, Fidler, Rice, Peck and Johnson (Pott.), of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Williamson, the rules of the Senate were suspended and HOUSE JOINT RESOLUTION NO. 11, by Cloyd, et al., of the House, and George, Williamson, et al., of the Senate, was considered engrossed and placed upon third reading and final passage.

HOUSE JOINT RESOLUTION NO. 11 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ferguson, George, Gray, Gulager, Hill Johnson (Pott.), Jolly, Kimerer, MacDonald, Nesbitt, Otjen, Peck, Powers, Pullen, Ray, Rice, Stewart, Stigler, Storms, Terwilleger, Thomas, Williamson. Total, 30.

Not Voting: Clark, Ewing, Fidler, Graham, Harper, Johnson (Creek), Loofbourrow, Moore, Patton, Reed, Rexroat, Smith, Wheatley, Williams. Total, 14.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Commons, Darnell, Easter, Ferguson, George, Gray, Gulager, Hill, Johnson (Pott.), Jolly, Kimerer, MacDonald, Nesbitt, Otjen, Peck, Powers, Pullen, Ray, Rice, Stewart, Stigler, Storms, Terwilleger, Thomas, Williamson. Total, 30.

Nays: 0.

Not Voting: Clark, Ewing, Fidler, Graham, Harper, Johnson (Creek), Loofbourrow, Moore, Patton, Reed, Rexroat, Smith, Wheatley, Williams. Total, 14.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Joint Resolution No. 11, and ordered the same transmitted to the Honorable House.

The Honorable Payne H. Ratner, of Parsons, Kansas, a member of the Kansas State Senate, was introduced by President Pro Tempore Storms.

HOUSE BILLS ON FIRST READING

The following bill was received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 378—By BYRUM and PATTERSON, entitled:

An Act governing cities of the first class situated in two counties, having a population of 20,000 or less, as shown by any legal census; designating the elective officers thereof; regulating the salaries, power and duty of said officers; defining the powers, duties and authority of the County Excise Boards of each county of which said city is a part; defining wards; regulating the making of the annual estimate of said city and requiring the County Clerk of each county of which the city is a part to make certain reports; repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

Upon motion of Senator Stewart, the Senate adjourned to meet at 8:30 o'clock, a. m., Saturday, March 16, 1929.

FIFTY-NINTH LEGISLATIVE DAY

SATURDAY, MARCH 16TH, 1929

The Senate, pursuant to adjournment, met at 8:30 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total 43.

Excused: Terwilleger. Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled Bills begs leave to report Senate Bill No. 216 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Bill No. 216 and ordered the same transmitted to the Honorable House for consideration.

FIRST READING

The following bills were introduced and read for the first time:

SENATE BILL NO. 222—By BOYER—An Act amending Section 1, Chapter 118, Session Laws of 1927, relating to roads and highways and conferring upon the State Highway Commission the right of exercise of eminent domain, and declaring an emergency.

SENATE BILL NO. 223—By GRAHAM—An Act providing for a closed season on deer, turkey, raccoons and eagles; providing penalties for the violation thereof, and declaring an emergency.

SENATE BILL NO. 224—By OTJEN (Senate), CAMPBELL, HUTCHINSON (House)—An Act providing for the appointment of additional deputies, assistants or employees for any county officer in Garfield County, Oklahoma, and empowering the Board of County Commissioners to authorize such appointment and fix the salaries of such additional deputies, assistants or employees, and declaring an emergency.

SECOND READING

The following bills were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 221—By AUSTIN, LOOFBOURROW, WILLIAMS and MOORE.

Upon motion of Senator Loofbourrow, the rules of the Senate were suspended and SENATE BILL NO. 221, by Austin, Loofbourrow, Williams and Moore, was ordered placed upon the calendar, without reference to a Committee.

HOUSE BILL NO. 378—By BYRUM and PATTERSON.—Referred to Committee on State and County Affairs.

GENERAL ORDER

Upon motion of Senator Nesbitt, HOUSE BILL NO. 359, by Jacobs, of the House, and Nesbitt, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Nesbitt, HOUSE BILL NO. 338, by Phillips, was advanced to engrossment and third reading.

SENATE BILL NO. 197—By Ewing, was taken up for consideration.

Senator Ewing asked unanimous consent, which was granted, to add as a joint author of Senate Bill No. 197, the name of Senator Rexroat.

Upon motion of Senator Ewing, SENATE BILL NO. 197, by Ewing and Rexroat, was advanced to engrossment and third reading.

Upon motion of Senator Easter, HOUSE BILL NO. 39, by Mitchell and Perryman, was advanced to engrossment and third reading.

Upon motion of Senator Loofbourrow, SENATE BILL NO. 152, by Loofbourrow and MacDonald, was advanced to engrossment and third reading.

Upon motion of Senator Anglin, SENATE JOINT RESOLUTION NO. 2, by Gray, was advanced to engrossment and third reading.

THIRD READING

HOUSE JOINT RESOLUTION NO. 9, was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimmerer, Loofbourrow, MacDonald, Moore, Nesbitt, Peck, Powers, Ray, Rexroat, Smith, Stewart, Stigler, Storms, Wheatley, Williams, Williamson. Total, 34.

Nays: 0.

Not Voting: Austin, Fidler, Johnson (Creek), Otjen, Patton, Pullen, Reed, Rice, Thomas. Total, 9.

Excused: Terwilleger. Total, 1.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimmerer, Loofbourrow, MacDonald, Moore, Nesbitt, Peck, Powers, Ray, Rexroat, Smith, Stewart, Stigler, Storms, Wheatley, Williams, Williamson. Total, 34.

Nays: 0.

Not Voting: Austin, Fidler, Johnson (Creek), Otjen, Patton, Pullen, Reed, Rice, Thomas. Total, 9.

Excused: Terwilleger. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Joint Resolution No. 9, and ordered the same transmitted to the Honorable House.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

The Senate reassembled, at 4 o'clock, p. m., with President Pro Tempore Storms presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 218 correctly engrossed and Senate Bill No. 16 correctly enrolled.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Bill No. 218 and ordered the same transmitted to the Honorable House for consideration.

Senate Bill No. 16 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore, and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 33—By CLOYD, and LOGAN, entitled:

An Act repealing Section 9328, Compiled Oklahoma Statutes, 1921, and Chapter 7, Oklahoma Session Laws of 1927; relating to public libraries of cities and towns and special tax levies therefor; repealing all Acts or parts of Acts in conflict therewith and declaring an emergency,

and to advise you and through you the Honorable Senate that the same has been passed by the house of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you and through you, the Honorable Senate, that the House refuses to concur in the Senate Amendments to:

ENGROSSED HOUSE BILL NO. 335—By MOON, HARROWER and BOYDSTUN, entitled:

An Act amending Chapter 202 (HOUSE BILL NO. 392), Session Laws of 1925, empowering Muskogee County to levy and collect an annual tax for the use and benefit of the Free Oklahoma State Fair at Muskogee, Oklahoma, regulating the expenditure thereof, and declaring an emergency,

and requests that your Honorable Body recede from its amendments.

Yours very truly,

BERT McDONEL, Chief Clerk.

Senator Gulager asked unanimous consent of the Senate, which was granted, to defer for this legislative day, further consideration of House Bill No. 335, by Moon, Harrower and Boydston.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 440—By HEAD, SHERMAN, KIGHT, GRAHAM, KEENAN, PATTERSON,

CARMICHAEL, CHAPPELL, STANLEY, MOON, LEWIS, SNODDY and FERGUSON, entitled:

An Act providing for employees of the House of Representatives of the Twelfth Legislature made necessary by reason of an existing emergency, to aid and assist such House in the exercise of its inquisitorial and impeachment powers only; naming their salaries, making an appropriation therefor.

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 4—By STOVALL, GRAHAM, STREET, MITCHELL, CLOYD, LEECRAFT, BRIGGS, LOGAN, SKINNER, KING, JACOBS, WAGNER, BYRUM, GIBSON, HOWARD, CHAMBERS, ORENDORFF, EYLAR, HERSCHBERGER, HOOVER, ROE, DUNNING, KEENAN, LOWRY, JONES (Greer), STRICKLAND, MAUK, STANLEY, and PAUL, entitled:

An Act authorizing and directing the Board of Regents of the University to complete the Oklahoma Hospital for Crippled Children; making improvements on

grounds and equipping the said Hospital and making an appropriation for the same, and declaring an emergency,

and to inform you that the same has been passed and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bill No. 4 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENROLLED HOUSE BILL NO. 119—By GRAHAM, CLOYD and Soldiers' Relief Committee, entitled:

An Act providing for the construction and equipment of two (2) additional wings to the separate ward for ex-service persons of the World War at the Central Oklahoma State Hospital at Norman, Oklahoma, and making an appropriation therefor and providing for the repainting and repairing of the old wards and for the landscaping of said wards and wings and making an appropriation for same and declaring an emergency.

ENROLLED HOUSE BILL NO. 117—By GRAHAM, CLOYD, and the Soldiers' Relief Committee, entitled:

An Act creating a special fund in the State Treasury to be known as the Soldiers' Relief Commission Fund of

the Oklahoma Central State Hospital, and declaring an emergency.

ENROLLED HOUSE BILL NO. 388—By BROWN and FISCHL, entitled:

An Act relating to the office of the sheriff of Carter County, fixing the number of deputies; regulating the salaries of the deputy sheriffs and the fees to be paid in the sheriff's office of Carter County, Oklahoma; providing for the appointment of a bertillion expert and finger print man, and providing penalty for charging constructive mileage; repealing Section 7, of Chapter 120, of the 1921 Session Laws of Oklahoma, and declaring an emergency.

ENROLLED HOUSE BILL NO. 288—By BOYD-STUN, HARROWER and MOON, entitled:

An Act fixing the salaries of the deputies or assistants in the office of County Superintendent of Public Instruction in and for Muskogee County, and fixing the number of deputies to said official; repealing all laws in conflict herewith,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bills Nos. 117, 119, 288 and 388 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 81—By WILIAMSON and WHEATLEY of the Senate, and STANLEY of the House, entitled:

An Act authorizing the Senate and the House of Representatives to provide such employees and fix their duties and the compensation such as may be by each body determined necessary and proper, amending Section 109, Compiled Statutes of Oklahoma, 1921, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been passed as amended and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed House Amendments to Senate Bill No. 81 were read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1.—By striking, pertaining to the House of Representatives all following "The House of Representatives" and inserting in lieu thereof the following:

"The following positions are hereby created in the House of Representatives at the salaries hereinafter named:

One chief clerk at not to exceed ten dollars (\$10.00) per day.

One assistant chief clerk at not to exceed eight dollars (\$8.00) per day.

One reading clerk at not to exceed ten dollars (\$10.00) per day.

One assistant reading clerk at not to exceed six dollars (\$6.00) per day.

One messenger to the Speaker at not to exceed five dollars (\$5.00) per day.

One secretary to the Speaker at not to exceed six dollars (\$6.00) per day.

One sergeant-at-arms at not to exceed eight dollars (\$8.00) per day.

Four assistant sergeant-at-arms at not to exceed six dollars (\$6.00) per day.

Eight door keepers at not to exceed six dollars (\$6.00) per day.

One chaplain at not to exceed five dollars (\$5.00) per day.

One chief enrolling and engrossing clerk at not to exceed eight dollars (\$8.00) per day.

Five assistant enrolling and engrossing clerks at not to exceed six dollars (\$6.00) per day.

One committee clerk, who shall also be a stenographer at not to exceed six dollars (\$6.00) per day.

One clerk of appropriation committee, who shall be a stenographer at not to exceed seven dollars (\$7.00) per day.

Twenty committee clerks, who shall also be stenographers, at not to exceed six dollars (\$6.00) per day each.

One postmaster at not to exceed five dollars (\$5.00) per day.

One telephone operator at not to exceed six dollars (\$6.00) per day.

One assistant telephone operator at not to exceed four dollars (\$4.00) per day.

Three day watchmen and cloak attendants at not to exceed five dollars (\$5.00) per day each.

Three night watchmen at not to exceed five dollars (\$5.00) per day each.

One chief janitor at not to exceed four dollars (\$4.00) per day.

Four assistant janitors at not to exceed four dollars (\$4.00) per day each.

One House auditor at not to exceed eight dollars (\$8.00) per day.

One assistant House auditor at not to exceed six dollars (\$6.00) per day.

One chief journal clerk at not to exceed ten dollars (\$10.00) per day.

One assistant journal clerk at not to exceed eight dollars (\$8.00) per day.

One minute clerk at not to exceed five dollars (\$5.00) per day.

One calendar clerk at not to exceed eight dollars (\$8.00) per day.

Two official reporters at not to exceed six dollars (\$6.00) per day each.

One property custodian at not to exceed six dollars (\$6.00) per day.

One assistant property custodian at not to exceed five dollars (\$5.00) per day.

One chief page at not to exceed five dollars (\$5.00) per day.

Not to exceed nine assistant pages at four dollars (\$4.00) per day each,

and such additional extra help in addition to the places herein enumerated as is or shall become necessary for the House of Representatives as it may deem proper, and make provision by proper resolution providing for such extra help and the payment of same.

Such employees shall be paid out of the State Treasury from funds appropriated by the Legislature for said purposes on warrants of the Auditor issued on vouchers

certified by the Speaker of the House and the House Auditor.

Upon motion of Senator Anglin, the Senate refused to concur in House Amendments to Senate Bill No. 81, and requested a conference thereon.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

The Senate at 5:00 o'clock, p. m., reassembled, with the President Pro Tempore presiding.

HOUSE BILLS ON FIRST READING

The following bills were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 33—By CLOYD and LOGAN, entitled:

An Act repealing Section 9328, Compiled Oklahoma Statutes, 1921, and Chapter 7, Oklahoma Session Laws of 1927; relating to public libraries of cities and towns and special tax levies therefor; repealing all Acts or parts of Acts in conflict therewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 440—By HEAD, SHERMAN, KIGHT, GRAHAM, KEENAN, PATTERSON, CARMICHAEL, CHAPPELL, STANLEY, MOON, LEWIS, SNODDY and FERGUSON, entitled:

An Act providing for employees of the House of Representatives of the Twelfth Legislature made necessary by reason of an existing emergency, to aid and assist such House in the exercise of its inquisitorial and im-

peachment powers only; naming their salaries, making an appropriation therefor.

Upon motion of Senator Stewart, the Senate adjourned, to meet at 8:30 o'clock, a. m., Monday, March 18, 1929.

SIXTIETH LEGISLATIVE DAY

MONDAY, MARCH 18TH, 1929

The Senate, pursuant to adjournment, met at 8:30 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 43.

Excused: Otjen. Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by Rev. D. D. Barber, of the Memorial Baptist Church, Oklahoma City.

SECOND READING

The following bills were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 222—By BOYER.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 223—By GRAHAM.

Upon motion of Senator Hill, the rules of the Senate were suspended and SENATE BILL NO. 223, by Graham, was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 224—By OTJEN (Senate), CAMPBELL, HUTCHINSON (House).

Upon motion of Senator Hill, the rules of the Senate were suspended and SENATE BILL NO. 224, by Otjen, of the Senate, and Campbell and Hutchinson, of the House, was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 33—By CLOYD, and LOGAN.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 440—By HEAD, SHERMAN, KIGHT, GRAHAM, KEENAN, PATTERSON, CARMICHAEL, CHAPPELL, STANLEY, MOON, LEWIS, SNODDY and FERGUSON.

Upon motion of Senator Loofbourrow, the rules of the Senate were suspended and HOUSE BILL NO. 440, by Head, et al., was ordered placed upon the Calendar without reference to a Committee.

SPECIAL ORDER

HOUSE BILL NO. 16, by Boydstun, et al., of the House, and Patton, of the Senate, having been made a Special Order for 9:00 o'clock, a. m., was taken up for consideration.

Section 1 was read.

Senator Anglin submitted the following amendment:

Mr. President: I move to amend House Bill No. 16, line 3, page 2, by striking the first two words and figures, "Fifty (\$50) Dollars," and inserting in lieu thereof the words and figures, "Thirty-five (\$35) Dollars."

ANGLIN.

Senator Pullen moved to table the Anglin amendment, which motion prevailed.

Senator Anglin submitted the following amendment:

Mr. President: I move to amend House Bill No. 16, line 6, page 2, by striking the words and figures, "Fifty (\$50) Dollars," and inserting the words and figures, "Forty (\$40) Dollars."

ANGLIN.

Senator Pullen moved to table the Anglin amendment, which motion failed of adoption, upon a roll call as follows:

Ayes: Austin, Blakely, Commons, Fidler, Gulager, Johnson (Creek), Jolly, Nesbitt, Patton, Peck, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Thomas, Williams. Total, 19.

Nays: Anglin, Boyer, Clark, Darnell, Easter, Ferguson, George, Graham, Gray, Harper, Hill, Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Powers, Stewart, Storms, Terwilleger, Wheatley. Total, 21.

Not Voting: Andrews, Ewing, Williamson. Total, 3.

Excused: Otjen. Total, 1.

The vote recurring on the Anglin amendment, the same was adopted.

Senator Anglin submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 16, line 3, page 4, by striking the words and figures, "Fifty (\$50) Dollars," and inserting the words and figures, "Forty (\$40) Dollars."

ANGLIN.

Senator Anglin submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 16, line 7, page 2, by striking the words and figures, "Twenty (\$20) Dollars," and inserting in lieu thereof the words and figures, "Twelve and 50/100 (\$12.50) Dollars."

ANGLIN.

Upon motion of Senator Gulager, Section 1, as amended, was adopted.

Upon motion of Senator Gulager, HOUSE BILL NO. 16, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Gulager, the rules of the Senate were suspended and House Bill No. 16, as amended, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 16 was read for the third time at length.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 41.

Nays: 0.

Not Voting: Andrews, Ewing. Total, 2.

Excused: Otjen. Total, 1.

The Bill, as amended, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 41.

Nays: 0.

Not Voting: Andrews, Ewing. Total, 2.

Excused: Otjen. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Bill No. 16, as amended, was referred for engrossment.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

AFTERNOON SESSION

The Senate, at 1:15 o'clock, p. m., reassembled, with President Pro Tempore Storms presiding.

Senator Otjen requested that he be recorded present, which was the order of the Chair.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE JOINT RESOLUTION NO. 21
—By DYER, BUNCH, WASSON, BUTLER, HOWARD, LESTER, PAUL, LEECRAFT, SMITH, NANCE, LEWIS, STOVALL, JACOBS, LOGAN, OWENS, CLOYD, MITCHELL, HOOVER, MARKER, SNODDY, THOMAS, NEW-

BERRY, ORNER, ALLEN (Washington), DANIEL, EYLAR and ORENDORFF, of the House, and REXROAT, FERGUSON, GULAGER, PATTON, MacDONALD, and STIGLER, of the Senate, entitled:

A Resolution making appropriation to supplement funds raised by certain public spirited citizens, members of Choctaw Indians, to remove and re-locate the old Choctaw capitol building on the campus of the Southeastern State Teachers College, at Durant, Oklahoma, and declaring an emergency,

ENGROSSED HOUSE JOINT RESOLUTION NO. 31
—By PAUL and GIBSON, entitled:

A Resolution appropriating and authorizing the payment of the sum of one thousand, nine hundred and fifty-one dollars and thirty-five cents (\$1,951.35) to Allie E. Nicholson, nee Van Hooser, as executrix of the estate of W. C. Van Hooser, and declaring an emergency,

and to inform you, and through you, the Honorable Senate that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE JOINT RESOLUTION NO. 36
—By GRAHAM, DIXON, PAUL, JONES (Stephens), TILLERY and ORNER, entitled:

A Resolution appropriating funds and authorizing the

payment of expenses incurred by certain members of the Legislature acting upon committees, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 421—By HARVEY, entitled:

An Act fixing the salaries of the deputy county clerk, deputy county treasurer and county court stenographer of Kiowa County, Oklahoma, repealing all Acts or parts of Acts in conflict therewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 295—By HUTCHINSON and CLOYD of the House, and OTJEN of the Senate, entitled:

An Act authorizing the Excise Board of any County in this State to make an annual levy of not to exceed one-half of one mill for the purpose of establishing, extending, operating, and maintaining a county circulating library and for the employment of help in connection therewith; providing for the use and expenditure of such funds in co-operation with other public libraries, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 428—By MITCHELL and PERRYMAN of the House, and EASTER of the Senate, entitled:

An Act authorizing the appointment of an assistant county superintendent of public instruction of Osage County, Oklahoma; fixing the salary; providing for the payment thereof; repealing all conflicting laws; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 437—By BLACK, entitled:

An Act fixing the salaries of certain officers of Comanche County, Oklahoma, repealing all laws in conflict herewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 434—By SNODDY, entitled:

An Act authorizing the county commissioners of Woods County, Oklahoma, to make a special levy for the purpose of erecting buildings for the free fair association of said county upon real estate used as exhibit grounds by said free fair association; authorizing said board of county commissioners to enter into contracts for the use

of said buildings for free fair purposes; and declaring an emergency,

and to inform you and through you, the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit, herewith, for your signature:

ENROLLED HOUSE JOINT RESOLUTION NO. 11
—By CLOYD, WATSON, STREET, GRAHAM, EYLAR, HOOVER, MARKER, BYRUM and NOBLE, of the House, and GEORGE, WILLIAMSON, FIDLER, RICE, PECK and JOHNSON (Pottawatomie), of the Senate, entitled:

A Resolution making an appropriation for payment of drainage assessments against state school and other public lands of the State located in recognized drainage districts and declaring an emergency.

ENROLLED HOUSE JOINT RESOLUTION NO. 9—
By JONES (Greer), and CARMACK, entitled:

A resolution providing for assumption by State Election Board of obligations incurred in holding special elections in fourth senatorial district of the State of Oklahoma for which no funds are available in the counties comprising such district, and declaring an emergency,

and to inform you, and through you, the Honorable Sen-

ate that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Joint Resolutions Nos. 9 and 11 were, each, read for the fourth time, the enrolled copies signed, in open session, by President Pro Tempore Storms and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature, the following:

ENROLLED HOUSE BILL NO. 285—By THOMAS, BRIGGS, BROWN, CLOYD, KEENAN, LOGAN and LEE-CRAFT of the House, and GRAY, FIDLER, WILLIAMSON, AUSTIN and STORMS of the Senate, entitled:

An Act amending Section 5505, of the Compiled Oklahoma Statutes of 1921, relating to eminent domain and condemnation proceedings by railroads and other corporations, authorizing the State of Oklahoma and its various educational, reformatory, penal and eleemosynary institutions and other departments of state to institute condemnation proceedings in the same manner and under the procedure authorized for railroad corporations, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, same has been read for the fourth time and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

House Bill No. 285 was read for the fourth time, the enrolled copy signed, in open session, by President Pro Tempore Storms, and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit, herewith, for your signature:

ENROLLED HOUSE BILL NO. 175—By BLACK, entitled:

An Act amending Section 4507, Compiled Oklahoma Statutes, 1921, relating to the right of municipalities to engage in business, acquire, own and maintain public utilities and to issue bonds for said purposes, to be owned exclusively by said municipalities, including the right to enter into lease contract for such public utility; and declaring an emergency.

ENROLLED HOUSE BILL NO. 222—By HUTCHINSON, STANLEY, BRIGGS, JONES (Greer), DUNNING, and CLOYD of the House, and OTJEN of the Senate, entitled:

An Act amending Section 6982, Compiled Oklahoma Statutes, 1921, relating to the purchasing outside of the State of Oklahoma, and the transportation into Oklahoma of tax-free alcohol, for use in scientific institutions, colleges, universities and hospitals, and declaring an emergency.

ENROLLED HOUSE BILL NO. 375—By FERGUSON, entitled:

An Act amending Chapter 84, of the Session Laws

of 1925, of Oklahoma, relating to the salaries of certain deputies in the office of the county clerk, county assessor, county treasurer and court clerk in Texas County, Oklahoma, being a county having a population of not less than 13,950 inhabitants and not more than 15,000 inhabitants according to the last Federal census of 1920, repealing all laws in conflict herewith and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Senator Gulager asked unanimous consent of the Senate, which was granted, to defer temporarily fourth reading of House Bill No. 175.

House Bills Nos. 222 and 375 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the Speaker has appointed: Messrs. Stanley, Chappell, Byrum, as conferees on

SENATE BILL NO. 81—By WILLIAMSON and WHEATLEY, entitled:

An Act authorizing the Senate and the House of Representatives to provide such employees, and fixing their

duties and compensation such as may be, by each body, deemed necessary and proper; repealing Section 109, Compiled Oklahoma Statutes, 1921, and declaring an emergency.

Yours respectfully,

BERT McDONEL, Chief Clerk.

President Pro Tempore Storms appointed, as Senate conferees on SENATE BILL NO. 81, Senators Wheatley, Boyer and Ferguson.

To the President of the Senate,

SIR:

I am directed by the House to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 12—By GRAY of Senate, and WATSON of the HOUSE, entitled:

An Act giving assent of both Houses of the Legislature of the State of Oklahoma to the payment of grants of money by the Federal Government under the provisions of an Act by the United States Congress known as "The Capper-Ketcham Act" and providing for the expenditure of same through the extension division of the Oklahoma Agricultural and Mechanical College,

and to inform you, and through you, the Honorable Senate that the same has been adopted by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 12 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE JOINT RESOLUTION NO. 23—By STIGLER of the Senate, and BELEW of the House, entitled:

A Joint Resolution authorizing the Excise Board of Haskell County to transfer any unused revenue or funds derived by virtue of a levy for tick eradication in said county for the fiscal year ending June 30, 1928, to the court fund of said County for the fiscal years ending June 30, 1929, and June 30, 1930, and declaring an emergency.

ENGROSSED SENATE JOINT RESOLUTION NO. 19—By ANGLIN, MOORE, MacDONALD, JOHNSON (Creek), and STIGLER, entitled:

A Resolution transferring and re-appropriating certain amounts of balances in funds appropriated at the regular session of the Legislature of the State of Oklahoma for the Adjutant General's Department for the fiscal year ending June 30, 1928, and declaring an emergency,

and to inform you, and through you the Honorable Senate that the same have been passed by the House and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Joint Resolutions Nos. 19 and 23 were referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 36—By GULAGER, WHEATLEY, GRAHAM, REXROAT, STIGLER, PATTON and COMMONS of the Senate, and PATTERSON, BUNCH, DYER, BUTLER, MOON and STOVALL of the House, entitled:

An Act relating to the recording by County Clerks of Oklahoma of certificates designating and describing lands exempt from taxation owned by members of the Five Civilized Tribes and their heirs, and repealing all conflicting laws.

ENGROSSED SENATE BILL NO. 66—By HARPER of the Senate, entitled:

An Act amending Section 8968 and 8970, Compiled Oklahoma Statutes, 1921; relating to Tubercular Sanatoria, and declaring an emergency,

and to inform you and through you the Honorable Senate, that the same have been passed by the House AS AMENDED and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

ENGROSSED HOUSE AMENDMENTS to Engrossed Senate Bill No. 36 were read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1. That Section 2 be stricken.

ENGROSSED HOUSE AMENDMENT NO. 2. That the title be amended to read as follows:

An Act relating to the recording by County Clerks of Oklahoma all certificates designating and describing lands exempt from taxation owned by members of the five civilized tribes and their heirs.

By unanimous consent, further consideration of Engrossed Senate Bill No. 36 was deferred temporarily.

ENGROSSED HOUSE AMENDMENT to Engrossed Senate Bill No. 66 was read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1. By striking "Section 2," and making "Section 3," read "Section 2."

Upon motion of Senator Harper, the Senate concurred in House Amendment to Engrossed Senate Bill No. 66.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Blakely, Boyer, Clark, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Otjen, Powers, Pullen, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 32.

Nays: 0.

Not Voting: Anglin, Austin, Commons, Darnell, Ewing, Hill, Johnson (Creek), Nesbitt, Patton, Peck, Ray, Rice. Total, 12.

The Bill, as amended, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Blakely, Boyer, Clark, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Otjen, Powers, Pullen, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 32.

Nays: 0.

Not Voting: Anglin, Austin, Commons, Darnell, Ewing, Hill, Johnson (Creek), Nesbitt, Patton, Peck, Ray, Rice. Total, 12.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore signed Engrossed House Amendment to Engrossed Senate Bill No. 66 and ordered the bill, as amended, referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 202—By REX-ROAT, of the Senate, and BROWN and FISCHL, of the House, entitled:

An Act to amend Section 4, Chapter 120, Session Laws, 1921, relating to the number of deputies to the County Assessor of Carter County, State of Oklahoma, and declaring an emergency.

ENGROSSED SENATE BILL NO. 208—By LOOFBOURROW, entitled:

An Act authorizing and empowering the County Commissioners of Cimarron County, Oklahoma, to include a special item in its estimate for the fiscal years ending June 30, 1930, and June 30, 1931, for the purpose of erecting buildings and making improvements of the lands owned by the Free Fair Association of Cimarron County, authorizing and empowering the County Excise Board to make a levy, in addition to the maximum levy for current expense purposes, therefor, and declaring an emergency.

ENGROSSED SENATE BILL NO. 199—By DARNELL, entitled:

An Act to legalize all orders, judgments, proceedings and official acts made, rendered and performed in the Superior Court of Custer County, Oklahoma, and declaring an emergency.

ENGROSSED SENATE BILL NO. 206—By COMMONS, entitled:

An Act creating the office of Evidence Man in the office of County Attorney of Ottawa County, Oklahoma, fixing the salary thereof, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bills Nos. 199, 202, 206 and 208 were each referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives, to return herewith:

ENROLLED SENATE BILL NO. 22—By AUSTIN, entitled:

An Act authorizing county appropriation and levies to provide funds for making certain refunds to county treasurer and authorizing such funds.

ENROLLED SENATE BILL NO. 16—By FERGUSON of the Senate, and WEBBER of the House, entitled:

An Act authorizing counties, cities, towns, townships and school districts which have a surplus on hand in the sinking fund, against which no indebtedness exists,

to transfer the same to the general fund of said county, city, town, township or school district, and declaring an emergency,

and to inform you and through you the Honorable Senate, that same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bills Nos. 16 and 22 were each referred to the Acting Governor, for further consideration.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 201—By STORMS, entitled:

An Act authorizing the mayor and city council of the city of Waurika, Oklahoma, to waive, remit and refund certain penalty or interest on delinquent paving taxes and assessments and authorizing the county treasurer of Jefferson County, Oklahoma, to collect said paving taxes and assessments without collecting the penalty or interest delinquent thereon, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency,

and to inform you, and through you, the Honorable Senate that the same has been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bill No. 201 was referred to the Acting Governor for further consideration.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 16 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 16, as amended, and ordered the same returned to the Honorable House.

GENERAL ORDER

Upon motion of Senator Williamson, HOUSE BILL NO. 423, by Cloyd, was advanced to engrossment and third reading.

Upon motion of Senator Williamson, HOUSE BILL NO. 424, by Cloyd, was advanced to engrossment and third reading.

Upon motion of Senator Austin, SENATE BILL NO. 221, by Austin, Loofbourrow, Williams and Moore, was advanced to engrossment and third reading.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Joint Resolution No. 2 correctly engrossed.

BOYER, Chairman.

Upon motion of Senator Johnson (Pottawatomie), HOUSE BILL NO. 378, by Byrum and Patterson, was ordered withdrawn from the Committee on State and County Affairs and placed upon the calendar.

Senator Loofbourrow asked to be excused from Senate attendance for the remainder of this legislative day, which was the order.

THIRD READING

SENATE JOINT RESOLUTION NO. 2 was read for the third time at length.

Senator Austin moved that further consideration of Senate Joint Resolution No. 2 be made a Special Order for 9:15 o'clock, a. m., Tuesday, March 19, 1929.

Senator Pullen, as a substitute motion, moved that further consideration of Senate Joint Resolution No. 2 be indefinitely postponed.

Senator Otjen moved to table the Pullen motion, which motion was adopted, upon a roll call as follows:

Ayes: Anglin, Austin, Blakely, Easter, Ferguson, George, Gray, Johnson (Pott.), Kimerer, MacDonald, Otjen, Powers, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williamson. Total, 19.

Nays: Commons, Darnell, Graham, Gulager, Johnson (Creek), Nesbitt, Patton, Pullen, Ray, Reed, Rice, Williams. Total, 12.

Not Voting: Andrews, Boyer, Clark, Ewing, Fidler, Harper, Hill, Jolly, Moore, Peck, Rexroat, Wheatley. Total, 12.

Excused: Loofbourrow. Total, 1.

The vote recurring on the Austin motion, the same prevailed.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE JOINT RESOLUTION NO. 21
—By DYER, BUNCH, WASSON, BUTLER, HOWARD, LESTER, PAUL, LEECRAFT, SMITH, NANCE, LEWIS, STOVALL, JACOBS, LOGAN, OWENS, CLOYD, MITCHELL, HOOVER, MARKER, SNODDY, THOMAS, NEWBERRY, ORNER, ALLEN (Washington), DANIEL, EYLAR and ORENDORFF, of the House, and REXROAT, FERGUSON, GULAGER, PATTON, MacDONALD and STIGLER, of the Senate, entitled:

A Resolution making appropriation to supplement funds raised by certain public spirited citizens, members of Choctaw Indians, to remove and re-locate the old Choctaw capitol building on the campus of the Southeastern State Teachers College, at Durant, Oklahoma, and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 31
—By PAUL and GIBSON, entitled:

A Resolution appropriating and authorizing the payment of the sum of one thousand, nine hundred and fifty-one dollars and thirty-five cents (\$1,951.35) to Allie E. Nicholson, nee Van Hooser, as executrix of the estate of W. C. Van Hooser, and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 36

—By GRAHAM, DIXON, PAUL, JONES (Stephens), TILLERY and ORNER, entitled:

A Resolution appropriating funds and authorizing the payment of expenses incurred by certain members of the Legislature acting upon committees, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 421—By HARVEY, entitled:

An Act fixing the salaries of the deputy county clerk, deputy county treasurer and county court stenographer of Kiowa County, Oklahoma, repealing all Acts or parts of Acts in conflict therewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 295—By HUTCHINSON and CLOYD of the House, and OTJEN of the Senate, entitled:

An Act authorizing the Excise Board of any County in this State to make an annual levy of not to exceed one-half of one mill for the purpose of establishing, extending, operating, and maintaining a county circulating library and for the employment of help in connection therewith; providing for the use and expenditure of such funds in co-operation with other public libraries, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 428—By MITCHELL and PERRYMAN of the House, and EASTER of the Senate, entitled:

An Act authorizing the appointment of an assistant county superintendent of public instruction of Osage County, Oklahoma; fixing the salary; providing for the

payment thereof; repealing all conflicting laws; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 437—By BLACK, entitled:

An Act fixing the salaries of certain officers of Comanche County, Oklahoma, repealing all laws in conflict herewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 434—By SNODDY, entitled:

An Act authorizing the county commissioners of Woods County, Oklahoma, to make a special levy for the purpose of erecting buildings for the free fair association of said county upon real estate used as exhibit grounds by said free fair association; authorizing said board of county commissioners to enter into contracts for the use of said buildings for free fair purposes; and declaring an emergency.

Upon motion of Senator Stewart, the Senate adjourned, to meet at 9:00 o'clock, a. m., Tuesday, March 19, 1929.

SIXTY-FIRST LEGISLATIVE DAY

TUESDAY, MARCH 19TH, 1929

The Senate, pursuant to adjournment, met at 9:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Reports were submitted, the bills ordered printed and placed upon the Calendar:

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 33, by Cloyd and Logan, entitled:

An Act repealing Section 9528, Compiled Oklahoma Statutes, 1921, and Chapter 7, Oklahoma Session Laws of 1927; relating to public libraries of cities and towns and special tax levies therefor; repealing all Acts or parts of Acts in conflict therewith and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

FIDLER, Chairman.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 122, by Ray, entitled:

An Act making taxes a prior lien on insurance policies, contracts and funds accruing by reason of loss thereunder, making it the duty of the insurer to ascertain if any taxes are due on the property covered by insurance contract and to pay the taxes due before making payment to insured, repealing all laws in conflict, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same without recommendation.

LOOFBOURROW, Chairman.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 161, by Gray, entitled:

An Act relating to insurance on State Property and Buildings, fixing penalties for violation thereof, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same without recommendation.

LOOFBOURROW, Chairman.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 184, by Johnson (Creek), and MacDonald, entitled:

An Act creating the office of County Delinquent Tax Collector and amending Section No. 9725 and Section No. 9727 and Section No. 9728, of Compiled Oklahoma Statutes, Annotated, 1921, and repealing Section No. 9726 of said Statutes relating to the issuance and service of warrants for the collection of delinquent taxes on personal property and providing for the publication of a list of delinquent taxes on personal property and providing a method for the collection of such taxes and providing for the contents, return and endorsements of such tax warrants and providing for the liability of, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

FIDLER, Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 197 correctly engrossed; Senate Concurrent Resolution No. 12, Senate Joint Resolutions Nos. 19 and 23, Senate Bills Nos. 66, 199, 202, 206, and 208 correctly enrolled.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Enrolled Senate Concurrent Resolution No. 12 and ordered the same transmitted to the Honorable House, for the signature of the Speaker.

Senate Joint Resolutions Nos. 19, 23, Senate Bills Nos. 66, 199, 202, 206 and 208 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered transmitted to the Honorable House for the signature of the Speaker.

FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 225—By MOORE—An Act relating to certain State Institutions, and providing for the examination and sterilization of such inmates in certain cases.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

HOUSE JOINT RESOLUTION NO. 21—By DYER, BUNCH, WASSON, BUTLER, HOWARD, LESTER, PAUL, LEECRAFT, SMITH, NANCE, LEWIS, STOVALL, JACOBS, LOGAN, OWENS, CLOYD, MITCHELL, HOOVER, MARKER, SNODDY, THOMAS, NEWBERRY, ORNER, ALLEN (Washington), DANIEL, EYLAR, and ORENDORFF, of the House, and REXROAT, FERGUSON, GULAGER, PATTON, MacDONALD, and STIGLER, of the Senate.—Referred to the Committee on Appropriations.

HOUSE JOINT RESOLUTION NO. 31—By PAUL and GIBSON.—Referred to the Committee on Appropriations.

HOUSE JOINT RESOLUTION NO. 36—By GRAHAM, DIXON, PAUL, JONES (Stephens), TILLERY and ORNER.

Upon motion of Senator Jolly, the rules of the Senate were suspended and HOUSE JOINT RESOLUTION NO. 36, by Graham, Dixon, et al, was ordered placed upon the Calendar without reference to a Committee.

HOUSE BILL NO. 421—By HARVEY.

Upon motion of Senator Thomas, the rules of the Senate were suspended and HOUSE BILL NO. 421, by Harvey, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 295—By HUTCHINSON and CLOYD, of the House, and OTJEN, of the Senate.—Referred to the Committee on Revenue and Taxation.

HOUSE BILL NO. 428—By MITCHELL and PERRYMAN, of the House, and EASTER, of the Senate.

Upon motion of Senator Easter, the rules of the Senate were suspended and HOUSE BILL NO. 428, by Mitchell and Perryman, of the House, and Easter, of the Senate, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 437—By BLACK.

Upon motion of Senator Boyer, the rules of the Senate were suspended and HOUSE BILL NO. 437, by Black, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 434—By SNODDY.

Upon motion of Senator Powers, the rules of the Senate were suspended and HOUSE BILL NO. 434, by Snoddy, was ordered placed upon the Calendar, without reference to a Committee.

SPECIAL ORDER

SENATE JOINT RESOLUTION NO. 2, by Gray, having been made a Special Order for 9:15 o'clock, a. m., was taken up for further consideration.

Upon motion of Senator Gulager, the vote was reconsidered, by which Senate Joint Resolution No. 2 was advanced to engrossment and third reading.

Upon motion of Senator Gulager, SENATE JOINT RESOLUTION NO. 2, by Gray, was made a Special Order for 9:00 o'clock, a. m., Wednesday, March 20, 1929.

GENERAL ORDER

Upon motion of Senator Smith, HOUSE BILL NO. 402, by Patterson (Seminole), was advanced to engrossment and third reading.

THIRD READING

HOUSE BILL NO. 315 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Boyer, Clark, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Creek),

Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Reed, Rex-roat, Rice, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Nays: Ferguson, Smith. Total, 2.

Not Voting: Andrews, Anglin, Austin, Blakely, Commons, Hill, MacDonald, Otjen, Peck, Stewart, Williamson. Total, 11.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Boyer, Clark, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Patton, Powers, Pullen, Ray, Reed, Rex-roat, Rice, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Nays: Ferguson, Smith. Total, 2.

Not Voting: Andrews, Anglin, Austin, Blakely, Commons, Hill, MacDonald, Otjen, Peck, Stewart, Williamson. Total, 11.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the

engrossed copy of House Bill No. 315, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 197 was read for the third time at length.

Senator Ewing asked unanimous consent, which was granted, to have the names of Senators Kimerer and Blakely added as joint authors to Senate Bill No. 197.

Senator Smith moved that further consideration of SENATE BILL NO. 197 be made a Special Order for 9:15 o'clock, a. m., Wednesday, March 20.

Senator Loofbourrow moved to table the Smith motion, which motion was adopted.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Blakely, Clark, Easter, Ewing, Ferguson, George, Gray, Gulager, Hill, Johnson (Pottawatomie), Kimerer, MacDonald, Patton, Rexroat, Rice, Stewart, Terwilleger, Williams. Total, 19.

Nays: Andrews, Austin, Boyer, Commons, Darnell, Graham, Harper, Johnson (Creek), Jolly, Loofbourrow, Moore, Nesbitt, Powers, Pullen, Reed, Smith, Stigler, Storms, Thomas, Wheatley, Williamson. Total, 21.

Not Voting: Fidler, Otjen, Peck, Ray. Total, 4.

The Bill having failed to receive the constitutional majority of the votes of all members elected to and constituting the Senate, was declared failed of passage.

The following explanations of votes on SENATE BILL NO. 197, were sent up:

Mr. President: I vote NO, upon the bill, because and only because it is not in the power of any officials or bodies to create indebtedness beyond the fiscal year. I favor the objects sought to be obtained.

ANDREWS.

Mr. President: I vote NO on Senate Bill No. 197, for the reason that I am not convinced of its constitutionality.

AUSTIN.

Mr. President: I vote NO, for the reason I believe the bill unconstitutional.

COMMONS.

Mr. President: I vote NO, for the reason I do not consider the measure constitutional.

LOOFBOURROW.

Mr. President: I vote NO, for the reason the bill is unconstitutional.

MOORE.

President Pro Tempore Storms submitted the following explanation of his vote: I vote NO, on Senate Bill No. 197, for the reason that the bill provides for the County Commissioners' contracting a debt against the County, beyond the fiscal year, without a vote of the people.

STORMS.

Senator Easter moved that all local bills, including SENATE BILL NO. 221 and HOUSE BILL NO. 378, be made a Special Order, for 9:00 o'clock, a. m., Wednesday,

March 20, and taken up for consideration in the order in which they appear on the Calendar and that consideration of all other matters of legislation be deferred, pending the conclusion of the Court of Impeachment, which motion prevailed.

CONFERENCE COMMITTEE REPORT

Senator Wheatley submitted the following Conference Committee Report, which was adopted, upon his own motion:

TO THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES:

We, your Conference Committee, to whom was referred ENGROSSED HOUSE AMENDMENTS to SENATE BILL NO. 81, beg leave to report that we have met and conferred on the actions of both Houses and make the following recommendations:

1. It is agreed that Line 18, page 11, shall read, "\$4.00 per day," instead of "\$5.00."
2. That line 4, page 12, shall read "\$7.00, per day," instead of "\$8.00."
3. That line 8, page 12, shall read "\$5.00 per day," instead of "\$6.00."
4. That line 14, page 12, shall read, "not to exceed six Assistant Enrolling and Engrossing Clerks at not to exceed \$5.00, per day."
5. That lines 16 and 17, page 12, shall be stricken.
6. That line 13, page 13, shall read "Two Night Watchmen at not to exceed \$5.00 per day."

7. That line 1, page 14, shall read "\$6.00 per day," instead of "\$8.00, per day."

8. That lines 8 and 9, page 3, shall read, "One Secretary to the President of the Senate, at not to exceed \$6.00, per day."

9. Line 10, page 3, shall read, "One Secretary to the President Pro Tempore, at not to exceed \$6.00, per day."

10. That line 15, page 3, shall read, "One Property Custodian, at not to exceed \$6.00, per day."

Respectfully submitted,

RICHARD L. WHEATLEY,
DAVE BOYER,
JO O. FERGUSON, Senate Conferees.

R. H. STANLEY,
J. KNOX BYRUM,
G. A. CHAPPELL, House Conferees.

The question being, "Shall the Bill, as amended in conference, pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilliger, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Anglin, Gulager, Otjen, Stewart, Thomas.
Total, 5.

The Bill, as amended in conference, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended in conference, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stigler, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Anglin, Gulager, Otjen, Stewart, Thomas.
Total, 5.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Engrossed Senate Bill No. 81, together with Conference Committee Report, thereon, was ordered transmitted to the Honorable House, for consideration.

The President Pro Tempore announced the Senate at ease, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

The Senate reassembled, with the President Pro Tempore presiding.

Upon motion of Senator Stewart, the Senate recessed to meet at the call of the Chair.

AFTERNOON SESSION

At 1:00 o'clock, p. m., the Senate reassembled, with President Pro Tempore presiding.

MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives, to advise you, and through you, the Honorable Senate, that the Conference Committee report on Senate Bill No. 81, entitled:

An Act authorizing the Senate and House of Representatives to provide such employees and fix their duties and the compensation such as may be by each body determined necessary and proper, amending Section 109, Compiled Statutes of Oklahoma, 1921, and declaring an emergency,

has been adopted, and the Bill has been passed by the House, as amended by the report.

Respectfully,

BERT McDONEL, Chief Clerk.

Senate Bill No. 81, together with Conference Committee Report thereon, was referred for enrollment.

The Senate recessed, subject to the call of the Chair.

At 5:00 o'clock, p. m., the Senate reassembled, with President Pro Tempore Storms presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 81 correctly enrolled.

BOYER, Chairman.

Senate Bill No. 81 was read for the fourth time, the enrolled copy signed, in open session, by President Pro Tempore Storms, and ordered transmitted to the Honorable House, for the signature of the Speaker.

GENERAL ORDER

Upon motion of Senator Otjen, SENATE BILL NO. 224, by Otjen, of the Senate, and Campbell and Hutchinson, of the House, was advanced to engrossment and third reading.

Upon motion of Senator Gray, the Senate adjourned, to meet at 8:30 o'clock, a. m., Wednesday, March 20, 1929.

SIXTY-SECOND LEGISLATIVE DAY

WEDNESDAY, MARCH 20TH, 1929

The Senate, pursuant to adjournment, met at 8:30 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 44.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

SECOND READING

The following bill was read for the second time and referred to the Committee indicated:

SENATE BILL NO. 225—By MOORE.—Referred to the Committee on Judiciary No. 1.

MESSAGES

The following Messages were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you and through you the Honorable Senate that the House has concurred in Senate amendments to

ENGROSSED HOUSE BILL NO. 16—By BOYDS-TUN, HARROWER, WAGNER, et al., entitled:

An Act amending Section 8172, of Chapter 133, Session Laws of Oklahoma, 1925, relating to pension of Confederate soldiers and sailors and their widows, and declaring an emergency,

and the same has been passed by the House as amended.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 81—By WILLIAMS, WHEATLEY, et al., entitled:

An Act authorizing the Senate and the House of Representatives to provide such employees, and fixing their duties and compensation such as may be, by each body,

deemed necessary and proper; amending Section 109, Compiled Oklahoma Statutes, 1921, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bill No. 81 was referred to the Acting Governor for consideration.

To the President and Members
of the Honorable Senate.

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bills Nos. 22, 16 and 201, entitled:

ENROLLED SENATE BILL NO. 22, entitled:

"An Act authorizing county appropriation and levies to provide funds for making certain refunds to county treasurer and authorizing such refunds."

ENROLLED SENATE BILL NO. 16, entitled:

"An Act authorizing counties, cities, towns, townships and school districts which have a surplus on hand in the sinking fund, against which no indebtedness exists, to transfer the same to the general fund of said county, city, town, township or school district, and declaring an emergency."

ENROLLED SENATE BILL NO. 201, entitled:

"An Act authorizing the mayor and city council of the City of Waurika, Oklahoma, to waive, remit and refund certain penalty or interest on delinquent paving taxes and assessments and authorizing the county treasurer of Jefferson County, Oklahoma, to collect said paving taxes and assessments without collecting the penalty or interest delinquent thereon, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency,"

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY,
Acting Governor.

The President Pro Tempore announced the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

The Senate reassembled, with President Pro Tempore Storms presiding.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 409—By HOUSTON

and FARR of the House, and EWING of the Senate, entitled:

An Act providing for an extra deputy sheriff for Logan County, State of Oklahoma, fixing his salary, and repealing all laws in conflict herewith, and declaring an emergency,

and to inform you and through you, the Honorable Senate, that the same has been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives, to transmit, for your signature:

ENROLLED HOUSE BILL NO. 16—By BOYDSTUN, HARROWER, WAGNER, DANIEL, HOWARD, ROPER, BROWN, DRAKE, ORENDORFF, PAUL, FAULK, KING, KIDD, LEECRAFT, CLOYD, MITCHELL, and PARKER, of the House, and PATTON of the Senate, entitled:

An Act amending Section 8172, of Chapter 133, Session Laws of Oklahoma, 1925, relating to pension of confederate soldiers and sailors and their widows, and declaring an emergency,

and to inform you, and through you, the Honorable Senate that the same has been read for the fourth time, and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

House Bill No. 16 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 315—By GRAHAM, STREET, SEARS, MARKER, PARKER, BOYDSTUN, HARROWER, EYLAR, HOOVER, NEWBERRY, MAXWELL and STRICKLAND, of the House, and FIDLER and TERWILLEGER, of the Senate, entitled:

An Act to amend Sections 7208, 7213, and 7214, of Article 3, Chapter 55, Compiled Oklahoma Statutes, Annotated, 1921, providing for the employment of women and children and declaring an emergency,

and to inform you and through you the Honorable Senate that the same has been read for the fourth time, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bill No. 315 was read for the fourth time, the enrolled copy signed, in open session, and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 215—By FERGUSON of the Senate, and WEBBER of the House, entitled:

An Act creating a fund in Pawnee County hereby designated "Court House Fund"; limiting said fund to two hundred thousand dollars; converting the sinking fund of said county, not anticipated by bonded indebtedness or judgments, into "Court House Fund"; authorizing the annual levy and collection of a tax on all taxable property in said county of not to exceed one mill on the dollar, to be added to said fund; providing for the handling of said fund during the accumulation thereof in the erection, furnishing and equipping of a court house and jail in said county; and providing the method for such expenditure; and declaring an emergency,

and to advise you, and through you, the Honorable Senate that the same has been passed by the House and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bill No. 215 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 199—By DARNELL, entitled:

An Act to legalize all orders, judgments, proceedings and official acts made, rendered and performed in the

Superior Court of Custer County, Oklahoma, and declaring an emergency.

ENROLLED SENATE BILL NO. 202—By REX-ROAT (Senate), and BROWN and FISCHL (House), entitled:

An Act to amend Section 4, Chapter 120, Session Laws 1921, relating to the number of deputies to the county assessor of Carter County, State of Oklahoma, and declaring an emergency.

ENROLLED SENATE BILL NO. 206—By COMMONS, entitled:

An Act creating the office of evidence man in the office of county attorney of Ottawa County, Oklahoma, fixing the salary thereof, and declaring an emergency.

ENROLLED SENATE BILL NO. 208—By LOOFBOURROW, entitled:

An Act authorizing and empowering the county commissioners of Cimarron County, Oklahoma, to include special item in its estimate for the fiscal year ending June 30, 1930, and June 30, 1931, for the purposes of erecting building and making improvements on lands owned by the free fair association of Cimarron County, etc.

ENROLLED SENATE BILL NO. 66—By HARPER, entitled:

An Act amending Section 8968, Compiled Oklahoma Statutes, 1921, relating to tubercular sanatoriums, and declaring an emergency,

and to inform you, and through you, the Honorable Sen-

ate, that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bills Nos. 66, 199, 202, 206 and 208 were, each, referred to the Acting Governor for consideration.

To the President and Members
of the Honorable Senate.

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bill No. 81, entitled:

"An Act authorizing the Senate and House of Representatives to provide such employees, and fixing their duties and compensation such as may be, by each body, deemed necessary and proper, repealing Section 109, Compiled Oklahoma Statutes, 1921, and declaring an emergency,

and have caused the same to be filled with the Secretary of State.

Respectfully,

W. J. HOLLOWAY,
Acting Governor.

HOUSE BILLS ON FIRST READING

The following House Bill, was received and read for the first time:

ENGROSSED HOUSE BILL NO. 409—By HOUSTON and FARR of the House, and EWING of the Senate, entitled:

An Act providing for an extra deputy sheriff for Logan County, State of Oklahoma, fixing his salary, and repealing all laws in conflict herewith, and declaring an emergency.

Upon motion of Senator Gulager, the Senate adjourned, to meet at 10:30 o'clock, a. m., Thursday, March 21, 1929.

SIXTY-THIRD LEGISLATIVE DAY

THURSDAY, MARCH 21ST, 1929

The Senate, pursuant to adjournment, met at 10:30 o'clock, a. m., with President Pro Tempore Storms presiding.

Upon roll call, the following Senators were present:

Present: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total 40.

Excused: Anglin, Fidler, MacDonald, Pullen. Total 4.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

Upon motion of Senator Hill, the President Pro Tempore appointed a Committee of 5, listed below, to confer with a like Committee of the Honorable House, at 12:30 o'clock, p. m., in the Blue Room, on the matter of legisla-

tion to come before the sine die adjournment of the Twelfth Legislature:

Senators: HARPER,
COMMONS,
DARNELL,
OTJEN and
HILL.

SECOND READING

The following bill was read for the second time and referred to the Committee indicated:

HOUSE BILL NO. 409, by HOUSTON and FARR of the House, and EWING of the Senate.

Upon motion of Senator Ewing, the rules of the Senate were suspended and HOUSE BILL NO. 409, by Houston and Farr of the House, and Ewing of the Senate, was ordered placed upon the calendar, without reference to a Committee.

MESSAGES

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 140—By JONES (Stephens), by Request:

An Act authorizing the Board of County Commissioners of Stephens County to purchase, for the use of said County Commissioners, automobiles, and declaring an emergency,

and to advise you and through you the Honorable Senate that same has been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 171—By HOOVER and the Committee on Municipal Corporations, entitled:

An Act authorizing and permitting the State of Oklahoma and political sub-divisions thereof to construct, repair and maintain and operate by joint agreement with themselves public buildings, bridges, viaducts, highways and other public improvements, and describing the method and procedure therefor, and repealing all laws in conflict herewith,

ENGROSSED HOUSE BILL NO. 345—By NANCE of the House and BOYER of the Senate, entitled:

An Act to amend Section 10, of Chapter 93, of the Session Laws of Oklahoma of 1927, the same being an Act entitled: "An Act to authorize the governing body of any city or incorporated town to refund street improvement bonds heretofore issued by authority of Chapter 10, Article 1, of the Session Laws of Oklahoma 1907-1908, or Article 12, Chapter 29, Compiled Oklahoma Statutes, annotated, 1921; to provide for the levy and collection of assessments to pay such bonds and the method of proced-

ure therefor; to provide for the retirement of street improvement bonds heretofore issued; to provide for the repeal of Chapter 216, of the Session Laws of the State of Oklahoma, 1919, and all other laws and parts of laws in conflict herewith" repealing all laws or parts of laws in conflict herewith; and declaring an emergency,

ENGROSSED HOUSE BILL NO. 349—By MAXWELL, HARROWER, BOYDSTUN and MOON of the House, and FIDLER of the Senate, entitled:

An Act amending Section 11 of the law known as Initiative Petition No. 100, relating to ad valorem tax levies, by adding certain exceptions under the sub-title of free fairs; providing for the expenditure of free fair funds for said exceptions. Repealing all laws in conflict herewith, and declaring an emergency,

and to inform you and through you the Honorable Senate that the same have been passed by the House of Representatives and signed by the Presiding Officer in open session.

Yours very truly,

BERT McDONEL, Chief Clerk

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED SENATE BILL NO. 216—By LOOFBOURROW of the Senate and ALLEN of the House, entitled:

An Act authorizing the appointment of a Deputy

County Assessor, in Harper County, Oklahoma, and providing for the fixing of the salary thereof, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that same has been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bill No. 216 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION
NO. 12.—By GRAY (Senate) and WATSON (House),
entitled:

An Act giving assent of both Houses of the Legislature of the State of Oklahoma to the payment of grants of money by the Federal government under the provisions of an act by the United States Congress known as "The Capper-Ketcham Act," and providing for the expenditure of same through the extension division of the Oklahoma Agricultural and Mechanical College,

and to inform you, and through you, the Honorable Senate that the same has been signed by the Presiding Officer in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 12 was ordered transmitted to the Secretary of State.

To the President of the Senate,

SIR:

I am directed by the House to return herewith:

ENROLLED SENATE JOINT RESOLUTION NO. 19,
By ANGLIN, MOORE, MacDONALD, JOHNSON (Creek),
and STIGLER, entitled:

A Resolution transferring and reappropriating certain amounts of balances in funds appropriated at the regular session of the Legislature of the State of Oklahoma for the Adjutant General's Department for the fiscal year ending June 30, 1929, and declaring an emergency.

ENROLLED SENATE JOINT RESOLUTION NO.
23—By STIGLER of the Senate and BELEW of the
House, entitled:

A Joint Resolution authorizing the Excise Board of Haskell County to transfer any unused revenue or funds derived by virtue of a levy for tick eradication in said county for the fiscal year ending June 30, 1928, to the court fund of said county for the fiscal years ending June 30, 1929, and June 30, 1930, and declaring an emergency,

and to inform you and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Presiding Officer in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Enrolled Senate Joint Resolutions Nos. 19 and 23 were ordered referred to the Governor for consideration.

Upon motion of Senator Gulager, the Senate refused to recede from its amendments to HOUSE BILL NO. 335, by Moon, asked by the Honorable House on the 16th instant, and asked for a conference on said bill.

SPECIAL ORDER—THIRD READING

Upon motion of Senator Gray, the vote was reconsidered by which SENATE JOINT RESOLUTION NO. 2, by Gray, was advanced to engrossment and third reading.

Section 1 was re-read.

Senator Gulager submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 2, lines 11 and 12, page 3, by striking after the word, "than," line 11, the words, "three (3) members appointed shall be farmers," and inserting the following: "five (5) members appointed shall be farmers, provided further that three (3) of said members shall be graduates of the A. & M. College at all times; that the membership of said Board of Regents shall be appointed from the eight Congressional Districts, one each from said Congressional Districts, as they are now designated. The Board of Regents, under the provisions of this bill may be either men or women."

GULAGER.

Upon motion of Senator Gulager, Section 1, as amended, was adopted.

Sections 2 and 3 were each read and adopted, upon motions of Senator Gulager.

Upon motion of Senator Ferguson, Section 4 was stricken.

Upon motion of Senator Stigler, the Chief Engrossing and Enrolling Clerk was instructed to amend the title of Senate Joint Resolution No. 2, by striking the words, "and declaring an emergency."

Upon motion of Senator Gray, SENATE JOINT RESOLUTION NO. 2 was advanced to engrossment and third reading.

SENATE JOINT RESOLUTION NO. 2, as amended was read at length, as follows:

SENATE JOINT RESOLUTION NO. 2—By GRAY.

A RESOLUTION AUTHORIZING THE SUBMISSION OF A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF OKLAHOMA TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION FOR THE PURPOSE OF AMENDING SECTION 31, OF ARTICLE 6, THEREOF, TO PROVIDE FOR RELIEVING THE STATE BOARD OF AGRICULTURE OF ITS DUTIES AS A BOARD OF REGENTS OF THE STATE AGRICULTURAL AND MECHANICAL COLLEGES, AND PROVIDING FOR A SEPARATE BOARD OF REGENTS FOR THE STATE AGRICULTURAL AND MECHANICAL COLLEGE AND FOR ALL OTHER AGRICULTURAL AND MECHANICAL COLLEGES.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE TWELFTH LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. The following amendment to Section 31, of Article 6, of the Constitution of the State of Oklahoma, is hereby proposed. The Secretary of State is hereby authorized and directed to submit the amendment to the people for their approval or rejection, as provided by law. Said proposed amendment shall be as follows:

“Article 6, Section 31: A Board of Agriculture is hereby created to be composed of five members, all of whom shall be farmers and shall be selected in a manner provided by law.

“Said Board shall be maintained as a part of the State Government and shall have jurisdiction over all matters affecting animal industry and animal quarantine regulations, and shall discharge such other duties and receive such compensation as now is or may hereafter be provided by law.”

“Article 6, Section 31-a: A Board of Regents for the State Agricultural and Mechanical Schools and Colleges maintained in whole or in part by the State is hereby created to be composed of nine members, one of whom shall be the President of the Board of Agriculture. The other eight members shall be appointed by the Governor, by and with the advice and consent of the Senate, for terms of eight years, each, with one term expiring each year, provided that the members of the first Board shall be appointed for terms of from one to eight years respectively. Provided further, that not less than five (5) members appointed shall be farmers; provided further that three (3) of said members shall be graduates of the A. & M. College at all times; that the membership of said Board of Regents shall be appointed from the eight Congressional Districts, one each from said Congres-

sional Districts, as they are now designated. The Board of Regents, under the provisions of this bill, may be either men or women, and not more than five of the appointed members of said Board shall belong to the same political party.

"Any member of said Board so appointed may be removed from office for corruption in office, gross neglect of duty, habitual drunkenness or incompetency only by trial in the courts of the State, as provided for the removal of officers not subject to impeachment."

SECTION 2. This amendment shall be submitted to the people of the State for their approval or rejection at the next regular, general or special election in the following form:

"Shall Section 31, of Article 6, of the Constitution of Oklahoma be amended by relieving the State Board of Agriculture of its duties as a Board of Regents of the State Agricultural and Mechanical Colleges, and providing for the appointment of a Board of Regents of the State Agricultural and Mechanical Colleges and providing the method of removal from office of the members of said Board of Regents?"

For the Amendment. ☐

Against the Amendment. ☐

SECTION 3. It shall be the duty of the State Officers who have authority in such matters to cause notice of the election to be given and to have ballots printed and distributed and to cause an election to be held and to cause the results thereof to be ascertained and declared so as to cause this amendment to be properly submitted to the people of the state of Oklahoma for their approval or rejection.

The question being, "Shall the Resolution, as amended, pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Hill, Johnson (Pottawatomie), Kimerer, Moore, Otjen, Patton, Peck, Powers, Smith, Storms, Terwilleger, Wheatley, Williams. Total, 23.

Nays: Commons, Darnell, Harper, Johnson (Creek), Jolly, Nesbitt, Reed, Rice, Stigler. Total, 9.

Not Voting: Andrews, Clark, Loofbourrow, Ray, Rexroat, Stewart, Thomas, Williamson. Total, 8.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Resolution, as amended, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senator Stigler sent up the following explanation of his vote:

Mr. President: I am in favor of the spirit of the resolution, but I vote NO, for the reason it has been amended so much that too many restrictions are placed in the bill and more harm than good would ultimately result.

STIGLER.

Senator Darnell served notice that he would, on the next legislative day, move to reconsider the vote by which SENATE JOINT RESOLUTION NO. 2 was passed.

Upon motion of Senator Graham, the Senate recessed, to meet at 1:30 o'clock, p. m.

AFTERNOON SESSION

The Senate reassembled, at 1:30 o'clock, p. m., and was called to order by President Pro Tempore Storms.

RESOLUTIONS

By unanimous consent, the following Resolutions were introduced:

SENATE CONCURRENT RESOLUTION NO. 13—By FERGUSON and STEWART of the Senate, and SNODDY and JONES of Stephens, of the House.

A RESOLUTION URGING THE PRESIDENT TO PROMOTE THE HONORABLE ARTUR H. GEISLER TO AN AMBASSADORSHIP.

WHEREAS, the Legislature of the State of Oklahoma is in hearty accord with the purpose of the Honorable Herbert Hoover, President of the United States, to promote international understanding and good will; and,

WHEREAS, the people of Oklahoma see with pride in the high success attained by Arthur H. Geissler as Minister to Guatemala a guaranty of increased usefulness of our State's representative in the diplomatic service.

NOW, THEREFORE, BE IT RESOLVED by the State Senate, the House concurring therein, that the Legislature of Oklahoma joins the Senators and Representatives in Congress from this State in respectfully urging the President of the United States to promote Arthur H. Geissler to an Ambassadorship, thereby recognizing outstanding merit, strengthening the Country's foreign service and pleasing the State of Oklahoma,

BE IT FURTHER RESOLVED, that certified copies of this resolution be transmitted to the President of the United States and to the Honorable Henry L. Stimson, Secretary of State.

Upon motion of Senator Ferguson, the rules of the Senate were suspended and consideration given Senate Concurrent Resolution No. 13.

Upon motion of Senator Ferguson, Senate Concurrent Resolution No. 13 was adopted and referred for engrossment.

SENATE RESOLUTION NO. 18—By EWING—A RESOLUTION ASKING THE GOVERNOR TO DIRECT THE ATTORNEY GENERAL TO INVESTIGATE MATTERS CONNECTED WITH THE LETTING OF A CONTRACT TO WARD-BEEKMAN AND COMPANY, FOR THE CONSTRUCTION OF A HARD SURFACE ROAD SOUTH OF CRESCENT, IN LOGAN COUNTY, OKLAHOMA.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bills Nos. 159, 221 and 224 correctly engrossed.

BOYER, Chairman.

Senator Gulager moved that the Senate request the Honorable House to recall ENROLLED HOUSE BILL NO. 175, by Black, for the purpose of reconsidering the vote by which the bill was passed, in order to make certain amendments.

Senator Terwilleger moved to table the Gulager motion, which motion failed of adoption.

By unanimous consent, further consideration of ENROLLED HOUSE BILL NO. 175, by Black, was deferred, pending receipt of the report of the Joint Committee, appointed to confer on the matter of further legislation by this the Twelfth Legislature.

SPECIAL ORDER—THIRD READING

SENATE BILL NO. 159 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 30.

Nays: 0.

Not Voting: Easter, Johnson (Creek), Loofbourrow, Powers, Ray, Reed, Rexroat, Rice, Stigler, Williamson. Total, 10.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 30.

Nays: 0.

Not Voting: Easter, Johnson (Creek), Loofbourrow, Powers, Ray, Reed, Rexroat, Rice, Stigler, Williamson. Total, 10.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 159, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 224 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 33.

Nays: 0.

Not Voting: Loofbourrow, Powers, Reed, Rexroat, Rice, Stewart, Williamson. Total, 7.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 33.

Nays: 0.

Not Voting: Loofbourrow, Powers, Reed, Rexroat, Rice, Stewart, Williamson. Total, 7.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 224, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 221, was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 33.

Nays: 0.

Not Voting: Loofbourrow, Powers, Reed, Rexroat, Rice, Stewart, Williamson. Total, 7.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 33.

Nays: 0.

Not Voting: Loofbourrow, Powers, Reed, Rexroat, Rice, Stewart, Williamson. Total, 7.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 221, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 209 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 209, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 324 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen,

Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 324, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 359 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen,

Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 359, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 338 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 338, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 39 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore in open session signed the engrossed copy of House Bill No. 39, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 423 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen,

Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session signed the engrossed copy of House Bill No. 423, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 424 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen,

Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 424, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 402 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams. Total, 34.

Nays: 0.

Not Voting: Loofbourrow, Powers, Rexroat, Rice, Stewart, Williamson. Total, 6.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 402, and ordered the same transmitted to the Honorable House.

GENERAL ORDER

Upon motion of Senator Andrews, HOUSE BILL NO.

33, by Cloyd and Logan, was advanced to engrossment and third reading.

Upon motion of Senator Andrews, the rules of the Senate were suspended and HOUSE BILL NO. 33, by Cloyd and Logan, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 33 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakey, Boyer, Clark, Commons, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Nays: 0.

Not Voting: Darnell, Hill, Loofbourrow, Patton, Powers, Rexroat, Rice, Stewart, Williamson. Total, 9.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Commons, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Moore, Nesbitt, Otjen, Peck, Ray, Reed, Smith, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Nays: 0.

Not Voting: Darnell, Hill, Loofbourrow, Patton, Powers, Rexroat, Rice, Stewart, Williamson. Total, 9.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 33, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Johnson (Pottawatomie), HOUSE BILL NO. 378, by Byrum and Patterson, was advanced to engrossment and third reading.

Senator Thomas moved that all local bills, on SPECIAL ORDER, under General Order, which are SENATE BILL NO. 134, HOUSE BILLS NOS. 421, 428 and 434, be advanced to engrossment and third reading, which motion prevailed.

Senator Andrews asked that consideration of HOUSE BILLS NOS. 200 and 210 be deferred for this legislative day, which was the order.

Senator Boyer asked that consideration of HOUSE BILL NO. 437 be deferred for this legislative day, which was the order.

Upon motion of Senator Graham, SENATE BILL NO. 223, by Graham, was advanced to engrossment and third reading.

Upon motion of Senator Graham, the emergency clause to SENATE BILL NO. 223 was stricken, both from the body of the bill and the title thereof.

Upon motion of Senator Graham, the rules of the Senate were suspended and Senate Bill No. 223, by Graham, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 223 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Clark, Commons, Easter, Ferguson, George, Graham, Gray, Gulager, Hill, Johnson (Pott.), Jolly, Kimerer, Nesbitt, Otjen, Peck, Reed, Rexroat, Smith, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 26.

Nays: Harper, Moore, Ray, Stewart. Total, 4.

Not Voting: Andrews, Boyer, Darnell, Ewing, Johnson (Creek), Loofbourrow, Patton, Powers, Rice, Stigler. Total 10.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senator Harper served notice that he would, on the next legislative day, move to reconsider the vote by which SENATE BILL NO. 223, by Graham, was passed.

THIRD READING

HOUSE BILL NO. 421 was read for the third time at length.

Senator Thomas asked unanimous consent, which was granted, to amend House Bill No. 421 by striking the emergency section and striking the words, "and declaring an emergency," from the title of the bill.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Austin, Blakely, Boyer, Clark, Commons, Easter, Ewing, Ferguson, George, Gray, Gulager, Hill, Johnson (Pott), Jolly, Kimerer, Moore, Otjen, Rexroat, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 26.

Nays: 0.

Not Voting: Andrews, Darnell, Graham, Harper, Johnson (Creek), Loofbourrow, Nesbitt, Patton, Peck, Powers, Ray, Reed, Rice, Wheatley. Total, 14.

Excused: Anglin, Fidler, MacDonald, Pullen. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Bill No. 421, as amended, was referred for engrossment.

Further consideration being given ENROLLED HOUSE BILL NO. 175, by Black, Senator Ferguson moved that the Senate return the bill to the Honorable House, with the request that that Body recede from the enrollment of the bill and return ENGROSSED HOUSE BILL NO. 175 to the Senate, for the purpose of amending the bill, which motion prevailed.

Senator Otjen presiding.

GENERAL ORDER

HOUSE BILL NO. 137, by Watson, was taken up for consideration.

Section 1 was read.

Senator Gulager submitted the following amendment:

Mr. President: I move to amend House Bill No. 137, by substituting the following for Section 1: "Section 1. That Section 9606, of Compiled Statutes of 1921, as amended by House Bill No. 139, Chapter 135, Session Laws of 1925, be amended to read as follows:

Section 9606. All corporations, foreign and domestic, having property or doing business in this state for profit, other than public service corporations assessed by the state board of equalization and other than national banks, state banks and trust companies, shall be assessed upon the value of their moneyed capital, surplus and undivided profits which has a taxable situs within this state, less the deductions hereinafter authorized, at the taxing district within this State at which is located the principal office

of such corporation within this state, as the same existed on the first day of January of such taxing year; said moneyed capital, surplus and undivided profits shall be deemed to include all property, real, personal and mixed, having a taxable situs within this state, belonging to such corporation, however represented by securities of such corporation, if so represented thereby; from such value of said aggregate of moneyed capital surplus and undivided profits, said corporation shall be entitled to deduct the following: (a) The assessed valuation of all realty located in this state owned by such corporation and assessed separately in its name; (b) The assessed valuation of all personal property located in this state, owned by such corporation and assessed separately in its name, and all personalty of such corporation located in taxing districts of this state other than that where its principal office in this state is located, shall be assessed to it at the place where such personalty is located; (c) So much of its property, whether real, personal or mixed, as is taxed for the same taxing year by any form of taxation declared by law to be in lieu of ad valorem taxes thereon; and (d) so much of its property in this state as is specially exempted by the Constitution or laws of this state from taxation and so much thereof, if any, as is beyond the power of this state to tax."

GULAGER.

Senator Ferguson, as a substitute, moved that HOUSE BILL NO. 137, together with the Gulager amendment, be referred to a Special Committee of 3, for further consideration, without the bill losing its place on the calendar.

The motion prevailed and the Presiding Officer appointed as such Special Committee, Senators Ferguson, Gulager and Commons.

HOUSE BILLS ON FIRST READING

The following bills were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 140—By JONES (Stephens), by Request, entitled:

An Act authorizing the Board of County Commissioners of Stephens County to purchase, for the use of said County Commissioners, automobiles, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 171—By HOOVER, and the Committee on Municipal Corporations, entitled:

An Act authorizing and permitting the State of Oklahoma and political sub-divisions thereof to construct, repair and maintain and operate by joint agreement with themselves public buildings, bridges, viaducts, highways and other public improvements, and describing the method and procedure therefor, and repealing all laws in conflict herewith.

ENGROSSED HOUSE BILL NO. 345—By NANCE of the House and BOYER of the Senate, entitled:

An Act to amend Section 10, of Chapter 93, of the Session Laws of Oklahoma of 1927, the same being an Act entitled: "An Act to authorize the governing body of any city or incorporated town to refund street improvement bonds heretofore issued by authority of Chapter 10, Article 1, of the Session Laws of Oklahoma 1907-1908, or Article 12, Chapter 29, Compiled Oklahoma Statutes, annotated 1921; to provide for the levy and collection of assessments to pay such bonds and the method of procedure therefor; to provide for the retirement of street im-

provement bonds heretofore issued; to provide for the repeal of Chapter 216, of the Session Laws of the State of Oklahoma 1919, and all other laws and parts of laws in conflict herewith;" repealing all laws or parts of laws in conflict herewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 349—By MAXWELL, HARROWER, BOYDSTUN and MOON of the House, and FIDLER of the Senate, entitled:

An Act amending Section 11 of the law known as Initiative Petition No. 100, relating to ad valorem tax levies, by adding certain exceptions under the sub-title of free fairs; providing for the expenditure of free fair funds for said exceptions. Repealing all laws in conflict herewith, and declaring an emergency.

Senator Gulager moved that it be the sense of the Senate that, when it adjourns on Friday, March 22nd, that it adjourn to meet on Monday, March 25th, under the rules, which motion prevailed.

Upon motion of Senator Smith, the Senate adjourned, to meet at 10:00 o'clock, a. m., Friday, March 22, 1929.

SIXTY-FOURTH LEGISLATIVE DAY

FRIDAY, MARCH 22ND, 1929

The Senate, pursuant to adjournment, met at 10:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Boyer, Clark, Commons, Easter, Ewing, George, Graham, Gray, Gula-ger, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loof-bourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Rice, Smith, Stewart, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 35.

Excused: Blakely, Darnell, Ferguson, Fidler, Johnson (Creek), Powers, Pullen, Rexroat, Terwilleger. Total, 9.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled Bills begs leave to report Senate Bills Nos. 216 and 215 correctly enrolled; House Bill No. 421 correctly engrossed.

BOYER, Chairman.

Senate Bills Nos. 215 and 216 were, each, read for the fourth time, the enrolled copies signed by the President Pro Tempore, in open session, and each ordered transmitted to the Honorable House for the signature of the Speaker.

The President Pro Tempore, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 421, as amended, and ordered the same returned to the Honorable House.

SECOND READING

The following bills were read for the second time and referred to the Committees indicated:

HOUSE BILL NO. 140—By JONES (Stephens) by Request.

Upon motion of Senator Boyer, the rules of the Senate were suspended and HOUSE BILL NO. 140, by Jones (Stephens) by request, was ordered placed upon the Calendar, without reference to a Committee.

HOUSE BILL NO. 171—By HOOVER and the COMMITTEE ON MUNICIPAL CORPORATIONS—Referred to the Committee on Municipal Corporations.

HOUSE BILL NO. 345—By NANCE of the House and BOYER of the Senate—Referred to the Committee on Municipal Corporations.

HOUSE BILL NO. 349—By MAXWELL, HARROWER, BOYDSTUN and MOON of the House and FIDLER of the Senate—Referred to the Committee on Revenue and Taxation.

President Pro Tempore Storms announced the following Special Committee appointments, following a conference with Speaker Nance, of the Honorable House:

Under SENATE CONCURRENT RESOLUTION NO. 9, by Storms, of the Senate, and Nance, of the House; Honorable J. B. Thoburn, Oklahoma City, U. S. Senator Elmer Thomas, of Medicine Park, Okla., General Roy Hoffman, of Oklahoma City, Okla., and Justice Albert C. Hunt, Oklahoma City, Oklahoma, said Committee to be known as "The General Committee in Charge of Warren Statue."

Under SENATE CONCURRENT RESOLUTION NO. 11, by Austin, Loofbourrow, Moore, Williams, Storms, of the Senate, and Carmack, Carmichael, Nance and Dunning of the House; Senators Loofbourrow, Moore and Williams.

Under HOUSE BILL NO. 335 by Moon, the President Pro Tempore appointed Senators Gulager, Moore and Easter, as Senate Conferees, thereunder.

SPECIAL ORDER—GENERAL ORDER

Upon motion of Senator Ewing, HOUSE BILL NO. 409, by Houston and Farr, of the House, and Ewing, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Ewing, the rules of the Senate were suspended and HOUSE BILL NO. 409 was

considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 409 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Commons, Easter, Ewing, George, Gray, Gulager, Harper, Hill, Johnson (Pott), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Reed, Smith, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Graham, Ray, Rice, Stewart. Total, 4.

Excused: Blakely, Darnell, Ferguson, Fidler, Johnson (Creek), MacDonald, Powers, Pullen, Rexroat, Terwilleger. Total, 10.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Commons, Easter, Ewing, George, Gray, Gulager, Harper, Hill, Johnson (Pott), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Reed, Smith, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Graham, Ray, Rice, Stewart. Total, 4.

Excused: Blakely, Darnell, Ferguson, Fidler, Johnson (Creek), MacDonald, Powers, Pullen, Rexroat, Terwilleger. Total, 10.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 409, and ordered the same transmitted to the Honorable House.

GENERAL ORDER

Upon motion of Senator Hill, HOUSE BILL NO. 261, by Moon and Dyer, was advanced to engrossment and third reading.

Senator Wheatley presiding.

Senator Austin asked unanimous consent, which was granted, to add the names of Senators Graham and Harper, as joint authors of Engrossed House Bill No. 261.

Upon motion of Senator Hill, the rules of the Senate were suspended and HOUSE BILL NO. 261, by Moon and Dyer, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 261 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Easter, Ewing, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Reed, Rice, Smith, Stigler, Storms, Wheatley, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Andrews, Ray, Stewart, Thomas. Total, 4.

Excused: Blakely, Darnell, Ferguson, Fidler, Johnson (Creek), MacDonald, Powers, Pullen, Rexroat, Terwilleger. Total, 10.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Easter, Ewing, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Reed, Rice, Smith, Stigler, Storms, Wheatley, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Andrews, Ray, Stewart, Thomas. Total, 4.

Excused: Blakely, Darnell, Ferguson, Fidler, Johnson (Creek), MacDonald, Powers, Pullen, Rexroat, Terwilleger. Total, 10.

The emergency having received the constitutional

two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Bill No. 261, as amended, was referred for engrossment.

HOUSE BILL NO. 440, by Head, et al., was taken up for consideration.

Section 1 was read.

Upon motion of Senator Anglin, House Bill No. 440, by Head, et al., was referred to the Appropriations Committee, for further consideration.

HOUSE BILL NO. 48, by Stanley, was taken up for consideration.

Section 1 was read.

Upon motion of Senator Gulager, House Bill No. 48, by Stanley, was referred to a Special Committee, composed of Senators Harper, Gulager, Ray, Smith and Otjen, for the purpose of consideration, and with instructions to confer with the author, Representative Stanley.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 261 correctly engrossed.

BOYER, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House

Bill No. 261, as amended, and ordered the same returned to the Honorable House.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 26—By CHAPPELL and TILLERY, entitled:

An Act creating an additional Judgeship in Judicial District No. 12,

and to inform you, and through you, the Honorable Senate that the same has been passed by the House of Representatives and signed by the Acting Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 346—By NANCE of the House and BOYER of the Senate, entitled:

An Act to authorize cities and towns, in Oklahoma,

whether acting under the General Law or Freeholders' Charter, that have issued street improvement bonds under and by virtue of the authority of Chapter 10, Article 12, Revised Laws, 1910, or Chapter 176, Session Laws, 1919, to refund said bonds, to levy and collect assessments, to pay such bonds, and to provide for cancellation of any or all prior assessments and penalties, together with penalty and interest, by and with written consent of and under contracts with the holder or holders of any series of such bonds, and to provide a procedure therefor; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 6—By STRICKLAND, BYRUM, FISCHL, HARROWER, WHITT, and HESTER, entitled:

An Act amending Section 10007, Compiled Oklahoma Statutes, 1921, and providing for the collection of and accounting for funds collected, authorizing the exemption of townships or counties therefrom, repealing Section 10033, Compiled Oklahoma Statutes, and all other Acts or parts of Acts in conflict therewith,

and to inform you, and through you, the Honorable Senate that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

SPECIAL ORDER—THIRD READING

HOUSE BILL NO. 378 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Commons, Easter, Ewing, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Reed, Rice, Smith, Stigler, Storms, Wheatley, Williams, Williamson. Total, 31.

Nays: 0.

Not Voting: Ray, Stewart, Thomas. Total, 3.

Excused: Blakely, Darnell, Ferguson, Fidler, Johnson (Creek), MacDonald, Powers, Pullen, Rexroat, Terwilleger. Total, 10.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Commons, Easter, Ewing, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Peck, Reed, Rice, Smith, Stigler, Storms, Wheatley, Williams, Williamson. Total, 31.

Nays: 0.

Not Voting: Ray, Stewart, Thomas. Total, 3.

Excused: Blakely, Darnell, Ferguson, Fidler, Johnson (Creek), MacDonald, Powers, Pullen, Rexroat, Terwilleger. Total, 10.

The emergency having received the constitutional two-

thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of House Bill No. 378, and ordered the same transmitted to the Honorable House.

Senator Gray moved to reconsider the vote by which SENATE JOINT RESOLUTION NO. 2, by Gray, was passed on yesterday, which motion was tabled, upon a motion by Senator Otjen.

Senate Joint Resolution No. 2 was referred for engrossment.

Senator Gulager moved that the Senate adjourn to meet on Monday, March 25, under the rules.

Senator Harper, as a substitute, moved that the Senate recess, to meet at 1:00 o'clock, p. m., this date, which motion prevailed.

AFTERNOON SESSION

The Senate reassembled, at 1:00 o'clock, p. m., with President Pro Tempore Storms presiding.

Senator Ferguson asked to be recorded present, which was the order of the Chair.

Senator Graham, in order to expedite the passage of HOUSE BILL NO. 261, asked unanimous consent, which was granted, to strike the Senate Amendment, thereto, adding the names of himself and Senator Harper, as joint Senate authors.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Joint Resolution No. 2 and Senate Bill No. 134 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore signed, in open session, Engrossed Senate Joint Resolution No. 2 and ordered the same transmitted to the Honorable House, for further consideration.

Senator Ewing called up for consideration SENATE RESOLUTION NO. 18, by Ewing, introduced on yesterday, which was read as follows:

SENATE RESOLUTION NO. 18—By EWING.

A RESOLUTION ASKING THE GOVERNOR TO DIRECT THE ATTORNEY GENERAL TO INVESTIGATE MATTERS CONNECTED WITH THE LETTING OF A CONTRACT TO WARD-BEEKMAN AND COMPANY FOR THE CONSTRUCTION OF A HARD SURFACE ROAD SOUTH OF CRESCENT, IN LOGAN COUNTY, OKLAHOMA.

WHEREAS, it has been alleged by citizens of Logan County, Oklahoma, that there were irregularities in, and possibly fraud practiced upon the people of Logan County, Oklahoma, by J. E. Hopkins, County Commissioner of the 3rd District, and Sylvester Reid, Commissioner of the 2nd District, in the letting of the contract for the construction of the hard surface road South of Crescent, Oklahoma, which contract was let in the year 1927, and

WHEREAS, among the allegations made by the people, it is claimed that said commissioners were to

receive \$6,000.00 from Ward-Beekman and Company for awarding said contract; and

WHEREAS, after making all payments claimed by said contractors, there remains in the Treasury of Logan County, Oklahoma, allocated to the payment of said contract, the sum of \$6,000.53; and

WHEREAS, owing to the seriousness of said allegation the same should be investigated by the Attorney General.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, that the Governor be, and he is hereby requested to direct the Attorney General of the State of Oklahoma to make an investigation into the letting of said contract, and to take such action as in his judgment is proper in the premises.

Senator Ewing asked unanimous consent, which was granted, to have read into the record the following communications, in support of Senate Resolution No. 18.

February 25, 1929.

Honorable Harry Blake,
County Attorney,
Guthrie, Oklahoma.

(Personal)

Dear Sir:

Pursuant to our talk over the phone while I was at home Sunday, am dropping you a few lines to find out what your status is to be in regard to inquiring into the facts relative to the letting of the contract for the construction of the paved road from Crescent, South, which

was awarded to Ward-Beekman & Company, by the vote of J. E. Hopkins of the Third District, and Sylvester Reid, of the Second District, during the year of 1927, in which the Commissioners were to pay \$162,895.69, which was the net amount of the contract, less a deduction of \$4531.83, on the account of shortage in the yardage and labor, as provided for in said contract, and wherein it resulted, or is alleged to have resulted in Sylvester Reid being compelled to resign as such Commissioner, by reason of alleged corruption, to-wit: By being charged by the people of Logan County that the said contractors, Ward-Beekman & Company, returned to the County Treasurer of Logan County the sum of \$6,000.00 which amount it is alleged was to have been paid to the Commissioner of the Second District and to the Commissioner of the Third District. In other words, the Commissioner of the Third District, by reason of his political prominence and financial standing, was permitted to remain and continue and is now acting as Commissioner of the Third District, while the Commissioner of the Second District was forced to resign his position for said alleged transaction.

I am writing you, as County Attorney, to know what you intend to do in regard to this matter and if you do not take such action as is in keeping with the duties of your office, it will be my official duty, upon a thorough investigation and examination of the facts as shown by the records of the proceedings of the county commissioners, to introduce a Resolution in the State Senate, calling upon the Governor of this state to direct the office of the Attorney General to make the investigation and to prosecute those who are alleged to have been engaged in the said alleged transaction.

This is information that is most startling in character and I hesitate to believe it to be true.

My information is that on December 5, 1927, the final transaction with Ward-Beekman & Company, so far as the Board of County Commissioners was concerned, was closed by paying to said Ward-Beekman Company the sum of Five Thousand (\$5000) Dollars.

Personally, I do not know anything about it and I think that you and I and others in a position to bring the facts to the attention of the people of our county should act without fear or favor. I will prepare such a Resolution and present it to the State Senate some time during this week, if I do not hear from you.

Hoping to hear from you soon, I remain,

Yours, with great respect,

AMOS A. EWING, State Senator.

EXTRACTS FROM PROCEEDINGS OF BOARD OF
COUNTY COMMISSIONERS, LOGAN COUNTY, OK-
LAHOMA, HELD ON JANUARY 10, 1927.

With regard to hard surface road contract on Guthrie-Crescent road a portion of Section "B" beginning at a point between Section 11 and 16, Township 16 N, Range 4 West, Section 437 plus 00 and extending in a Northerly direction to the North side of Crescent station 742 plus 00, a distance of approximately 5.9602 miles, as shown on the plans, to be built at the unit price bid by said contractor.

Moved by Commissioner S. Reid, seconded by Commissioner J. E. Hopkins, that the County Clerk open, tabulate and read bids for consideration of Commissioners. Vote being as follows:

J. E. Hopkins, vote "Yes."

F. M. Rinehart, vote "No."

S. Reid, vote, "Yes."

Bids received were as follows:

Ward, Beekman and Brooks	\$167,427.52
Park-Moran	170,602.28
H. L. Cannady Company	174,057.84
Western Paving Company	180,220.16

It was then moved by Commissioner S. Reid, seconded by Commissioner J. E. Hopkins, that contract be awarded to Ward, Beekman and Brooks, their bid being the lowest received. Vote being as follows:

J. E. Hopkins, vote "Yes."

F. M. Rinehart, vote "No."

S. Reid, vote "Yes."

Payments made to Ward, Beekman and Brooks, are as follows:

March 7, 1927	\$11,911.32
March 21, 1927	14,271.30
April 4, 1927	4,488.66
April 27, 1927	5,959.44
May 2, 1927	9,720.00
June 6, 1927	15,158.88
June 20, 1927	13,897.80
July 5, 1927	12,389.40
July 18, 1927	22,464.00
August 15, 1927	28,412.28
Sept. 12, 1927	5,366.54
Nov. 7, 1927	7,855.54
Dec. 5, 1927	5,000.00
Total	\$156,895.19

Amount of contract with Ward, Beekman and Brooks -----	\$167,427.52
Less shortage in yardage -----	\$4,431.83
Less labor by Logan County ---	100.00
	<hr/>
Deductions from contract -----	4,531.83
	<hr/>
Net amount on contract -----	16,985.69
Amount paid to Ward, Beekman and Brooks (above) -----	156,895.16
	<hr/>
Amount deducted by Ward, Beekman and Brooks after Reid was out -----	\$ 6,000.53

Reuel J. Gephart appointed and took office of County Commissioner, Logan County, Oklahoma, on February 21, 1927.

Upon motion of Senator Ewing, Senate Resolution No. 18 was adopted as read.

Senate Resolution No. 18 was referred for engrossment.

SPECIAL ORDER—THIRD READING

Upon motion of Senator Loofbourrow, the vote was reconsidered by which SENATE BILL NO. 134 by Fidler, was advanced to engrossment and third reading.

Senator Loofbourrow asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

MR. PRESIDENT:

I move to amend Senate Bill No. 134, by striking after the word and figure, "Section 1," all the balance of said section and adding in lieu thereof the following: "Section 1. In all counties having a population of 110,000 or more, according to the last preceding general federal census, the county treasurer, county clerk, court clerk, county superintendent of public instruction and county assessor are hereby given the power and authority to appoint by and with the consent of the Board of County Commissioners, one or more deputies, if the Board of County Commissioners consider such deputies necessary, and the Board of County Commissioners is hereby given the power and authority to fix the compensation of such deputies, such compensation in no case to be more than \$200.00 per month."

LOOFBOURROW.

Senator Loofbourrow asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

MR. PRESIDENT:

I move to amend Senate Bill No. 134, by striking the present caption of said bill and adding the following as such title:

"An Act authorizing certain county officers in counties, having a population of 110,000 or more, as shown by the last general federal census, to appoint deputies in said offices by and with the consent of the county commissioners, the salaries of said deputies to be fixed by the county commissioners, repealing all laws in conflict herewith and declaring an emergency."

LOOFBOURROW.

Upon motion of Senator Loofbourrow, Senate Bill No. 134, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Loofbourrow, the rules of the Senate were suspended and Senate Bill No. 134, as amended, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 134 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Ray, Reed, Smith, Stewart, Stigler, Storms, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Andrews, Peck, Rice, Thomas, Wheatley. Total, 5.

Excused: Blakely, Darnell, Fidler, Johnson (Creek), MacDonald, Powers, Pullen, Rexroat, Terwilleger. Total, 9.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Ray, Reed, Smith, Stewart, Stigler, Storms, Williams, Williamson. Total, 30.

Nays: 0.

Not voting: Andrews, Peck, Rice, Thomas, Wheatley. Total, 5.

Excused: Blakely, Darnell, Fidler, Johnson (Creek), MacDonald, Powers, Pullen, Rexroat, Terwilleger. Total, 9.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 134 was referred for proper engrossment.

Senator Harper asked unanimous consent, which was granted, to withdraw his notice to lodge a motion to reconsider the vote by which SENATE BILL NO. 223, by Graham, was passed on yesterday.

Senate Bill No. 223 was referred for engrossment.

Senator Gray asked unanimous consent, which was granted, to withdraw notice lodged to reconsider the vote by which SENATE BILL NO. 110, by Austin, was passed.

The President Pro Tempore, in open session, signed Engrossed Senate Bill No. 110 and ordered the same transmitted to the Honorable House.

SPECIAL ORDER—THIRD READING

HOUSE BILL NO. 428 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Ray, Reed, Smith, Stewart, Stigler, Storms, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Andrews, Peck, Rice, Thomas, Wheatley. Total, 5.

Excused: Blakely, Darnell, Fidler, Johnson (Creek), MacDonald, Powers, Pullen, Rexroat, Terwilleger. Total, 9.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Ray, Reed, Smith, Stewart, Stigler, Storms, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Andrews, Peck, Rice, Thomas, Wheatley.
Total, 5.

Excused: Blakely, Darnell, Fidler, Johnson (Creek),
MacDonald, Powers, Pullen, Rexroat, Terwilleger. Total, 9.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 428, and ordered the same transmitted to the Honorable House.

COMMITTEE REPORTS

By unanimous consent, the following Committee Reports were submitted, the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Judiciary No. 2, to whom was referred House Bill No. 132, by Jones (Greer), entitled:

An Act amending Section 8662, Compiled Oklahoma Statutes, 1921, relating to the proposed use of State prison revolving fund, repealing all laws in conflict herewith, and declaring an emergency,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

MOORE, Vice Chairman.

MR. PRESIDENT:

We, your Committee on Education, to whom was re-

ferred Engrossed House Bill No. 341, by Barry of the House and Anglin of the Senate, entitled:

An Act amending Section 10465, Compiled Oklahoma Statutes, 1921, regarding transportation in School Districts, and declaring an emergency,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

STIGLER, Chairman.

Upon motion of Senator Anglin, the rules of the Senate were suspended and HOUSE BILL NO. 341, by Barry, of the House, and Anglin, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Anglin, the rules of the Senate were suspended and House Bill No. 341, by Barry, of the House, and Anglin of the Senate, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 341 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Eas-
ter, Ferguson, George, Graham, Gray, Gulager, Harper,
Johnson (Pott), Jolly, Kimerer, Loofbourrow, Moore, Nes-
bitt, Otjen, Patton, Ray, Reed, Smith, Stewart, Stigler,
Storms, Williams, Williamson. Total, 28.

Nays: 0.

Not Voting: Andrews, Ewing, Hill, Peck, Rice, Thomas, Wheatley. Total, 7.

Excused: Blakely, Darnell, Fidler, Johnson (Creek), MacDonald, Powers, Pullen, Rexroat, Terwilleger. Total, 9.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senator Anglin served notice that he would, on some future legislative day, move to reconsider the vote by which House Bill No. 341 was passed.

GENERAL ORDER

SENATE BILL NO. 49, by Boyer, was taken up for consideration.

Section 1 was read.

Senator Anglin moved that further consideration of Senate Bill No. 49 be deferred, pending receipt of information as to the probable expense attached, which motion, by unanimous consent, the maker withdrew.

Senator Gulager submitted the following amendment, which was adopted:

MR. PRESIDENT:

I move to amend Senate Bill No. 49, line 2, page 1, by adding after the word, "carry," and before the word, "Workmen's," the words, "group insurance or"

GULAGER.

Senator Austin submitted the following amendment, which was adopted:

MR. PRESIDENT:

I move to amend Senate Bill No. 49, by adding at the end of Section 1, the following: "and the Industrial Commission is hereby authorized and empowered to hear and determine claims of liability, accruing under such compensation insurance, to the same extent and in the same manner as is now provided by law; provided that the award shall only be operative and enforceable against such insurance."

AUSTIN.

Upon motion of Senator Boyer, Section 1, as amended, was adopted.

Upon motion of Senator Boyer, the emergency section was stricken from Senate Bill No. 49.

Upon motion of Senator Gulager, the title of the bill was amended to conform with the body of the bill.

Upon motion of Senator Boyer, Senate Bill No. 49, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Boyer, the rules of the Senate were suspended and Senate Bill No. 49, as amended, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 49 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Austin, Boyer, Clark, Commons, Easter, Ewing, Ferguson, George, Graham, Gulager, Harper, Johnson (Pott), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Ray, Reed, Smith, Stewart, Stigler, Storms, Williams, Williamson. Total, 28.

Not Voting: Andrews, Gray, Hill, Peck, Rice, Thomas, Wheatley. Total, 7.

Excused: Blakely, Darnell, Fidler, Johnson (Creek), MacDonald, Powers, Pullen, Rexroat, Terwilleger. Total, 9.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 49 was referred for engrossment.

Upon motion of Senator Austin, SENATE BILL NO. 65, by Pullen, Austin and Stigler, was stricken from the calendar.

Upon motion of Senator Jolly, HOUSE BILL NO. 53, by Mauk, Byrum, et al., was withdrawn from the Committee on Roads and Highways, and placed upon the calendar.

Upon motion of Senator Jolly, HOUSE BILL NO. 53, by Mauk, Byrum, et al., was advanced to engrossment and third reading.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bills Nos. 134 and 223 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Bills Nos. 134 and 223 and ordered the same transmitted to the Honorable House for consideration.

Senator Anglin asked unanimous consent, which was granted, to have read into the record the following newspaper article, appearing in "The Oklahoma News." of this date:

**"OUSTER VOTES 'PURCHASED,' RICE CHARGES
CASH OFFERS FOR SENATE AID CLAIMED**

**El Reno Solon Infers He Could have Sold to Johnston Foes
Trial Called 'Foul'**

**Letter Written Before Removal of Governor Received
by Magee**

"Charges that votes of some senators were purchased to secure the ouster of Henry S. Johnston as governor were made by Sen. John L. Rice in a letter received Friday by Carl C. Magee, editor of The News.

"The letter was written four hours before the impeachment vote was taken Wednesday but did not reach Magee until Friday when he returned to the city after an absence of three days.

"Rice intimated he could have sold his vote, but that he preferred to 'remain a poor man at peace with my soul.'

"The El Reno senator said he knew personally that a man could sell his vote. He criticized Magee for his editorial comment during the impeachment proceedings.

Senator Rice's Letter.

"The letter in full follows:

"I am writing this at the noon hour and probably four hours before the vote on the impeachment will be taken.

"At present it looks to me like the wolves have got Henry S. Johnston. They have been on his trail since the day of his nomination.

"I personally know that if a man wants to sell his soul in this infamous trial he can receive the cash in exchange therefor, but I am not unmindful of the great truth expounded by the Savior when he propounded the great question, "What does it avail a man if he gain the world and lose his soul?"

Foul Tactics Alleged.

"I cannot help but think that you, with your knowledge and skill along lines of news gathering, are perfectly familiar with the foul tactics being pursued in the purchase of votes in this case.

"I know that I have had ample opportunity to sell out but I prefer to remain a poor man at peace with my soul.

"However, I do not think that your dirty flings at men who are voting for conviction instead of pelf are

so unworthy of your grand calling as to shame even you in your sober minutes.' "

Senator Anglin moved that Senator John L. Rice be cited to appear before the Senate at 2:00 o'clock, p. m., Monday, March 25th, to substantiate the charges contained in newspaper article, as read.

Senator Williamson, as an amendment to the Anglin motion, moved that Senator John L. Rice be given the right to be represented by counsel, in view of the seriousness of the charges and the far reaching effect which the charges may have, whether true or false.

Senator Anglin accepted the Williamson amendment to his motion.

Senator Loofbourrow, as a substitute, moved that Senator John L. Rice be cited to appear at 10:00 o'clock, a. m., Saturday, March 23, to substantiate the charges in question, and if, at that time, he desired additional time in which to prepare for the hearing, such additional time be granted.

Senator Clark, as an amendment to the Loofbourrow motion, moved that the hour for the hearing be fixed at 7:00 o'clock, p. m., this day.

Senator Anglin, as a substitute for all pending motions, moved that Senator John L. Rice be immediately cited to appear before the Senate, at 7:00 o'clock, p. m., this day, with such proof as he has to substantiate the charges contained in a letter written by him to Carl C. Magee, of The Oklahoma News, on the 19th inst.; and that he be given the right to appear by counsel, if he so desires, which motion prevailed.

Senator Anglin moved that the Sergeant-at-Arms notify all absent Senators to be present at 7:00 o'clock, p. m., and that Senator Rice be immediately informed of the Senate's action, which motion was seconded by Senator Easter, and adopted by the Senate.

Senator Loofbourrow moved that the President Pro Tempore appoint a Committee of 3, to draft proper citation and make immediate report to the Senate.

The motion prevailed and the President Pro Tempore appointed as such Special Committee, Senators Loofbourrow, Anglin and Otjen.

Senator Stigler presiding.

SPECIAL COMMITTEE REPORT.

Senator Otjen submitted the following Special Committee Report, which was adopted:

MR. PRESIDENT:

We, your Special Committee, appointed to confer on House Bill No. 48, by Stanley, beg leave to report that we have had the same under consideration and herewith submit a substitute section for Section 1, of the Bill, Sections 2 and 3 remaining as in the original Bill.

SECTION 1. That all associations now operating or that may be hereafter organized which are non-profit sharing in their operations and pay no fees or salaries to any of their officers and have no capital stock and pay not to exceed one Hundred Dollars (\$100.00) as a burial fund to the beneficiary or beneficiaries named in the certificate issued by them or only furnish a burial

outfit, and burial, the total amount of which shall not exceed One Hundred Dollars in value to those entitled thereto under the said certificate, and which associations do not make an assessment against their members until and unless the fund on hand derived from membership fees, or assessments, in the treasury of said association would only pay for the burial of one adult entitled to a burial by said association, shall be exempt from the operations and the effect of the Insurance laws of the State of Oklahoma, and shall not be required to comply with the Insurance laws of the said State provided, that money collected by said associations shall be held as a trust fund for the benefit of the beneficiaries and that at least seventy-five percent of the membership fees collected from the members, shall be accounted for and paid into this fund and that all of any future assessments of members shall be paid into this fund.

That the treasurer of said association be required to file with the Court Clerk of the county in which the association is organized, a bond, either personal or surety, to be approved by the Clerk of the said Court, conditioned that the funds of the association will be held as a trust fund to be paid out only in accordance with the purposes of the association which bond shall at all times be equal to the amount of the trust fund on hand in such association.

Respectfully submitted,

HARPER,
GULAGER,
RAY,
SMITH,
OTJEN.

Upon motion of Senator Harper, House Bill No. 48,

as amended, was advanced to engrossment and third reading.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed to return herewith for your signature:

ENROLLED HOUSE BILL NO. 175—By BLACK, entitled:

An Act amending Section 4507, Compiled Oklahoma Statutes, 1921, relating to the right of municipalities to engage in business, acquire, own and maintain public utilities and to issue bonds for said purposes, to be owned exclusively by said municipalities, including the right to enter into lease contract for such public utility; and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the House of Representatives refuses to recede from enrollment and declines to return the Engrossed Bill.

Yours very truly,

BERT McDONEL, Chief Clerk.

Following objections by Senator Gulager, to the fourth reading and signing of House Bill No. 175, the Chair announced it his ministerial duty to sign Enrolled House Bill No. 175.

Senator Otjen moved that the Chair defer signing En-

rolled House Bill No. 175, until a greater number of the members of the Senate are present, which motion prevailed.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 284—By ROPER, WHITAKER, SNODDY, DRAKE, MAUK, HARVEY, WATSON, KIGHT, MATHERLY, SHERMAN, TRENT, BUNCH, LANGLEY, PARKER, FERGUSON, HERSCHBERGER, CARMICHAEL, SMITH, HESTER, HINES, GRAHAM, HUTCHINSON, BUTLER, PERRYMAN and PHILLIPS, entitled:

An Act repealing Chapter 71, of the Session Laws of 1927, and creating a Highway Commission; providing for the appointment and procedure of removal of said Commission; providing for tenure of office, salaries of such Commission; and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and En-

rolled Bills begs leave to report Senate Bill No. 49 correctly engrossed.

BOYER, Chairman.

The Presiding Officer signed, in open session, Engrossed Senate Bill No. 49 and ordered the same transmitted to the Honorable House, for consideration.

SPECIAL COMMITTEE REPORT

Senator Ferguson submitted the following Special Committee Report, which was adopted, upon motion of Senator Ferguson:

MR. PRESIDENT:

We, your Special Committee appointed to consider House Bill No. 137—by Watson, Brown, Hester, Mauk and Paul, entitled:

An Act amending Section 9606, Compiled Oklahoma Statutes of 1921, as amended by House Bill 139, Chapter 135, Session Laws of 1925, relating to assessment and taxation of property of corporations, and repealing Section 9962, Compiled Oklahoma Statutes, 1921, and all Acts and parts of Acts in conflict herewith, and declaring an emergency,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the substitute bill attached hereto be adopted in lieu thereof.

Respectfully submitted,

FERGUSON,
GULAGER,
COMMONS.

House Bill No. 137, as amended, was read and considered.

Upon motion of Senator Ferguson, HOUSE BILL NO. 137, by Watson, et al, was advanced to engrossment and third reading.

The Presiding Officer announced the Senate at ease, subject to the call of the Chair.

The Senate reassembled, with Senator Stigler presiding.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE JOINT RESOLUTION NO. 35
—By BRIGGS, BABB, KIDD, BELEW, ROE, LESTER, WHITAKER, BLACK, HINES, NANCE and BOYDSTUN of the House, and STIGLER, HARPER, ANDREWS, BOYER, STORMS and THOMAS of the Senate, entitled:

A Joint Resolution appropriating Twenty Thousand Four Hundred Seventy-five Dollars (\$20,475.00) for salaries, maintenance, repairs and equipment for the Eastern Oklahoma College at Wilburton, and the Cameron State School of Agriculture at Lawton, Oklahoma, to be used and expended for the remainder of the fiscal year ending June 30, 1929,

and to inform you, and through you, the Honorable Sen-

ate, that the same has been passed by the House of Representatives, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 402—By PATTERSON, entitled:

An Act providing the compensation for the County Attorney, and providing for the appointment and compensation of deputies, assistants and stenographers for certain county offices, of Seminole County, Oklahoma; and repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency,

ENROLLED HOUSE BILL NO. 209—By BARRY, entitled:

An Act providing for the salaries of the County Commissioners of Okfuskee County, Oklahoma; and declaring an emergency,

ENROLLED HOUSE BILL NO. 39—By MITCHELL and PERRYMAN, entitled:

An Act authorizing the County Attorney of certain counties of the State of Oklahoma whose population was not less than 36,536, nor more than 36,636 as shown by the last federal census, to appoint a County Evidence man, fixing his salary, providing for traveling expenses and repealing all laws in conflict therewith.

ENROLLED HOUSE BILL NO. 359—By JACOBS of the House and NESBITT of the Senate, entitled:

An Act deferring re-sale of real estate for delinquent taxes in counties having a population of not less than 18,406 nor more than 18,425 according to the official federal census for the year 1920, repealing all Acts or parts of Acts in conflict herewith; and declaring an emergency.

ENROLLED HOUSE BILL NO. 424—By CLOYD, entitled:

An Act authorizing the Board of County Commissioners of Cleveland County, Oklahoma, to make, and the County Excise Board of Cleveland County, Oklahoma, to approve an estimate for the purchase of grounds and the erection of buildings for the Free County Fair purposes to be the exclusive property of Cleveland County, Oklahoma; etc.

ENROLLED HOUSE BILL NO. 423—By CLOYD, entitled:

An Act authorizing the County Superintendent of Cleveland County, Oklahoma, to appoint by, and with the consent and approval of the County Commissioners of said County, an assistant county superintendent, having the same qualifications as are required by law of a County Superintendent, at a salary of \$1,200.00 per annum, and declaring an emergency.

ENROLLED HOUSE BILL NO. 338—By PHILLIPS, entitled:

An Act deferring re-sale of real estate for delinquent taxes in counties having a population of not less than 20,850 nor more than 20,875, according to the official federal

census for the year 1920, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency,

and to advise you, and through you, the Honorable Senate that the same have been read for the fourth time and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

House Bills Nos. 39, 209, 338, 359, 402, 423 and 424 were, each, read for the fourth time, the enrolled copies signed by the Presiding Officer and ordered returned to the Honorable House.

To The President of the Senate,

SIR:

I am directed by the House of Representatives, to return herewith:

ENROLLED SENATE BILL NO. 215—By FERGUSON (Senate), and WEBBER (House), entitled:

An Act creating a fund in Pawnee County hereby designated "Court House Fund," limiting said fund to Two Hundred Thousand Dollars; converting the sinking fund of said county, not anticipated by bonded indebtedness or judgments, into "Court House Fund," authorized the annual levy and collection of a tax on all taxable property in said county of not to exceed one mill on the dollar, etc.

ENROLLED SENATE BILL NO. 216—By LOOFBOURROW (Senate), and ALLEN (House), entitled:

An Act authorizing the appointment of a Deputy

County Assessor, in Harper County, Oklahoma, and providing for the fixing of the salary thereof, and declaring an emergency,

and to inform you, and through you, the Honorable Senate that the same have been read for the fourth time and signed by the Speaker in open session.

Yours Very Truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bills Nos. 215 and 216 were each referred to the Governor for consideration.

President Pro Tempore Storms presiding.

SPECIAL COMMITTEE REPORT

Senator Loofbourrow submitted the following Special Committee Report:

MR. PRESIDENT:

We, your Committee appointed to draft a citation to be served on State Senator John L. Rice, beg leave to report we have drafted such citation which is hereto attached.

WADE H. LOOFBOURROW,
W. J. OTJEN,
TOM ANGLIN.

CITATION

TO JOHN L. RICE, State Senator, Fourteenth
Senatorial District of the State of Oklahoma:

WHEREAS, there appeared in the Oklahoma News of March 22, 1929, a copy of a purported letter from you to Carl Magee of The Oklahoma News, the same reading as follows:

"I am writing this letter at the noon hour and probably four hours before the vote on the impeachment will be taken.

"At present it looks to me like the wolves have got Henry S. Johnston. They have been on his trail since the day of his nomination.

"I personally know that if a man wants to sell his soul in this infamous trial he can receive the cash in exchange therefor, but I am not unmindful of the great truth expounded by the Savior when propounded the great question. "What does it avail a man if he gain the world and lose his soul?"

"I cannot help but think that you with your knowledge and skill along lines of news gathering are perfectly familiar with the foul tactics being pursued in the purchase of votes in this case.

"I know that I have had ample opportunity to sell out, but I prefer to remain a poor man at peace with my soul.

"However, I do think that your dirty flings at men who are voting for conviction instead of pelf are so unworthy of your grand calling as to shame even you in your sober minutes."

AND WHEREAS, you state in this letter set out above that you were approached and offered money to vote for impeachment of Henry S. Johnston,

AND WHEREAS, you further charge that votes of Senators were purchased in this proceeding which you allege to be an infamous trial.

NOW, THEREFORE, you are hereby commanded to appear before the State Senate in the Senate Chamber in the Senate Capitol Building at Seven o'clock, p. m., Friday, March 22, 1929, to make such statements and to present such testimony as you may see fit to substantiate the charges you have made to the end that anyone guilty as charged, if any there be, may be dealt with as the Senate may direct. You may be represented by counsel if you desire.

You are aware of the seriousness of these charges and because of this, it is necessary that an immediate and thorough hearing should be held, so that the charges, if justified, be sustained and if unjustified, that you be dealt with as justice may demand.

Issued by order of the State Senate of the State of Oklahoma, this 22nd day of March, 1929.

Senator Loofbourrow asked unanimous consent, which was granted, to amend the citation by striking the word, "summarily," in line 8, page 2, of the typewritten citation, and adding, after the word, "with," in said line 8, page 2, the words, "as justice may demand."

LOOFBOURROW.

Upon motion of Senator Loofbourrow, the Committee Report was adopted, following the amending of the citation.

Upon motion of Senator Loofbourrow, the President Pro Tempore of the Senate was instructed to sign the Citation, properly attested by the Secretary of the Senate.

Upon motion of Senator Loofbourrow, the Sergeant-at-Arms was directed to immediately serve a copy of the Citation upon Senator John L. Rice.

MESSAGE

The following Message from the Honorable House was received and read:

To The President of The Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 33,—By CLOYD and LOGAN, entitled:

An Act repealing Section 9528, Compiled Oklahoma Statutes, 1921, and Chapter 7, Oklahoma Session Laws of 1928; relating to public libraries of cities and towns and special tax levies therefor; repealing all acts or parts of acts in conflict therewith, and declaring an emergency.

ENROLLED HOUSE BILL NO. 324—By STRICKLAND and WIMBISH, entitled:

An Act providing for the appointment of additional deputy county assessors in Pontotoc County, Oklahoma, fixing their compensation and term of office and declaring an emergency.

ENROLLED HOUSE BILL NO. 409—By HOUSTON, and FARR of the House, and EWING of the Senate, entitled:

An Act providing for an extra deputy sheriff for Logan County, State of Oklahoma, fixing his salary, and repealing all laws in conflict herewith and declaring an emergency,

and to advise you, and through you, the Honorable Senate that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bills Nos. 33, 324 and 409 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

RESOLUTION

Senator Williamson asked unanimous consent of the Senate, which was granted, to introduce the following Senate Resolution, which was read at length:

SENATE RESOLUTION NO. 19—By WILLIAMS and COMMONS.

A RESOLUTION PROVIDING FOR THE INVESTIGATION OF CHARGES UTTERED AND PUBLISHED BY SENATOR JOHN L. RICE.

WHEREAS, Senator John L. Rice has written and caused to be published and circulated in the Oklahoma News, a daily newspaper, under date of March 22nd, 1929, a letter and article which is as follows:

**"OUSTER VOTES 'PURCHASED,' RICE CHARGES
Cash Offers for Senate Aid Claimed.**

**EL RENO SOLON INFERS HE COULD HAVE SOLD
TO JOHNSTON FOES.**

TRIAL CALLED 'FOUL'

**Letter Written Before Removal of Governor
Received By Magee.**

Charges that votes of some Senators were purchased to secure the ouster of Henry S. Johnston, as governor were made by Sen. John L. Rice in a letter received Friday by Carl C. Magee, editor of The News.

The letter was written four hours before the impeachment vote was taken Wednesday, but did not reach Magee until Friday when he returned to the city after an absence of three days.

Rice intimated he could have sold his vote, but that he preferred to 'remain a poor man at peace with my soul.'

The El Reno senator said he knew personally that a man could sell his vote. He criticized Magee for his editorial comment during the impeachment proceedings.

SENATOR RICE'S LETTER.

The letter in full follows:

"I am writing this at noon hour and probably four hours before the vote on the impeachment will be taken.

“At present it looks to me like the wolves have got Henry S. Johnston. They have been on his trail since the day of his nomination.

“I personally know that if a man wants to sell his soul in this infamous trial, he can receive the cash in exchange therefor, but I am not unmindful of the great truth expounded by the Saviour when He propounded the great question “What does it avail a man if he gain the world and lose his soul?”

FOUL TACTICS ALLEGED.

“I can not help but think that you, with your knowledge and skill along lines of news gathering, are perfectly familiar with the foul tactics being pursued in the purchase of votes in this case.

“I know that I have had ample opportunity to sell out but I prefer to remain a poor man at peace with my soul.

“However, I do think that your dirty flings at men who are voting for conviction instead of pelf are so unworthy of your grand calling as to shame even you in your sober minutes.”

AND WHEREAS, said charges so made involve the honor and integrity of a large proportion of the membership of this body, and the said John L. Rice having been formally cited to appear at 7 o'clock, p. m., this date, before the bar of the Senate to substantiate and explain said charges and the details thereof, and it becoming necessary to provide for the orderly procedure of such investigation and for the preservation of a record thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE
STATE SENATE:

THAT the President Pro Tempore be, and he is hereby authorized and directed to appoint a committee of five members who shall immediately proceed to arrange for the conducting of said investigation and the record of proceedings therein; and that said committee be and is hereby authorized and empowered to incur such expense as is reasonably necessary to carry out the purpose of such investigation.

Senator Williamson moved that the rules be suspended and immediate consideration given Senate Resolution No. 19, which motion prevailed.

Upon motion of Senator Williamson, Senate Resolution No. 19 was adopted.

Senate Resolution No. 19 was referred for engrossment.

President Pro Tempore Storms appointed, as the Special Investigating Committee, under Senate Resolution No. 19, Senators Anglin, Loofbourrow, Otjen, Commons and Williamson.

Upon motion of Senator Smith, the hearing, provided for in the citation, issued to Senator John L. Rice, was ordered open to the public.

Upon motion of Senator Otjen, HOUSE BILL NO. 295, by Hutchinson and Cloyd, of the House, and Otjen, of the Senate, was ordered withdrawn from the Committee on Revenue and Taxation and placed upon the calendar.

Upon motion of Senator Harper, the vote was reconsidered by which the Senate voted to adjourn on this legislative day, to convene under the rules on Monday, March 25, 1929.

Upon motion of Senator Boyer, HOUSE BILL NO. 345, by Nance, of the House, and Boyer, of the Senate, was ordered withdrawn from the Committee on Municipal Corporations and placed upon the calendar.

GENERAL ORDER

SENATE BILL NO. 77, by Clark, was taken up for consideration.

Section 1 was read.

Senator Jolly submitted the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 77, line 3, page 1, by inserting after the word, "all," and before the word "Chattel," the following, "Treasurers' daily reports more than 5 years old; original tax assessment sheets more than 10 years old; tax assessment books more than 10 years old; treasurers' duplicate tax receipts more than 5 years old."

JOLLY.

Upon motion of Senator Moore, further consideration of Senate Bill No. 77 was indefinitely postponed.

Upon motion of Senator Johnson (Pottawatomie), HOUSE BILL NO. 8, by Byrum, et al., was ordered withdrawn from the Committee on Public Service Corporations, if not reported out before the end of one more legislative day.

Upon motion of Senator Smith, the Senate recessed, to meet at 7:00 o'clock, p. m.

EVENING SESSION

At 7:00 o'clock, p. m., the Senate reassembled, with the President Pro Tempore presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolution No. 13, correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Concurrent Resolution No. 13, and ordered the same transmitted to the Honorable House for further consideration.

MESSAGE

The following message from the Honorable House was received and read:

To The President of the Senate,
SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 421—By HARVEY,
entitled:

An Act fixing the salaries of the Deputy Court Clerk,

Deputy County Treasurer and County Court Stenographer of Kiowa County, Oklahoma, repealing all acts or parts of acts in conflict herewith.

ENROLLED HOUSE BILL NO. 378—By BYRUM and PATTERSON, entitled:

An Act governing cities of the first class, situated in two counties, having a population of 20,000 or less, as shown by any legal census; designating the elective officers thereof; regulating the salaries, power and duty of said officers; defining the powers, duties and authority of the County Excise Boards of each County of which said city is a part; defining wards, regulating the making of the annual estimate of said city and requiring the County Clerk of each County of which the city is a part to make certain reports; repealing all acts or parts of acts in conflict herewith, and declaring an emergency.

ENROLLED HOUSE BILL NO. 428—By MITCHELL and PERRYMAN of the House, and EASTER of Senate, entitled:

An Act authorizing the appointment of an assistant County Superintendent of Public Instruction of Osage County, Oklahoma; fixing the salary; providing for the payment thereof; repealing all laws and declaring an emergency,

and to inform you and through you the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bills Nos. 378, 421 and 428 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

The hearing, provided for under Senate Resolution No. 19, was held and continued until Monday, March 25, at 10:00 o'clock, a. m.

Senator Moore served notice that he would, on the next legislative day, move to reconsider the vote by which HOUSE BILL NO. 8, by Byrum, et al., was ordered withdrawn from the Committee on Public Service Corporations, if not reported out before the end of one more legislative day.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 26—By CHAPPELL and TILLERY, entitled:

An Act creating an additional Judgeship in Judicial District No. 12.

ENGROSSED HOUSE BILL NO. 346—By NANCE of the House and BOYER of the Senate, entitled:

An Act to authorize cities and towns, in Oklahoma, whether acting under the General Law or Freeholders' Charter, that have issued street improvement bonds under and by virtue of the authority of Chapter 10, Article 12, Revised Laws, 1910, or Chapter 176, Session Laws, 1919,

to refund said bonds, to levy and collect assessments, to pay such bonds, and to provide for cancellation of any or all prior assessments and penalties, together with penalty and interest, by and with written consent of and under contracts with the holder or holders of any series of such bonds, and to provide a procedure therefor; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 6—By STRICKLAND, BYRUM, FISCHL, HARROWER, WHITT, and HESTER, entitled:

An Act amending Section 10007, Compiled Oklahoma Statutes, 1921, and providing for the collection of and accounting for funds collected, authorizing the exemption of townships or counties therefrom, repealing Section 10033, Compiled Oklahoma Statutes, and all other Acts or parts of Acts in conflict therewith.

ENGROSSED HOUSE BILL NO. 284—By ROPER, WHITAKER, SNODDY, DRAKE, MAUK, HARVEY, WATSON, KIGHT, MATHERLY, SHERMAN, TRENT, BUNCH, LANGLEY, PARKER, FERGUSON, HERSCHBERGER, CARMICHAEL, SMITH, HESTER, HINES, GRAHAM, HUTCHINSON, BUTLER, PERRYMAN and PHILLIPS, entitled:

An Act repealing Chapter 71, of the Session Laws of 1927, and creating a Highway Commission; providing for the appointment and procedure of removal of said Commission; providing for tenure of office, salaries of such Commission; and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 35—By BRIGGS, BABB, KIDD, BELEW, ROE, LESTER, WHITAKER, BLACK, HINES, NANCE and BOYDSTUN

of the House, and STIGLER, HARPER, ANDREWS, BOYER, STORMS and THOMAS of the Senate, entitled:

A Joint Resolution appropriating Twenty Thousand Four Hundred Seventy-five Dollars (\$20,475.00) for salaries, maintenance, repairs and equipment for the Eastern Oklahoma College at Wilburton, and the Cameron State School of Agriculture at Lawton, Oklahoma, to be used and expended for the remainder of the fiscal year ending June 30, 1929, and declaring an emergency.

Senator Harper moved that the Senate adjourn, to meet at 10 o'clock, a. m., Saturday, March 23, 1929.

Senator Gulager, as a substitute, moved that the Senate adjourn, to meet Monday, March 25, at 10:00 o'clock, a. m., which motion prevailed.

SIXTY-SIXTH LEGISLATIVE DAY

MONDAY, MARCH 25TH, 1929

The Senate, pursuant to adjournment, met at 10:00 o'clock a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Ray, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 37.

Absent: Pullen, Reed. Total, 2.

Excused: Commons, Hill, Johnson (Creek), Otjen, Rexroat. Total, 5.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

HOUSE JOINT RESOLUTION NO. 35—By BRIGGS, BABB, KIDD, BELEW, ROE, LESTER, WHITT, BLACK, HINES, NANCE and BOYDSTUN, of the House, and STIGLER, HARPER, ANDREWS, BOYER, STORMS and THOMAS, of the Senate.—Referred to Committee on Appropriations.

HOUSE BILL NO. 284—By ROPER, WHITAKER, SNODDY, DRAKE, MAUK, HARVEY, WATSON, KIGHT, MATHERLY, SHERMAN, TRENT, BUNCH, LANGLEY, PARKER, FERGUSON, HERSCHBEGGER, CARMICHAEL, SMITH, HESTER, HINES, GRAHAM, HUTCHINSON, BUTLER, PERRYMAN and PHILLIPS.

Upon motion of Senator Anglin, the rules of the Senate were suspended and HOUSE BILL NO. 284, by Roper, et al., was ordered placed upon the calendar, without reference to a Committee.

HOUSE BILL NO. 26—By CHAPPELL and TILLERY.—Referred to Committee on Judicial and Legislative Apportionment.

HOUSE BILL NO. 346—By NANCE, of the House, and BOYER, of the Senate.—Referred to Committee on Municipal Corporations.

HOUSE BILL NO. 6—By STRICKLAND, BYRUM, FISCHL, HARROWER, WHITT and HESTER.—Referred to Committee on State and County Affairs.

Upon motion of Senator Anglin, HOUSE BILL NO. 284, by Roper, et al., was made a special order at 2 o'clock, p. m., this legislative day.

The Special Investigation, provided for under Senate Resolution No. 19, proceeded with its duties.

The Committee, provided for under Senate Resolution No. 19, announced the Special Investigation recessed, subject to the call of said Committee.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Resolutions Nos. 18 and 19, House Bills Nos. 48 and 137 all correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Resolutions Nos. 18 and 19 and referred each, for enrollment.

SPECIAL ORDER—THIRD READING

HOUSE BILL NO. 434 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Patton, Peck, Powers, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Anglin, Moore, Ray, Stigler. Total, 4.

Absent: Pullen, Reed. Total, 2.

Excused: Commons, Hill, Johnson (Creek), Otjen, Rexroat. Total, 5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Patton, Peck, Powers, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Anglin, Moore, Ray, Stigler. Total, 4.

Absent: Pullen, Reed. Total, 2.

Excused: Commons, Hill, Johnson (Creek), Otjen, Rexroat. Total, 5.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 434, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 137 was read for the third time at length.

Upon motion of Senator Loofbourrow, further consideration of House Bill No. 137 was made a Special Order for 1:30 o'clock, p. m.

HOUSE BILL NO. 53 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Ray, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Anglin, Clark, Darnell, Ewing, Peck, Powers, Rice. Total, 7.

Absent: Pullen, Reed. Total, 2.

Excused: Commons, Hill, Johnson (Creek), Otjen, Rexroat. Total 5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Austin, Blakely, Boyer, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper,

Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Ray, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Anglin, Clark, Darnell, Ewing, Peck, Powers, Rice. Total, 7.

Absent: Pullen, Reed. Total, 2.

Excused: Commons, Hill, Johnson (Creek), Otjen, Rexroat. Total 5.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 53 and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 48 was read for the third time at length.

Senator Austin asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 48, by substituting for the last paragraph thereof, the following: "That the treasurer of said association be required to file with the court clerk of the county of which the association is organized a surety bond, running in the name of the State of Oklahoma, said bond to be approved by the court clerk of such county and to be conditioned

that the funds of the association will be held and applied as a trust fund to be paid out only in accordance with the purposes of the association, which bond shall, at all times, be equal to the amount of the trust fund on hand in such association, and, in no event to be less than One Thousand (\$1,000.00) Dollars."

AUSTIN.

By unanimous consent, further consideration of House Bill No. 48 was deferred, to be taken up immediately following the noon recess.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO 13—By FERGUSON and STEWART of the Senate, and SNODDY and JONES (Stephens) of the House, entitled:

A Resolution urging the President to promote the Honorable Arthur H. Geissler to an Ambassadorship,

and to advise you, and through you, the Honorable Senate, that the same has been adopted by the House, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL,
Chief Clerk.

Engrossed Senate Concurrent Resolution No. 13 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you and through you the Honorable Senate that the Speaker has appointed:

Messrs. 1—MOON
2—HARROWER
3—BOYDSTUN

as conferees on

HOUSE BILL NO. 335—By MOON, HARROWER and BOYDSTUN, entitled:

An Act amending Chapter 202 (House Bill No. 392), Session Laws of 1925, empowering Muskogee County to levy and collect an annual tax for the use and benefit of the Free Oklahoma State Fair at Muskogee, Oklahoma, regulating the expenditure thereof, and declaring an emergency.

Yours very truly,

BERT McDONEL,

Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the House has concurred in Senate Amendments to

ENGROSSED HOUSE BILL NO. 421—By HARVEY, entitled:

An Act fixing the salaries of the Deputy Court Clerk, Deputy County Treasurer and County Court Stenographer of Kiowa County, Oklahoma, repealing all acts or parts of acts in conflict herewith and declaring an emergency,

and same has been passed by the House, as amended, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL,

Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

HOUSE BILL NO. 426—By BOYDSTUN and HARROWER, entitled:

An Act making a deficiency appropriation for the Connors School of Agriculture for the years of 1928 and 1929, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL,

Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 261—By MOON and DYER, entitled:

An Act amending Sections 1, 2 and 5, of Chapter 45, Session Laws of 1925, relating to Fish and Game Commission, providing certain qualifications, and manner of removal from office, fixing salaries and expenses, prescribing duties and powers, authorizing condemnation proceedings for acquiring lands, repealing all acts or parts of acts in conflict herewith, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL,
Chief Clerk.

Senator Graham presiding.

House Bill No. 261 was read for the fourth time, the enrolled copy signed by the Presiding Officer, Senator Graham, and ordered returned to the Honorable House.

Upon motion of Senator Wheatley, the Senate recessed, to meet at 1:30 o'clock, p. m.

AFTERNOON SESSION

The Senate reassembled, at 1:30 o'clock, p. m., with President Pro Tempore Storms presiding.

Senators Hill, Johnson (Creek) and Rexroat asked to be recorded present, which was the order of the Chair.

HOUSE BILL NO. 48, being unfinished business, was taken up for further consideration.

There being no further amendments offered, House Bill No. 48 was placed upon third reading and final passage.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Darnell, Easter, Ferguson, George, Graham, Gray, Harper, Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Ray, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Nays: Gulager, Powers, Williamson. Total, 3.

Not Voting: Blakely, Ewing, Fidler, Hill, Johnson (Creek), Jolly. Total, 6.

Absent: Pullen, Reed. Total, 2.

Excused: Commons, Otjen. Total 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Boyer, Clark, Darnell, Easter, Ferguson, George, Graham, Gray, Harper, Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Ray, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Nays: Gulager, Powers, Williamson. Total, 3.

Not Voting: Blakely, Ewing, Fidler, Hill, Johnson (Creek), Jolly. Total, 6.

Absent: Pullen, Reed. Total, 2.

Excused: Commons, Otjen. Total 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Bill No. 48, as amended, was referred for re-engrossment.

HOUSE BILL NO. 137, by Watson, having been made a Special Order, was considered further.

Senator Ferguson moved that House Bill No. 137, by Watson, be stricken from the calendar.

Senator Kimerer moved that the Ferguson motion be tabled, which motion failed of adoption.

Senator Williamson, as a substitute, moved that House Bill No. 137 be referred to Judiciary Committee No. 1, with instructions to report on or before 2:00 o'clock, p. m., Tuesday, March 26, at which time consideration of the bill be taken up as a Special Order, which motion prevailed.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 48 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 48, as amended, and ordered the same returned to the Honorable House, for consideration.

HOUSE BILL NO. 284, by Roper, et al., having been made a Special Order for 2 o'clock, p. m., was taken up for consideration.

Section 1 was read.

Senator Moore submitted the following amendment, which was tabled, upon motion of Senator Anglin:

Mr. President: I move to amend House Bill No. 284, line 19, page 1, of the typewritten bill, by adding after the word, "office," and before the word and figure, "Section 2," the following: "Such member shall be suspended from office by the court, at the discretion of said court, wherein such charges are brought, pending the final determination thereof by the Supreme Court, and the Governor shall have the right to fill such office during the suspension of such Commissioner and such appointee shall hold office until the final determination of said charges."

MOORE.

Upon motion of Senator Anglin, Section 1 was adopted.

Section 2 was read and adopted, upon motion of Senator Anglin.

Section 3 was read.

Senator Anglin submitted the following amendment:

Mr. President: I move to amend House Bill No. 284, line 35, page 2, of the typewritten bill, by striking the words and figures, "Seven Thousand (\$7,000.00) Dollars," and substituting therefor the words and figures, "Six Thousand (\$6,000.00) Dollars."

ANGLIN.

Senator Ferguson, as a substitute, submitted the following amendment, which was tabled, upon motion of Senator Gray:

Mr. President: I move to amend House Bill No. 284, line 35, page 2, of the typewritten bill, by striking the words and figures, "Seven Thousand (\$7,000.00) Dollars," and substituting therefor the words and figures, "Ten Thousand (\$10,000.00) Dollars."

FERGUSON.

The vote recurring on the Anglin amendment, the same was adopted.

Senator Wheatley submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 284, by adding after the word, "installments," line 36, page 2, of the typewritten bill, the words, "and be allowed their actual and necessary expenses, incurred in the performance of official duty."

WHEATLEY.

Upon motion of Senator Anglin, Section 3, as amended, was adopted.

Section 4 was read and adopted, upon motion of Senator Anglin.

Upon motion of Senator Anglin, the members of the Roads and Highways Committee of the Senate were added as joint authors of House Bill No. 284.

Senator Wheatley asked unanimous consent, which was granted, to amend the title of House Bill No. 284, by adding after the word, "salaries," in line 5, of the title of the bill, the words, "and expenses."

WHEATLEY.

Upon motion of Senator Anglin, House Bill No. 284, as amended, was advanced to engrossment and third reading.

SPECIAL ORDER—GENERAL ORDER

HOUSE JOINT RESOLUTION NO. 36, by Graham, Dixon, et al., was taken up for consideration and read at length.

Upon motion of Senator Anglin, House Joint Resolution No. 36 was advanced to engrossment and third reading.

HOUSE BILL NO. 437, by Black, was considered.

Section 1 was read.

Senator Boyer submitted the following amendment, which was adopted;

Mr. President: I move to amend House Bill No. 437, by substituting the following as Section 1: "Section 1. The salary of the jailor of Comanche County, Oklahoma, is hereby fixed at the sum of \$115.00, per month; the salary of the deputy court clerk of said county is hereby fixed at \$115.00, per month; the salaries of the first and second deputy county treasurers of said county are hereby fixed at \$115.00, per month, each, and the salaries of the two deputy court clerks of said county are hereby fixed at \$115.00, per month, each."

BOYER.

Upon motion of Senator Boyer, Section 1, as amended, was adopted.

Senator Boyer asked unanimous consent, which was granted, to amend the title of House Bill No. 437, by substituting the following therefor: "AN ACT FIXING THE SALARY OF THE JAILOR AND THE SALARIES OF CERTAIN DEPUTY COUNTY OFFICERS OF COMANCHE COUNTY, OKLAHOMA; REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT THEREWITH AND DECLARING AN EMERGENCY."

BOYER.

Upon motion of Senator Boyer, House Bill No. 437, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Boyer, HOUSE BILL NO. 140, by Jones (Stephens), after having been read at length, was advanced to engrossment and third reading.

GENERAL ORDER

SENATE BILL NO. 191, by Anglin, was called up for consideration by its author.

Sections 1, 2, 3 and 4 were read and adopted, upon motions of Senator Anglin.

Upon motion of Senator Anglin, Senate Bill No. 191 was advanced to engrossment and third reading.

SENATE BILL NO. 52, by Anglin, was called up for consideration by its author.

Section 1 was read and adopted, upon motion of Senator Anglin.

Upon motion of Senator Anglin, Senate Bill No. 52 was advanced to engrossment and third reading, roll call thereon being as follows:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Easter, George, Gray, Harper, Johnson (Creek), Johnson (Pott.), Jolly, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Ray, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Williams, Williamson. Total, 28.

Nays: Darnell, Ferguson, Graham, Kimerer, Terwilleger, Wheatley. Total, 6.

Not Voting: Ewing, Fidler, Gulager, Hill, Peck, Thomas. Total, 6.

Absent: Pullen, Reed. Total, 2.

Excused: Commons, Otjen. Total, 2.

Upon motion of Senator Anglin, the rules of the Senate were suspended and Senate Bill No. 52 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 52 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Easter, Fidler, George, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pott.), Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Ray, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 30.

Nays: Darnell, Ewing, Ferguson, Graham, Hill, Kimerer, Wheatley. Total, 7.

Not Voting: Clark, Jolly, Peck. Total, 3.

Absent: Pullen, Reed. Total, 2.

Excused: Commons, Otjen. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Easter, Ewing, Fidler, George, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pott.), Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Powers, Ray, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 32.

Nays: Darnell, Ferguson, Graham, Hill, Kimerer, Wheatley. Total, 6.

Not Voting: Jolly, Peck. Total, 2.

Absent: Pullen, Reed. Total, 2.

Excused: Commons, Otjen. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 52 was referred for engrossment.

Senator Graham sent up the following explanation of his vote on Senate Bill No. 52:

Mr. President: I vote against Senate Bill No. 52, because it applies to city high schools, when it should apply solely to rural weak schools.

GRAHAM.

Senator Gulager moved that SENATE BILL NO. 193, by Ferguson, Andrews, Austin, Hill, Smith, Gulager, Graham, and Darnell, be advanced to engrossment and third reading.

Senator Ray, as a substitute, moved that Senate Bill No. 193, by Ferguson, et al., be referred to the Committee on Banks and Banking, which motion failed of adoption.

The vote recurring on the Gulager motion, the same was adopted.

Senator Gulager moved that the rules of the Senate be suspended and Senate Bill No. 193 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

SENATE BILL NO. 193 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Clark, Darnell, Ferguson, Graham, Gray, Gulager, Hill, Johnson (Pott), Jolly, MacDonald, Moore, Nesbitt, Patton, Rexroat, Smith, Storms, Williams, Williamson. Total, 21.

Nays: Blakely, Boyer, Easter, Ewing, Fidler, George, Kimerer, Loofbourrow, Powers, Ray, Rice, Stewart, Terwilleger. Total, 13.

Not Voting: Harper, Johnson (Creek), Peck, Stigler, Thomas, Wheatley. Total, 6.

Excused: Commons, Otjen. Total, 2.

Absent: Pullen, Reed. Total, 2.

The Bill having failed to receive the constitutional majority of the votes of all members elected to and constituting the Senate was declared failed of passage.

Senator Anglin served notice that he would, on the next legislative day, move to reconsider the vote by which Senate Bill No. 193 failed of passage.

SENATE BILL NO. 143, by Terwilleger, was taken up for consideration.

Section 1 was read.

Senator Terwilleger submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 143, line 8, page 3, by striking after the word, "of," the word, "Tulsa," and inserting blank space; and in line 9, page 3, by striking after the word, "of," the word, "Tulsa," and inserting blank space; and in line 12, page 4, by striking after the word, "of," and before the word, "county," the word, "Tulsa," and inserting blank space."

TERWILLEGER.

Senator Terwilleger submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 143, line 7, page 2, by striking after the word, "on," and before the word, "or," the words, "both real and personal property," and inserting in lieu thereof the words, "either real or personal property or both."

TERWILLEGER.

Upon motion of Senator Terwilleger, Section 1, as amended, was adopted.

Section 2 was read and adopted, upon motion of Senator Terwilleger.

Senator Terwilleger moved that Senate Bill No. 143, as amended, be advanced to engrossment and third reading.

Senator Terwilleger asked unanimous consent, which was granted, to defer further consideration of Senate Bill No. 143.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bills Nos. 52, 152 and 191 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Bill No. 52 and ordered the same transmitted to the Honorable House for consideration.

THIRD READING

SENATE BILL NO. 152 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Pottawatomie), Kimerer, Loofbourrow, MacDonald, Nesbitt, Patton, Powers, Rexroat, Rice, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams. Total, 31.

Nays: 0.

Not Voting: Hill, Johnson (Creek), Jolly, Moore, Peck, Ray, Smith, Thomas, Williamson. Total, 9.

Absent: Pullen, Reed. Total, 2.

Excused: Commons, Otjen. Total, 2.

The Bill having received the constitutional majority

of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Johnson (Pottawatomie), Kimerer, Loofbourrow, MacDonald, Nesbitt, Patton, Powers, Rexroat, Rice, Stewart, Stigler, Storms, Terwilleger, Wheatley, Williams. Total, 31.

Nays: 0.

Not Voting: Hill, Johnson (Creek), Jolly, Moore, Peck, Ray, Smith, Thomas, Williamson. Total, 9.

Absent: Pullen, Reed. Total, 2.

Excused: Commons, Otjen. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 152, and ordered the same transmitted to the Honorable House.

SENATE BILL NO 191 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Nesbitt, Patton, Powers, Ray, Rexroat, Rice, Smith, Stewart, Storms, Terwilleger, Williams, Williamson. Total, 31.

Nays: 0.

Not Voting: Boyer, Harper, Johnson (Creek), Jolly, Moore, Peck, Stigler, Thomas, Wheatley. Total, 9.

Excused: Commons, Otjen. Total, 2.

Absent: Pullen, Reed. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Nesbitt, Patton, Powers, Ray, Rexroat, Rice, Smith, Stewart, Storms, Terwilleger, Williams, Williamson. Total, 31.

Nays: 0.

Not Voting: Boyer, Harper, Johnson (Creek), Jolly, Moore, Peck, Stigler, Thomas, Wheatley. Total, 9.

Excused: Commons, Otjen. Total, 2.

Absent: Pullen, Reed. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 191, and ordered the same transmitted to the Honorable House.

Senator Otjen asked to be recorded present, which was the order of the Chair.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO 218, by COMMONS, HILL, WHEATLEY, ANGLIN and OTJEN, entitled:

An Act providing for employees of the Senate of the Twelfth Legislature sitting as a Court of Impeachment, made necessary by reason of existing emergencies, making appropriation therefor, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House, as amended, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed House Amendment to Senate Bill No. 218 was read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1: That after the word, "now," and before the word, "sitting," the words, "and has been," be inserted in Section 1, line 5.

Upon motion of Senator Anglin, the Senate concurred in House Amendment to Senate Bill No. 218.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ferguson, Fidler, George, Gray, Gulager, Hill, Johnson (Pott.), Jolly, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Ray, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 32.

Nays: Graham. Total, 1.

Not Voting: Ewing, Harper, Johnson (Creek), Kimmerer, Peck, Powers, Rexroat, Wheatley. Total, 8.

Excused: Commons. Total, 1.

Absent: Pullen, Reed. Total, 2.

The Bill, as amended, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

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Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ferguson, Fidler, George, Gray, Gulager, Hill, Johnson (Pott.), Jolly, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Ray, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 32.

Nays: Graham. Total, 1.

Not Voting: Ewing, Harper, Johnson (Creek), Kimmerer, Peck, Powers, Rexroat, Wheatley. Total, 8.

Excused: Commons. Total, 1.

Absent: Pullen, Reed. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members constituting the Senate, was declared passed.

Senator Williamson served notice that he would, on the next legislative day, move to reconsider the vote by which Senate Bill No. 218, as amended, was passed.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE JOINT RESOLUTION NO. 28,
by LOGAN, of the HOUSE, and HARPER of the SEN-
ATE, entitled:

A Resolution providing that the Federal Law governing the hunting of migratory birds shall prevail over the

State Law of the State of Oklahoma; and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

COMMITTEE REPORTS

By unanimous consent, the following Committee Reports were submitted, the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Fees and Salaries, to whom was referred House Bill No. 136, by Boydstun, entitled:

An Act amending Sections 4699 and 4710, of the Compiled Oklahoma Statutes, 1921, relating to cost-deposit of the City Court, and declaring an emergency,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass, as amended.

GULAGER, Chairman.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Engrossed House Bill No. 346, by Nance of the House, and Boyer of the Senate, entitled:

An Act to authorize cities and towns, in Oklahoma, whether acting under the general law or Freeholders

Charter, that have issued street improvement bonds under and by virtue of the authority of Chapter 10, Article 12, Revised Laws, 1910, or Chapter 176, Session Laws, 1919, to refund said bonds, to levy and collect assessments, to pay such bonds, to provide for the retirement of former bonds, and to provide for cancellation of any or all prior assessments and penalties, together with penalty and interest, by and with written consent of and under contracts, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

MacDONALD, Chairman.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 349, by Maxwell, Harrower, Boydston, and Moon of the House, and Fidler of the Senate, entitled:

An Act amending Section 11, of the law known as initiative petition No. 100, relating to ad valorem tax levies, by adding certain exceptions under the sub-title of free fairs; providing for the expenditure of free fair funds for said exceptions. Repealing all laws in conflict herewith, and declaring an emergency,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

FIDLER, Chairman.

Senator Smith moved that the Senate adjourn, to meet at 9:30 o'clock, a. m., Tuesday, March 26th, which motion failed of adoption.

HOUSE BILL NO. 132, by Jones (Greer), was taken up for consideration.

Section 1 was read.

Senator Williams submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 132, line 2, page 2, by adding after the word, "Oklahoma," and before the word, "and," the following, "Provided, however, that the State Board of Affairs shall have the right to contract with competent surgeons to perform such surgical operations, either upon a fee basis for each surgical operation performed, or to enter into a contract with said surgeon or surgeons to perform such operations by the year."

WILLIAMS.

Upon motion of Senator Williams, Section 1, as amended, was adopted.

Section 2 was read and adopted, upon motion of Senator Williams.

Upon motion of Senator Williams, House Bill No. 132, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Gulager, HOUSE BILL NO. 136, by Boydstun, was advanced to engrossment and third reading.

HOUSE BILLS ON FIRST READING

The following bill and resolution were received from the Honorable House and read for the first time:

HOUSE BILL NO. 426—By BOYDSTUN and HARROWER, entitled:

An Act making a deficiency appropriation for the Connors School of Agriculture for the years of 1928 and 1929, and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 28, by LOGAN of the HOUSE, and HARPER of the SENATE, entitled:

A Resolution providing that the Federal Law governing the hunting of migratory birds shall prevail over the State Law of the State of Oklahoma; and declaring an emergency.

Upon motion of Senator Loofbourrow, the Senate adjourned to meet at 11:00 o'clock, a. m., Tuesday, March 26, 1929.

SIXTY-SEVENTH LEGISLATIVE DAY

TUESDAY, MARCH 26TH, 1929

The Senate, pursuant to adjournment, met at 11:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams, Williamson. Total, 42.

Excused: Commons, Ferguson. Total, 2.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 226—By ANGLIN—A Bill to be entitled: An Act making an appropriation to pay for the

support, maintenance, care and upkeep of the governor's mansion from October 1, 1928 to and including March 31, 1929, and declaring an emergency.

SECOND READING

The following bill and resolution were read for the second time and referred to the Committee indicated:

HOUSE BILL NO. 426—By BOYDSTUN and HARROWER.—Referred to the Committee on Appropriations.

ENGROSSED HOUSE JOINT RESOLUTION NO. 28—By LOGAN of the House, and HARPER of the Senate.

Upon motion of Senator Harper, the rules of the Senate were suspended and HOUSE JOINT RESOLUTION NO. 28, by Logan, of the House, and Harper, of the Senate, was ordered placed upon the calendar, without reference to a Committee.

Senator Stewart presiding.

MESSAGES

The following Messages from the Honorable House were received and read for the first time:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 10—By SNODDY and JONES (Stephens) of

the House, and FERGUSON and FIDLER of the Senate, entitled:

A Resolution urging Congress to promote Arthur H. Geissler to an Ambassadorship,

and to inform you, and through you, the Honorable Senate that the same has been adopted by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE JOINT RESOLUTION NO. 19
—By MARKER, entitled:

A Resolution appropriating the sum of six hundred sixty dollars (\$660.00) out of any money in the State Treasury not otherwise appropriated, for fire and police protection of State property and public morals and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 462—By CAMP-BELL and HUTCHINSON of the House, and OTJEN of the Senate, entitled:

An Act fixing the salaries, per diem and mileage allowance for members of the Board of County Commissioners of Garfield County, Oklahoma, repealing all acts in conflict herewith insofar as such acts affect Garfield County, Oklahoma, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 290—By JONES (Greer) and DANIEL, entitled:

An Act amending Section 10,483, Compiled Statutes of Oklahoma, 1921, relating to the formation of Union Graded School Districts, validating Union Graded School Districts heretofore formed comprising territory lying in more than one county; providing for appeals in certain cases, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 429—By MITCHELL and PERRYMAN, entitled:

An Act repealing Chapter 209, of the Sesison Laws of 1927, amending Section 9666, C. O. S., 1921, relating to the assessment of taxable property and providing procedure for such assessment in all counties in the State having a population of not less than 35,000 and not more than 37,400 according to the Federal Census of 1920, or according to any succeeding Federal Census and declaring an emergency.

ENGROSSED HOUSE BILL NO. 454—By MATH-
ERLY, DRAKE and LEWIS, entitled:

An Act repealing Chapter 46, Session Laws of Okla-
homa, 1927, relating to an additional Judge for the Twen-
ty-Second Judicial District of Oklahoma,

and to inform you, and through you, the Honorable Sen-
ate, that the same have been passed by the House of Rep-
resentatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to in-
form you, and through you, the Honorable Senate, that
the House has concurred in Senate Amendments to

ENGROSSED HOUSE BILL NO. 48—By STANLEY,
entitled:

An Act providing, that non-profit sharing associations
that have no capital stock and pay no fees or salaries to
their officers and pay not to exceed one hundred dollars,
as a burial fund to the beneficiary or beneficiaries named
in the certificate issued by them, or only furnish a burial
outfit and burial to those entitled thereto under said cer-
tificate, etc.,

and the same has been passed by the House as amended.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 48—By STANLEY, of the House, and MacDONALD, of the Senate, entitled:

An Act providing, that non-profit sharing associations that have no capital stock and pay no fees or salaries to their officers and pay not to exceed one hundred dollars, as a burial fund to the beneficiary or beneficiaries named in the certificate issued by them, or only furnish a burial outfit and burial to those entitled thereto under said certificate, and which do not make any assessment against their members until and unless the fund on hand in the treasury of the said association will only pay for the burial of one adult entitled to be buried by said association, shall be exempt from the operation and effect of the insurance laws of the State of Oklahoma; and the repeal of all acts or parts of acts in conflict therewith; and declaring an emergency,

and to inform you, and through you, the Honorable Senate, the same has been read for the fourth time, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bill No. 48 was read for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 53—By MAUK, BYRUM, ROPER and THOMAS, entitled:

An Act authorizing County Commissioners to permit Township Officers to use county road machinery and equipment; providing that the township government shall pay the expense, upkeep, maintenance and repair of said machinery when used, repealing all acts and parts of acts in conflict herewith, and declaring an emergency.

and to advise you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bill No. 53 was read for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 434—By SNODDY, entitled:

An Act authorizing the county commissioners of

Woods County, Oklahoma, to make a special levy for the purpose of erecting buildings for the Free Fair Association of said county upon real estate used as exhibit grounds by said Free Fair Association; authorizing said Board of County Commissioners to enter into contracts for the use of said buildings for free fair purposes; and declaring an emergency,

and to inform you, and through you, the Honorable Senate that the same has been read for the fourth time, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bill No. 434 was read for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer, and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 46.—By MacDONALD, entitled:

An Act relating to county free fairs authorizing counties to issue bonds to purchase lands, improve and construct buildings thereon for free fair purposes, authorizing counties that have acquired free fair lands and buildings to make a tax levy to purchase additional lands and make additional free fair improvements, and declaring an emergency,

and to advise you, and through you, the Honorable Senate,

that the same has been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bill No. 46 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 221—By AUSTIN, LOOFBOURROW, WILLIAMS and MOORE, entitled:

An Act continuing the joint committee of the Legislature, provided for by Senate Concurrent Resolution No. 22, after the adjournment of the Twelfth Session of the Legislature, fixing their powers and duties, providing for their per diem and expenses, making an appropriation therefor, and declaring an emergency.

ENGROSSED SENATE BILL NO. 159—By FIDLER, of the Senate, and HOOVER, MARKER and EYLAR, of the House, entitled:

An Act relating to certain duties of the county commissioners of certain counties of the State of Oklahoma having a population in excess of 115,000 inhabitants, as shown by the last preceding, or any future regular federal decennial census, in relation to overseeing and care of the poor, providing for the construction of a hospital under certain conditions, and providing for the maintenance of the same, repealing all Acts or parts of Acts in conflict therewith, and declaring an emergency.

ENGROSSED SENATE BILL NO. 89—By ANGLIN, entitled:

An Act amending Section 1893, Compiled Oklahoma Statutes, 1921, relating to lotteries, and declaring an emergency.

ENGROSSED SENATE JOINT RESOLUTION NO. 18—By OTJEN of the Senate, and HUTCHINSON and CAMPBELL of the House, entitled:

A Joint Resolution authorizing the Oklahoma State institution for feeble minded at Enid and the State board of affairs to purchase an additional twenty-one acres of land, and declaring an emergency.

ENGROSSED SENATE BILL NO. 224—By OTJEN of the Senate, and CAMPBELL and HUTCHINSON of the House, entitled:

An Act providing for the appointment of additional deputies, assistants or employees for any county officer in Garfield County, Oklahoma, and empowering the board of county commissioners to authorize such appointment and fix the salaries of such additional deputies, assistants or employees, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bills Nos. 89, 159, 221, 224 and Engrossed Senate Joint Resolution No. 18 were ordered referred for enrollment.

The following Messages from the Governor were received and read:

March 25, 1929.

To the President and Members
of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed:

SENATE JOINT RESOLUTION NO. 23, entitled:

"A Joint Resolution authorizing the excise board of Haskell County to transfer any unused revenue or funds derived by virtue of a levy for tick eradication in said county for the fiscal year ending June 30, 1928, to the court fund of said county for the fiscal years ending June 30, 1929, and June 30, 1930, and declaring an emergency."

SENATE JOINT RESOLUTION NO. 19, entitled:

"A Resolution transferring and reappropriating certain amounts of balances in funds appropriated at the regular session of the Legislature of the State of Oklahoma for the adjutant general's department for the fiscal year ending June 30, 1929, and declaring an emergency," and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY, Governor.

To the President and Members
of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed:

ENROLLED SENNATE BILL NO. 215, entitled:

"An Act creating a fund in Pawnee County hereby designated "Court House Fund," limiting said fund to two hundred thousand dollars; converting the sinking fund of said county, not anticipated by bonded indebtedness or judgments, into "Court House Fund," authorizing the annual levy and collection of a tax on all taxable property in said county of not to exceed one mill on the dollar, to be added to said fund, etc.

ENROLLED SENATE BILL NO. 216, entitled:

An Act authorizing the appointment of a deputy county assessor, in Harper County, Oklahoma, and providing for the fixing of the salary thereof, and declaring an emergency,"

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY, Governor.

To the President and Members
of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed:

ENROLLED SENATE BILL NO. 66, entitled:

"An Act amending Section 8968, Compiled Oklahoma Statutes, 1921, relating to tubercular sanatoriums, and declaring an emergency."

ENROLLED SENATE BILL NO. 199, entitled:

"An Act to legalize all orders, judgments, proceedings and official acts made, rendered and performed in the superior court of Custer County, Oklahoma, and declaring an emergency."

ENROLLED SENATE BILL NO. 202, entitled:

"An Act to amend Section 4, Chapter 120, Session Laws, 1921, relating to the number of deputies to the county assessor of Carter County, State of Oklahoma, and declaring an emergency."

ENROLLED SENATE BILL NO. 206, entitled:

"An Act creating the office of evidence man in the office of county attorney of Ottawa County, Oklahoma, fixing the salary thereof, and declaring an emergency."

ENROLLED SENATE BILL NO. 208, entitled:

"An Act authorizing and empowering the county commissioners of Cimarron County, Oklahoma, to include a special item in its estimate for the fiscal years ending June 30th, 1930, and June 30th, 1931, for the purpose of erecting buildings and making improvements on the lands owned by the free fair association of Cimarron County, authorizing and empowering the county excise board to make a levy, in addition to the maximum levy for current expense purposes, therefor, and declaring an emergency,"

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY, Governor.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 132, 136, 284, 437, correctly engrossed; and Senate Concurrent Resolution No. 13, Senate Resolutions Nos. 18 and 19 correctly enrolled.

BOYER, Chairman.

The Presiding Officer, in open session, signed Enrolled Senate Resolutions Nos. 18 and 19 and ordered each transmitted to the Secretary of State.

The Presiding Officer, in open session, signed Enrolled Senate Concurrent Resolution No. 13 and ordered same transmitted to the House for the signature of the Speaker.

Upon motion of Senator Storms, House Bills on Third Reading were taken up for consideration.

THIRD READING

HOUSE BILL NO. 284 was read for the third time at length.

Senator Anglin asked unanimous consent, which was granted, to defer further consideration of House Bill No. 284, until the next legislative day.

HOUSE BILL NO. 437 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer,

Clark, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 40.

Nays: 0.

Not Voting: Ray, Terwilleger. Total, 2.

Excused: Commons, Ferguson. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Thomas, Wheatley, Williams, Williamson. Total, 40.

Nays: 0.

Not Voting: Ray, Terwilleger. Total, 2.

Excused: Commons, Ferguson. Total, 2.

The emergency having received the constitutional

two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of House Bill No. 437, and ordered the same transmitted to the Honorable House.

HOUSE JOINT RESOLUTION NO. 36 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Clark, Ray, Reed. Total, 3.

Excused: Commons, Ferguson. Total, 2.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Darnell, Easter, Ewing, Fidler, George, Graham, Gray,

Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Clark, Ray, Reed. Total, 3.

Excused: Commons, Ferguson. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of House Joint Resolution No. 36, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 132 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Wheatley, Williams, Williamson. Total, 38.

Nays: 0.

Not Voting: Clark, Ray, Terwilleger, Thomas. Total, 4.

Excused: Commons, Ferguson. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Wheatley, Williams, Williamson. Total, 38.

Nays: 0.

Not Voting: Clark, Ray, Terwilleger, Thomas. Total, 4.

Excused: Commons, Ferguson. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of House Bill No. 132, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 140 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Darnell, Easter, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 36.

Nays: Gray, Smith. Total, 2.

Not Voting: Clark, Ewing, Ray, Williamson. Total, 4.

Excused: Commons, Ferguson. Total, 2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Darnell, Easter, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 36.

Nays: Gray, Smith. Total, 2.

Not Voting: Clark, Ewing, Ray, Williamson. Total,
4.

Excused: Commons, Ferguson. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of House Bill No. 140, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 136 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Darnell, Easter, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Clark, Ewing, Ray, Storms, Terwilleger. Total, 5.

Excused: Commons, Ferguson. Total, 2.

The Bill having received the constitutional majority

of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Darnell, Easter, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Thomas, Wheatley, Williams, Williamson. Total, 37.

Nays: 0.

Not Voting: Clark, Ewing, Ray, Storms, Terwilleger. Total, 5.

Excused: Commons, Ferguson. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of House Bill No. 136, and ordered the same transmitted to the Honorable House.

Senator Anglin announced the Special Investigating Committee, provided for under Senate Resolution No. 19, ready to proceed with its duties.

Whereupon, the Special Investigating Committee did proceed with the taking of testimony, on the conclusion of which Senator Anglin announced a meeting of the Committee, at 1:00 o'clock, p. m., in his office.

Upon motion of Senator Storms, the Senate recessed, to meet at 1:30 o'clock, p. m.

AFTERNOON SESSION

The Senate reassembled, at 1:30 o'clock, p. m., with President Pro Tempore Storms presiding.

Senator Ferguson asked to be recorded present, which was the order of the Chair.

COMMITTEE REPORTS

The following Special Committee Report was submitted and, upon motion of Senator Austin, adopted:

MR. PRESIDENT:

We, your Committee on Judiciary No. 1, to whom was referred Engrossed House Bill No. 137 by Watson, Brown, Hester, Mauk and Paul, entitled:

An Act amending Section 9606, Compiled Oklahoma Statutes, of 1921, as amended by House Bill No. 139, Chapter 135, Session Laws of 1925, relating to assessment and taxation of property of corporations, and repealing Section 9962, Compiled Oklahoma Statutes, 1921, and all Acts and parts of Acts in conflict herewith, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same, without recommendation. We are prompted to so return it for the reason that, in view of the importance of its provisions, we are unable to give it the full consideration that it deserves; we therefore recommend that no action, at this time, be taken thereon.

AUSTIN, Chairman.

The following Committee Report was submitted, the bill ordered printed and placed upon the calendar:

MR. PRESIDENT:

We, your committee on Appropriations, to whom was referred Engrossed House Bill No. 440 by Head, Sherman, Kight, Graham, Keenan, Patterson, Carmichael, Chappell, Stanley, Moon, Lewis, Snoddy and Ferguson, entitled:

An Act providing for employees of the House of Representatives of the Twelfth Legislature made necessary by reason of an existing emergency, to aid and assist such House in the exercise of its inquisitorial and impeachment powers only, naming their salaries, making an appropriation therefor," beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass as amended by striking lines 3, 4, 5, 6, 7, 8, and 9, on page 2 and lines 2, 3, 4, and 5, on page 3, and inserting in lieu thereof, the following:

Line 3, page 2, 1 Chief Investigator at \$15.00 per day.

Line 4, page 2, 6 Assistant Investigators at each, \$7.00 per day.

Line 5, page 2, 7 Process Servers, at each, \$5.00 per day.

Lines 6, 7, 8, and 9, page 2, Three (3) Assistants to the Board of Managers in obtaining and developing evidence, at each \$1,000.00.

Line 10, page 2, Five (5) Door-keepers at \$4.00 each per day.

Lines 2, 3, 4, and 5, page 3, Court Reporters \$2.00 an hour for reporting proceedings before investigating committees and 50 cents a page for original transcript and 10 cents a page for carbon copies thereof, provided that from February 2, 1929, to March 23, 1929, 45 cents a page for original and 10 cents a page for carbon copies

of transcript shall cover all charges for reporting proceedings before investigating committees.

ANGLIN, Chairman.

MOTION TO RECONSIDER—THIRD READING

Senator Johnson (Creek) moved that the vote be reconsidered by which SENATE BILL NO. 86, by Johnson (Creek), was passed, which motion prevailed.

Upon motion of Senator Johnson (Creek), the vote was reconsidered by which Senate Bill No. 86, by Johnson (Creek), was advanced to engrossment and third reading.

Senator Johnson (Creek), submitted the following amendment, which was adopted, upon motion of Senator Gulager:

Mr. President: I move to amend Senate Bill No. 86, by striking the title, enacting clause and Sections 1 and 2, thereof, and inserting the following:

“AN ACT AMENDING SECTION 2, CHAPTER 16, OKLAHOMA SESSION LAWS OF 1923, RELATING TO THE MAXIMUM RATE OF SPEED A MOTOR VEHICLE MAY BE DRIVEN UPON THE HIGHWAYS IN THE STATE OF OKLAHOMA, FIXING THE PENALTY FOR VIOLATION THEREOF AND DECLARING AN EMERGENCY.

“BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

“SECTION 1. That Section 2, Chapter 16, Oklahoma Session Laws of 1923 be and the same is hereby amended to read as follows:

"Section 2. It shall be unlawful for any person or persons to operate, propel or drive a motor vehicle upon any public highway of the State of Oklahoma at a speed in excess of forty-five miles an hour.

"Any person or persons violating any provision of this Act shall be guilty of a misdemeanor and for the first offense shall be fined not less than \$25.00 and not more than \$100.00 and imprisoned in the county jail for not less than ten days nor more than thirty days, and for the second and each subsequent offense shall be fined not less than \$100.00 and not more than \$1,000.00 or shall be imprisoned in the county jail for a period of time of not less than thirty days nor more than six months, or by both such fine and imprisonment.

"SECTION II. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist by reason whereof this Act shall be in full force and effect from and after its passage and approval."

JOHNSON (Creek).

Upon motion of Senator Johnson (Creek), the name of Senator Gulager was added as a joint author of Senate Bill No. 86.

Upon motion of Senator Johnson (Creek), Senate Bill No. 86, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Gulager, the rules of the Senate were suspended and Senate Bill No. 86, as amended, was considered engrossed and placed upon third reading and final passage.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 39.

Nays: Pullen. Total, 1.

Not Voting: Ewing, Loofbourrow, Williamson. Total, 3.

Excused: Commons. Total, 1.

The Bill, as amended, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 39.

Nays: Pullen. Total, 1.

Not Voting: Ewing, Loofbourrow, Williamson. Total, 3.

Excused: Commons. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 86, as amended, was referred for re-engrossment.

Senator Terwilleger asked unanimous consent to take up for consideration, out of the regular order, SENATE BILL NO. 142, by Terwilleger, to which Senator Wheatley voiced an objection.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE JOINT RESOLUTION NO. 17—By BOYER, STIGLER, BLAKELY of the Senate, and LOGAN, LEWIS, JONES of the House, entitled:

A Joint Resolution making a deficiency appropriation of \$400.00 to pay the balance of the present salary of one assistant attorney general for the fiscal year ending June 30th, 1929, and making an appropriation of \$166.65 to cover the increased salary of one assistant attorney general for the balance of said fiscal year, and declaring an emergency,

and to inform you, and through you, the Honorable Senate that the same has been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Joint Resolution No. 17 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 214—By PATTON and HARPER of the Senate, and ORENDORFF of the House, entitled:

An Act permitting the city of Fort Smith, Arkansas, to acquire, own, improve and operate an air port or flying field in the State of Oklahoma, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency,

ENGROSSED SENATE BILL NO. 205—By ANGLIN, entitled:

An Act making appropriation to pay confederate pensions for the remainder of the fiscal year ending June 30th, 1929, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bills Nos. 205 and 214 were each referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you that the House has reconsidered the action by which it refused to recede from enrollment on

ENROLLED HOUSE BILL NO. 175—By BLACK, entitled:

An Act amending Section 4507, Compiled Oklahoma Statutes, 1921, relating to the right of municipalities to engage in business, acquire, own and maintain public utilities and to issue bonds for said purposes, to be owned exclusively by said municipalities, including the right to enter into lease contract for such public utility; and declaring an emergency,

and to transmit herewith for your further consideration Engrossed House Bill No. 175.

Yours very truly,

BERT McDONEL, Chief Clerk.

Senator Gulager asked unanimous consent, which was granted, to reconsider the vote by which HOUSE BILL NO. 175, by Black, was passed.

Upon motion of Senator Gulager, the vote was reconsidered by which House Bill No. 175, by Black, was advanced to engrossment and third reading.

Senator Gulager submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 175, page 2, preceding Section 2, by adding after the word, "future," the following: "Provided, however, that where the right of eminent domain is exercised, under the provisions of this Act, and any business of a going concern, or profession, theretofore established or engaged in, is affected, the same shall be taken into consideration and proper allowance made therefor; and the same shall be considered as a property right of the owners thereof. Provided, further, that, if the next preceding proviso is held unconstitutional, such fact shall not make invalid any other portions of this act."

GULAGER.

Upon motion of Senator Gulager, House Bill No. 175, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Gulager, the rules of the Senate were suspended and House Bill No. 175, as amended, was considered engrossed and placed upon third reading and final passage.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Ferguson, Jolly, Otjen, Pullen. Total, 4.

Excused: Commons. Total, 1.

The Bill, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Ferguson, Jolly, Otjen, Pullen. Total, 4.

Excused: Commons. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Bill No. 175, as amended, was referred for engrossment.

Upon motion of Senator Easter, HOUSE BILL NO. 26, by Chappell and Tillery, was ordered withdrawn from the Committee on Legislative and Judicial Apportionment, and placed upon the calendar.

Senator Easter asked unanimous consent to advance HOUSE BILL NO. 26, by Chappell and Tillery, to engrossment and third reading, to which Senator Ferguson voiced an objection.

Upon motion of Senator Fidler, HOUSE BILL NO. 349, by Maxwell, et al., of the House, and Fidler of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Fidler, the rules of the Senate were suspended and House Bill No. 349, by Maxwell, et al., of the House, and Fidler of the Senate, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 349 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Angk, Austin, Blakely, Clark, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williamson.
Total, 37.

Nays: Pullen. Total, 1.

Not Voting: Boyer, Ewing, Moore, Wheatley, Williams. Total, 5.

Excused: Commons. Total, 1.

The Bill having received the constitutional majority

of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Clark, Darnell, Easter, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Fott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Reed, Rexroat, Rice, Smith, Stewart, Stigler, Storms, Terwilleger, Thomas, Williams. Total, 37.

Nays: Pullen. Total, 1.

Not Voting: Boyer, Ewing, Moore, Wheatley, Williams. Total, 5.

Excused: Commons. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 349, and ordered the same transmitted to the Honorable House.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 86 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Bill No. 86 and ordered the same transmitted to the Honorable House.

Continuing the matter of the Special Investigation, provided for under Senate Resolution No. 18, Senator Anglin on behalf of the Investigating Committee, submitted the following motion:

Moved by Senator Otjen and seconded by Senator Loofbourrow:

That the Senate of the State of Oklahoma after a full and open hearing of the statements contained in a letter written by Senator John L. Rice, to the effect that improper influences and offers were made to Senators sitting as members of the Court of Impeachment and after examining every witness whose name has been brought into the case and after full opportunity of every person having any knowledge thereof to be heard, the Senate finds and declares that no evidence whatsoever, has been found to warrant or substantiate the statements made in the letter of Senator John L. Rice, and that the statements made in this letter are found to be wholly unfounded and without any justification whatsoever, for the making or writing thereof.

Senator Anglin moved the adoption of the Committee's motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Reed, Rexroat, Smith, Stewart, Stigler, Storms, Terwilliger, Thomas, Wheatley, Williams, Williamson. Total, 41.

Nays: 0.

Not Voting: Ray. Total, 1.

Excused: Commons. Total, 1.

Excused from Voting: Rice. Total, 1.

Senator Anglin moved that the Senate enter the following order, which was read:

BEFORE THE OKLAHOMA STATE SENATE IN
THE MATTER OF THE INVESTIGATION OF CHARGES
AND STATEMENTS MADE BY SENATOR JOHN L.
RICE.

ORDER

Now, on this 26th day of March 1929, the matter of the investigation of certain statements made in a letter by Senator John L. Rice, concerning conduct of members of the Senate in the recent impeachment trial of Henry S. Johnston, having been by the Senate duly considered, and evidence having been received in open session and in the presence of the Senate and of Senator John L. Rice.

And it further appearing that the statements and charges made in said letter written by Senator John L. Rice to one, Carl Magee, dated March 20, 1929, were and are utterly false and without foundation in fact; and it further appearing that said letter as published in the Oklahoma News, a daily newspaper of general circulation in the State of Oklahoma, constitutes conduct unbecoming and unworthy of a member of the Senate of the State of Oklahoma.

And it further appearing that such misconduct constitutes disorderly behavior upon the part of Senator John

L. Rice, and the Senate being well and sufficiently informed and advised in all the premises hereof,

It is therefore, the order and judgment of the Senate of the State of Oklahoma, that because of his improper and unbecoming conduct as heretofore set forth, that said John L. Rice be, and he is hereby relieved and suspended from all duties, compensations and privileges of his said office as State Senator from the Fourteenth Senatorial District, effective of even date hereof and continuing in full force and effect until the time and date of the convening of the next regular or special session of the legislature of the State of Oklahoma, at which time such other and further action will be taken by the Senate as may be in accord with justice and right.

President Pro Tempore.

ATTEST _____

Secretary.

Senators Austin and Andrews submitted the following in lieu of the Order submitted by Senator Anglin:

MR. PRESIDENT:

In lieu of the pending motion, we move that Senator John L. Rice be publicly reprimanded for the offense charged.

AUSTIN and ANDREWS.

Senator Loofbourrow moved to table the substitute motion and, upon taking a standing vote, the substitute motion was declared tabled.

Senator Harper, as a substitute, moved that further consideration of the Order, submitted by Senator Anglin,

be deferred until 10:00 o'clock, a. m., Wednesday, March 27th, which motion prevailed.

Senator Loofbourrow moved that the question of whether or not the Senate has the power to suspend one of its membership and whether or not two-thirds majority of the votes of all members of the Senate are necessary to suspend a member be referred to the Legal Advisory Committee for consideration, which motion prevailed.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 175 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 175, as amended, and ordered the same returned to the Honorable House.

Senator Stigler asked unanimous consent of the Senate, which was granted, to take up for consideration HOUSE BILL NO. 121, by Boydston.

House Bill No. 121 was read at length.

Upon motion of Senator Stigler, House Bill No. 121, by Boydston, was advanced to engrossment and third reading.

Upon motion of Senator Stigler, the rules of the Senate were suspended and House Bill No. 121 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 121 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Reed, Stewart, Stigler, Storms, Thomas, Wheatley, Williamson. Total, 35.

Nays: Ferguson. Total, 1.

Not Voting: Ewing, Pullen, Rexroat, Rice, Smith, Terwilleger, Williams. Total, 7.

Excused: Commons. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Reed, Stewart, Stigler, Storms, Thomas, Wheatley, Williamson. Total, 35.

Nays: Ferguson. Total, 1.

Not Voting: Ewing, Pullen, Rexroat, Rice, Smith, Terwilleger, Williams. Total, 7.

Excused: Commons. Total, 1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 121, and ordered the same transmitted to the Honorable House.

Senator Stigler served notice that he would, on the next legislative day, move to reconsider the vote by which HOUSE BILL NO 136, by Boydstun, was passed.

COMMITTEE REPORTS

By unanimous consent, the following Committee Reports were submitted, adopted, and the bills ordered printed and placed upon the calendar, unless otherwise indicated:

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Engrossed House Joint Resolution No. 21 by Dyer, Bunch, Wasson, Butler, Howard, Lester, Paul, Lee-craft, Smith, Nance, Stovall, et al., entitled:

A Resolution making appropriation to supplement funds raised by certain public spirited citizens, members of Choctaw Indians, to remove and re-locate the old Choctaw Capitol building on the campus of the Southeastern State Teachers College at Durant, Oklahoma, and declaring an emergency, beg leave to report that we had

the same under consideration and herewith return the same without recommendation.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Engrossed House Joint Resolution No. 29, by Houston of the House and Ewing of the Senate, entitled:

An Act appropriating two hundred (\$200.00) dollars for the purpose of removing an obstruction in Cimarron river for protection of State land, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same without recommendation.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Engrossed House Joint Resolution No. 35 by Briggs, Babb, Kidd, Belew, Roe, Lester, Whitt, Black, Hines, Nance and Boydstun of the House, and Stigler, et al., of the Senate, entitled:

"A Joint Resolution appropriating Twenty Thousand Four Hundred Seventy-five (\$20,475.00) Dollars for salaries, maintenance, repairs and equipment for the Eastern Oklahoma College at Wilburton and the Cameron State School of Agriculture at Lawton, Oklahoma, to be used and expended for the remainder of the fiscal year ending June 30, 1929, and declaring an emergency," beg leave to report that we had the same under consideration and herewith return the same without recommendation.

ANGLIN, Chairman.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Engrossed House Bill No. 426 by Boydstun and Harrower, entitled:

An Act making a deficiency appropriation for the Connors' School of Agriculture for the years of 1928 and 1929, and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

Senator Gulager moved that the President Pro Tempore appoint a Committee of 3, for the purpose of conferring with the Governor and the Honorable House, relative to a day certain for sine die adjournment of the 12th legislature.

The motion prevailed and the President Pro Tempore appointed as such committee, Senators Stewart, Gulager and Ferguson.

Senator Williamson served notice that he would, on the next legislative day, move to reconsider the vote by which SENATE BILL NO. 218 was passed on yesterday.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 10—By SNODDY and JONES (Stephens) of the House, and FERGUSON and FIDLER of the Senate, entitled:

A resolution urging Congress to promote Arthur H. Geissler to an Ambassadorship.

ENGROSSED HOUSE JOINT RESOLUTION NO. 19
—By MARKER, entitled:

A Resolution appropriating the sum of six hundred sixty dollars (\$660.00) out of any money in the State Treasury not otherwise appropriated, for fire and police protection of State property and public morals and declaring an emergency.

ENGROSSED HOUSE BILL NO. 462—By CAMPBELL and HUTCHINSON of the House, and OTJEN of the Senate, entitled:

An Act fixing the salaries, per diem and mileage allowance for members of the Board of County Commissioners of Garfield County, Oklahoma, repealing all acts in conflict herewith insofar as such acts affect Garfield County, Oklahoma, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 290—By JONES (Greer) and DANIEL, entitled:

An Act amending Section 10,483, Compiled Statutes of Oklahoma, 1921, relating to the formation of Union Graded School Districts, validating Union Graded School Districts heretofore formed comprising territory lying in more than one county; providing for appeals in certain cases, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 429—By MITCHELL and PERRYMAN, entitled:

An Act repealing Chapter 209, of the Session Laws of 1927, amending Section 9666, C. O. S., 1921, relating to

the assessment of taxable property and providing procedure for such assessment in all counties in the State having a population of not less than 35,000 and not more than 37,400 according to the Federal Census of 1920, or according to any succeeding Federal Census and declaring an emergency.

ENGROSSED HOUSE BILL NO. 454—By MATH-
ERLY, DRAKE and LEWIS, entitled:

An Act repealing Chapter 46, Session Laws of Oklahoma, 1927, relating to an additional Judge for the Twenty-Second Judicial District of Oklahoma.

Upon motion of Senator Smith, the Senate adjourned, to meet at 10:00 o'clock, a. m., Wednesday, March 27, 1929.

SIXTY-EIGHTH LEGISLATIVE DAY

WEDNESDAY, MARCH 27TH, 1929

The Senate, pursuant to adjournment, met at 10:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 42.

Excused: Commons, Stigler. Total, 2.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Joint Resolu-

tions Nos. 17 and 18, Senate Bills Nos. 46, 89, 159, 205, 214, 221 and 224 correctly enrolled.

BOYER, Chairman.

Senate Joint Resolutions Nos. 17 and 18, Senate Bills Nos. 46, 89, 159, 205, 214, 221 and 224 were, each, read for the fourth time, the enrolled copies signed, in open session, and ordered transmitted to the Honorable House for the signature of the Speaker.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 226—By ANGLIN.

Upon motion of Senator Loofbourrow, the rules of the Senate were suspended and SENATE BILL NO. 226, by Anglin, was ordered placed upon the calendar, without reference to a Committee.

HOUSE BILL NO. 462—By CAMPBELL and HUTCHINSON of the House, and OTJEN of the Senate.

Upon motion of Senator Ferguson, the rules of the Senate were suspended and HOUSE BILL NO. 462, by Campbell and Hutchinson, of the House, and Otjen of the Senate, was ordered placed upon the calendar, without reference to a Committee.

HOUSE BILL NO. 290—By JONES (Greer) and DANIEL—Referred to Committee on Education.

HOUSE BILL NO. 429—By MITCHELL and PERRYMAN.—Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 454—By MATHERLY, DRAKE, and LEWIS.—Referred to Committee on Judiciary No. 1.

HOUSE JOINT RESOLUTION NO. 19—By MARKER.—Referred to Committee on Appropriations.

Senator Gulager moved that the Senate concur in House Amendments to ENGROSSED SENATE BILL NO. 36, by Gulager, et al., received from the Honorable House of March 18th, and read on that date, which motion prevailed.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Patton, Peck, Powers, Pullen, Rexroat, Smith, Stewart, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 35.

Nays: 0.

Not Voting: Fidler, Johnson (Creek), Otjen, Ray, Reed, Rice, Wheatley. Total, 7.

Excused: Commons, Stigler. Total, 2.

The Bill, as amended, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed Engrossed House Amendments to Senate Bill No. 36 and ordered the bill, as amended, referred for enrollment.

GENERAL ORDER

HOUSE JOINT RESOLUTION NO. 35, by Briggs, et al., of the House, and Stigler, Harper, Andrews, et al., of the Senate, was taken up for consideration.

House Joint Resolution No. 35 was read at length.

Upon motion of Senator Harper, House Joint Resolution No. 35 was advanced to engrossment and third reading.

Senator Harper moved that the rules of the Senate be suspended and House Joint Resolution No. 35 be considered engrossed and placed upon third reading and final passage.

Senator Anglin asked unanimous consent of the Senate, which was granted, to defer further consideration of House Joint Resolution No. 35, until 1:30 o'clock, p. m.

THIRD READING

HOUSE BILL NO. 284, by Roper, et al., of the House, having been read for the third time at length, on a previous legislative day, was considered, further.

Senator Anglin asked unanimous consent of the Senate, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 284, in line 6, of Section 1, by striking the word, "one," and inserting the words, "the same."

ANGLIN.

House Bill No. 284, as amended, was read at length.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow MacDon-ald, Moore, Nesbitt, Otjen, Patton, Pack, Powers, Pullen, Reed, Rexroat, Smith, Stewart, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Ray, Rice, Thomas. Total, 3.

Excused: Commons, Stigler. Total, 2.

The Bill, as amended, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow MacDon-ald, Moore, Nesbitt, Otjen, Patton, Pack, Powers, Pullen, Reed, Rexroat, Smith, Stewart, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 39.

Nays: 0.

Not Voting: Ray, Rice, Thomas. Total, 3.

Excused: Commons, Stigler. Total, 2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Bill No. 284 was referred for engrossment.

Senator Pullen sent up the following explanation of his vote:

Mr. President: I vote for this bill, in order to support the present administration and not to discredit the five-man Commission, in operation since March, 1927.

PULLEN.

The hour of 10:00 o'clock, a. m., having been set for the resuming of the Special Investigation, authorized under Senate Resolution No. 19, Senator Smith submitted the following Special Committee Report, which was adopted, upon his motion:

MR. PRESIDENT:

We, your Committee on Legal Advisory, to whom was referred the question as to the right of the Senate to suspend a member, beg leave to report that we had the same under consideration and herewith submit the following recommendation:

First: That under Paragraph Two of Section 30, Article V, either House of the Legislature may punish its members for disorderly behavior, by a majority vote of its members, but that in no event can a member be expelled, except with a concurrence of two-thirds vote of its membership.

Second: That there is no Statute or Constitutional provision in Oklahoma, authorizing suspension of a member of the Legislature. That Section 2408, C. O. S., 1921, and Section 2418, C. O. S., 1921, specifically provide for the removal or suspension of an official, from office under certain conditions, and the case of *Maben vs. Rosser, et al.*, 24 Oklahoma, 588, at page 608, holds:

"The power to remove for cause, after a hearing also includes the power to suspend temporarily, pending such hearing."

But your Committee is of the opinion that these decisions are not applicable in case of a vacancy, which can not be temporarily filled by the authoritative appointment.

It is the opinion of your Committee, that the great weight of authority, and of best reasoning and logic, upholds the contention that a section, group, or class of people cannot be deprived of representation under the Constitution and laws of the United States and Oklahoma.

That Section 13, Article 6, does not give the Governor the power to fill a vacancy, created in the Legislature, nor is there any other provision providing for the appointment thereof, and that since suspension would have the effect of creating a temporary vacancy thus depriving this particular section of people of representation, we are, therefore, of the opinion, that under the line of authorities, and provisions of the Constitution Manual and Digest in the Congress of the United States that the Legislature is not authorized to suspend any member for any period of time.

SMITH, Chairman.

Senator Moore submitted the following Order:

BEFORE THE OKLAHOMA STATE SENATE IN THE
MATTER OF THE INVESTIGATION OF CHARGES
AND STATEMENTS MADE BY SENATOR
JOHN L. RICE.

ORDER

Now, on this 27th day of March, 1929, the matter of the investigation of certain statements made in a letter by Senator John L. Rice, concerning conduct of members of the Senate in the recent impeachment trial of Henry S. Johnston, having been by the Senate duly considered, and evidence having been received in open session and in the presence of the Senate and of Senator John L. Rice.

And it further appearing that the statements and charges made in said letter written by Senator John L. Rice to one, Carl Magee, dated March 20, 1929, were and are utterly false and without foundation in fact; and it further appearing that said letter as published in the Oklahoma News, a daily newspaper of general circulation in the State of Oklahoma, constitutes conduct unbecoming and unworthy of a member of the Senate of the State of Oklahoma.

And it further appearing that such misconduct constitutes disorderly behavior upon the part of Senator John L. Rice, and the Senate being well and sufficiently informed and advised in all the premises hereof,

IT IS THEREFORE, the order and judgment of the Senate of the State of Oklahoma, that because of his improper and unbecoming conduct as heretofore set forth, that said John L. Rice be, and he is hereby relieved from all duties, compensation and privileges of his said office as State Senator from the Fourteenth Senatorial District, and expelled from the State Senate of the State of Oklahoma,

and that said office be declared and held as vacant as of even date hereof, and continuing in full force and effect.

PRESIDENT PRO TEMPORE.

Attest:

Secretary.

Senator Moore moved the adoption of the Substitute Order.

Senator Harper moved to table the Moore substitute Order.

By unanimous consent being granted, Senator Harper withdrew his motion.

Senator Harper moved as a substitute, that Senator John L. Rice be publicly reprimanded.

Senator Moore raised a point of order against the substitute motion, stating the subject matter of the motion was disposed of on yesterday.

The President Pro Tempore ruled the point of order not well taken, for the reason that, when the matter was discussed on yesterday, the report of the Legal Advisory Committee was not before the Senate and when the report of the Legal Advisory Committee was adopted, that disposed of the original Order.

Senator Ferguson moved, as a substitute for all pending motions, the adoption of the following motion:

MR. PRESIDENT:

We move that John L. Rice be censured and that it be the consensus of opinion of the Senate that said John L. Rice should resign as a member of the State Senate.

FERGUSON,
LOOFBOURROW and
CLARK.

Senator Austin raised a point of order against the Ferguson-Loofbourrow-Clark motion, stating the Harper motion was one in lieu of all pending motions, which point was not sustained by the Chair.

Senator Harper raised a point of order against the Ferguson-Loofbourrow-Clark motion, stating it was not germane to the subject, which point of order was not sustained by the President Pro Tempore.

Senator Anglin moved to table the Ferguson-Loofbourrow-Clark motion, which motion was adopted, upon a roll call, as follows:

Ayes: Andrews, Anglin, Austin, Blakely, Boyer, Darnell, Easter, Ewing, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Jolly, Kimerer, MacDonald, Nesbitt, Otjen, Patton, Peck, Pullen, Reed, Rexroat, Smith, Storms, Terwilleger, Wheatley, Williamson. Total, 29.

Nays: Clark, Ferguson, Fidler, Hill, Johnson (Pott.), Loofbourrow, Moore, Powers, Stewart, Thomas, Williams. Total, 11.

Not Voting: Ray, Rice. Total, 2.

Excused: Commons, Stigler. Total, 2.

Senator Harper asked unanimous consent, which was granted, to withdraw his substitute motion.

The vote recurring on the Moore Order, the same failed of adoption, upon a roll call, as follows:

Ayes: Blakely, Ewing, Ferguson, Fidler, Gray, Gulager, Hill, Kimerer, Loofbourrow, Moore, Powers, Smith, Stewart, Terwilleger, Thomas. Total, 15.

Nays: Andrews, Anglin, Austin, Boyer, Clark, Darnell, Easter, George, Graham, Harper, Johnson (Creek), Johnson (Pott.), Jolly, MacDonald, Nesbitt, Otjen, Patton, Peck, Pullen, Ray, Reed, Rexroat, Storms, Wheatley, Williams, Williamson. Total, 26.

Not Voting: Rice. Total, 1.

Excused: Commons, Stigler. Total, 2.

Senator Gulager sent up the following explanation of his vote:

Mr. President: The testimony on file is in plain violation of Section 1628, and to let a Senator remain would be against my conscience and the written law.

GULAGER.

Senator Harper moved that Senator John L. Rice be publicly reprimanded.

Senator Andrews as a substitute moved that, as punishment for the conduct of Senator John L. Rice, as found by this Senate on March 26, 1929, his name be withdrawn from all Committee assignments this session and that a public reprimand be administered by a mem-

ber of the Senate, to be designated by the President Pro Tempore of the Senate.

Senator Andrews asked unanimous consent of the Senate, which was granted, to withdraw his substitute motion.

Senator Austin asked to be excused from Senate attendance for the remainder of this legislative day, which was the order.

The vote recurring on the Harper motion, the same failed of passage, upon a roll call, as follows:

Ayes: Anglin, Blakely, Boyer, Darnell, George, Graham, Harper, Johnson (Creek), Jolly, MacDonald, Nesbitt, Peck, Ray, Reed, Rexroat, Wheatley. Total, 16.

Nays: Andrews, Easter, Ewing, Ferguson, Fidler, Gray, Gulager, Hill, Johnson (Pott.), Kimerer, Loofbourrow, Moore, Otjen, Patton, Powers, Pullen, Smith, Stewart, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 23.

Not Voting: Austin, Clark, Rice. Total, 3.

Excused: Commons, Stigler. Total, 2.

Senator Pullen sent up the following explanation of his vote:

Mr. President: I take it for granted a member should not be punished more severely than an outsider and, in view of previous newspaper articles, charging in substance the sale of votes in the State Senate and the author thereof having admitted said charges were without foundation and he having admitted said charges were

without foundation, and the Senate having passed without reprimand to him, that it is unfair to punish a member for a thing it fails to punish an outsider for.

PULLEN.

Senators Andrews and Loofbourrow submitted the following motion:

Mr. President: We move that John L. Rice be publicly reprimanded and that he be removed by this Senate from all Committee assignments.

ANDREWS,
LOOFBOURROW.

The vote recurring on the Andrews-Loofbourrow motion, the same was adopted, upon a roll call, as follows:

Ayes: Andrews, Anglin, Blakely, Boyer, Easter, Fidler, George, Gray, Johnson (Creek), Johnson (Pott.), Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Rexroat, Smith, Storms, Thomas, Wheatley, Williams, Williamson. Total, 27.

Nays: Ewing, Ferguson, Graham, Gulager, Harper, Hill, Jolly, Pullen, Reed, Terwilleger. Total, 10.

Not Voting: Clark, Darnell, Rice, Stewart. Total, 4.

Excused: Austin, Commons, Stigler. Total, 3.

Senator Pullen sent up the following explanation of his vote:

Mr. President: Senator Rice having apologized and begged for forgiveness, and believing in mercy, I vote NO.

PULLEN.

Senator Gulager moved that the County Attorney of Oklahoma County be furnished a copy of the testimony in the trial of John L. Rice, in the investigation held by the Senate.

Senator Anglin moved to table the Gulager motion, which motion was adopted.

Upon motion of Senator Anglin, the President Pro Tempore delegated Senator Andrews to publicly reprimand Senator John L. Rice, at 3 o'clock, p. m., this date.

MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 85—By POWERS and LOOFBOURROW, of the Senate, and SNODDY, ODELL and ALLEN, of the House, entitled:

An Act making an emergency appropriation for the Western Oklahoma Hospital for the fiscal year ending June 30, 1929, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bill No. 85 was referred for enrollment.

Upon motion of Senator Anglin, the Senate recessed to meet at 2:00 o'clock, p. m.

AFTERNOON SESSION

The Senate reassembled, at 2:00 o'clock, p. m., with President Pro Tempore Storms in the Chair.

Senator Rexroat presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 284 correctly engrossed; and Senate Bills Nos. 36 and 85 correctly enrolled.

BOYER, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 284, as amended, and ordered the bill returned to the Honorable House.

Senate Bills Nos. 36 and 85 were, each, read for the fourth time, the enrolled copies signed, in open session, by the Presiding Officer and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

HOUSE BILL NO. 440, by Head, et al., was taken up for consideration.

S was read.

er submitted the following amendment:

move to amend House Bill No. 440,
y striking the figures and words,
lines rting the figures, "\$1500.00."
\$10.00 per day,

GULAGER.

Senator Anglin, as a substitute, submitted the following amendment, which was tabled, upon motion of Senator Wheatley:

Mr. President: I move to amend House Bill No. 440, by striking lines 6, 7, 8, and 9, page 2, and inserting the following:

"Three Assistants to Board of Managers, in obtaining and developing evidence, to be paid, as follows:

J. I. Howard	-----	\$1,000.00
E. P. Hill	-----	1,000.00
E. M. Box	-----	2,000.00"

ANGLIN.

Senator Gray moved to table the Gulager amendment, which motion prevailed.

President Pro Tempore Storms presiding.

Senator Gulager submitted the following amendment, which was tabled, upon motion of Senator Reed:

Mr. President: I move to amend House Bill No. 440, line 4, page 2, by striking the figures, "\$5.00," and inserting the figures, "\$7.50."

GULAGER.

Senator Anglin moved that Sections 1 and 2, as amended by the Senate Appropriations Committee, be adopted, as read, which motion prevailed.

Senator Anglin submitted the following amendment:

Mr. President: I move to amend House Bill No. 440, by adding a new section, as follows: "Section 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force and effect from and after its passage and approval."

ANGLIN.

The question being, "Shall the title of the bill become the title of the Act?" Senator Anglin submitted the following amendment, which was adopted: •

Mr. President: I move to amend the title of House Bill No. 440, by adding the words, "AND DECLARING AN EMERGENCY."

ANGLIN.

Upon motion of Senator Gulager, House Bill No. 440, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Gulager, the rules of the Senate were suspended and House Bill No. 440, as amended, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 440 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Otjen, Patton, Peck, Powers, Ray, Reed, Rexroat, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 38.

Nays: Pullen. Total, 1.

Not Voting: Darnell, Nesbitt. Total, 2.

Excused: Austin, Commons, Stigler. Total, 3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Otjen, Patton, Peck, Powers, Ray, Reed, Rexroat, Rice, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 38.

Nays: Pullen. Total, 1.

Not Voting: Darnell, Nesbitt. Total, 2.

Excused: Austin, Commons, Stigler. Total, 3.

The emergency having received the constitutional

two-thirds majority of the votes of all members elected, and constituting the Senate was declared passed.

House Bill No. 440 was referred for engrossment.

Senator Loofbourrow made the observation that the hour of 3:00 o'clock, p. m., had arrived, at which time the matter of the Special Investigation, provided for under Senate Resolution No. 19 should be concluded.

The following proceedings were had:

PRESIDENT PRO TEMPORE STORMS: Senator Andrews is recognized.

SENATOR WHEATLEY: I suggest the Sergeant-at-Arms be requested to escort Senator Rice to the bar of the Senate.

PRESIDENT PRO TEMPORE STORMS: Senator Rice will appear at the front of the Senate.

SENATOR ANDREWS: Mr. President.

PRESIDENT PRO TEMPORE STORMS: Senator Andrews.

SENATOR ANDREWS: —and Senator Rice: Upon me has been imposed the very unpleasant duty of carrying into execution at least a part of the judgment of this Senate, of which you are a member.

I don't believe that even you can complain of the fairness of your trial, nor complain that mercy was not actually tempered with justice in the judgment that has been pronounced upon you.

The thing that you did had in it potentialities of great injury that reached far. Not toward the individual. The individual amounts to but little. We are here; we are gone. We drop in the ocean of time like a pebble—a few ripples spread out, and it is over. But the Senate of Oklahoma, we hope, God willing, will be eternal. That was the integer where the injury fell, and upon whom, Mr. Rice, the slander laid its touch.

I don't know what excuse you had for yourself; certainly not that of a personal grievance. Why you did it, we do not know, but as a part of the sentence and judgment of this Court, in the name and by the authority of the Senate of Oklahoma, I hereby give you public reprimand, and declare your act one unworthy of a citizen of the State and of the Senate of which you are a member.

SENATOR RICE: Might I say a word?

PRESIDENT PRO TEMPORE STORMS: Senator Rice.

SENATOR RICE: Senators of Oklahoma: This is the biggest price I ever paid for anything in my life. Had there been one bit of enmity in my heart, I would have not been here to have taken this. Had there been one thought of evil towards any member of this Senate, I would not have been here, because it could have been so easily avoided on my part. Great as the price is, that which came to me this morning while not present in this Senate, the friendships—is worth the cost—is worth the price. I have always told you that the words said things I did not mean. That is all.

THIRD READING

Senator Williamson having served notice that he would, moved to reconsider the vote by which SENATE BILL NO. 218 was passed, for the purpose of submitting amendments, which motion prevailed, upon a roll call, as follows:

Ayes: Andrews, Anglin, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Harper, Hill, Johnson (Creek), Kimerer, Loofbourrow, MacDonald, Moore, Otjen, Patton, Peck, Powers, Ray, Rexroat, Smith, Stewart, Storms, Wheatley, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Blakely, Fidler, Gulager, Johnson (Pott.), Jolly, Nesbitt, Pullen, Reed, Rice, Terwilleger, Thomas. Total, 11.

Excused: Austin, Commons, Stigler. Total, 3.

Upon motion of Senator Williamson, the vote was reconsidered by which the Senate concurred in House Amendments to SENATE BILL NO. 218.

Upon motion of Senator Williamson, the Senate refused to concur in House Amendments to SENATE BILL NO. 218 and requested a conference, thereon.

Upon motion of Senator Williamson, the President Pro Tempore appointed as Senate conferees on Senate Bill No. 218 Senators Williamson, Darnell, Powers, Wheatley and Hill.

GENERAL ORDER

HOUSE BILL NO. 26, By Chappell and Tillery, was taken up for consideration.

Section 1 was read.

Upon motion of Senator Anglin, further consideration of House Bill No. 26 was indefinitely postponed.

HOUSE BILL NO. 346, by Nance, of the House, and Boyer, of the Senate, was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Boyer.

Upon motion of Senator Boyer, House Bill No. 346, by Nance, of the House, and Boyer, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Boyer, the rules of the Senate were suspended and House Bill No. 346 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 346 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Loofbourrow, MacDonald, Moore, Otjen, Patton, Peck, Powers, Ray, Reed, Rexroat, Smith, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 34.

Nays: 0.

Not Voting: Gulager, Kimerer, Nesbitt, Pullen, Rice, Stewart, Thomas. Total, 7.

Excused: Austin, Commons, Stigler. Total, 3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Loofbourrow, MacDonald, Moore, Otjen, Patton, Peck, Powers, Ray, Reed, Rexroat, Smith, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 34.

Nays: 0.

Not Voting: Gulager, Kimerer, Nesbitt, Pullen, Rice, Stewart, Thomas. Total, 7.

Excused: Austin, Commons, Stigler. Total, 3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 346, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 345, by Nance, of the House, and Boyer, of the Senate, was taken up for consideration.

Section 1 was read.

Senator Boyer submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 345, line 3, page 2, by adding after the word, "power," and before the word, "two," the following: "by and with the consent and approval of the holder or holders of the outstanding certificates or warrants involved or to be affected thereby."

BOYER.

Upon motion of Senator Boyer, Section 1, as amended, was adopted.

Section 2 was read and adopted, upon motion of Senator Boyer.

Upon motion of Senator Boyer, House Bill No. 345, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Boyer, the rules of the Senate were suspended and House Bill No. 345, as amended, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 345 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Otjen, Patton, Peck, Powers, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 35.

Nays: 0.

Not Voting: Gulager, Nesbitt, Pullen, Rexroat, Rice, Thomas. Total, 6.

Excused: Austin, Commons, Stigler. Total, 3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Otjen, Patton, Peck, Powers, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 35.

Nays: 0.

Not Voting: Gulager, Nesbitt, Pullen, Rexroat, Rice, Thomas. Total, 6.

Excused: Austin, Commons, Stigler. Total, 3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Bill No. 345, as amended, was referred for engrossment.

Upon motion of Senator Anglin, SENATE BILL NO. 226, by Anglin, was advanced to engrossment and third reading.

Senator Darnell moved that all Senate Bills on Second Reading and under General Order, with the exception of Senate Bill No. 97, by Gulager, be stricken from the calendar, which motion prevailed.

Upon motion of Senator Gulager, SENATE BILL NO. 97, by Gulager, was taken up for consideration.

Section 1 was read.

Upon motion of Senator Clark, further consideration of Senate Bill No. 97 was indefinitely postponed.

Senator Harper asked unanimous consent, which was granted, to consider further HOUSE JOINT RESOLUTION NO. 35, by Briggs, et al., of the House, and Stigler, Storms, et al., of the Senate.

Upon motion of Senator Anglin, further consideration of House Joint Resolution No. 35 was deferred until 2:00 o'clock, p. m., of the next legislative day.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 345 and 440 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 345 and 440, as amended, and ordered each returned to the Honorable House, for further consideration.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 176—By BYRUM, entitled:

An Act amending Section 7, Chapter 173, Session Laws of Oklahoma, 1923, relating to the character of permanent improvement of any street, avenue, lane, alley or other public place, in any city or incorporated town in the State of Oklahoma, and to petitions for said improvement; repealing all Acts and parts of Acts in conflict herewith and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House of Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 457—By WHITT, ROE and LESTER, entitled:

An Act authorizing, directing and requiring the Board of County Commissioners of Pittsburg County, Oklahoma, to include in its annual estimate and authorizing, directing and requiring the Excise Board of said county to make an extra annual levy in a sum not to exceed one-fourth of one mill and not less than one-tenth of one mill for a hospitalization fund for poor and destitute persons and declaring an emergency,

ENGROSSED HOUSE BILL NO. 460—By ALLEN, entitled:

An Act fixing the salary of County Commissioners in Harper and Beaver Counties, providing an expense account of such commissioners, and repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been passed by the House and signed by the Speaker Pro Tem in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you and through you the Honorable Senate that the

House of Representatives has adopted the Conference Committee report on

HOUSE BILL NO. 335—By MOON, HARROWER and BOYDSTUN, entitled:

An Act amending Chapter 202 (House Bill No. 392), Session Laws of 1925, empowering Muskogee County to levy and collect an annual tax for the use and benefit of the Free Oklahoma State Fair at Muskogee, Oklahoma, regulating the expenditure thereof, and declaring an emergency,

and the bill has been passed as amended by the report.

Yours very truly,

BERT McDONEL, Chief Clerk.

Senator Anglin presiding.

Conference Committee Report on House Bill No. 335 was read, as follows:

To the Speaker of the House of Representatives,
and President of the Senate:

We, your Conference Committee, to whom was referred Engrossed House Bill No. 335, beg leave to report that we have had the same under consideration and have arrived at the following agreement in said conference, to-wit: We recommend that the Conference Committee substitute for Engrossed House Bill No. 335, hereto attached, be substituted for Engrossed House Bill No. 335.

Respectfully submitted,

BOYDSTUN,
HARROWER, and
MOON, of the House
MOORE,
EASTER, and
GULAGER, of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE
BILL NO. 335—By MOON, HARROWER and BOYD-
STUN of the House, and GULAGER, of the Senate.

AN ACT AMENDING CHAPTER 202 (HOUSE BILL
NO. 392), SESSION LAWS OF 1925, EMPOW-
ERING MUSKOGEE COUNTY TO LEVY AND
COLLECT AN ANNUAL TAX FOR THE USE
AND BENEFIT OF THE FREE OKLAHOMA
STATE FAIR AT MUSKOGEE, OKLAHOMA,
REGULATING THE EXPENDITURE THERE-
OF, AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE
OF OKLAHOMA:

SECTION 1. The county commissioners and other proper officers of Muskogee County, Oklahoma, are hereby authorized and empowered to, and shall, levy and collect, annually, until otherwise provided by law, an annual tax of not less than one-half ($\frac{1}{2}$) mill, on the dollar valuation, against all taxable property within said county, for the purpose of raising an annual fund for the support, maintenance, improvement, and enlargement of the Free Oklahoma State Fair held annually at Muskogee, and for the payment of the agricultural and live stock premiums offered by said Fair. Provided, that the Board of County Commissioners shall appoint a freeholder of Muskogee County, who has been a resident thereof for five years, to act as auditor for the Free Oklahoma State Fair, at Muskogee, who shall hold office at the pleasure of the County Commissioners. Provided, further, the said auditor shall audit and pass upon all claims pertaining to the running of said Free Oklahoma State Fair, including the premiums paid, proceeds from ground rent, grand stand seats, before payment of any claim or account by treasurer of said Free Oklahoma State Fair. Provided

further, that for all printing of premium list or other expense which shall amount to a sum of One Hundred (\$100.00) Dollars, or above, shall be advertised and let to the lowest competitive bidder after advertisement exclusive of the cost for entertainment features.

SECTION 2. The money raised by said tax shall not be used for any other purpose.

SECTION 3. It being immediately necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval.

Upon motion of Senator Gulager, the Conference Committee Report on House Bill No. 335 was adopted, as read.

The question being, "Shall the Bill, as amended in conference, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Moore, Nesbitt, Otjen, Patton, Powers, Terwilleger, Thomas, Williamson. Total, 28.

Nays: 0.

Not Voting: Darnell, MacDonald, Peck, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Storms, Wheatley, Williams. Total, 13.

Excused: Austin, Commons, Stigler. Total, 3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended in conference, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Moore, Nesbitt, Otjen, Patton, Powers, Terwilleger, Thomas, Williamson. Total, 30.

Nays: 0.

Not Voting: Peck, Pullen, Ray, Reed, Rexroat, Rice, Smith, Stewart, Storms, Wheatley, Williams. Total, 11.

Excused: Austin, Commons, Stigler. Total, 3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer signed the Conference Committee Report, on House Bill No. 335 and ordered the bill, together with the Conference Committee Report, thereon, returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the House has concurred in Senate Amendments to

ENGROSSED HOUSE BILL NO. 284—By ROPER, WHITAKER, SNODDY, DRAKE, MAUK, HARVEY, et al., entitled:

An Act repealing Chapter 71, of the Session Laws of 1927, and creating a Highway Commission; providing for the appointment and procedure of removal of said commission; providing for tenure of office, salaries of such commission, and declaring an emergency,

ENGROSSED HOUSE BILL NO. 175—By BLACK, entitled:

An Act amending Section 4507, Compiled Oklahoma Statutes, 1921, relating to the right of municipalities to engage in business, acquire, own and maintain public utilities and to issue bonds for said purposes, to be owned exclusively by said municipalities, including the right to enter into lease contract for such public utility; and declaring an emergency,

ENGROSSED HOUSE BILL NO. 345—By NANCE of the House and BOYER of the Senate, entitled:

An Act to amend Section 10, of Chapter 93, of the Session Laws of Oklahoma of 1927, the same being an Act entitled "An Act to authorize the governing body of any city or incorporated town to refund street improvement bonds heretofore issued by authority of Chapter 10, Article 1, of the Session Laws of Oklahoma 1907-1908, or Article 12, Chapter 29, Compiled Oklahoma Statutes, Annotated, 1921, etc.,

ENGROSSED HOUSE BILL NO. 132—By JONES (Greer), entitled:

An Act amending Section 8662, Compiled Oklahoma

Statutes, 1921, relating to the proposed use of state prison revolving fund, repealing all laws in conflict herewith, and declaring an emergency,

ENGROSSED HOUSE BILL NO. 437—By BLACK, entitled:

An Act fixing the salaries of certain officers of Comanche County, Oklahoma, repealing all laws in conflict herewith, and declaring an emergency,

and same have been passed, as amended.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 437—By BLACK, entitled:

An Act fixing the salary of the jailer and the salaries of certain deputy county officers of Comanche County, Oklahoma, repealing all Acts or parts of Acts in conflict therewith and declaring an emergency.

ENROLLED HOUSE BILL NO. 140—By JONES (Stephens) 'By Request', entitled:

An Act authorizing the Board of County Commissioners of Stephens County to purchase, for the use of said County Commissioners, automobiles, and declaring an emergency.

ENROLLED HOUSE BILL NO. 132—By JONES (Greer), entitled:

An Act amending Section 8662, Compiled Oklahoma Statutes, 1921, relating to the proposed use of State Prison Revolving Fund, repealing all laws in conflict herewith and declaring an emergency.

ENROLLED HOUSE JOINT RESOLUTION NO. 36—By GRAHAM, DIXON, PAUL, JONES (Stephens), TILLEY and ORNER, entitled:

A Resolution appropriating funds and authorizing the payment of expenses incurred by certain members of the legislature acting upon committees, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Joint Resolution No. 36, and House Bills Nos. 132, 140 and 437 were, each, read for the fourth time, the enrolled copies signed, in open session, by the Presiding Officer, and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLU-

TION NO. 13—By FERGUSON, STEWART (Senate), SNODDY, JONES (Stephens) (House), entitled:

A Resolution urging the president to promote the Honorable Arthur H. Geissler to an ambassadorship,

and to inform you, and through you, the Honorable Senate, that the same has been signed by the Presiding Officer in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 13 was ordered referred to the Secretary of State.

GENERAL ORDER (Cont'd.)

Senator Otjen asked that HOUSE BILL NO. 295, by Hutchinson and Cloyd, of the House, and Otjen of the Senate, be taken up for consideration, which was done and the bill read at length.

Upon motion of Senator Otjen, House Bill No. 295 was advanced to engrossment and third reading.

Upon motion of Senator Otjen, the rules of the Senate were suspended and House Bill No. 295 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 295 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Nesbitt, Otjen, Patton, Powers, Reed, Storms, Terwilleger, Williams, Williamson. Total, 27.

Nays: Anglin. Total, 1.

Not Voting: Blakely, Gulager, MacDonald, Moore, Peck, Pullen, Ray, Rexroat, Rice, Smith, Stewart, Thomas, Wheatley. Total, 13.

Excused: Austin, Commons, Stigler. Total, 3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Nesbitt, Otjen, Patton, Powers, Reed, Rexroat, Smith, Storms, Terwilleger, Williams, Williamson. Total, 30.

Nays: Anglin. Total, 1.

Not Voting: Blakely, MacDonald, Moore, Peck, Pullen, Ray, Rice, Stewart, Thomas, Wheatley. Total, 10.

Excused: Austin, Commons, Stigler. Total, 3.

The emergency having received the constitutional

two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of House Bill No. 295, and ordered the same transmitted to the Honorable House.

Senator Harper asked that HOUSE BILL NO. 13, by Lewis, et al., of the House, be taken up for consideration, which was done, and the bill read at length.

Upon motion of Senator Harper, House Bill No. 13, by Lewis, et al., of the House, was advanced to engrossment and third reading.

Upon motion of Senator Harper, the rules of the Senate were suspended and House Bill No. 13 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 13 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Darnell, Ferguson, Fidler, George, Gulager, Harper, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Nesbitt, Otjen, Patton, Powers, Reed, Rexroat, Stewart, Storms, Terwilleger, Williams, Williamson. Total, 27.

Nays: Graham, Gray, Hill. Total, 3.

Not Voting: Easter, Ewing MacDonald, Moore, Peck, Pullen, Ray, Rice, Smith, Thomas, Wheatley. Total, 11.

Excused: Austin, Commons, Stigler. Total, 3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Darnell, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, Nesbitt, Otjen, Patton, Powers, Reed, Rexroat, Smith, Stewart, Storms, Terwilleger, Williams, Williamson. Total, 30.

Nays: Gray. Total, 1.

Not Voting: Easter, Ewing, MacDonald, Moore, Peck, Pullen, Ray, Rice, Thomas, Wheatley. Total, 10.

Excused: Austin, Commons, Stigler. Total, 3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Bill No. 13 was rererred for engrossment.

MOTION LODGED TO RECONSIDER

Senator Gulager moved to reconsider the vote by which SENATE BILL NO. 193, Andrews, Austin, et al., failed of passage on yesterday, which motion failed of adoption, upon a roll call, as follows:

Ayes: Andrews, Anglin, Ferguson, Graham, Gulager,

Johnson (Pott.), Nesbitt, Patton, Reed, Williams, Williamson. Total, 11.

Nays: Blakely, Boyer, Clark, Darnell, Fidler, George, Gray, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loof-bourrow, MacDonald, Otjen, Powers, Rexroat, Stewart, Terwilleger. Total, 19.

Not Voting: Easter, Ewing, Moore, Peck, Pullen, Ray, Rice, Smith, Storms, Thomas, Wheatley. Total, 11.

Excused: Austin, Commons, Stigler. Total, 3.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 57—By HOUSTON of the House, and EWING of the Senate, entitled:

An Act applicable to fees collected for fishing and hunting in lakes or ponds owned by any city, town or village, other than license fees provided by General Laws for fishing in the waters of this State and providing for the disposition of said fees,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House of

Representatives and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 46—By MacDONALD, entitled:

An Act relating to county free fairs authorizing counties to issue bonds to purchase lands, improve and construct buildings thereon for free fair purposes, authorizing counties that have acquired free fair lands and buildings to make a tax levy to purchase additional lands and make additional free fair improvements, and declaring an emergency.

ENROLLED SENATE BILL NO. 89—By ANGLIN, entitled:

An Act amending Section 1893, Compiled Oklahoma Statutes, 1921, relating to lotteries, and declaring an emergency.

ENROLLED SENATE BILL NO. 159—By FIDLER of the Senate, and HOOVER, MARKER and EYLAR of the House, entitled:

An Act relating to certain duties of the county commissioners in certain counties of the State of Oklahoma, having a population in excess of 115,000 inhabitants, as shown by the last preceeding, or any future regular feder-

al decennial census, in relation to overseeing and care of the poor, etc.

ENROLLED SENATE BILL NO. 205—By ANGLIN, entitled:

An Act making appropriation to pay Confederate pensions for the remainder of the fiscal year ending June 30, 1929, and declaring an emergency.

ENROLLED SENATE BILL NO. 214—By PATTON and HARPER of the Senate, and ORENDORFF of the House, entitled:

An Act permitting the city of Fort Smith, Arkansas, to acquire, own, improve and operate an air port or flying field in the State of Oklahoma, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

ENROLLED SENATE BILL NO. 221—By AUSTIN, LOOFBOURROW, WILLIAMS and MOORE, entitled:

An Act continuing the joint committee of the Legislature, provided for by Senate Concurrent Resolution No. 22, after the adjournment of the Twelfth Session of the Legislature fixing their powers and duties, providing for their per diem and expenses, making an appropriation therefor, and declaring an emergency.

ENROLLED SENATE BILL NO. 224—By OTJEN of the Senate, and CAMPBELL and HUTCHINSON of the House, entitled:

An Act providing for the appointment of additional deputies, assistants, or employees for any county officer in Garfield County, Oklahoma, and empowering the board

of county commissioners to authorize such appointments and fix the salaries of such deputies, assistants or employees, and declaring an emergency.

ENROLLED SENATE JOINT RESOLUTION NO. 17—By BOYER, STIGLER, BLAKELY of the Senate, and LOGAN, LEWIS and JONES of the House, entitled:

A Joint Resolution making a deficiency appropriation of \$400.00 to pay the balance of the present salary of one assistant attorney general for the fiscal year ending June 30, 1929, and making an appropriation of \$166.65 to cover the increased salary of one assistant attorney general for the balance of said fiscal year, and declaring an emergency.

ENROLLED SENATE JOINT RESOLUTION NO. 18—By OTJEN of the Senate, and HUTCHINSON and CAMPBELL of the House, entitled:

A Joint Resolution authorizing the Oklahoma State Institution for feeble minded at Enid and the State Board of Affairs to purchase an additional twenty-one acres of land, and declaring an emergency,

and to inform you, and through you, the Honorable Senate that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Joint Resolutions Nos. 17 and 18, Enrolled Senate Bills Nos. 46, 89, 159, 205, 214, 221 and 224 were, each, referred to the Governor, for consideration.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 176—By BYRUM, entitled:

An Act amending Section 7, Chapter 173, Session Laws of Oklahoma, 1923, relating to the character of permanent improvement of any street, avenue, lane, alley or other public place, in any city or incorporated town in the State of Oklahoma, and to petitions for said improvement; repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 457—By WHITT, ROE and LESTER, entitled:

An Act authorizing, directing and requiring the Board of County Commissioners of Pittsburg County, Oklahoma to include in its annual estimate and authorizing, directing and requiring the Excise Board of said county to make an extra annual levy in a sum not to exceed one-fourth of one mill and not less than one-tenth of one mill for a hospitalization fund for poor and destitute persons, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 460—By ALLEN, entitled:

An Act fixing the salary of County Commissioners in Harper and Beaver Counties, providing an expense account of such commissioners, and repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 57—By HOUSTON of the House, and EWING of the Senate, ~~en~~ titled:

An Act applicable to fees collected for fishing and hunting in lakes or ponds owned by any city, town or village, other than license fees provided by General Laws of this State and providing for the disposition of said fees.

Upon motion of Senator Ferguson, the Senate adjourned, to meet at 10:00 o'clock, a. m., Thursday, March 28, 1929.

SIXTY-NINTH LEGISLATIVE DAY

THURSDAY, MARCH 28TH, 1929

The Senate, pursuant to adjournment, met at 10:00 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Reed, Rexroat, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 38.

Absent: Rice. Total, 1.

Excused: Austin, Commons, Moore, Pullen, Stigler. Total, 5.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

The following Committee Report was submitted, the bill ordered printed and placed upon the calendar:

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Engrossed House Joint Resolution No. 19—by Marker, entitled:

A Resolution appropriating the sum of Six Hundred Sixty (\$660.00) Dollars out of any money in the State Treasury not otherwise appropriated, for fire and police protection of state property and public morals and declaring an emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

ANGLIN, Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 13, Senate Bills Nos. 95 and 226 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 13, as amended, and ordered the same returned to the Honorable House.

SECOND READING

The following bills and resolutions were read for the second time and referred to the committees indicated:

ENGROSSED HOUSE BILL NO. 457—By WHITT, ROE and LESTER.

Upon motion of Senator Andrews, the rules of the Senate were suspended and HOUSE BILL NO. 457, by

Whitt, Roe and Lester, was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 460—By ALLEN.

Upon motion of Senator Loofbourrow, the rules of the Senate were suspended and HOUSE BILL NO. 460, by Allen, was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 176—By BYRUM—
Referred to the Committee on Municipal Corporations.

ENGROSSED HOUSE BILL NO. 57—By HOUSTON
of the House, and EWING of the Senate.

Upon motion of Senator Ewing, the rules of the Senate were suspended and HOUSE BILL NO. 57, by Houston, of the House, and Ewing, of the Senate, was ordered placed upon the calendar, without reference to a Committee.

THIRD READING

SENATE BILL NO. 226 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Kimerer, Loofbourrow, Nesbitt, Otjen, Patton, Peck, Powers, Reed, Rexroat, Smith, Storms, Terwilliger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Boyer, Jolly, MacDonald, Ray,
Stewart. Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Commons, Moore, Pullen, Stig-
ler. Total, 5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Kimerer, Loofbourrow, Nesbitt, Otjen, Patton, Peck, Powers, Reed, Rexroat, Smith, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Boyer, Jolly, MacDonald, Ray,
Stewart. Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Commons, Moore, Pullen, Stig-
ler. Total, 5.

The emergency having received the constitutional

two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 226, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 95 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Darnell, Ewing, Fidler, George, Gray, Harper, Johnson (Creek), Johnson (Pottawatomie), Jolly, Loofbourrow, MacDonald, Nesbitt, Peck, Ray, Stewart, Storms, Terwilleger, Thomas, Wheatley. Total, 23.

Nays: Clark, Easter, Ferguson, Graham, Gulager, Hill, Kimerer, Otjen, Patton, Powers, Reed, Rexroat, Williams. Total, 13.

Not Voting: Smith, Williamson. Total, 2.

Absent: Rice. Total, 1.

Excused: Austin, Commons, Moore, Pullen, Stigler. Total, 5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senator Gulager served notice that he would, on the next legislative day, move to reconsider the vote by which Senate Bill No. 95 was passed.

Senator Anglin raised a point of order against the notice lodged, which was sustained by the Chair, citing sub-division (b) of Rule 10, of the adopted Senate Rules; and in further view of the fact that sine die adjournment is tentatively fixed for Saturday, March 30th.

Senator Otjen requested the record to show his objection to a vote being taken on the Gulager motion, today, in view of the fact that no report has been made by the Committee on sine die adjournment, which order was made by the Chair.

RESOLUTIONS

Senator Stewart asked unanimous consent of the Senate, which was granted, to introduce the following Senate Concurrent Resolution, which was read at length:

SENATE CONCURRENT RESOLUTION NO. 14 — By STEWART, of the Senate, and JONES (Stephens), of the House.

A RESOLUTION PROVIDING FOR THE ADJOURNMENT OF REGULAR SESSION.

BE IT RESOLVED by the Senate, the House of Representatives concurring therein, that the Regular Session of the Twelfth Legislature do stand adjourned sine die at 12 o'clock, noon, March 30, 1929.

Senator Stewart moved that the rules of the Senate be suspended and immediate consideration be given Senate Concurrent Resolution No. 14, which motion was adopted.

Upon motion of Senator Stewart, Senate Concurrent Resolution No. 14 was adopted, as read, and referred for engrossment.

Senator Stewart asked unanimous consent of the Senate, which was granted, to introduce the following Senate Resolution, which was read at length:

SENATE RESOLUTION NO 20—By STEWART.

A RESOLUTION PROVIDING FOR THE CLOSING
OF UNFINISHED BUSINESS OF THE REGU-
LAR SESSION OF THE TWELFTH LEGISLA-
TURE AFTER ADJOURNMENT.

BE IT RESOLVED by the Senate of the State of Oklahoma:

That after the adjournment of the Twelfth Legislature, the President Pro Tempore of the Senate and the Secretary of the Senate, be and they are hereby authorized and directed as follows:

1. The President Pro Tempore of the Senate shall audit all claims against the Senate accruing as a result of the present session of the Senate, and the Secretary of the Senate shall approve such claims for payment against any legislative or contingent fund available for that purpose.

2. The President Pro Tempore of the Senate is hereby further empowered and directed to exercise control and have supervision of the editing and compiling of the Senate Journal of the Regular Session of the Twelfth Legislature, to the end that such Senate Journal may be properly indexed and published; provided that a typewritten and bound copy of said permanent Journal shall be certified to as being a true and correct copy of the proceedings of the Senate during the regular session of the Twelfth Legislature; and that after certification, said typewritten and bound copies shall be filed with the Secretary of State; provided further, that in the work of mak-

ing such index and superintending the publication of the Senate Journal, the President Pro Tempore of the Senate shall receive, as compensation, the sum of Six (\$6.00) Dollars, per day, and is hereby authorized to employ such assistants as may be found necessary to complete the work with dispatch.

Upon motion of Senator Stewart, the rules of the Senate were suspended and immediate consideration given Senate Resolution No. 20.

Upon motion of Senator Stewart, Senate Resolution No. 20 was adopted, as read, and referred for engrossment.

Senator Gulager, on behalf of the Committee appointed to confer with the Governor and a like Committee of the Honorable House, on the matter of sine die adjournment of the 12th Legislature, reported that the duty had been performed and resulted in the hour of high noon, Saturday, March 30th, 1929, being fixed as the tentative hour for sine die adjournment.

The report was ordered received and the Committee discharged.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to

ENGROSSED HOUSE BILL NO. 440—By HEAD, SHERMAN, KIGHT, GRAHAM, KEENAN, PATTERSON, CARMICHAEL, et al., entitled:

An Act providing for employees of the House of Representatives of the Twelfth Legislature made necessary by reason of an existing emergency, to aid and assist such House in the exercise of its inquisitorial and impeachment powers only; naming their salaries, making an appropriation therefor,

and asks, for conference thereon. Representatives Head, Keenan, Ferguson, Kight and Jones of Stephens were appointed by the Speaker as House conferees.

Very truly yours,

BERT McDONEL, Chief Clerk.

Upon motion of Senator Anglin, the Senate granted the request of the Honorable House, for a conference on House Bill No. 440, and the President Pro Tempore appointed as Senate conferees, thereon, Senators Anglin, Harper, Boyer, Williams and Otjen.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO 121—By BOYDSTUN, entitled:

An Act amending Section 10936, Compiled Oklahoma Statutes, 1921, relating to organization of townships, repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

ENROLLED HOUSE BILL NO. 346—By NANCE of the House and BOYER of the Senate, entitled:

An Act to authorize cities and towns in Oklahoma, whether acting under the general law or freeholders' charter, that have issued street improvement bonds under and by virtue of the authority of Chapter 10, Article 12, Revised Laws, 1910, or Chapter 176, Session Laws, 1919, to refund said bonds, to levy and collect assessments, to pay such bonds, to provide for the retirement of former bonds and to provide for cancellation of any or all prior assessments and penalties, together with penalty and interest, by and with written consent of and under contracts with the holder or holders of any series of such bonds, and to provide a procedure therefor; and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bills Nos. 121 and 346 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 36—By GULAGER, WHEATLEY, GRAHAM, REXROAT, STIGLER, PAT-

TON and COMMONS of the Senate, and PATTERSON, BUNCH, DYER, BUTLER, MOON and STOVALL of the House, entitled:

An Act relating to the recording by County Clerks of Oklahoma of certificate designating and describing lands exempt from taxation owned by members of the Five Civilized Tribes and their heirs,

and to inform you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Presiding Officer in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bill No. 36 was ordered referred to the Governor for consideration.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 85—By POWERS and LOOFBOURROW of the Senate, and SNODDY, ODELL and ALLEN of the House, entitled:

An Act making an Emergency Appropriation for the Western Oklahoma Hospital for the fiscal year ending June 30, 1929, and declaring an emergency,

and to inform you, and through you, the Honorable Senate,*that the same has been read for the fourth time and signed by the Presiding Officer in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bill No. 85 was ordered referred to the Governor, for consideration.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolution No. 14 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Concurrent Resolution No. 14 and ordered the same transmitted to the Honorable House, for further consideration.

GENERAL ORDER

HOUSE BILL NO. 200, by Whitt, Roe and Lester, was taken up for consideration.

Senator Andrews made the observation that, under an opinion from the Attorney General, rendered upon his request, the legislation provided under House Bill No. 200, by Whitt, Roe and Lester, would be held unconstitutional.

Upon motion of Senator Andrews, HOUSE BILL NO. 200, by Whitt, Roe and Lester, was stricken from the calendar.

HOUSE BILL NO. 210, by Whitt, Roe and Lester, was taken up for consideration.

Senator Andrews made the observation that, under an opinion of the Attorney General, rendered upon his request, the legislation provided under House Bill No. 210, by Whitt, Roe and Lester, would be held unconstitutional.

Upon motion of Senator Andrews, HOUSE BILL NO. 210, by Whitt, Roe and Lester, was stricken from the calendar.

HOUSE BILL NO. 44, by Briggs, was taken up for consideration and read at length.

Upon motion of Senator Harper, House Bill No. 44, by Briggs, was advanced to engrossment and third reading.

HOUSE BILL NO. 426, by Boydston and Harrower, was taken up for consideration and read at length.

Upon motion of Senator Gulager, House Bill No. 426, by Boydston and Harrower, was advanced to engrossment and third reading.

Upon motion of Senator Anglin, the vote was reconsidered by which HOUSE BILL NO. 426, by Boydston and Harrower, was advanced to engrossment and third reading.

Upon the request of Senator Gulager, consideration of HOUSE BILL NO. 164, by Boydston, Harrower and Moon, was deferred.

HOUSE BILL NO. 462, by Campbell and Hutchinson, of the House, and Otjen, of the Senate, was taken up for consideration and read at length.

Upon motion of Senator Otjen, House Bill No. 462, by Campbell and Hutchinson, of the House, and Otjen, of the Senate, was advanced to engrossment and third reading.

HOUSE CONCURRENT RESOLUTION NO. 6, by

Black, was taken up for consideration and read at length, as follows:

HOUSE CONCURRENT RESOLUTION NO. 6—By
BLACK.

A RESOLUTION REQUESTING THE CHAMBER OF COMMERCE OF THE STATE OF OKLAHOMA, INC., TO APPOINT A COMMISSION OF STATE BUSINESS MEN, TO CO-OPERATE WITH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES AND THE MEMBERS OF THE SENATE OF THE STATE OF OKLAHOMA IN THE MATTER OF STUDYING THE QUESTION OF EQUITABLE COMPENSATION FOR STATE AND OTHER PUBLIC OFFICIALS OCCUPYING POSITIONS OF RESPONSIBILITY WITH A VIEW OF MAKING SUGGESTIONS AND RECOMMENDATIONS TO THE TWELFTH LEGISLATURE WITH A VIEW OF PLACING THE SALARIES OF SAID OFFICIALS ON A BASIS COMPARABLE WITH SALARIES PAID BY THE BUSINESS WORLD.

WHEREAS, it is of common knowledge that the salaries paid to state and other public officials in positions of responsibility are not on a basis comparable with salaries paid by the business world to those occupying positions of equal responsibility, and

WHEREAS, it is deemed, by astute business men of the business world essential that the compensation for state and other public officials in positions of responsibility be placed on a basis comparable with salaries paid by the business world.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF OKLAHOMA, THE SENATE CONCURRING THEREIN:

That the Board of Directors of the Chamber of Commerce of the State of Oklahoma, Inc., be and are hereby requested to appoint a commission of state business men to study the question of equitable compensation for state and other public officials in positions of responsibility and that their recommendations and suggestions be submitted to the House of Representatives and the Senate of the State of Oklahoma with a view of placing the salaries of said officials on a basis comparable with salaries paid by the business world.

Upon motion of Senator Terwilliger, House Concurrent Resolution No. 6 was adopted, as read.

The President Pro Tempore, in open session, signed Engrossed House Concurrent Resolution No. 6 and ordered the same returned to the Honorable House.

Upon motion of Senator Stewart, the Senate recessed, to meet at 1:30 o'clock, p. m.

AFTERNOON SESSION

The Senate reassembled, at 1:30 o'clock, p. m., with President Pro Tempore Storms presiding.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives, to inform you, and through you the Honorable Senate, that the House refuses to concur in Senate Amendments to

ENGROSSED HOUSE BILL NO. 13—By STANLEY, LEWIS, WASSON, HEAD, PAUL, BUSEY, JACOBS, WAGNER, PHILLIPS, WHITAKER, DYER, STOVALL, and LEECRAFT.

An Act amending Section 17, Chapter 35, of the Session Laws of Oklahoma, 1927, relating to Fish and Game and fixing penalty for violation, and declaring an emergency,

and requests that the Senate recede from its amendments, and if the Honorable Senate refuses to recede, the House requests a conference thereon.

Yours very truly,

BERT McDONEL, Chief Clerk.

Senator Stewart moved that the Senate recede from its amendments to Engrossed House Bill No. 13, which motion failed of adoption, upon a roll call, as follows:

Ayes: Andrews, Blakely, Boyer, Easter, Ewing, Fidler, Gray, Johnson (Creek), Jolly, Kimerer, Otjen, Patton, Peck, Powers, Ray, Smith, Stewart, Terwilleger, Thomas, Williamson. Total, 20.

Nays: Anglin, Darnell, Ferguson, George, Graham, Gulager, Harper, Hill, Johnson (Pottawatomie), Loofbourrow, Nesbitt, Storms, Wheatley, Williams. Total, 14.

Not Voting: Clark, MacDonald, Reed, Rexroat.
Total, 4.

Absent: Rice. Total, 1.

Excused: Austin, Commons, Moore, Pullen, Stigler.
Total, 5.

Senator Gulager moved that the request of the Honorable House, for a conference on House Bill No. 13, be granted and conferees, thereon, be appointed.

The motion prevailed and the President Pro Tempore appointed as conferees on House Bill No. 13, Senators Hill, Graham, Jolly, Harper, and Stewart.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 448—By STANLEY and STOVALL, entitled:

An Act abolishing township government in Choctaw County, Oklahoma, providing that the duties of township officers shall be performed by the Board of County Commissioners of said county; repealing any Act conflicting herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 17—By CARTWRIGHT, entitled:

An Act providing for one deputy County Assessor for all counties in the State of Oklahoma having a population of not less than twenty thousand (20,000) inhabitants,

and not exceeding twenty-one thousand (21,000) inhabitants, according to the federal census of 1920, and fixing the salary for said deputy, also fixing the amount of expense to be allowed the County Assessor and deputy of said counties, repealing all conflicting laws, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 441—By TILLERY of the House, and FERGUSON of the Senate, entitled:

An Act authorizing the Court Clerk of counties having a population of not less than 13,200, nor more than 13,700, inhabitants, according to the federal census of 1920, or according to any succeeding federal census, to appoint a deputy Court Clerk by and with the consent of the Board of County Commissioners of said county at a salary of not less than \$100.00 per month, nor to exceed \$125.00 per month, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 461—By WHITT, ROE and LESTER, entitled:

An Act authorizing the County Commissioners of Pittsburg County, Oklahoma, to include in their annual estimate, and the Excise Board of said county to make a levy in a sum equal to one-tenth of one mill for the fiscal year ending June 30, 1930, for the purpose of paying certain indebtedness created against the county for the maintenance of the poor and insane; declaring same not to be current expense; repealing all laws in conflict therewith and, declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 39—By BYRUM and NOBLE of the House, and JOHNSON (Pottawatomie) of the Senate, entitled:

A Joint Resolution appropriating Four Thousand

Nine Hundred Eight and Thirty-eight One Hundredths (\$4,908.38) Dollars for salaries for the State Industrial School for Girls at Tecumseh, Oklahoma, to be used and expended for the remainder of the fiscal year ending June 30, 1929, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been passed by the House and signed by the Speaker Pro Tem, in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 175—By BLACK, entitled:

An Act amending Section 4507, Compiled Oklahoma Statutes, 1921, relating to the right of municipalities to engage in business, acquire, own and maintain public utilities and to issue bonds for said purposes, to be owned exclusively by said municipalities, including the right to enter into lease control for such public utility; and declaring an emergency,

ENROLLED HOUSE BILL NO. 284—By ROPER, WHITAKER, SNODDY, DRAKE, et al., of the House, and ANDREWS, GULAGER, AUSTIN, BOYER, FIDLER, et al., entitled:

An Act repealing Chapter 71, of the Session Laws of 1927, and creating a highway commission, providing for the appointment and procedure of removal of said com-

mission; providing for tenure of office, salaries and expenses of such commission; and declaring an emergency,

ENROLLED HOUSE BILL NO. 295—By HUTCHINSON and CLOYD of the House, and OTJEN of the Senate, entitled:

An Act authorizing the Excise Board of any county in this state to make an annual levy of not to exceed one-half of one mill for the purpose of establishing, extending, operating and maintaining a county circulating library and for the employment of help in connection therewith, providing for the use and expenditure of such funds in co-operation with other public libraries, and declaring an emergency,

ENROLLED HOUSE BILL NO. 335—By MOON, HARROWER and BOYDSTUN of the House, and GULAGER of the Senate, entitled:

An Act amending Chapter 202, House Bill No. 392, Session Laws of 1925, empowering Muskogee County to levy and collect an annual tax for the use and benefit of the Free Oklahoma State Fair at Muskogee, Oklahoma, regulating the expenditure thereof, and declaring an emergency,

ENROLLED HOUSE BILL NO. 349—BY MAXWELL, HARROWER, BOYDSTUN and MOON of the House, and FIDLER of the Senate, entitled:

An Act amending Section 11 of the law known as initiative petition No. 100, relating to advalorem tax levies, by adding certain exceptions under the sub-title of free fairs; providing for the expenditure of Free Fair funds for said exceptions. Repealing all laws in conflict herewith, and declaring an emergency,

ENROLLED HOUSE BILL NO. 345—By NANCE of the House, and BOYER of the Senate, entitled:

An Act to amend Section 10, of Chapter 93, of the Session Laws of Oklahoma of 1927, the same being an act entitled "An Act to authorize the governing body of any city or incorporated town to refund street improvement bonds heretofore issued by authority of Chapter 10, Article 1, of the Session Laws of Oklahoma, 1907-1908, or Article 12, Chapter 29, Compiled Oklahoma Statutes, Annotated, 1921; to provide for the levy and collection of assessments to pay such bonds and the method of procedure therefor, to provide for the retirement of street improvement bonds heretofore issued, to provide for the repeal of Chapter 216, of the Session Laws of the State of Oklahoma, 1915, and all other laws and parts of laws in conflict herewith," repealing all laws or parts of laws in conflict herewith, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bills Nos. 175, 284, 295, 335, 345 and 349 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

Senator Otjen moved that the Honorable House be requested to rescind its fourth reading of HOUSE BILL NO. 349, by Maxwell, et al., of the House, and Fidler, of the Senate, and return the engrossed copy to the Senate, for further consideration, which motion prevailed.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the House has appointed as Conferees on

ENGROSSED SENATE BILL NO. 218—By COMMONS, HILL, WHEATLEY, ANGLIN, OTJEN, entitled:

An Act providing for employees of the Senate of the Twelfth Legislature sitting as a court of impeachment, made necessary by reason of existing emergencies, making appropriation therefor, and declaring an emergency,

the following members:

1. Stanley.
2. Allen (Washington);.
3. Harvey.
4. Trent.
5. Hester.

Yours truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 14—By STEWART of the Senate, and JONES (Stephens) of the House, entitled:

A Resolution providing for the adjournment of the regular session,

and to advise you, and through you, the Honorable Senate that the same has been adopted by the House, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 14 was referred for enrollment.

THIRD READING

Notice having been lodged, to reconsider the vote by which SENATE BILL NO. 95 was passed, Senator Anglin moved that the vote be reconsidered, now, by which Senate Bill No. 95 was passed.

Senator Gulager raised a point of order, which was not sustained, stating "the motion to reconsider is not within the rules and cannot be until a day certain is fixed for adjournment."

The vote recurring on the Anglin motion, the same failed of adoption, upon a roll call, as follows:

Ayes: Darnell, Easter, Ferguson, Graham, Gray, Gulager, Hill, Johnson (Creek), Nesbitt, Otjen, Patton, Ray, Reed, Williams. Total, 14.

Nays: Andrews, Anglin, Blakely, Boyer, Clark, Ewing, George, Harper, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, Peck, Powers, Stewart, Storms, Terwilleger, Wheatley, Williamson. Total, 19.

Not Voting: Fidler, MacDonald, Rexroat, Smith, Thomas. Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Commons, Moore, Pullen, Stigler.
Total, 5.

Upon motion of Senator Anglin, Section 2, of Senate Bill No. 95, was stricken.

Senate Bill No. 95 was referred for re-engrossment.

Upon motion of Senator Easter, HOUSE BILL NO. 429, by Mitchell and Perryman, was ordered withdrawn from the Committee on Revenue and Taxation and placed upon the calendar.

A Committee from the Honorable House, composed of Representatives Head, Owens, Ferguson and Patterson, was received, at 3:20 o'clock, p. m.

Representative Head announced the Honorable House had adopted Articles of Impeachment against Chief Justice Charles W. Mason, Justices J. W. Clark and Fletcher Riley of the Supreme Court of Oklahoma, and the Board of Managers, with Mr. Patterson, as Chairman, was ready to present said Articles at the convenience of the Senate.

Upon motion of Senator Stewart, the Articles of Impeachment were received by the Senate.

Representative Patterson, Chairman of the Board of Managers, being recognized, said:

MR. PRESIDENT:

We, a Board of Managers, appointed by the Honorable House of Representatives, to present to the Honorable Senate Articles of Impeachment against J.

W. Clark, Justice of the Supreme Court of the State of Oklahoma, do, in obedience to the command of the Honorable House, present to the Honorable Senate, sitting as a Court of Impeachment, the Impeachment charges which have heretofore been exhibited, received, voted and adopted by the Honorable House of Representatives of the State of Oklahoma, said Articles Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, having been adopted by said House of Representatives on the 27th day of March, 1929.

The following communication from the Honorable House was received and read:

To the President of the Senate of the
Twelfth Legislature of the State of
Oklahoma,

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House of Representatives did on the 27th day of March, 1929, exhibit and adopt Articles Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of the Articles of Impeachment against J. W. Clark, Justice of the Supreme Court of the State of Oklahoma, and that the Board of Managers is now ready to report said Articles of Impeachment to the Honorable Senate, and awaits its pleasure in receiving said Articles of Impeachment.

Yours very truly,

BERT McDONEL, Chief Clerk.

Representative Head, of the Board of Managers, presented Articles of Impeachment against Justice J. W. Clark, which were read by the clerk as follows:

ARTICLES OF IMPEACHMENT
EXHIBITED BY THE HOUSE OF REPRESENTATIVES
OF THE STATE OF OKLAHOMA

The House of Representatives of the Twelfth Legislature of the State of Oklahoma, in their name and in the name and by the authority of the State of Oklahoma and the people thereof, do hereby present and exhibit Articles of Impeachment, and give the Honorable Senate to know and be informed that:

J. W. Clark was a candidate for the Democratic nomination in the Eighth Supreme Court Judicial Nominating District of the State of Oklahoma for Justice of the Supreme Court of the State of Oklahoma before the primary election had and held throughout the aforesaid Supreme Court Judicial Nominating District, and throughout the State of Oklahoma on the 5th day of August, 1924, and by the result of said primary election a certificate of election was issued to him as the nominee of the Democratic party from the aforesaid Judicial Nominating District for the office of Justice of the Supreme Court of the State of Oklahoma, and that thereafter, on the 4th day of November, 1924, by the result of the general election had and held throughout the State of Oklahoma, a certificate of election was issued him, declaring him a Justice of the Supreme Court of said State; that on the 12th day of January, 1925, said J. W. Clark became and was inducted into the office of Justice of the Supreme Court of the State of Oklahoma, and thereupon took and subscribed the oath of office prescribed by Section 1 of Article XV of the Constitution of the State of Oklahoma, as follows, to-wit:

"I, J. W. Clark, do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States, and the Constitution of the State of Oklahoma, and will discharge the duties of my office with fidelity; that I

have not paid, or contributed, either directly or indirectly, any money or other valuable thing, to procure my nomination or election (or appointment), except for necessary and proper expenses expressly authorized by law; that I have not, knowingly, violated any election law of the State, or procured it to be done by others in my behalf; that I will not, knowingly, receive, directly or indirectly, any money or other valuable thing, for the performance or non-performance of any act or duty pertaining to my office, other than the compensation allowed by law, and I further swear (or affirm) that I will not receive, use, or travel upon any free pass or on free transportation during my term of office.

(Signed) "J. W. CLARK.

"Subscribed and sworn to before me this 12th day of January, 1925.

(Signed) "N. E. McNEILL, Chief Justice."

And thereupon he, said J. W. Clark, assumed the duties of said office.

That J. W. Clark was a candidate for the Democratic nomination in the Eighth Supreme Court Judicial Nominating District of the State of Oklahoma for Justice of the Supreme Court of the State of Oklahoma before the primary election had and held throughout the aforesaid Supreme Court Judicial Nominating District, and throughout the State of Oklahoma, on the 3rd day of August, 1926, and by the result of said primary election a certificate of election was issued to him as the nominee of the Democratic party for the office of Justice of the Supreme Court of the State of Oklahoma from the aforesaid Eighth Supreme Court Nominating District, and thereafter, on the 2nd day of November, 1926, by the result of the general election had and held throughout the State of Oklahoma, a certifi-

cate of election was issued to him, declaring him elected a Justice of the Supreme Court of said State; that on the 10th day of January, 1927, said J. W. Clark became and was inducted into the office of Justice of the Supreme Court of the State of Oklahoma, and thereupon took and subscribed the oath of office prescribed by Section 1 of Article XV of the Constitution of the State of Oklahoma, as follows, to-wit:

"I, J. W. Clark, do solemnly swear (or affirm) that I will support, obey and defend the constitution of the United States and the Constitution of the State of Oklahoma, and will discharge the duties of my office with fidelity; that I have not paid, or contributed, either directly or indirectly, any money or other valuable thing, to procure my nomination or election (or appointment), except for necessary and proper expenses expressly authorized by law; that I have not, knowingly, violated any election law of the State, or procured it to be done by others in my behalf; that I will not, knowingly, receive, directly or indirectly, any money or other valuable thing, for the performance or non-performance of any act or duty pertaining to my office, other than the compensation allowed by law, and I further swear (or affirm) that I will not receive, use or travel upon any free pass or on free transportation during my term of office.

(Signed) "J. W. CLARK.

"Subscribed and sworn to before me this 10th day of January, 1927.

(Signed) "GEO. M. NICHOLSON, Chief Justice."

And said J. W. Clark, Justice of the Supreme Court of the State of Oklahoma, unmindful of the high duties of his office, and of his oath of office, and in violation of the

Constitution and the laws of said State, is guilty of incompetency, wilful neglect of duty, corruption in office, and offenses involving moral turpitude committed by him while in his said office, and that said House of Representatives hereby exhibits and presents to the honorable Senate Articles of Impeachment against said J. W. Clark, as Justice of the Supreme Court of the State of Oklahoma, for the causes, upon the grounds, and in the particulars as follows, to-wit:

ARTICLE I.

That on or immediately after the 5th day of May, 1925, while said J. W. Clark was an elected, qualified and acting Justice of the Supreme Court of the State of Oklahoma, and while serving in the capacity of Justice of the Supreme Court of the State of Oklahoma, he, said J. W. Clark, received, by proper assignment, from the Chief Justice of the Supreme Court of the State of Oklahoma, for the purpose of preparing an opinion and subsequently submitting the same to the Supreme Court for its consideration, a certain cause of action styled "Wirt Franklin, plaintiff in error, vs. The Empire Gas & Fuel Company, defendant in error," numbered 13,608 on the docket of the Clerk of the Supreme Court of the State of Oklahoma; that the record or case-made or transcript, pleadings, and briefs theretofore filed with the Clerk of the Supreme Court in the aforesaid cause were duly delivered to the aforesaid J. W. Clark for his examination, inspection, and reference in the preparation of such opinion; that said record or case-made or transcript, pleadings, and briefs in said cause were not voluminous, and an opinion therein could and should have been prepared by the aforesaid J. W. Clark within not more than sixty days, but the aforesaid J. W. Clark, unmindful of the high duties of his office and of his oath of office, and in violation of the Constitution and the laws of the State of Oklahoma, and contrary to the peace and dignity of

the State of Oklahoma and the welfare of the people thereof, did purposely, wilfully, wrongfully, designedly, and corruptly hold and retain the record or case-made or transcript and pleadings and briefs in the aforesaid cause, and did neglect and refuse to prepare an opinion therein, as hereinafter stated; that the design and purpose of the aforesaid J. W. Clark in so refusing to prepare and submit to the Supreme Court his opinion in the aforesaid cause, was to compel the employment of his close personal friend, one Joseph G. Ralls, an attorney, of Atoka, Oklahoma, as an attorney in the aforesaid cause, in order that the said Joseph G. Ralls might obtain an exorbitant and unjust fee for services pretended to be rendered; that after the aforesaid J. W. Clark had retained the record or case-made or transcript and the pleadings and briefs in the aforesaid cause for more than five months without preparing an opinion therein, and by such delay and refusal on the part of the aforesaid J. W. Clark to perform the sworn duties of his said office, one H. A. Ledbetter, an attorney-at-law, of Ardmore, Oklahoma, the regularly-employed attorney for the aforesaid Wirt Franklin, plaintiff in error in the aforesaid cause, was coerced and compelled to employ the aforesaid Joseph G. Ralls as associate counsel in said cause, and was coerced and compelled to agree to divide his, said H. A. Ledbetter's, fee as the regularly-employed attorney of the aforesaid Wirt Franklin in said cause of action with the aforesaid Joseph G. Ralls, and in so holding, retaining and refusing to write an opinion in the aforesaid cause of action until he had coerced and compelled the employment of the aforesaid Joseph G. Ralls as associate attorney, he, said J. W. Clark, then and there and thereby became and was, and is, guilty of wilful neglect of duty, malfeasance in office, corruption in office, and other offenses, involving moral turpitude committed by him while in his said office:

That on or immediately prior to October 1, 1925, after

the aforesaid J. W. Clark had, for an unreasonably long time, failed, refused, and neglected to write an opinion in the aforesaid cause, and after he had coerced and compelled the employment of the aforesaid Joseph G. Ralls as an attorney in said cause, and with the aforesaid Joseph G. Ralls having never entered his appearance as an attorney of record in the aforesaid cause, but while he, said Joseph G. Ralls, was acting only in a secret capacity and manner, and without knowledge on the part of the opposing parties or counsel, he, said J. W. Clark, held corrupt, secret conferences and consultations with said Joseph G. Ralls, and invited, received, and retained a secret communication in the form of a letter and a purported statement of facts and brief, mailed by the aforesaid Joseph G. Ralls, by registered mail, from Atoka, Oklahoma, addressed to the aforesaid J. W. Clark at Oklahoma City, Oklahoma, to be used by the aforesaid J. W. Clark in the preparation of an opinion in the aforesaid cause; that such secret conferences, consultations, and communications were all had, passed, and received in the absence and without the knowledge of the opposing parties and their attorneys, and under such circumstances that opposing parties and their attorneys had and could have had no knowledge thereof, and no opportunity to protect themselves against such procedure; that the purpose, scheme, design, and plan on the part of the aforesaid Joseph G. Ralls, and the said J. W. Clark was to obtain by the aforesaid Joseph G. Ralls and to grant by the said J. W. Clark, unfair and corrupt advantage to the aforesaid Joseph C. Ralls in procuring an opinion favorable and that would be profitable to the aforesaid Joseph G. Ralls; that such plan, scheme, design, purpose, and acts were all in violation of the ethics of judicial procedure and the honest and proper administration of justice, and against the peace, dignity and welfare of the State of Oklahoma and the people thereof, and in violation of the Constitution and

laws of the State of Oklahoma, in such cases made and provided:

That pursuant to the aforesaid plan, scheme, design, and acts on the part of the aforesaid Joseph G. Ralls and the said J. W. Clark, an understanding was reached and agreement had as to the character and nature, as well as the effect, of the opinion in the aforesaid cause that should be prepared and submitted by said J. W. Clark to the Supreme Court for its consideration, approval, and adoption, and that after such understanding was reached and agreement had, as aforesaid, said J. W. Clark thereafter continued to wrongfully, wilfully, knowingly, designedly, and corruptly fail, neglect, and refuse to prepare an opinion in the aforesaid cause, but he, said J. W. Clark, in the furtherance of his aforesaid plan, scheme, and design, resorted to extortion by soliciting and demanding of the aforesaid H. A. Ledbetter a contribution of \$500 to \$1000 for the purpose of defraying the expenses of said J. W. Clark in his campaign for re-election to the Supreme Court; that such solicitation and demand by said J. W. Clark was made of and upon said H. A. Ledbetter on the 9th day of August, 1926, after he, said J. W. Clark, had obtained a certificate of nomination as a candidate for Justice of the Supreme Court of the State of Oklahoma:

That after said J. W. Clark had so solicited and demanded of said H. A. Ledbetter the contribution as aforesaid, he, said J. W. Clark, advised and gave said H. A. Ledbetter and said Joseph G. Ralls to understand that he would, immediately following the general election to be held in the month of November, 1926, submit to the Supreme Court for consideration, approval, and adoption, a favorable opinion in the aforesaid cause, that would be profitable to the aforesaid H. A. Ledbetter and Joseph G. Ralls (said H. A. Ledbetter and Joseph G. Ralls having a

20 per cent contingent fee employment contract in the aforesaid cause); that said J. W. Clark advised and gave the aforesaid H. A. Ledbetter and Joseph G. Ralls to understand that such opinion would not be submitted by him to the Supreme Court for consideration, approval, and adoption until after the general election in November, 1926, for fear that such opinion, being adverse to The Empire Gas & Fuel Company, the defendant in error in the aforesaid cause, might, if officially rendered and filed before the general election in November, 1926, arouse the political antagonism of The Empire Gas & Fuel Company towards him, and interfere with his, said J. W. Clark's, re-election to the Supreme Court; that at or about such time, said J. W. Clark advised and gave said H. A. Ledbetter to understand that he, said J. W. Clark, expected and required, and by the means aforesaid demanded and coerced, the payment by said H. A. Ledbetter to said J. W. Clark of the sum of \$750 in cash as a contribution to said J. W. Clark towards defraying his expenses in his campaign for re-election to the Supreme Court of the State of Oklahoma; that because of the aforesaid plan, scheme, design, and acts of said J. W. Clark in deferring the rendition by him of his opinion in the aforesaid cause, and in coercing the payment to him of the aforesaid sum of \$750, for the purpose of insuring and securing his re-election to the Supreme Court of the State of Oklahoma, he, said J. W. Clark, then and there and thereby became, and was and is, guilty of corruption in office, malfeasance in office, wilful neglect of duty, and other offenses involving moral turpitude committed by him while in said office:

That after said J. W. Clark had thus wrongfully, wilfully, knowingly, and designedly violated the Constitution and the laws of the State of Oklahoma, and until his aforesaid corrupt acts had been detected and exposed, he, said J. W. Clark, continued to hold and retain the record

or case-made or transcript and pleadings and briefs in the aforesaid cause without rendering an opinion therein; that on or about the 26th day of February, 1927, the aforesaid corrupt acts and deeds of said J. W. Clark were partially exposed to the public, and thereafter said J. W. Clark, for the purpose of protecting himself and of preventing his removal from office, set in motion a corrupt scheme and plan, designed to discredit said H. A. Ledbetter as a witness, and to discredit any statements that said H. A. Ledbetter might make about the payment of the aforesaid sum of \$750 and all of the aforesaid transactions, and designed also to destroy said H. A. Ledbetter as a lawyer, by distorting the facts with reference to the solicitation of said fund by said J. W. Clark and the payment by said H. A. Ledbetter of the aforesaid campaign contribution, and all of the other aforesaid corrupt omissions, acts, and deeds of said J. W. Clark in connection with the aforesaid cause, by alleging and charging that the aforesaid H. A. Ledbetter had publicly stated that he, said H. A. Ledbetter, had bribed or attempted to bribe him, said J. W. Clark, for the purpose of procuring the rendition by him, said J. W. Clark, of an opinion in the aforesaid cause, when in truth and in fact said H. A. Ledbetter had never charged or stated that such payment or offer of payment was a bribe or intended to be a bribe, but, on the contrary, said H. A. Ledbetter had at all times stated that such payment was a campaign contribution, made at the solicitation, request, and demand of the aforesaid J. W. Clark, and had further expressed his, said H. A. Ledbetter's, intention of testifying under oath to the facts with reference thereto, and with reference to all of the other aforesaid corrupt omissions, acts, and deeds of said J. W. Clark; that said J. W. Clark, well knowing that only he and said H. A. Ledbetter had actual knowledge of the facts, circumstances, and instances with reference to the payment of such fund, used the prestige of his office and abused the high trust

imposed upon him, to give credibility to his, said J. W. Clark's distortion of facts with reference to the payment of such fund:

That after the aforesaid J. W. Clark had thus publicly distorted the facts with reference to the aforesaid solicitation and payment of said fund, he, said J. W. Clark, used the power of his office and the prestige thereof, and abused the high trust imposed upon him, to compel and coerce said H. A. Ledbetter to make false statements under oath with reference to the solicitation, demand, and payment of the aforesaid fund; that for the purpose of coercing, intimidating and compelling said H. A. Ledbetter to make such false statements about the payment of said fund, he, said J. W. Clark, instituted, prosecuted, and caused to be prosecuted disbarment proceedings against said H. A. Ledbetter, and while such disbarment proceedings were pending, by use of the power and prestige of his office and the abuse of the high trust imposed upon him, said J. W. Clark coerced and compelled said H. A. Ledbetter, under threat of permanent disbarment as a practicing attorney, to make false statements with reference to the payment of the aforesaid fund, and to deny, under oath, in pleadings filed in the aforesaid disbarment proceedings, that he, said H. A. Ledbetter, had ever paid to said J. W. Clark such sum of \$750; that after said J. W. Clark had thus suborned, compelled, and coerced the making of such false statements and the filing of the same in the office of the Clerk of the Supreme Court of the State of Oklahoma, an office of public record, he, said J. W. Clark, procured the permanent disbarment of said H. A. Ledbetter upon and because of the false statements so made and filed by said H. A. Ledbetter to prevent his disbarment and complete destruction as a practicing attorney; that because and on account of the wilful, wrongful, unlawful, fraudulent, corrupt, and felonious plans, schemes, designs, acts,

deeds, and omissions performed by him, said J. W. Clark, as aforesaid, and the omission and failure upon his part to perform the duties incumbent upon him under the Constitution and laws of the State of Oklahoma, each and all of which were wilfully, wrongfully, purposely, knowingly, designedly, and corruptly done and omitted for the purposes hereinabove set forth, and by the doing of each and all of which, said acts and omissions, said J. W. Clark became, was, and is guilty of wilful neglect of duty, wanton violation of his oath of office, malfeasance in office, incompetency, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE II.

And said House of Representatives aforesaid do further find and present that heretofore, and while said J. W. Clark was acting as a duly-elected and qualified member or Justice of the Supreme Court of the State of Oklahoma, and unmindful of the high duties of his office, and of his oath of office, in violation of the Constitution and laws of the State of Oklahoma, and on or about the -----day of----- 1927, he, said J. W. Clark, wilfully, wrongfully, unlawfully, fraudulently, corruptly, and feloniously entered into a corrupt agreement, understanding, and conspiracy with one John W. Sartain and one Ira J. Banta, to subsequently bring about the rendition of an opinion favorable to said John W. Sartain in a certain case which said John W. Sartain proposed to appeal to the Supreme Court of the State of Oklahoma, if such arrangement for a favorable opinion could be had in advance of the filing of such proposed appeal; that in

keeping with such corrupt plan, scheme, and design, the aforesaid John W. Sartain and Ira J. Banta conferred, consulted, and advised with the aforesaid J. W. Clark about the case proposed to be appealed, and obtained an agreement with said J. W. Clark to cause such case, when so appealed to the Supreme Court of the State of Oklahoma, to be decided favorably to said John W. Sartain; that in keeping with such wrongful, wilful, felonious, and corrupt scheme, plan, and design, and pursuant to the wrongful, wilful, felonious and corrupt agreement had and obtained with the aforesaid J. W. Clark, and in concert with said Banta and Clark and in furtherance of said conspiracy, the said John W. Sartain did immediately thereafter discharge his previously employed lawyers who had theretofore represented him in such legal proceeding, and thereafter said case was appealed to the Supreme Court of the State of Oklahoma by said John W. Sartain, through the efforts and services of said Ira J. Banta as an attorney; that said case, when so appealed, was styled "John W. Sartain et al., plaintiffs in error, vs. Federal National Bank of Shawnee, defendant in error," and numbered 18,651 on the docket of the Clerk of the Supreme Court of the State of Oklahoma; that after said appeal had been so filed in the office of the Clerk of the Supreme Court of the State of Oklahoma, said J. W. Clark, in keeping with the aforesaid wrongful, wilful, felonious, and corrupt agreement, and in furtherance thereof, procured the adoption by the Supreme Court of an opinion in the aforesaid cause favorable to the aforesaid John W. Sartain, all of which plans, schemes, and designs and conspiracy engaged in by him and acts performed pursuant thereto by him, said J. W. Clark, aforesaid, were wilfully, wrongfully, purposely, feloniously, and designedly done for the purpose hereinabove set forth, and by the doing of each and all of the things aforesaid, said J. W. Clark became, was, and is guilty of wilful neglect of duty, wanton violation of

his oath of office, malfeasance in office, incompetency, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and contrary to the dignity, peace, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the state of Oklahoma.

ARTICLE III.

And said House of Representatives do further find and present that on the 25th day of October, 1927, said J. W. Clark, acting as a member or Justice of the Supreme Court of the State of Oklahoma, as aforesaid, did wilfully, knowingly, wrongfully, unlawfully, designedly, and corruptly concur and participate in the approval and adoption of an opinion in and the determination of a certain cause theretofore appealed to the Supreme Court of the State of Oklahoma styled "Sam Yargee et al., plaintiffs in error, vs. George McMillan et al., defendants in error," numbered 15,014 on the docket of the Clerk of the Supreme Court of the State of Oklahoma; that the aforesaid cause was filed in the office of the Clerk of said Court on the 24th day of December, 1923, and pended in said Court until some time prior to May 18, 1925, when the same was assigned to Division No. 4 of the then existing Supreme Court Commission for the purpose of decision and the preparation and submission to the Supreme Court of an opinion therein; that thereafter, and on or about March 23, 1926, an opinion favorable to the plaintiffs in error in the aforesaid cause was duly prepared by the aforesaid Division No. 4 of the then existing Supreme Court Commission and submitted to the Supreme Court for consideration, approval and adoption; that said opinion was received, considered, approved, and adopted by said Supreme Court, but was not officially filed, but after having been so considered, approved, and adopted,

and instead of being officially filed, said opinion was concealed and never at any time filed in the office of the Clerk of the Supreme Court of the State of Oklahoma, or made a part of the files in the aforesaid cause, but on said date, to-wit: March 23, 1926, said cause was re-set for consideration and oral argument before the Supreme Court on April 20, 1926, and by further order such hearing was continued until May 11, 1926, when such oral argument before the Supreme Court was had and held and said cause was thereafter, on May 12, 1926, assigned to Justice Charles W. Mason for the preparation of another opinion:

That said Justice Charles W. Mason received the record or case-made or transcript, pleadings and briefs theretofore filed with the Clerk of the Supreme Court in the aforesaid cause, and retained the same until October 15, 1927, without completing an opinion therein; that on or about October 14, 1927, depositions were taken in the County Court of Okmulgee County, to be used by the defendants in a certain libel action theretofore filed by Justice Fletcher Riley, a member of the Supreme Court, against the World Publishing Company and others, defendants, the trial of said cause being set for hearing October 25, 1927; that in the taking of the depositions aforesaid one G. R. Horner, an attorney for the plaintiffs in error in the aforesaid cause, *Yargee vs. McMillan*, No. 15,014, in the Supreme Court of the State of Oklahoma, was subpoenaed by the defendants in the aforesaid libel action, and compelled to testify as a witness on behalf of the defendants, and in response to interrogatories propounded said G. R. Horner testified as to the manner in which the aforesaid cause, *Yargee vs. McMillan*, had been handled in the Supreme Court of the State of Oklahoma; that the testimony of said Horner aroused the antagonism of said Fletcher Riley and said J. W. Clark, and of Fred P. Branson, Chief Justice of the Supreme Court,

against said Horner and his interest in the aforesaid case of Yargee vs. McMillan;

That immediately thereafter said Chief Justice Fred P. Branson became aware of the character of the testimony theretofore given by said G. R. Horner, and said Chief Justice Branson forthwith seized the record or case-made or transcript, pleadings, and briefs, then in the possession and custody of the aforesaid Charles W. Mason, and proceeded forthwith to prepare an opinion in said cause, contrary to and in conflict with the opinion theretofore rendered by the aforesaid Division No. 4 of the former Supreme Court Commission, and adverse to the interest of said G. R. Horner, and presented the same to the conference of the Supreme Court for consideration, approval, and adoption; that said J. W. Clark, without having read the record or case-made or transcript of the testimony, and consequently having no knowledge whatever of the facts involved in said cause, and without having read the briefs theretofore filed in said cause, and without having given any consideration to the facts as reflected by the record in said cause or the law applicable thereto, concurred in the aforesaid opinion so hastily prepared by the aforesaid Chief Justice Fred P. Branson, and, acting in concert with the aforesaid Chief Justice Fred P. Branson and Justice Fletcher Riley, caused the aforesaid opinion to be approved and adopted by the Supreme Court, and to be immediately thereafter, to-wit, on October 25, 1927, officially rendered and filed; that prior to the official rendering and filing of the aforesaid opinion, said Chief Justice Fred P. Branson and said J. W. Clark had each filed a libel suit in the District Court of Oklahoma County against the same parties who were defendants in the libel action theretofore filed by said Justice Fletcher Riley, and the trial of which was then about to commence, and which suits so filed by said Fred P. Branson, and J. W. Clark were similar to and based upon the same alleged cause of action as the suit filed by said Justice Fletcher

Riley; that the motive, purpose, plan, scheme, and design on the part of the aforesaid J. W. Clark, acting in concert with the aforesaid Fred P. Branson and Fletcher Riley, was for the purpose of retaliation and reprisal against the aforesaid G. R. Horner for his having testified as aforesaid, and for the further purpose of serving public notice and warning on all attorneys, and the intimidation of witnesses who had theretofore testified on behalf of the defendants in the aforesaid libel suit brought by said Justice Fletcher Riley or who should thereafter testify, on behalf of the defendants in the trial of said cause, as to the character of consideration and kind of treatment that would be received by such attorneys and their causes from the aforesaid J. W. Clark, and for the purpose of preventing the production of testimony in defense of such alleged causes of action brought by said J. W. Clark, Fred P. Branson, and Fletcher Riley:

That by the participation in the aforesaid corrupt plan, scheme, design, and conspiracy by him, said J. W. Clark and the commission of the aforesaid wilfully, wrongfully, purposely, and corruptly designed acts and deeds and omissions, he, said J. W. Clark, then and there and thereby became, was, and is guilty of incompetency, wilful neglect of duty, wanton violation of his oath of office, malfeasance in office, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE IV.

And said House of Representatives aforesaid do further find and present that on February 1, 1927, said J.

W. Clark, while a duly elected, qualified, and acting member or Justice of the Supreme Court of the State of Oklahoma, did, in violation of the Constitution and laws of the State of Oklahoma, and while having no knowledge of the facts involved in a certain cause theretofore appealed to the Supreme Court for determination and decision, said cause being styled "Julia Oil & Gas Company, plaintiff in error, vs. Annie Cobb, defendant in error," numbered 15,609 on the docket of the Clerk of the Supreme Court, and without having read either the record or case-made or transcript or the pleadings and briefs filed in said cause, and without any attempt on the part of said J. W. Clark to ascertain or familiarize himself with the facts involved in said proceeding, he, said J. W. Clark, did concur in an opinion in the aforesaid cause prepared by Justice Charles W. Mason and submitted by him to the other members of the Court for their consideration, and approval, and adoption:

That prior to the adoption of the aforesaid opinion, prepared by Justice Charles W. Mason, an opinion in the aforesaid cause had been prepared by Commissioner Ray of the Supreme Court Commission, which opinion was submitted to, and approved, adopted, and rendered by the Supreme Court; that the aforesaid opinion, prepared by Commissioner Ray, was favorable to the plaintiff in error in the aforesaid cause; that the second opinion in said cause, prepared by Justice Charles W. Mason and submitted to and approved, adopted, and rendered by the Supreme Court, was contrary to and in conflict with the first opinion aforesaid; that said opinion so submitted by said Justice Charles W. Mason contained a statement, in substance, to the effect that one Mack Cobb had testified as a witness in the lower court, to certain facts stated by said Charles W. Mason in said opinion, whereas, in truth and in fact, as shown by the record in said cause, said Mack Cobb had never testified as a witness in said cause, and said Mack Cobb, as shown

by the record, was incompetent to testify therein, he being the husband of Annie Cobb, one of the parties; that said J. W. Clark, if he had examined the record or the briefs in said cause, would have known that the said statement so embodied in said opinion was false and wholly untrue and contrary to the record or transcript or case-made in said cause, but said J. W. Clark wrongfully and wilfully neglected to examine the record or case-made and briefs in said cause; that the aforesaid distortion and misstatement of facts, as disclosed by the record or case-made, and the aforesaid attempt on the part of Justice Charles W. Mason to supply testimony in the aforesaid cause was, by petition for rehearing duly filed February 26, 1927, in said court, distinctly and clearly called to the attention of said Supreme Court and the members thereof, but not until after such distortion of the facts and the testimony as aforesaid and the attempt to supply testimony in said cause had, in the month of November, 1927, been exposed in the trial of a certain action theretofore brought by Justice Fletcher Riley, a member of the Supreme Court, was the aforesaid opinion so prepared by Justice Charles W. Mason corrected and the references therein contained to the testimony sought to be supplied to the record by said Justice Charles W. Mason, by order of the Supreme Court, eliminated from said opinion; all of which acts done and performed by him, said J. W. Clark, and all which omissions and failure upon his part to perform the duties incumbent upon him, under the Constitution and laws of the State of Oklahoma, were wilfully, wrongfully, purposely and designedly done and omitted, and by the doing of which said acts and omissions the said J. W. Clark became, was, and is guilty of incompetency, wilful neglect of duty, wanton violation of his oath of office, malfeasance in office, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity and welfare of the State of Oklahoma and

the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE V.

And said House of Representatives aforesaid do further find and present that on February 28, 1928, said J. W. Clark, acting as a member or Justice of the Supreme Court of the State of Oklahoma, did wilfully, knowingly, wrongfully, corruptly, and unlawfully recommend that a petition for rehearing in a certain cause theretofore appealed to the Supreme Court of the State of Oklahoma, styled "In re Estate of John B. Myers, deceased, Walter D. Myers et al., plaintiffs in error, vs. Maye S. Myers, defendant in error," numbered 16,031 on the docket of the Clerk of the Supreme Court of the State of Oklahoma, be denied for the purpose of terminating and concluding the aforesaid cause, adverse to the said Maye S. Myers, the defendant in error therein:

That the aforesaid cause arose by appeal from the District Court of Pawnee County, Oklahoma, from the judgment of said court in refusing to admit to probate the pretended will of John B. Myers, deceased, because the said John B. Myers was not of testamentary capacity and had been the victim of undue influence, exercised by his brother Walter D. Myers, one of the proponents of said will; that said appeal was lodged in the office of the Clerk of the Supreme Court on December 15, 1924, and thereafter, because of neglect and failure on the part of the proponents of said will to prosecute said appeal, the same was, on October 20, 1925, dismissed for failure to file briefs and for want of prosecution and abandonment of said appeal; that thereafter said cause was reinstated, upon motion of plaintiffs in error, and after extension of time to plaintiffs in error to file briefs, said cause was duly assigned to Division No. 1 of the then existing Supreme

Court Commission for the preparation of an opinion; that after thorough study and consideration of the facts as disclosed by the record or case-made, pleadings, and briefs on file in said Court, said Division No. 1 of said Supreme Court Commission, on March 2, 1926, submitted to the Supreme Court for consideration, approval, and adoption an opinion in the aforesaid cause, said opinion having been prepared by Mr. Commissioner Ray and unanimously concurred in and adopted by the other members of said Division No. 1 of said Supreme Court Commission, such opinion affirming and upholding the opinion of the trial court in refusing to admit the pretended will of said John B. Myers to probate; that the aforesaid opinion so prepared was considered, approved, and adopted without dissent on the part of any members of the Supreme Court, and officially rendered and filed as the opinion of the Supreme Court in the aforesaid cause:

That thereafter extensions of time for the filing of petition for rehearing were obtained by the proponents of said will, and during such extended time the plaintiffs in error in the aforesaid cause, the proponents of said will, learned that J. D. Lydick and Chas. E. McPherren attorneys of Oklahoma City, were specially favored by the Supreme Court in the consideration of cases appealed to said Court in which said firm of Lydick & McPherren was employed as attorneys, and because of such influence and favoritism extended and exhibited by the Supreme Court to the said firm of Lydick & McPherren, the proponents of said will employed said Lydick & McPherren for an unconscionable, exorbitant, and unreasonable fee, so large as to be abhorrent to the administration of justice, to file and present to the Supreme Court a petition for rehearing in said cause; that immediately upon obtaining such employment for a cash fee of \$1000, and a further fee of \$30,000 contingent upon their procuring a reversal by the Supreme Court of the opinion previously

rendered in the aforesaid cause, said Lydick & McPharren presented a petition for rehearing, with a request that oral argument thereon be granted; that said petition for rehearing was referred to the aforesaid Division No. 1 of the Supreme Court Commission, and oral argument thereon allowed, whereupon Mr. Commissioner Logsdon, a member of said Division No. 1 of the Supreme Court Commission, submitted to the Supreme Court a recommendation, in the form of an opinion, that such petition for rehearing be denied; that, notwithstanding such recommendation, said petition for rehearing was taken over by the Supreme Court for its consideration and said recommendation ignored, and said petition for rehearing was thereafter held under consideration until June 14, 1927, and upon recommendation of one Fred P. Branson, who had theretofore become Chief Justice of said Supreme Court, said petition for rehearing was granted, and the aforesaid cause was thereupon resubmitted to the newly created Supreme Court Commission for the preparation of a second opinion therein:

That pursuant to the request previously made at the time of the filing of the aforesaid petition for rehearing, that oral argument be granted thereon, the aforesaid newly-created Commission set the same for oral argument, and immediately thereafter, upon order of the then Chief Justice, Fred P. Branson, struck the same from assignment for oral argument, and said cause was thereupon assigned to Mr. Commissioner Earl Foster, a member of the newly-created Supreme Court Commission; that thereafter said Commissioner Foster prepared and procured the concurrence of some of the members of the aforesaid newly-created Supreme Court Commission in an opinion, the same being contrary to and in direct conflict with the first opinion rendered in the aforesaid cause, and having for its effect and purpose the direction to the trial court to admit said will to probate and in

so doing to strip the widow, Maye S. Myers, of two-thirds of not only her husband's estate but of the joint property of herself and her deceased husband, and her separate property, all of which had, prior to the death of said John B. Myers, been held and retained by said John B. Myers in his name and for the joint use and benefit of the aforesaid John B. Myers and Maye S. Myers;

That upon submission to the Supreme Court of the aforesaid opinion so prepared by Commissioner Foster, the same was approved and adopted by a majority of the members of the Supreme Court, notwithstanding the fact that Mr. Commissioner Reid, a member of the same Division of the Supreme Court Commission of which Mr. Commissioner Foster was a member, had filed with the Supreme Court his, Mr. Commissioner Reid's, dissenting opinion, citing additional facts and legal authorities, which, if considered and followed, would have made impossible the approval and adoption of the opinion so prepared by Mr. Commissioner Foster; that notwithstanding the previous conduct of the Supreme Court in considering, approving, and adopting the first opinion in the aforesaid cause, which opinion was favorable to the widow, Maye S. Myers, and in total and utter disregard of the recommendation of Mr. Commissioner Logsdon, and of the dissenting opinion of Mr. Commissioner Reid, a majority of the members of the Supreme Court, including said J. W. Clark, on November 1, 1927, approved and adopted the opinion prepared by Mr. Commissioner Foster, as aforesaid:

That said Commissioner Foster, in the preparation of his opinion, as aforesaid, wilfully, wrongfully, designedly, unlawfully, and corruptly distorted and misstated the facts as disclosed by the record in the aforesaid cause and by the opinion previously rendered by Mr. Commissioner Ray, and by the recommendation in the form

of a memorandum opinion filed by Mr. Commissioner Logsdon, and by the dissenting opinion filed by Mr. Commissioner Reid, as aforesaid; that such distortion and misstatement of the facts was necessary in order to arrive at the conclusions stated in the opinion by Mr. Commissioner Foster, and to prevent detection of the fraud so perpetrated, but that, notwithstanding the distortion and misstatement of the true facts and the efforts to conceal the fraud so perpetrated, said opinion prepared by Mr. Commissioner Foster discloses on its face such distortions and misstatements of the facts and attempts to distort, misconstrue, and misapply fundamental and elementary principles of law:

That after the approval and adoption by a majority of the members of the Supreme Court of the aforesaid Foster opinion, and the rendition thereof as the final opinion in said cause, petition for rehearing thereon was duly requested; that with incredible haste and speed, as compared to the manner in which said cause had at all times been handled prior to the rendition of the aforesaid Foster opinion, such request for oral argument and petition for rehearing was on February 28, 1928, denied, and in like manner the widow's application for leave to file a second petition for rehearing was summarily denied; that the aforesaid petition for rehearing, filed by the widow, Maye S. Myers, was on January 10, 1928, referred to said J. W. Clark, and by him denied on February 28, 1928:

That the aforesaid Lydick & McPherrren were employed by the proponents of said will at the solicitation of one Neal Maurer, who had not theretofore been identified with said case, and solely because of the influence of said Lydick & McPherrren with said J. W. Clark, Fred P. Branson, then Vice Chief Justice and Associate Justices Charles W. Mason and Fletcher Riley; that immediately

upon procuring and obtaining such employment, said Lydick & McPherrren employed one John Barry to aid and assist in obtaining a rehearing, and the rendition of a second opinion in said cause favorable to the proponents of said will; that said John Barry was employed solely and exclusively because of his influence with said J. W. Clark, Vice Chief Justice Fred P. Branson, and Associate Justices Charles W. Mason and Fletcher Riley; that through the influence of the aforesaid attorneys, Lydick, McPherrren, and Barry, with said J. W. Clark and the other aforesaid members of the Supreme Court, and the intrigue set in motion by said Lydick, McPherrren, and Barry within the Supreme Court, the petition for rehearing filed by them in the aforesaid cause was considered and granted, notwithstanding the adverse recommendations made thereon, as hereinabove detailed, and as a result of the influence so exercised and exerted, and as a result of the intrigue within the Supreme Court so set in motion, the aforesaid petition for rehearing was held under advisement until after said Fred P. Branson became Chief Justice of the Supreme Court, and acquired the authority to assign cases on their merits or on rehearing to the members of said Court or the Supreme Court Commission; that after the creation of a new Supreme Court Commission, and when conditions were such as to permit the carrying into effect of the wrongful, wilful, unlawful, and corrupt scheme, plan, and design and the conspiracy entered into between said J. W. Clark and said Fred P. Branson, Charles W. Mason, and Fletcher Riley with the aforesaid Lydick, McPherrren, and Barry to bring about a reversal of the opinion and judgment of the Supreme Court theretofore rendered and filed in said cause, such petition for rehearing was granted by the Supreme Court on the recommendation of the then Chief Justice Fred P. Branson, and said cause was immediately thereafter by him assigned to the newly-created Supreme Court Commission, with instructions to prepare

an opinion therein without allowing oral argument or an opportunity to the defendant in error, the widow, Maye S. Myers, to present said cause and defend her rights involved therein in the manner and form as provided by law, and the rules of the Supreme Court:

That in keeping with the aforesaid wrongful, wilful, and corrupt plan, scheme, and design and conspiracy, and pursuant to the orders and directions of said Fred P. Branson, the Chief Justice, the second opinion in the aforesaid cause was prepared and submitted to the Supreme Court for its approval and adoption:

That at the time of the approval, adoption and rendition of the aforesaid Foster opinion—which had for its purpose and effect the stripping and depriving of the widow, Maye S. Myers, of not only two-thirds of the estate of John B. Myers, her deceased husband, but also two-thirds of the joint property of said Maye S. Myers and John B. Myers, and two-thirds of the separate property of said Maye S. Myers, all of which had been commingled by said John B. Myers and Maye S. Myers, in the name and estate of said John B. Myers, deceased, and the enriching of the aforesaid Lydick, McPherren, Barry, and Maurer to the extent of \$30,000 for their services pretended to be rendered—said J. W. Clark was partial to the proponents of said will and prejudiced against said Maye S. Myers and her interests in the aforesaid cause, and thereby disqualified to participate in the consideration and determination of said cause, Myers vs. Myers, as more particularly hereinafter detailed:

That immediately after the aforesaid Lydick and McPherren had been employed by the proponents of said will as attorneys, and said John Barry had been employed by said Lydick & McPherren, they became attorneys for said J. W. Clark and said Justice Fletcher Riley in certain causes of action in which was drawn the personal and official in-

tegrity of said J. W. Clark and said Fletcher Riley, and continuing throughout the further proceeding in the Supreme Court in the aforesaid cause of Myers vs. Myers, said Lydick, McPherren, and Barry acted and continued to act as attorneys for the aforesaid J. W. Clark and Fletcher Riley; that thereafter, and while the aforesaid cause of Myers vs. Myers was still pending in the Supreme Court, and prior to the approval, adoption, and rendition by the Court of the Foster opinion in the case of Myers vs. Myers, and continuing throughout the further proceedings in said case, said J. D. Lydick and John Barry became the attorneys in certain actions brought by said Fletcher Riley and said J. W. Clark for the recovery of damages for alleged libel, in which said actions there was drawn in question the personal and official integrity of the aforesaid J. W. Clark and said Fletcher Riley, as well as the integrity of Fred P. Branson and Charles W. Mason, and because of the employment of said J. D. Lydick and John Barry by the aforesaid J. W. Clark for the recovery of damages for alleged of them as attorneys, said J. W. Clark and Fletcher Riley, and Fred P. Branson, who had likewise filed, in his own name, a similar libel action, and said Justice Charles W. Mason, who prior to the trial of the Fletcher Riley suit, contemplated the filing of a similar action, had and retained an unusual interest in the welfare and success of said J. D. Lydick and John Barry as attorneys, and in the success of the actions then being prosecuted or about to be prosecuted by said J. D. Lydick and John Barry as their attorneys:

That such interest in the aforesaid attorneys, Lydick and Barry, on the part of J. W. Clark, Fletcher Riley, Charles W. Mason, and Fred P. Branson, was such as to disqualify them, the aforesaid Justices, in the consideration of the case of Myers vs. Myers, but, notwithstanding such interest, and the partiality for them and their causes pending in the Supreme Court, and notwithstanding the

prejudice and bias that existed and would naturally exist on the part of the aforesaid J. W. Clark, Fletcher Riley, Fred P. Branson, and Charles W. Mason against the parties adverse to said J. D. Lydick and John Barry, said J. W. Clark, and the aforesaid Fletcher Riley, Fred P. Branson, and Charles W. Mason proceeded to participate in the consideration, approval, and adoption of the opinion in said case of Myers vs. Myers, so prepared by Mr. Commissioner Foster, and in so doing said J. W. Clark, and said Fletcher Riley, Fred P. Branson, and Charles W. Mason were influenced, moved, actuated, controlled, and dominated by their partiality for said J. D. Lydick and John Barry, and the interests in the aforesaid cause of Myers vs. Myers represented by them, and were further influenced, moved, actuated, controlled, and dominated by the bias and prejudice against the interests in the aforesaid cause of Myers vs. Myers adverse to said J. D. Lydick and John Barry, and because and as a result of such partiality for said attorneys, and the prejudice and bias against the interests adverse to them, which by all rules of ethics and the honest administration of justice, and all rules of conscience, as well as law, disqualified said J. W. Clark and the aforesaid Fletcher Riley, Fred P. Branson and Charles W. Mason from participating as members of the Supreme Court in the consideration, approval, adoption, official rendition and filing of the aforesaid Foster opinion in the case of Myers vs. Myers, they participated in and made possible the rendition of said Foster opinion:

That, actuated by such partiality for said J. D. Lydick and John Barry, and the interests in the case of Myers vs. Myers represented by them, and influenced, moved, and actuated by the prejudice and bias against the interests in said case of Myers vs. Myers adverse to them, and for the purpose of reciprocation and the repayment of the favors theretofore exhibited by said J. D. Lydick and John Barry in the representation of the aforesaid

Justices, that would thereafter be rendered by mutual understanding and agreement, said J. W. Clark and the aforesaid Fletcher Riley, Fred P. Branson, and Charles W. Mason caused to be approved, adopted, officially rendered, and filed the aforesaid Foster opinion in the case of Myers vs. Myers; that by the approval, adoption, rendition, and filing of said opinion said J. D. Lydick and Chas. E. McPherren, John Barry and associate counsel were enriched and rewarded to the extent of \$30,000, thereby being indirectly compensated for the services theretofore rendered and thereafter to be rendered by said J. D. Lydick, John Barry and others in the aforesaid actions, in which said J. W. Clark and other members of the Court were involved, as aforesaid:

That said J. W. Clark, with full knowledge of the wrongfulness of his acts and with complete understanding of the facts hereinabove related, wilfully, wrongfully, unlawfully, purposely, and designedly failed, refused and neglected to certify his disqualification to participate in the consideration and determination of said case of Myers vs. Myers, or to take any steps to prevent the consideration thereof by the other aforesaid disqualified Justices, Fletcher Riley, Fred P. Branson, and Charles W. Mason, or to make any attempt to prevent the miscarriage of justice in the rendition of the Foster opinion in said case of Myers vs. Myers, but, on the contrary, said J. W. Clark, aided and abetted and participated in the wrongful, wilful, unlawful, and corrupt decision and opinion in said case of Myers vs. Myers, all of which acts done and performed by him, said J. W. Clark, and all of which omissions and failure on his part to perform the duties incumbent upon him under the Constitution and laws of the State of Oklahoma, as well as the recognized principles of conscience, common honesty, and decency, were wilfully, wrongfully, purposely, and designedly done and omitted for the purpose hereinabove set forth, and by the doing

of which said acts and omissions said J. W. Clark became, was, and is guilty of wilful neglect of duty, wanton violation of his oath of office, malfeasance in office, incompetency, corruption in office, the violation of the generally recognized principles of common honesty and decency, and other offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE VI.

And said House of Representatives as aforesaid do further find and present that said J. W. Clark, while acting and serving as a member or Justice of the Supreme Court of the State of Oklahoma, and, to-wit, on March 22, 1927, in wanton violation of his oath of office and of the high trust imposed upon him, and contrary to the Constitution and laws of the State of Oklahoma, did wrongfully, wilfully, knowingly, designedly, and corruptly cause to be approved and adopted an opinion immediately theretofore prepared by him in a certain cause appealed to the Supreme Court of the State of Oklahoma, styled "Brown et al. vs. Sturm et al.," numbered 16,492 on the docket of the Clerk of the Supreme Court; that said J. W. Clark, in preparing the aforesaid opinion and procuring the approval and adoption thereof, and for the purpose of retaliation towards and reprisal upon the attorney for the plaintiffs in error in the aforesaid cause, did wantonly, knowingly, wilfully, wrongfully, designedly, and corruptly ignore all of the previous decisions of the Supreme Court of Oklahoma and the general law of the State involving the legal questions and issues presented in the aforesaid cause, and for the purposes aforesaid he, said J. W. Clark, prepared and pro-

cured the approval, adoption, rendition and official filing by the Supreme Court, of an abortive opinion, counter to the settled general law of the State as previously construed and applied by the Supreme Court in all former decisions:

That prior to March 15, 1927, there was pending in the Supreme Court the aforesaid cause of *Brown vs. Sturm* and another cause styled "*Schlingman et al. vs. Wells*," numbered 17,745 on the docket of the Clerk of the Supreme Court, in which said causes there was presented facts which raised indentically the same legal question, namely, the question of whether or not the plaintiffs in error in said causes were entitled to a mandatory injunction; that in said causes substantially the same briefs were filed and substantially the same authorities presented to the court in said briefs; that said case of *Schlingman vs. Wells* was decided by an opinion prepared by Mr. Justice Hefner and approved, adopted, rendered, and officially filed on March 15, 1927, in which said opinion and decision the Court held that a mandatory injunction was a proper remedy for the plaintiffs in error therein, and said J. W. Clark participated in the consideration of said opinion, and concurred in the approval, adoption, rendition, and official filing thereof; that one week thereafter, to-wit, on March 22, 1927, said J. W. Clark presented to the Supreme Court, and procured the approval, adoption, rendition, and official filing of, an opinion theretofore prepared by him in the case first above mentioned, *Brown vs. Sturm*; that in the opinion so prepared by said J. W. Clark and subsequently rendered and filed by the Supreme Court, said J. W. Clark held that a mandatory injunction was unknown to the laws of the State of Oklahoma:

That the motive of said J. W. Clark in thus wrongfully, wilfully, knowingly, unlawfully, designedly, and corruptly preparing and procuring the approval, adoption, rendition, and filing of the opinion in the aforesaid cause of *Brown*

vs. Sturm, arose out of the prejudice, bias, malice, and hatred of said J. W. Clark toward the attorney for the plaintiffs in error in said cause of Brown vs. Sturm, against whose clients he, said J. W. Clark, had decided the aforesaid cause; and that by the doing of the aforesaid acts and deeds with full and complete understanding and intent of the effect thereof, he, said J. W. Clark, wrongfully, wilfully, knowingly, designedly, unlawfully, corruptly, and wantonly violated his oath of office, and by the doing of which said acts and omissions performed by him, said J. W. Clark then and there and thereby became, was, and is guilty of incompetency, wilful neglect of duty, malfeasance in office, corruption in office, wanton violation of his oath of office, and other offenses involving moral turpitude committed by him while in his said office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE VII.

And said House of Representatives as aforesaid do further find and present that said J. W. Clark, while acting as a member or Justice of the Supreme Court of the State of Oklahoma and in violation of his oath of office, did wilfully, knowingly, wrongfully, corruptly, and unlawfully participate in the consideration and determination of a certain cause pending in the Supreme Court of the State of Oklahoma styled "Brett vs. Fielder," numbered 16,588 on the docket of the Clerk of the Supreme Court; that the defendant in error in said cause was represented by one H. A. Ledbetter, and by the first opinion in said cause, prepared by the then existing Supreme Court Commission, which opinion was on May 4, 1926, considered, approved, adopted, rendered, and official-

ly filed by the Supreme Court without dissent on the part of any of the members thereof, the defendant in error, the client of said H. A. Ledbetter, prevailed; that thereafter a petition for rehearing was filed, and upon recommendation of the then Vice Chief Justice, Fred P. Branson, was denied on September 7, 1926:

That thereafter application for leave to file a second petition for rehearing was filed, and by the Supreme Court referred on February 11, 1927, to the Supreme Court Referee for consideration; that thereafter, and on or about February 26, 1927, said H. A. Ledbetter incurred the violent displeasure and enmity of said J. W. Clark and said Fred P. Branson, following which the aforesaid application for leave to file a second petition for rehearing was, on April 5, 1927, granted; that thereafter said H. A. Ledbetter was disbarred as a practicing attorney, through proceedings instituted, prosecuted, and caused to be prosecuted by said J. W. Clark, and thereafter, to-wit, on the 11th day of April, 1928, the aforesaid cause of Brett vs. Fielder was assigned to the then existing Supreme Court Commission for the preparation of a second opinion therein, and thereafter, and to-wit, on May 29, 1928, the second opinion in the aforesaid cause, contrary to and in conflict with the first opinion aforesaid, and adverse to the client of said H. A. Ledbetter, was approved, adopted, rendered, and officially filed by the Supreme Court without dissent on the part of any of the members of said Court:

That thereafter petition for rehearing on the second or last opinion in the aforesaid cause was assigned to said J. W. Clark for consideration and recommendation by him; that in participating in the consideration, approval, adoption, and rendition of the second opinion in the aforesaid cause, and in accepting and retaining for consideration the petition for rehearing filed thereon as aforesaid,

notwithstanding the bias, prejudice, malice, and hatred on the part of said J. W. Clark toward said H. A. Ledbetter and the causes represented by him, he, said J. W. Clark, wilfully, wrongfully, unlawfully, purposely, designedly, and corruptly failed, refused, and neglected to certify his disqualification to participate in and consider said cause, and by the doing of which said acts and omissions said J. W. Clark then and there and thereby became, was, and is guilty of incompetency, wilful neglect of duty, malfeasance in office, wanton violation of his oath of office, corruption in office, and other offenses involving moral turpitude committed by him while in his office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE VIII.

And said House of Representatives as aforesaid do further find and present that said J. W. Clark, while acting as a duly elected and qualified member or Justice of the Supreme Court of the State of Oklahoma, and to-wit, on December 3, 1927, unmindful of the duties of his office, and in violation of his oath of office, did participate in the consideration of and concur in the determination of a certain pretended cause styled "Simpson vs. Hill et al.," numbered 18,968 on the docket of the Clerk of the Supreme Court of the State of Oklahoma; that said J. W. Clark was disqualified by interest, bias, and prejudice to participate in the consideration and determination of the aforesaid cause, upon the grounds and in the particulars as follows, to-wit:

That the aforesaid cause was filed in the Supreme Court of the State of Oklahoma for the purpose of preventing a legislative investigation of all elective State officials, including said J. W. Clark, and other members of the Su-

preme Court, and for the purpose of preventing such investigation by a pretended judicial determination of the right of the members of the Legislature of the State of Oklahoma to convene themselves in special session for such purpose, the opinion in the aforesaid cause was prepared by the then Chief Justice, Fred P. Branson, and submitted to, approved by, and concurred in by said J. W. Clark, for the purpose aforesaid; that prior to the filing of said case of Simpson vs. Hill in the office of the Clerk of the Supreme Court, said J. W. Clark had full and complete knowledge of the intention of the House of Representatives of the Eleventh Legislature, when it should so convene, to investigate him, said J. W. Clark, as a member of the Supreme Court, and because of such knowledge on the part of said J. W. Clark of the purpose and intention of the Legislature to conduct such investigation, and because of his interest in the aforesaid action, although not nominally a party thereto, and for the purpose of gaining an advantage to himself, as aforesaid, he, said J. W. Clark, participated in the consideration of and concurred in the rendition of the opinion so prepared:

That in the preparation of said opinion said Fred P. Branson cited spurious authority and quoted excerpts from the speech of a lawyer as excerpts from a final judicial decision of a court of last resort for the purpose of conveying to the members of the Legislature that by final decision of the Supreme Court of the State of Oklahoma, said members of the Legislature had no legal right to convene for investigation and inquisitorial purposes; that for the further purpose of obstructing and hampering such intended investigation said Fred P. Branson used and employed language that was intended to serve as a public notice or warning to all persons who might attempt to aid, by the giving of testimony or otherwise, in such proposed legislative investigation, that all such proposed investigation was unprivileged, and the parties participating therein were and would

be subsequently held to be liable for their acts; that for the purpose of accomplishing the aforesaid plan, and preventing the proposed legislative investigation, and of serving such public notice and warning on all persons who might be interested therein, before the Legislature should convene on December 6, 1927, he, said J. W. Clark, without consideration of the facts involved or the law applicable thereto, but solely for the purpose of self-protection and expediting the rendition of said opinion, did wrongfully, wilfully, knowingly, designedly, and corruptly concur in said opinion as aforesaid:

That thereafter, when the wilful, wrongful and corrupt intention of said Fred P. Branson, and said J. W. Clark had been accomplished, and the wrongful, felonious, and corrupt purpose of said opinion had been served, and after the fraud of said Fred P. Branson, concurred in by said J. W. Clark, had been detected and exposed, said Fred P. Branson, by and with the knowledge, consent, and approval of said J. W. Clark, surreptitiously removed from the files of the Clerk of the Supreme Court the aforesaid opinion so prepared by him in the aforesaid cause, and sought, contrary to the laws of the State of Oklahoma, to alter and change the language used and employed in said opinion, so as to erase and expunge from the final and indelible records of the Supreme Court of the State of Oklahoma all evidence of the perpetration of said fraud and the corrupt acts of said Fred P. Branson, which were concurred in and approved by said J. W. Clark, as aforesaid, all of which acts done and performed by him, said J. W. Clark, and all of which omissions and failure upon his part to perform the duties incumbent upon him, under the Constitution and laws of the State of Oklahoma, were wilfully, wrongfully, purposely, and designedly done and omitted for the purposes hereinabove set forth, and by the doing of which said acts and omissions said J. W. Clark became, was, and is guilty of wilful neglect of duty, wanton violation of

his oath of office, malfeasance in office, incompetency, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE IX.

And the House of Representatives as aforesaid do further find and present that said J. W. Clark, while acting as a duly elected and qualified member or Justice of the Supreme Court of the State of Oklahoma, unmindful of the high duties of his office, and of his oath of office, and in violation thereof, and while having full knowledge of the existence and spreading throughout the State of rumors to the effect that politics, intrigue, and influence entered into or controlled the decisions rendered by the Supreme Court, and with full knowledge of the fact that one John Barry, an attorney of Oklahoma City, and members of the law firm of Lydick & McPherren of Oklahoma City, were most frequently charged with having and exercising influence with the Supreme Court and certain members thereof and were able to obtain results not obtainable by other attorneys in the same causes, and with full knowledge on the part of him, said J. W. Clark, that the aforesaid attorneys, Barry and Lydick & McPherren, were capitalizing such rumors of influence and profiting greatly by obtaining employment in causes pending in the Supreme Court not obtainable except for such rumors of influence and intrigue, and at such times when there was nothing that an attorney without influence could accomplish, and with full knowledge on the part of him, said J. W. Clark, that such attorneys were appearing in causes under the circumstances and conditions herein-

above outlined, and were procuring reversals of opinions previously rendered by the Supreme Court in such causes, and in the consideration of which causes he, said J. W. Clark, participated as a member of the Supreme Court, he, said J. W. Clark, gave credence, authenticity, and stimulation to such rumors by accepting the gratuitous services of the aforesaid John Barry in suits in which said J. W. Clark was a party; that said J. W. Clark, in violation of the provisions of the Criminal Code of the State of Oklahoma, accepted gifts, in the form of gratuitous services, from the aforesaid John Barry, knowing him to be the attorney and counsel for parties in causes and proceedings then pending or to be brought before him, said J. W. Clark, as a member of said Supreme Court, and in the decision of which causes he, said J. W. Clark, later participated; that thereafter the rumors about the influence of said John Barry and Lydick & McPherrren became so widespread and generally discussed that the disrepute into which said Supreme Court was falling as a result thereof was brought to the attention of the Supreme Court by one of the members thereof, other than said J. W. Clark, and that he, said J. W. Clark, in wanton violation of the duties of his office and of his oath of office, failed and neglected to take any action or attempt to take any action looking to a correction of said conditions, but acquiesced therein and permitted the same to continue and to become more aggravated, although it was the duty of said J. W. Clark, when he became advised of such conditions, to take steps to remedy the same; that his failure to take any action looking to a correction of such conditions was wilful neglect of his duty; and by reason of all of the aforesaid acts and omissions said J. W. Clark became, was, and is guilty of wilful neglect of duty, malfeasance in office, wanton violation of his oath of office, corruption in office, and offenses involving moral turpitude committed while in office, contrary to the Constitution and laws of the State

of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE X

And the House of Representatives as aforesaid, hereby referring to each, every, and all of the Articles of Impeachment of said J. W. Clark as a member or Justice of the Supreme Court of the State of Oklahoma, heretofore exhibited and filed, and hereby making each and every one of said Articles of Impeachment a part of this Article, to the same extent as if said article were set out in full herein, do hereby further find and present:

That from and after the date of his induction into the office of Justice of the Supreme Court as aforesaid, said J. W. Clark, acting in the capacity of Justice as aforesaid, and during his incumbency in said office, unmindful of the high duties of his office and of his oath of office, and in violation thereof, has, on divers, numerous, and sundry occasions, knowingly, wilfully, purposely, intentionally, and wrongfully exhibited his malfeasance in office, his wanton violation of his oath of office, his corruption in office, and other offenses involving moral turpitude committed by him while in his said office, and has established and demonstrated his unfitness to hold such office and serve in the capacity of Justice of the Supreme Court of the State of Oklahoma and to perform the duties incumbent upon him under the Constitution and laws of the State of Oklahoma and under the generally-recognized principles of common honesty and decency, by a course of conduct as hereinbefore and hereinafter alleged, specified, set forth, and exhibited, and by divers, numerous, and sundry other acts committed by him in his official capacity, and by his wanton disregard for the rights of litigants whose causes have

been appealed to the Supreme Court of the State of Oklahoma, and by concurring in the opinions in and decisions of innumerable causes wherein he had made no effort to acquire or obtain any knowledge of the facts involved in such cases or to familiarize himself with the law relating thereto, and by so doing has made his act of participating and concurring in such opinions one of intrigue, favoritism, or politics, and by complete and absolute abandonment of former judicial precedent because of the influence or intrigue of specially-favored lawyers, and by refusing to prevent and abolish the activities of favored or political lawyers, and by continuing to make himself, as a member of the Supreme Court, susceptible to the influence and intrigue of such favored attorneys, and by stimulating the rumors of the influence of such attorneys and encouraging their employment, and by secretly conferring, consulting, and communicating with such lawyers about their causes in the absence of opposing parties or their counsel, and by aiding and abetting in the preparation and rendition of wrongful and corrupt opinions for self-interest and personal profit and to prevent an investigation or exposure of the methods, conduct, and practices of himself, said J. W. Clark, as a member of said Supreme Court, and by resorting to intrigue, coercion, oppression, and intimidation to delay and deny justice, and by approving, abetting, aiding, and participating in the delay and denial of justice, and by stimulation of conditions within and without the Court that have caused or resulted in the delay and denial of justice, and by participating or acquiescing in concealing, changing, altering, or expunging public records, files, and final judgments and opinions in cases, for the purpose of concealing his own wrongful acts and the wrongful acts of other members of said Supreme Court, and by the exercise against litigants or other parties or their attorneys of his prejudice, bias, malice, and vindictiveness, in the consideration or pretended consideration of causes, and by resorting to and aiding, assisting, and abetting other

members of said Supreme Court in their resort to unethical, illegal, unlawful, and terroristic acts of oppression, coercion, and intimidation, and by the denial of due process of law, the equal protection of the laws, and the suspension of the privilege of the writ of habeas corpus, he, said J. W. Clark, became, was, and is guilty of debauching and degrading said Supreme Court, and of wanton violation of his oath of office, malfeasance in office, corruption in office, and offenses involving moral turpitude committed by him while in his said office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the great and lasting scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE XI.

And said House of Representatives hereby referring to each and every and all of the Articles of Impeachment of said J. W. Clark, as a member or Justice of the Supreme Court of the State of Oklahoma, heretofore exhibited and filed, and hereby making each and every one of said Articles of Impeachment a part of this Article, to the same extent as if said Article were set out in full herein, do hereby further find and present:

That from and after the date of his induction into the office of Justice of the Supreme Court aforesaid, said J. W. Clark, acting in the capacity aforesaid, and during his incumbency in said office, unmindful of the high duties of his office, and of his oath of office, and in violation thereof, has, on divers, numerous, and sundry occasions, knowingly, wilfully, purposely, intentionally, wrongfully, and corruptly exhibited and demonstrated and established his official incompetency to hold and occupy such office and serve in the capacity of Justice of the Supreme Court

of the State of Oklahoma, and to perform and accomplish the duties thereof, and has exhibited, demonstrated, and established his wilful neglect to perform the duties incumbent upon him under the Constitution and laws of the State of Oklahoma, by a course of conduct, as hereinbefore and hereinafter alleged, specified, set forth, and exhibited, and by divers, numerous, and sundry other acts committed by him in his official capacity, and by his reckless disregard for the rights of litigants whose causes have been appealed to the Supreme Court of the State of Oklahoma, and by the preparation by him of such a limited number of opinions and the performance of such a limited amount of official work and his official duties as to make his said office impotent, and by concurring in the opinions in and decision of innumerable cases wherein he had made no effort to acquire or obtain any knowledge of the facts involved in such cases or to familiarize himself with the law applicable thereto, and by so doing has made his acts of participating and concurring in such opinions an idle gesture and a matter of official reciprocation and judicial politics; and by complete and absolute abandonment of former judicial precedent, and by refusing to take official cognizance of the existence of widespread and generally-believed rumors to the effect that certain attorneys practicing before said Supreme Court had and exercised, to their undue advantage, such influence in the consideration by the Court of their causes, and by condoning and encouraging such conditions, generally referred to as "lobbying," and by making himself susceptible to the influence and intrigue of such specially favored and influential lawyers, and encouraging the employment thereof, and thereafter secretly conferring, consulting and communicating with such lawyers, whose interests in and connection with their cases were known only to their employers and said J. W. Clark, and by aiding and abetting in the rendition of wrongful and corrupt opinions for self-interest and to prevent an investigation or exposure of the

methods, conduct, and practices of himself, said J. W. Clark, as a member of the Supreme Court, and by resorting to intrigue, coercion, oppression, and intimidation to delay and deny justice, and by approving, aiding, abetting, and participating in the delay and denial of justice and the stimulation of the conditions within and without the Court that have caused or resulted in the delay or denial of justice, and by participating or acquiescing in concealing, changing, altering, or expunging public records, files, and final judgments and opinions in cases, for the purpose of concealing his own wrongful acts and the wrongful acts of other members of said Court, and by the exercise against litigants or other parties, or their attorneys, of his prejudice, bias, malice, and vindictiveness in the consideration or pretended consideration of causes affecting them, and by resorting to and aiding, assisting, and abetting other members of the Supreme Court in their resort to unethical, illegal, unlawful, and terroristic acts of oppression, coercion, and intimidation, and by the denial of due process of law, equal protection of the laws, and the suspension of the privilege of the writ of habeas corpus, he, said J. W. Clark, became, was, and is guilty of incompetency and wilful neglect of duty committed by him while in office, contrary to the Constitution and the laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

Representative Patterson, Chairman of the Board of Managers, asked leave to present a Certificate, from the Chief Clerk of the Honorable House, showing the tabulation of the vote on the Articles of Impeachment voted against Justice J. W. Clark, which request was granted, and which Certificate is as follows:

ARTICLES OF IMPEACHMENT SUSTAINED BY
THE HOUSE OF REPRESENTATIVES ON MARCH
27TH, 1929.

To the President of the Senate:

I am directed by the House of Representatives of the Twelfth Legislature of the State of Oklahoma, in Regular Session assembled, to notify you, and through you, the Honorable Senate that Articles of Impeachment have been exhibited by the House of Representatives against J. W. Clark, Justice of the Supreme Court of the State of Oklahoma, and that on the 27th day of March, 1929, the said Articles of Impeachment were duly adopted by the House of Representatives by the following vote, to-wit:

Article	Aye	Nay	Absent	Excused
I -----	62	32	4	6
II -----	57	34	7	6
III -----	54	38	5	7
IV -----	54	34	9	7
V -----	57	33	7	7
VI -----	52	36	9	7
VII -----	54	41	2	7
VIII -----	58	37	3	6
IX -----	55	40	3	6
X -----	52	40	6	6
XI -----	57	36	4	7

Attest:

BERT McDONEL, Chief Clerk
Of the House of Representatives.

✓
Senator Stewart moved that the Articles of Impeachment against J. W. Clark, Justice of the Supreme Court, be received, accepted and filed with the Secretary of the Senate, for the purpose of prosecution thereon, which motion was adopted, the roll call thereon, being as follows:

Ayes: Andrews, Anglin, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, Fidler, George, Gray, Gula-ger, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Wil-
liamson. Total, 35.

Nays: 0.

Not Voting: Blakely, Graham, Rexroat. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Commons, Moore, Pullen, Stig-
ler. Total, 5.

The President Pro Tempore informed the Board of Managers of the Honorable House that the Articles of Impeachment against Justice J. W. Clark were received and would be filed with the Secretary of the Senate; that a day for an answer thereto would be set and that the respondent will be notified of the day and place of trial, of all of which the Honorable Board of Managers would receive due notice.

Senator Stewart moved that the hour of ten o'clock, a. m., March 29, 1929, be fixed by the Senate as the hour to organize itself into a Court of Impeachment, if this step be found necessary, which motion prevailed.

Senator Stewart moved there be referred to the Legal Advisory Committee of the Senate the question of whether or not a re-organization of the Court of Impeach-ment is necessary or can said Court function under its present organization, which motion prevailed.

Senator Stewart moved that the Secretary of the Senate notify each member of the Senate of the State of Oklahoma that the Board of Managers of the House of Representatives has presented to the Senate, Articles of Impeachment against J. W. Clark, Justice of the Supreme Court; that the hour of ten o'clock, a. m., March 29, 1929, has been fixed by the Senate as the hour of the organization of this body into a Court of Impeachment, and that the Secretary of the Senate have present at that time the Presiding Justice of the Criminal Court of Appeals to administer such oath or oaths as may be necessary to the State Senate, sitting as a Court of Impeachment, its officers and employees, which motion prevailed.

Senator Stewart submitted the following motion:

Mr. PRESIDENT:

WHEREAS, the Constitution provides that in the event a member of the Supreme Court is impeached that all of said Justices are disqualified from presiding over the Senate, sitting as a Court of Impeachment, and,

WHEREAS, there has been filed with the Senate Articles of Impeachment against J. W. Clark, a member of the Supreme Court of this State,

NOW, THEREFORE, I move that the Senate proceed to the election of one of its members to preside over the Impeachment of J. W. Clark, Justice of the Supreme Court.

STEWART.

Senator Smith, as an amendment to the Stewart motion, moved that the matter of selecting a Presiding Officer to preside over the impeachment trial of J. W. Clark, be postponed until 10:30 o'clock, a. m., Friday, March

29th, which motion was tabled, upon motion of Senator Thomas.

The vote recurring on the Stewart motion, the same prevailed.

Senator Stewart placed in nomination the name of Senator Richard L. Wheatley, to preside over the impeachment trial of J. W. Clark.

Senator Smith placed in nomination the name of Senator Mac Q. Williamson, to preside over the impeachment trial of J. W. Clark.

Senator Williamson asked unanimous consent to withdraw his name as offered by Senator Smith, to which Senator Smith objected.

Senator Otjen moved that the election of a Presiding Officer for the impeachment trial of J. W. Clark, be deferred until 9:30 o'clock, a. m., Friday, March 29, 1929, which motion was tabled, upon motion of Senator Anglin.

There being no further nominations offered, the President Pro Tempore ordered the roll called, which resulted as follows:

FOR WHEATLEY: Andrews, Anglin, Blakely, Boyer, Clark, Darnell, Ewing, Fidler, George, Gray, Harper, Loofbourrow, Nesbitt, Peck, Powers, Reed, Stewart, Storms, Thomas, Williams, Williamson. Total, 21.

FOR WILLIAMSON: Easter, Ferguson, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Kimerer, Otjen, Patton, Ray, Smith, Terwilleger, Wheatley. Total 13.

Excused: Austin, Commons, Moore, Pullen, Stigler. Total, 5.

Absent: Rice. Total, 1.

Not Voting: Graham, Jolly, MacDonald, Rexroat.
Total, 4.

Upon motion of Senator Williamson, the election of Senator Richard L. Wheatley, to preside over the Impeachment trial of J. W. Clark, was made unanimous.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Resolution No. 20 and Senate Bill No. 95 correctly engrossed; also Senate Concurrent Resolution No. 14 correctly enrolled.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Resolution No. 20 and ordered it referred for enrollment; Engrossed Senate Bill No. 95 and ordered the same transmitted to the Honorable House, for consideration; Enrolled Senate Concurrent Resolution No. 14 and ordered the same transmitted to the Honorable House, for the signature of the Speaker.

Representative Patterson, Chairman of the Board of Managers of the House of Representatives, at 3:15 o'clock, p. m., being recognized, said:

MR. PRESIDENT:

We, a Board of Managers, appointed by the Honorable House of Representatives, to present to the Honorable Senate Articles of Impeachment against Charles W. Mason, Chief Justice of the Supreme Court of the State of Oklahoma, do, in obedience to the command

of the Honorable House, present to the Honorable Senate, sitting as a Court of Impeachment, the Impeachment charges which have heretofore been exhibited, received, voted and adopted by the Honorable House of Representatives of the State of Oklahoma, said Articles Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 having been adopted by said House of Representatives on the 27th day of March, 1929.

The following communication from the Honorable House was received and read:

To the President of the Senate of the
Twelfth Legislature of the State of Oklahoma.

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House of Representatives did on the 27th day of March, 1929, exhibit and adopt Articles Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of the Articles of Impeachment against Charles W. Mason, Chief Justice of the Supreme Court of the State of Oklahoma, and that the Board of Managers is now ready to report said Articles of Impeachment to the Honorable Senate, and awaits its pleasure in receiving said Articles of Impeachment.

Yours very truly,

BERT McDONEL, Chief Clerk.

Representative Head, of the Board of Managers, presented Articles of Impeachment against Chief Justice Charles W. Mason, which were read by the Clerk, as follows:

ARTICLES OF IMPEACHMENT

Exhibited by the House of Representatives
of the State of Oklahoma.

The House of Representatives of the Twelfth Legislature of the State of Oklahoma, in their name and in the name and by the authority of the State of Oklahoma and the people thereof, do hereby present and exhibit Articles of Impeachment and give the Honorable Senate to know and be informed that:

Charles W. Mason was a candidate for the Democratic nomination in the First Supreme Court Judicial Nominating District of the State of Oklahoma for Justice of the Supreme Court of the State of Oklahoma before the primary election had and held throughout the aforesaid Supreme Court Judicial Nominating District, and throughout the State of Oklahoma, on the 5th day of August, 1924, and by the result of said primary election a certificate of election was issued to him as the nominee of the Democratic party from the aforesaid Judicial Nominating District for the office of Justice of the Supreme Court of the State of Oklahoma, and that thereafter, on the 4th day of November, 1924, by the result of the general election had and held throughout the State of Oklahoma, a certificate of election was issued him, declaring him a Justice of the Supreme Court of said State; that on the 12th day of January, 1925, said Charles W. Mason became and was inducted into the office of Justice of the Supreme Court of the State of Oklahoma, and thereupon took and subscribed the oath of office prescribed by Section 1 of Article XV of the Constitution of the State of Oklahoma as follows, to wit:

"I, Charles W. Mason, do solemnly swear (or affirm) that I will support, obey, and defend the Constitution of

the United States, and the Constitution of the State of Oklahoma, and will discharge the duties of my office with fidelity; that I have not paid, or contributed, either directly or indirectly, any money or other valuable thing to procure my nomination or election (or appointment) except for necessary and proper expenses expressly authorized by law; that I have not, knowingly, violated any election law of the State, or procured it to be done by others in my behalf; that I will not, knowingly, receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office, other than the compensation allowed by law, and I further swear (or affirm) that I will not receive, use, or travel upon any free pass or on free transportation during my term of office.

(Signed) CHARLES W. MASON.

"Subscribed and sworn to before me this 12th day of January, 1925.

(Signed) N. E. McNEILL,
Chief Justice."

And thereupon he, said Charles W. Mason, assumed the duties of said office.

And said Charles W. Mason, Justice of the Supreme Court of the State of Oklahoma, unmindful of the high duties of his office, and of his oath of office, and in violation of the Constitution and laws of said State, is guilty of incompetency, wilful neglect of duty, corruption in office, and of offenses involving moral turpitude committed by him while in his said office, and said House of Representatives hereby exhibits and presents to the Honorable Senate Articles of Impeachment against said Charles W. Mason as Justice of the Supreme Court of the State of Oklahoma, for the causes, upon the grounds, and in the particulars as follows, to wit:

ARTICLE I.

Said House of Representatives as aforesaid do further find and present that on or about August 22, 1927, said Charles W. Mason, while acting as a duly elected and qualified member or Justice of the Supreme Court of the State of Oklahoma, unmindful of the high duties of his office, and of his oath of office, and in violation of the Constitution and laws of the State of Oklahoma, accepted a bribe in the form of a new Marmon automobile, of the value of \$4,000, from one Willis G. Sautbine and one C. D. Sautbine, for the services theretofore rendered and thereafter to be rendered by said Justice Charles W. Mason in bringing about a decision of, and the rendition of an opinion in, a certain cause styled "U. S. Cities Corp., plaintiff in error, vs. Willis G. Sautbine, defendant in error," numbered 16,457 on the docket of the Clerk of the Supreme Court of the State of Oklahoma; that the payment of such bribe was in the form and the manner, and the particulars with reference thereto were, as follows, to-wit:

That the aforesaid cause of U. S. Cities Corp. vs. Willis G. Sautbine had been appealed to the Supreme Court of the State of Oklahoma and duly filed in the office of the Clerk of said Court on May 28, 1925; that thereafter said case was assigned to Division No. 5 of the then existing Supreme Court Commission for the preparation of an opinion therein; that pursuant to such assignment, and after thorough and exhaustive study of the facts and the law with relation thereto, Mr. Commissioner Thompson, a member of Division No. 5 of the then existing Supreme Court Commission, prepared an opinion in said cause, and after said opinion had been approved, concurred in, and adopted by the other members of Division No. 5 of said Commission, said opinion was submitted to the Supreme Court for consideration;

that thereafter, ~~be~~ wit, on September 14, 1926, said Supreme Court approved and adopted, without dissent on the part of any of the members of said Supreme Court, and officially rendered and filed, the aforesaid opinion in said cause; that thereafter petition for rehearing was duly filed, and on November 22, 1926, assigned to said Justice Charles W. Mason for consideration;

That said Justice Charles W. Mason retained such petition for rehearing from the aforesaid date of November 22, 1926, until June 14, 1927, before making a report or recommendation thereon; that during such interval and thereafter, said Willis G. Sautbine, for the purpose of influencing various members of the Supreme Court and obtaining favorable consideration of the aforesaid petition for rehearing, sought to sell new Marmon automobiles to said Justice Charles W. Mason and Justices Harrison and Phelps, at a price so greatly reduced or exceedingly attractive as to be patently apparent that such offers were intended as bribes; that pursuant to the negotiations so had, and passing between said Charles W. Mason and the agents, representatives, or employees of said Willis G. Sautbine, an understanding and agreement was reached for the delivery to said Justice Charles W. Mason of a Marmon automobile of the value of \$4,000 as aforesaid; that after such agreement and understanding was reached, said Justice Charles W. Mason, on June 14, 1927, recommended that the aforesaid petition for rehearing be granted, and immediately thereafter submitted to the Supreme Court an opinion prepared by him in the aforesaid cause directly contrary to and in conflict with the first opinion rendered in said cause, and procured the concurrence in, approval and adoption of, said opinion, by other members of said Court, and the official rendering and filing of said opinion on June 21, 1927;

That thereafter, to-wit, on June 25, 1927, a petition for rehearing on the aforesaid opinion so prepared by said Justice Charles W. Mason was duly filed by the U. S. Cities Corp., and while said petition for rehearing was pending in said Supreme Court said Justice Charles W. Mason, on August 22, 1927, procured and obtained, without the payment of any cash consideration therefor, a Marmon automobile, of the value of \$4,000, from the Sautbine Motors Company which corporation was the agent and distributor in the State of Oklahoma for such automobiles, and in which concern said Willis G. Sautbine had a substantial interest, and for the purpose of concealing or attempting to conceal the acceptance by him of said automobile as a bribe, he, said Justice Charles W. Mason, delivered to the aforesaid Sautbine Motors Company one certain Buick automobile theretofore obtained by him, said Justice Charles W. Mason, from one John Barry, an intimate friend of said Justice Charles W. Mason, and an attorney specially favored by said Justice Charles W. Mason in the consideration of causes pending in the Supreme Court in which said John Barry appeared or was employed as an attorney, said Buick automobile having been held prior thereto in the name of Ruth E. Mason, the wife of said Justice Charles W. Mason, for the pretended purpose of making it appear that said Justice Charles W. Mason had purchased the aforesaid Marmon automobile and had given in exchange as part of the consideration therefor the aforesaid Buick automobile, then registered in the name of his wife, Ruth E. Mason; that after obtaining the aforesaid Marmon automobile, said Justice Charles W. Mason retained and used the same and drove the same on his annual vacation trip until he had driven said automobile more than 2900 miles; that during the time said Charles W. Mason was using and retaining the aforesaid Marmon car, the petition for rehearing on the aforesaid opinion in said cause of U. S. Cities

Corporation vs. Willis G. Sautbine was assigned, on September 15, 1927, to Justice Fletcher Riley, a member of the Supreme Court, and said Justice Fletcher Riley immediately thereafter, to-wit, on September 20, 1927, recommended that said petition for rehearing be denied, and immediately thereafter, to-wit, on September 27, 1927, the mandate in the aforesaid cause was issued, terminating the litigation;

That thereafter said Charles W. Mason became advised that his act in accepting the aforesaid Marmon automobile had been detected and exposed, and considerable discussion and comment thereon was being made by persons informed of or familiar with the aforesaid transaction; that for the purpose of concealing and hiding his corrupt act in accepting the aforesaid bribe, he, said Justice Charles W. Mason, returned said Marmon automobile to the Sautbine Motors Company, and procured the return of, and thereafter used, the aforesaid Buick automobile, registered in the name of his wife, Ruth E. Mason, as aforesaid; that pursuant to such arrangement and the pretended rescission of the pretended purchase of said car, the C. D. Sautbine Company on December 29, 1927, sold said Marmon automobile as a new car for the purpose of concealing the fact that said Marmon automobile had formerly been owned and used by said Justice Charles W. Mason as his own personal property; that by the acceptance, retention, and use of the aforesaid Marmon automobile and the subsequent pretended rescission of a pretended purchase of said Marmon automobile, and each, every, and all of the acts and deeds aforesaid performed by him, said Charles W. Mason, and all of the omissions and failure upon his part to perform the duties incumbent upon him, under the Constitution and laws of the State of Oklahoma, contrary to the ethics and rules of the honest administration of justice and the general

understanding of common honesty and decency, were wilfully, wrongfully, knowingly, designedly, and corruptly done and omitted for the purposes hereinabove set forth, and by the doing of which said acts and omissions said Charles W. Mason became, was, and is guilty of wanton violation of his oath of office, malfeasance in office, wilful neglect of duty, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE II.

And the House of Representatives as aforesaid do further find and present that said Charles W. Mason, while acting as a duly elected and qualified member or Justice of the Supreme Court of the State of Oklahoma, unmindful of the high duties of his office, and of his oath of office, and in wanton violation thereof, did, on, about, and after the 12th day of January, 1925, knowingly, wilfully, designedly, and corruptly permit persons who were not members of the Supreme Court to write opinions in certain causes pending in the Supreme Court, and said Charles W. Mason accepted such opinions so prepared by such third parties, and presented them to the other members of the Supreme Court for consideration and adoption, as though he himself had written and prepared the same, when in fact he had prepared no part thereof, and caused the approval and adoption of such opinions by said Supreme Court; that among such causes in which such opinions were so prepared are those styled and numbered upon the docket of the Clerk of the Supreme Court of Oklahoma, as follows, to-wit:

Schaff, Receiver, vs. Coyle, No. 11514,

Gentis vs. Hunt, No. 14850;

That in the latter part of 1926, said Charles W. Mason became advised that Beatrice Jackson, who had, at all times prior thereto (while said Charles W. Mason had been a member or Justice of the Supreme Court), been his law clerk, was aware of such practices; and, she having remonstrated with said Charles W. Mason, about his conduct aforesaid, he, said Charles W. Mason, attempted to induce said Beatrice Jackson to absent herself from the State Capitol and locate in a remote part of the State of Oklahoma, and subsequently said Charles W. Mason attempted to induce, and later to coerce, the aforesaid Beatrice Jackson into leaving and remaining outside of the State of Oklahoma, in order that her testimony might not be available in any proposed Legislative investigation or judicial proceeding in which the conduct, actions, and practices of said Charles W. Mason might be questioned; that said Charles W. Mason, failing in his efforts at persuasion and coercion, thereafter attempted to intimidate said Beatrice Jackson for the purpose of preventing her from subsequently testifying against him; all of which said acts were done by him, said Charles W. Mason, with full and complete understanding of the wrongfulness thereof, and by the doing of which acts he, said Charles W. Mason, became, was, and is guilty of corruption in office, malfeasance in office, wilful neglect of duty, wanton violation of his oath of office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE III.

And said House of Representatives as aforesaid do further find and present that said Charles W. Mason, while acting as a duly elected and qualified member or Justice of the Supreme Court of the State of Oklahoma, unmindful of the high duties of his office and of his oath of office, and in wanton violation thereof, did wrongfully, wilfully, knowingly, designedly and corruptly delay, retard and attempt to prevent the administration of justice by the Supreme Court aforesaid, for the purpose of serving his friends or creating and exercising influence, coercion, and oppression for the purpose of accomplishing his, said Charles W. Mason's, wrongful, wilful, and corrupt plans not connected with his duties as a member of said Supreme Court;

That as an instance of such conduct on the part of said Charles W. Mason, he, for self-interest and profit, did wrongfully, wilfully, knowingly, designedly, and corruptly procure the record or transcript or case-made, pleadings and briefs theretofore filed with the Clerk of the Supreme Court of the State of Oklahoma, in the case styled "Schulte vs. Board of County Commissioners of Pontotoc County," numbered 16,352 on the docket of the Clerk of the Supreme Court, after the aforesaid case had been decided and an opinion therein approved, rendered, and filed; that after the rendition of the aforesaid opinion, and while the aforesaid cause was pending on petition for rehearing, and for the purpose of delaying the consideration of such petition for rehearing and the final termination of said cause, and at a time when the cause had not been assigned to said Charles W. Mason for his consideration, either upon the merits or rehearing, he, said Charles W. Mason, procured the record, transcript, or case-made as aforesaid, and concealed the same for a period of several months, and continued to conceal the same until his acts were detected and he was compelled to surrender such record; that all of the aforesaid

acts were wilfully, wrongfully, unlawfully, purposely, designedly, and corruptly done by him, said Charles W. Mason, and by the doing of which acts he, said Charles W. Mason, became, was and is guilty of wilful neglect of duty, wanton violation of his oath of office, malfeasance in office, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma, as in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the great scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE IV.

And said House of Representatives as aforesaid do further find and present that on February 1, 1927, said Charles W. Mason, while a duly elected, qualified, and acting member or Justice of the Supreme Court of the State of Oklahoma, in violation of his oath of office, and unmindful of the duties of his office and of the high trust imposed upon him, and in violation of the Constitution and laws of the State of Oklahoma, did wrongfully, wilfully, knowingly, and corruptly distort and misstate the facts as reflected by the record or case-made theretofore filed in the office of the Clerk of the Supreme Court of the State of Oklahoma in a certain cause then pending, styled "Julia Oil & Gas Company, plaintiff in error, vs. Annie Cobb, defendant in error" numbered 15,609 on the docket of the Clerk of the Supreme Court, in the preparation of an opinion by him in the aforesaid cause, and for the purpose of justifying the conclusions reached by him in said opinion, attempted to supply testimony not disclosed by the record or case-made or transcript in the aforesaid cause, and thereupon procured the concurrence of other members of the Supreme Court to the afore-

said opinion, and the approval, adoption, and rendition thereof by the Supreme Court of the State of Oklahoma;

That prior to the adoption of the aforesaid opinion so prepared by Justice Charles W. Mason, an opinion in the aforesaid cause was prepared by Mr. Commissioner Ray of the Supreme Court Commission, which opinion was submitted to, approved, and adopted without dissent, and rendered by the Supreme Court; that the aforesaid opinion prepared by Mr. Commissioner Ray was favorable to the plaintiff in error in the aforesaid cause; that the second opinion in said cause, prepared by Justice Charles W. Mason and submitted to, approved, and adopted and rendered by the Supreme Court, was contrary to and in conflict with the first opinion aforesaid; that said opinion so prepared by said Justice Charles W. Mason contained a statement, in substance, to the effect that one Mack Cobb had testified as a witness in the lower court to certain facts as stated by Justice Charles W. Mason in said opinion, whereas in truth and in fact, as shown by the record in said cause, said Mack Cobb had never testified as a witness in said cause, and said Mack Cobb, as shown by the record, was incompetent to testify therein, he being the husband of Annie Cobb, one of the parties;

That the aforesaid Charles W. Mason, for the purpose of preparing an opinion favorable to the defendant in error in the aforesaid cause, and for the purpose of justifying the conclusions stated in his said opinion, did wrongfully, wilfully, knowingly, designedly, and corruptly distort and misstate the facts and attempt to supply evidence that was not contained in the record and inadmissible under the law, as aforesaid; that notwithstanding that the aforesaid attempt on the part of said Justice Charles W. Mason to supply testimony in said cause, as aforesaid, was, by petition for rehearing duly filed Feb-

ruary 26, 1927, in said cause, distinctly and clearly called to the attention of said Supreme Court and the members thereof, such distortion of facts and the testimony as aforesaid, and the attempt to supply the testimony in said cause, was not corrected by the Supreme Court or said Justice Charles W. Mason until after such distortion of facts and the testimony aforesaid and the attempt to supply testimony in said cause, as aforesaid, had, in the month of November, 1927, been exposed in the trial of a certain action theretofore brought by Justice Fletcher Riley, a member of the Supreme Court, and after such exposure the references therein contained to the testimony sought to be supplied to the record by said Justice Charles W. Mason was, by order of the Supreme Court, eliminated from said opinion; all of which acts done and performed by him, said Charles W. Mason, and all of which omissions and failure on his part to perform the duties incumbent upon him, under the Constitution and laws of the State of Oklahoma, were wilfully, wrongfully, purposely, and designedly done and omitted, and by the doing of which said acts and omissions said Charles W. Mason became, was, and is guilty of incompetency, wilful neglect of duty, wanton violation of his oath of office, malfeasance in office, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE V

And said House of Representatives as aforesaid do further find and present that on the 1st day of November, 1927, said Charles W. Mason, acting as a member or Justice of the Supreme Court of the State of Oklahoma, did

wilfully, knowingly, wrongfully, corruptly, and unlawfully participate in the consideration, adoption, approval, rendition, and filing of a wrongful, fraudulent, and corrupt opinion previously prepared by Mr. Commissioner Foster of the Supreme Court Commission in a certain cause theretofore appealed to the Supreme Court styled "In re Estate of John B. Myers, deceased, Walter D. Myers et al., plaintiffs in error, vs. Maye S. Myers, defendant in error," numbered 16,031 on the docket of the Clerk of the Supreme Court of the State of Oklahoma, and did thereafter wilfully, knowingly, wrongfully, corruptly, and unlawfully participate in the consideration and denial of petition for rehearing on the aforesaid Foster opinion filed by said Maye S. Myers, defendant in error in said cause;

That the aforesaid cause arose by appeal from the District Court of Pawnee County, Oklahoma, from the judgment of said court in refusing to admit to probate the pretended will of John B. Myers, deceased, because said John B. Myers was not of testamentary capacity and had been the victim of undue influence exercised by his brother, Walter D. Myers, one of the proponents of said will; that said appeal was lodged in the office of the Clerk of the Supreme Court on December 15, 1924, and thereafter, because of neglect and failure on the part of the proponents of said will to prosecute said appeal, the same was, on October 20, 1925, dismissed for failure to file brief and for want of prosecution, and abandonment of said appeal; that thereafter said cause was reinstated, upon motion of plaintiffs in error, and after extension of time to plaintiffs in error to file briefs, said cause was duly assigned to Division No. 1 of the then existing Supreme Court Commission for the preparation of an opinion; that after thorough study and consideration of the facts as disclosed by the record or case-made, pleadings, and briefs on file in said Court, said Division No. 1 of said Supreme Court Commission on March 2, 1926, submitted to the Supreme Court for consideration,

approval and adoption an opinion in the aforesaid cause, said opinion having been prepared by Mr. Commissioner Ray and unanimously concurred in and adopted by the other members of said Division No. 1 of said Supreme Court Commission, such opinion affirming and upholding the opinion of the trial court in refusing to admit the pretended will of said John B. Myers to probate; that said opinion so prepared was considered, approved, and adopted without dissent on the part of any of the members of the Supreme Court, and officially rendered and filed as the opinion of the Supreme Court in the aforesaid cause:

That thereafter extensions of time for the filing of petition for rehearing were obtained by the proponents of said will, and during such extended time the plaintiffs in error in said cause, the proponents of said will, learned that J. D. Lydick and Chas. E. McPherren, attorneys of Oklahoma City, were specially favored by the Supreme Court in the consideration of cases appealed to said Court in which said firm of Lydick & McPherren was employed as attorneys, and because of such influence and favoritism extended and exhibited by the Supreme Court to said firm of Lydick & McPherren, the proponents of said will employed said Lydick & McPherren for an unconscionable, exorbitant, and unreasonable fee, so large as to be abhorrent to the administration of justice, to file and present to the Supreme Court a petition for rehearing in the aforesaid cause; that immediately upon obtaining such employment for a cash fee of \$1000, and a further fee of \$30,000 contingent upon their procuring a reversal by the Supreme Court of the opinion previously rendered in said cause, said Lydick & McPherren presented a petition for rehearing, with a request that oral argument thereon be granted; that said petition for rehearing was referred to said Division No. 1 of the Supreme Court Commission, and oral argument thereon allowed, whereupon Mr. Commissioner Logsdon, a member of said Division No. 1 of the Supreme Court Com-

mission, submitted to the Supreme Court a recommendation, in the form of an opinion, that such petition for rehearing be denied; that, notwithstanding such recommendation, said petition for rehearing was taken over by the Supreme Court for its consideration, and said recommendation ignored, and said petition for rehearing was thereafter held under consideration until June 14, 1927, and upon recommendation of one Fred P. Branson, who had theretofore become Chief Justice of said Supreme Court, said petition for rehearing was granted and said cause was thereupon resubmitted to the newly-created Supreme Court Commission for the preparation of a second opinion therein:

That pursuant to the request previously made at the time of the filing of the aforesaid petition for rehearing that oral argument be granted thereon, the aforesaid newly-created Commission set the same for oral argument, and immediately thereafter, upon order of the then Chief Justice, Fred P. Branson, struck the same from assignment for oral argument, and said cause was thereupon assigned to Mr. Commissioner Earl Foster, a member of the newly-created Supreme Court Commission; that thereafter said Commissioner Foster prepared, and procured the concurrence of some of the members of the aforesaid newly-created Supreme Court Commission in, an opinion contrary to and in direct conflict with the first opinion rendered in said cause, and having for its effect and purpose the direction to the trial court to admit said will to probate and in so doing to strip the widow, Maye S. Myers, of two-thirds of not only her husband's estate but of the joint property of herself and her deceased husband, and her separate property, all of which had, prior to the death of said John B. Myers, been held and retained by said John B. Myers in his name and for the joint use and benefit of the aforesaid John B. Myers and Maye S. Myers:

That upon submission to the Supreme Court of the aforesaid opinion so prepared by Commissioner Foster, the same was approved and adopted by a majority of the members of the Supreme Court, notwithstanding the fact that Mr. Commissioner Reid, a member of the same Division of the Supreme Court Commission of which Mr. Commissioner Foster was a member, had filed with the Supreme Court his, Mr. Commissioner Reid's, dissenting opinion, citing additional facts and legal authorities which, if considered and followed, would have made impossible the approval and adoption of the opinion so prepared by Mr. Commissioner Foster; that notwithstanding the previous conduct of the Supreme Court in considering, approving, and adopting the first opinion in said cause, which was favorable to the widow, Maye S. Myers, and in total and utter disregard of the recommendation of Mr. Commissioner Logsdon, and of the dissenting opinion of Mr. Commissioner Reid, a majority of the members of the Supreme Court, including said Charles W. Mason, on November 1, 1927, approved and adopted the opinion prepared by Mr. Commissioner Foster as aforesaid:

That said Commissioner Foster, in the preparation of his opinion as aforesaid, wilfully, wrongfully, designedly, unlawfully, and corruptly distorted and misstated the facts as disclosed by the record in the aforesaid cause and by the opinion previously rendered by Mr. Commissioner Ray, and by the recommendation in the form of a memorandum opinion filed by Mr. Commissioner Logsdon, and by the dissenting opinion filed by Mr. Commissioner Reid, as aforesaid; that such distortion and misstatement of the facts was necessary in order to arrive at the conclusions stated in the opinion by Mr. Commissioner Foster and to prevent detection of the fraud so perpetrated, but that notwithstanding the distortion and misstatement of the true facts, and the efforts to conceal the fraud so perpetrated, said opinion prepared by Mr. Commissioner Foster discloses

on its face such distortions and misstatements of the facts and attempts to distort, misconstrue, and misapply fundamental and elementary principles of law:

That after participating in the consideration, approval, and adoption of the aforesaid Foster opinion, and causing other members of the Supreme Court to concur in the approval and adoption of said opinion and the subsequent rendition thereof as the final opinion in said cause, petition for rehearing thereon was duly filed by the widow, Maye S. Myers, and oral argument thereon was duly requested; that with incredible haste and speed, as compared to the manner in which the aforesaid cause had at all times been handled prior to the rendition of the Foster opinion, such petition for rehearing and request for oral argument was, on February 28, 1928, denied, and in like manner the widow's application for leave to file a second petition for rehearing was summarily denied, with the concurrence and approval of said Charles W. Mason:

That the aforesaid Lydick & McPherren were employed by the proponents of said will at the solicitation of one Neal Maurer, who had not theretofore been identified with said case, and solely because of the influence of said Lydick & McPherren with said Charles W. Mason and Fred P. Branson, then Vice Chief Justice, and Associate Justices J. W. Clark and Fletcher Riley; that immediately upon procuring and obtaining such employment said Lydick & McPherren employed one John Barry to aid and assist in obtaining a rehearing and the rendition of a second opinion in said cause favorable to the proponents of said will; that said John Barry was employed solely and exclusively because of his influence with said Charles W. Mason and Vice Chief Justice Fred P. Branson, and Associate Justices J. W. Clark and Fletcher Riley; that through the influence of the aforesaid attorneys, Lydick, McPherren and Barry, with said Charles W. Mason and the other aforesaid members of the

Supreme Court, and the intrigue set in motion by said Lydick, McPherrren and Barry within the Supreme Court, the petition for rehearing filed by them in the aforesaid cause was considered and granted, notwithstanding the adverse recommendations made thereon, as hereinabove detailed, and as a result of the influence so exercised and exerted and as a result of the intrigue within the Supreme Court so set in motion, the aforesaid petition for rehearing was held under advisement until after said Fred P. Branson became Chief Justice of the Supreme Court and acquired the authority to assign cases on their merits or on rehearing to the members of said Court or the Supreme Court Commission; that after the creation of a new Supreme Court Commission, and when conditions were such as to permit the carrying into effect of the wrongful, wilful, unlawful and corrupt scheme, plan, and design and the conspiracy entered into between said Charles W. Mason, Fred P. Branson, J. W. Clark, and Fletcher Riley with the aforesaid Lydick, McPherrren and Barry, to bring about a reversal of the opinion and judgment of the Supreme Court theretofore rendered and filed in the aforesaid cause, such petition for rehearing was granted by the Supreme Court on the recommendation of the then Chief Justice, Fred P. Branson, and said cause was immediately thereafter by him assigned to the newly-created Supreme Court Commission, with instructions to prepare an opinion therein without allowing oral argument or an opportunity to the defendant in error, the widow, Maye S. Myers, to present said cause and defend her rights involved therein in the manner and form as provided by law and the rules of the Supreme Court:

That in keeping with the aforesaid wrongful, wilful, and corrupt plan, scheme and design and conspiracy, and pursuant to the orders and directions of said Fred P. Branson, the Chief Justice, the second opinion in said cause was prepared and submitted to the Supreme Court for its approval and adoption:

That at the time of the approval, adoption and rendition of the aforesaid Foster opinion—which had for its purpose and effect the stripping and depriving of the widow, Maye S. Myers, of not only two-thirds of the estate of John B. Myers, her deceased husband, but also two-thirds of the separate property of said Maye S. Myers, and two-thirds of the joint property of said Maye S. Myers and John B. Myers, all of which had been commingled by said John B. Myers and Maye S. Myers in the name and the estate of said John B. Myers, deceased, and the enriching of the aforesaid Lydick, McPherren, Barry and Maurer to the extent of \$30,000 for their services pretended to be rendered—said Charles W. Mason was partial to the proponents of said will and prejudiced against said Maye S. Myers and her interests in the aforesaid cause, and thereby disqualified to participate in the consideration and determination of said cause, Myers vs. Myers, as more particularly hereinafter detailed:

That immediately after the aforesaid Lydick & McPherren had been employed by the proponents of said will as attorneys, and said John Barry had been employed by said Lydick & McPherren, they became attorneys for the aforesaid Justices J. W. Clark and Fletcher Riley in certain causes of action in which was drawn the personal and official integrity of said J. W. Clark and Fletcher Riley, and continuing throughout the further proceedings in the Supreme Court in the aforesaid cause of Myers vs. Myers said Lydick, McPherren and Barry acted and continued to act as attorneys for the aforesaid J. W. Clark and Fletcher Riley; that thereafter, and while the aforesaid cause of Myers vs. Myers was still pending in the Supreme Court, and prior to the approval, adoption, and rendition by the Court of the Foster opinion in said cause, and continuing throughout the further proceedings in said case, said J. D. Lydick and John Barry became the attorneys in certain actions brought by said J. W. Clark and Fletcher Riley for

the recovery of damages for alleged libel, in which said actions there was drawn in question the personal and official integrity of the aforesaid J. W. Clark and Fletcher Riley, as well as the integrity of Fred P. Branson and said Charles W. Mason, and because of the employment of said J. D. Lydick and John Barry by the aforesaid J. W. Clark and Fletcher Riley, and the representation of them as attorneys, said J. W. Clark and Fletcher Riley, and Fred P. Branson, who had likewise filed, in his own name, a similar libel action, and said Justice Charles W. Mason, who, prior to the trial of the Fletcher Riley suit, contemplated the filing of a similar action, had and retained an unusual interest in the welfare and success of said J. D. Lydick and John Barry as attorneys, and in the success of the actions then being prosecuted or about to be prosecuted by said J. D. Lydick and John Barry as their attorneys:

That such interest in the aforesaid attorneys, Lydick and Barry, on the part of Charles W. Mason, J. W. Clark, Fletcher Riley and Fred P. Branson, was such as to disqualify them, the aforesaid Justices, in the consideration of the case of Myers vs. Myers, but notwithstanding such interest, and the partiality for them and their causes pending in the Supreme Court, and notwithstanding the prejudice and bias that existed and would naturally exist on the part of the aforesaid Charles W. Mason, J. W. Clark, Fletcher Riley and Fred P. Branson against the parties adverse to said J. D. Lydick and John Barry, said Charles W. Mason, J. W. Clark, Fletcher Riley and Fred P. Branson proceeded to participate in the consideration, approval and adoption of the opinion in the aforesaid case of Myers vs. Myers so prepared by Mr. Commissioner Foster, and in so doing said Charles W. Mason and the aforesaid J. W. Clark, Fletcher Riley and Fred P. Branson were influenced, moved, actuated, controlled and dominated by their partiality for said J. D. Lydick and John Barry and the interests in the aforesaid cause of Myers vs. Myers

represented by them, and were further influenced, moved, actuated, controlled and dominated by the bias and prejudice against the interests in the aforesaid cause of Myers vs. Myers adverse to said J. D. Lydick and John Barry, and because, and as a result of such partiality for said attorneys and the prejudice and bias against the interests adverse to them, which by all rules of ethics and the honest administration of justice, and all rules of conscience as well as law, disqualified said Charles W. Mason and the aforesaid Fletcher Riley, Fred P. Branson and J. W. Clark from participating as members of the Supreme Court in the consideration, approval, adoption, official rendition and filing of the aforesaid Foster opinion in the case of Myers vs. Myers, they participated in and made possible the rendition of said Foster opinion:

That actuated by such partiality for said J. D. Lydick and John Barry and the interests in the case of Myers vs. Myers represented by them, and influenced, moved and actuated by the prejudice and bias against the interests in said case of Myers vs. Myers adverse to them, and for the purpose of reciprocation and the repayment of the favors theretofore exhibited by said J. D. Lydick and John Barry in the representation of the aforesaid Justices, and the representation by said J. D. Lydick and John Barry as attorneys for the aforesaid Justices that would thereafter be rendered by mutual understanding and agreement, said Charles W. Mason and the aforesaid Fletcher Riley, Fred P. Branson and J. W. Clark caused to be approved, adopted, officially rendered and filed the aforesaid Foster opinion in the case of Myers vs. Myers; that by the approval, adoption, rendition and filing of said opinion, said J. D. Lydick and Chas. E. McPherrren, John Barry and associate counsel were enriched and rewarded to the extent of \$30,000, thereby being indirectly compensated for the services theretofore rendered and thereafter to be rendered by said J. D. Lydick, John Barry and others in the aforesaid ac-

tions, in which said J. W. Clark, Fletcher Riley, and other members of the Court were involved, as aforesaid:

That said Charles W. Mason, with full knowledge of the wrongfulness of his acts, and with complete understanding of the facts hereinbefore related, wilfully, wrongfully, unlawfully, purposely and designedly failed, refused and neglected to certify his disqualification to participate in the consideration and determination of said case of Myers vs. Myers, or take any steps to prevent the consideration thereof by the other aforesaid disqualified Justices, Fletcher Riley, Fred P. Branson and J. W. Clark, or to make any attempt to prevent the miscarriage of justice in the rendition of the Foster opinion in the aforesaid case of Myers vs. Myers, but, on the contrary, said Charles W. Mason aided and abetted and participated in the wrongful, wilful, unlawful and corrupt decision and opinion in said case of Myers vs. Myers, all of which acts done and performed by him, said Charles W. Mason, and all of which omissions and failure on his part to perform the duties incumbent upon him under the Constitution and laws of the State of Oklahoma, as well as the recognized principles of conscience, common honesty and decency, were wilfully, wrongfully, purposely and designedly done and omitted for the purpose hereinabove set forth, and by the doing of which said acts and omissions said Charles W. Mason became, was, and is guilty of wilful neglect of duty, wanton violation of his oath of office, malfeasance in office, incompetency, corruption in office, the violation of the generally-recognized principles of common honesty and decency, and other offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE VI.

And the House of Representatives as aforesaid do further find and present that said Charles W. Mason, while acting as a duly elected and qualified member or Justice of the Supreme Court of the State of Oklahoma, unmindful of the high duties of his office and of his oath of office, and in violation thereof, and for the purpose of aiding and abetting one Fred P. Branson, then an associate Justice of the Supreme Court of the State of Oklahoma, in a corrupt scheme and plan on the part of said Fred P. Branson to coerce and compel the sale of certain property owned by said Fred P. Branson at an exorbitant and unreasonable figure, did wrongfully, wilfully, knowingly, designedly, and corruptly agree in advance with said Fred P. Branson as to the character of an opinion that would be subsequently written by him, said Charles W. Mason, in a certain case styled "In re Guardianship of Jackson Barnett, Incompetent," numbered 17,061 on the docket of the Clerk of the Supreme Court of the State of Oklahoma, if said Fred P. Branson should cause the aforesaid case to be assigned to him, said Charles W. Mason, for the preparation of an opinion therein; that pursuant to such scheme, plan, and design, said Fred P. Branson, as Vice Chief Justice of the Supreme Court, and in the absence of the Chief Justice thereof, ordered and directed that the aforesaid cause be assigned to said Charles W. Mason for the preparation of an opinion; that thereafter, and immediately prior to November 30, 1926, he, said Charles W. Mason, submitted to the Supreme Court an opinion in the aforesaid cause, and aided and abetted said Fred P. Branson in procuring the approval and adoption of said opinion by a majority of the members of said Court, and the subsequent official rendition and filing thereof; that all of the aforesaid acts were done and performed by him, said Charles W. Mason, with full and complete knowledge of the

wrongfulness and the consequences thereof, all of which acts done and performed by him, said Charles W. Mason, were wilfully, wrongfully, purposely, designedly, and corruptly done for the purpose herein above set forth, and by the doing of which said acts said Charles W. Mason became, was, and is guilty of wilful neglect of duty, wanton violation of his oath of office, malfeasance in office, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the great scandal and disgrace of the Supreme Court of the State of Oklahoma.

ARTICLE VII

And the House of Representatives as aforesaid do further find and present that on and prior to the 3rd day of April, 1928, there was pending in the Supreme Court of the State of Oklahoma a cause styled "Oklahoma City vs. Baldwin," numbered 17,581 on the docket of the Clerk of the Supreme Court; that an opinion was filed in said cause, and that at the time of the filing thereof Fred P. Branson, Chief Justice of said Court, announced that he would file a dissenting opinion therein; that on the 3rd day of April, 1928, said Chief Justice Fred P. Branson filed a purported and pretended dissenting opinion in said cause, in which said Branson made no mention of the facts contained in the record, or the law applicable to said cause, but in his so-called dissenting opinion proceeded to excoriate a firm of law brief printers who had theretofore, in the course of their business, printed some matter which had been the cause of said Fred P. Branson's conceiving a violent hatred toward said printers; that said law brief printers were not mentioned in the record and were not parties to said suit, but said acts on the part of

him, said Fred P. Branson, were done for the purpose of destroying said firm of law brief printers in their business; that after the pretended dissenting opinion had been delivered, said Charles W. Mason, while acting as a duly elected and qualified member of the Supreme Court, adopted all of the wrongful and unlawful acts of said Fred P. Branson, and caused large numbers of said so-called dissenting opinion to be printed and circulated among the members of the Bar, and litigants within the State of Oklahoma, with the wrongful and wilful intention, on the part of him, said Charles W. Mason, of aiding said Fred P. Branson in destroying the business of said firm of law brief printers; that at the time of the doing of said wrongful, wilful, and corrupt acts on the part of said Charles W. Mason, he, said Charles W. Mason, well knew that all of the acts of said Branson in delivering said statement as a pretended dissenting opinion were wholly without jurisdiction on the part of him so to do, and knew that there was a total absence of jurisdiction in said cause or in said court, either of the person or of the subject matter thereof; all of which said acts on the part of said Charles W. Mason were knowingly, wilfully, wrongfully, and corruptly done and performed by him, and with full knowledge of the effect and consequences thereof, and by the doing of which said acts said Charles W. Mason became, was, and is guilty of wilful neglect of duty, malfeasance in office, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the great scandal and disgrace of the Supreme Court of the State of Oklahoma.

ARTICLE VIII.

And said House of Representatives as aforesaid do further find and present that said Charles W. Mason,

while acting as a duly elected and qualified member or Justice of the Supreme Court of the State of Oklahoma, and, to-wit, on December 3, 1927, unmindful of the duties of his office, and in violation of his oath of office, did participate in the consideration of and concur in the determination of a certain pretended cause styled "Simpson vs. Hill, et al.," numbered 18,968 on the docket of the Clerk of the Supreme Court of the State of Oklahoma; that said Charles W. Mason was disqualified by interest, bias, and prejudice to participate in the consideration and determination of the aforesaid cause, upon the grounds and in the particulars as follows, to-wit:

That the aforesaid cause was filed in the Supreme Court of the State of Oklahoma for the purpose of preventing a legislative investigation of all elective State officials, including said Charles W. Mason and other members of the Supreme Court, and for the purpose of preventing such investigation by a pretended judicial determination of the right of the members of the Legislature of the State of Oklahoma to convene themselves in special session for such purpose, the opinion in the aforesaid cause was prepared by the then Chief Justice Fred P. Branson and submitted to, approved by and concurred in by said Charles W. Mason for the purpose aforesaid; that prior to the filing of the aforesaid case of Simpson vs. Hill in the office of the Clerk of the Supreme Court, said Charles W. Mason had full and complete knowledge of the intention of the House of Representatives of the Eleventh Legislature, when it should so convene, to investigate him, said Charles W. Mason, as a member of the Supreme Court, and because of such knowledge on the part of said Charles W. Mason for the purpose and intention of the Legislature to conduct such investigation, and because of his interest in the aforesaid action, although not nominally a party thereto, and for the purpose of gaining an advantage to himself, as aforesaid, he, said Charles W. Mason, participated in the consideration

of and concurred in the rendition of the opinion so prepared:

That in the preparation of said opinion said Fred P. Branson cited spurious authority, and quoted excerpts from the speech of a lawyer as excerpts from a final judicial decision of a court of last resort for the purpose of conveying to the members of the Legislature that by final decision of the Supreme Court of the State of Oklahoma said members of the Legislature had no legal right to convene for investigation and inquisitorial purposes; that for the further purpose of obstructing and hampering such intended investigation said Fred P. Branson used and employed language that was intended to serve as a public notice or warning to all persons who might attempt to aid, by the giving of testimony or otherwise, in such proposed legislative investigation, that all such proposed investigation was unprivileged, and the parties participating therein were and would be subsequently held to be liable for their acts; that for the purpose of accomplishing the aforesaid plan and preventing the proposed legislative investigation, and of serving such public notice and warning on all persons who might be interested therein, before the Legislature should convene on December 6, 1927, he, said Charles W. Mason, without consideration of the facts involved or the law applicable thereto, but solely for the purpose of self-protection and expediting the rendition of said opinion, did wrongfully, wilfully, knowingly, designedly, and corruptly concur in said opinion as aforesaid:

That thereafter, when the wilful, wrongful and corrupt intention of said Fred P. Branson and said Charles W. Mason had been accomplished, and the wrongful, felonious, and corrupt purpose of said opinion had been served, and after the fraud of said Fred P. Branson, concurred in by said Charles W. Mason, had been detected and exposed,

said Fred P. Branson, by and with the knowledge, consent, and approval of said Charles W. Mason, surreptitiously removed from the files of the Clerk of the Supreme Court the aforesaid opinion so prepared by him in the aforesaid cause, and sought, contrary to the laws of the State of Oklahoma, to alter and change the language used and employed in said opinion so as to erase and expunge from the final and indelible records of the Supreme Court of the State of Oklahoma all evidence of the perpetration of said fraud and the corrupt acts of said Fred P. Branson, which were concurred in and approved by said Charles W. Mason, as aforesaid, all of which acts done and performed by him, said Charles W. Mason, and all of which omissions and failure upon his part to perform the duties incumbent upon him under the Constitution and laws of the State of Oklahoma, were wilfully, wrongfully, purposely and designedly done and omitted for the purposes hereinabove set forth, and by the doing of which said acts and omissions said Charles W. Mason became, was, and is guilty of wilful neglect of duty, wanton violation of his oath of office, malfeasance in office, incompetency, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace said Supreme Court of the State of Oklahoma.

ARTICLE IX.

And the House of Representatives as aforesaid do further find and present that said Charles W. Mason, while acting and serving as a duly appointed and qualified member or Justice of the Supreme Court, sought nomination on the Democratic ticket, in the First Supreme Court Judicial Nominating District, in the primary election had and held throughout the aforesaid nominating district on August 5,

1924, as candidate for Justice of the Supreme Court of the State of Oklahoma; that immediately thereafter said Charles W. Mason became involved in a contest over the issuance to him of a certificate of nomination as candidate for said office, such contest being based upon alleged fraudulent election returns charged to have been made at the suggestion, instance, or direction of said Charles W. Mason, or by and with his knowledge, consent, approval, and participation, and upon the further allegation that if such alleged fraudulent election returns were corrected, he, said Charles W. Mason, would not be entitled to a certificate of nomination; that said Charles W. Mason, in order to avoid a trial and hearing of the aforesaid election contest upon the merits thereof, and to avoid having to subject any defense he might have to such allegations of fraud to judicial investigation, he, said Charles W. Mason, availed himself of unfair and improper protection of the Supreme Court, of which he, said Charles W. Mason, was then a member, by conspiring with one J. D. Lydick, then a member of the Supreme Court, to prepare a favorable opinion in a certain original action filed in the Supreme Court by his contestant, in which said opinion said J. D. Lydick stated, in substance and effect, that said Supreme Court had sufficient and ample jurisdiction to hear and determine such election contest, but was too busy to exercise the same, and directed that such contest be tried in courts inferior to said Supreme Court:

That said Charles W. Mason refused, when requested, to disqualify as a member of said Supreme Court, and participated in the hearing and consideration of the issues presented to said Supreme Court in the aforesaid original action, notwithstanding the fact that he was a party thereto and had a direct interest therein; that thereafter, when an attempt was made to conduct said election contest in the District Court of Wagoner County, said county being a part of the First Supreme Court Judicial Nominating Dis-

trict, said Charles W. Mason fled, secreted, and secluded himself, to avoid service of process issued by the aforesaid District Court, and by the aforesaid acts and omissions willfully, knowingly, designedly, wrongfully, and corruptly done and omitted by him, said Charles W. Mason, he obtained a certificate of nomination as candidate for the office of Justice of the Supreme Court of the State of Oklahoma; that thereafter, by the result of the general election had and held throughout the State of Oklahoma on November 4, 1924, a certificate of election was issued to him, said Charles W. Mason, declaring him to be a Justice of the Supreme Court of the State of Oklahoma.

That the aforesaid J. D. Lydick retired from said Supreme Court on January 12, 1925, and resumed the practice of law at Oklahoma City, and because of the aforesaid conspiracy between him and said Charles W. Mason, and the effectuating of same by said J. D. Lydick as aforesaid, said Charles W. Mason immediately became, and at all times since has remained, under the influence, control and domination of said J. D. Lydick; that the aforesaid conduct, acts, and deeds of said Charles W. Mason and J. D. Lydick received great publicity, and were widely and generally discussed, and caused rumors to spread throughout the State to the effect that, because of the influence exercised by said J. D. Lydick with said Charles W. Mason, and the intrigue set in motion within said Supreme Court by them, he, said J. D. Lydick, and the firm of Lydick & McPherren, have been able to obtain results in causes appealed to said Supreme Court not otherwise obtainable, and not obtainable by other lawyers in the same causes;

That with full knowledge on the part of him, said Charles W. Mason, of the existence and spreading throughout the State of rumors to the effect that politics, intrigue, and influence entered into or controlled the decision of said Supreme Court, and with full knowledge of the fact

that one John Barry, an attorney of Oklahoma City, was also charged or credited with having and exercising influence with him, said Charles W. Mason, and other members of the Supreme Court, and with full knowledge of the fact that said J. D. Lydick and the law firm of Lydick & McPherren, and said John Barry, were capitalizing such rumors of their influence with him, said Charles W. Mason, and other members of said Supreme Court and were profiting greatly therefrom by obtaining employment in causes not obtainable except for such rumors of their influence and intrigue, and at such times that there was nothing that an attorney without influence could accomplish, and with full knowledge on the part of him, said Charles W. Mason, that such attorneys were appearing in causes under the circumstances and conditions above outlined, he, said Charles W. Mason gave credence, authenticity, and stimulation to such rumors by participating in the consideration and decision of causes in which such attorneys were employed as aforesaid, and aided in the rendition of opinions favorable to the aforesaid attorneys and their clients; that in many such causes such favorable opinions were rendered on rehearing, necessitating the withdrawal, vacating, or reversal by said Supreme Court of the opinions previously rendered in such causes;

That with full knowledge of the fact that such rumors were constantly spreading throughout the State of Oklahoma, and that said Supreme Court was falling into disrepute as a result thereof, he, said Charles W. Mason, while accepting financial favors and gifts from said J. D. Lydick and John Barry, resorted to acts of official oppression, coercion, and intimidation towards and against persons who publicly criticized and complained of such conditions, and subsequently resorted to corrupt intrigue within said Supreme Court and conspiracy with other members thereof to prevent an investigation of said Supreme Court and his own wilful, wrongful, and corrupt acts as a member thereof;

that all the aforesaid acts so performed by him, said Charles W. Mason, were wilfully, designedly, unlawfully and corruptly done and performed, and known by him to be wrongful and unlawful, and by the doing of which he, said Charles W. Mason, became, was, and is guilty of debauching and degrading the said Supreme Court, and of wanton violation of his oath of office, malfeasance in office, wilful neglect of duty, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the great and lasting scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE X.

And the House of Representatives as aforesaid, hereby referring to each, every, and all of the Articles of Impeachment of said Charles W. Mason as a member or Justice of the Supreme Court of the State of Oklahoma, heretofore exhibited and filed, and hereby making each and every one of said Articles of Impeachment a part of this article, to the same extent as if said article were set out in full herein, do hereby further find and present:

That from and after the date of his induction into the office of Justice of the Supreme Court as aforesaid, said Charles W. Mason, acting in the capacity of Justice as aforesaid, and during his incumbency in said office, unmindful of the high duties of his office, and of his oath of office and in violation thereof, has, on divers, numerous and sundry occasions, knowingly, wilfully, purposely, intentionally and wrongfully, exhibited his malfeasance in office, his wanton violation of his oath of office, his corruption in office, and other offenses involving moral turpitude committed by him while in his said office, and has established and dem-

onstrated his unfitness to hold such office and serve in the capacity of Justice of the Supreme Court of the State of Oklahoma and to perform the duties incumbent upon him under the Constitution and laws of the State of Oklahoma and under the generally-recognized principles of common honesty and decency, by a course of conduct as hereinbefore and hereinafter alleged, specified, set forth, and exhibited, and by divers, numerous, and sundry other acts committed by him in his official capacity, and by his wanton disregard for the rights of litigants whose causes have been appealed to the Supreme Court of the State of Oklahoma, and by concurring in the opinions in and decisions of innumerable causes wherein he had made no effort to acquire or obtain any knowledge of the facts involved in such cases or to familiarize himself with the law relating thereto, and by so doing has made his act of participating and concurring in such opinions one of intrigue, favoritism, or politics, and by complete and absolute abandonment of former judicial precedent because of the influence or intrigue of specially-favored lawyers, and by refusing to prevent and abolish the activities of favored or political lawyers, and by continuing to make himself, as a member of the Supreme Court, susceptible to the influence and intrigue of such favored attorneys, and by stimulating the rumors of the influence of such attorneys and encouraging their employment, and by secretly conferring, consulting, and communicating with such lawyers about their causes in the absence of opposing parties or their counsel, and by aiding and abetting in the preparation and rendition of wrongful and corrupt opinions for self-interest and personal profit and to prevent an investigation or exposure of the methods, conduct, and practices of himself, said Charles W. Mason, as a member of said Supreme Court, and by resorting to intrigue, coercion, oppression, and intimidation to delay and deny justice, and by approving, abetting, aiding, and participating in the delay

and denial of justice, and by stimulation of conditions within and without the Court that have caused or resulted in the delay and denial of justice, and by participating or acquiescing in concealing, changing, altering, or expunging public records, files, and final judgments and opinions in cases, for the purpose of concealing his own wrongful acts and the wrongful acts of other members of said Supreme Court, and by the exercise against litigants or other parties or their attorneys of his prejudice, bias, malice, and vindictiveness, in the consideration or pretended consideration of causes and by resorting to and aiding, assisting, and abetting other members of said Supreme Court in their resort to unethical, illegal, unlawful and terroristic acts of oppression, coercion, and intimidation, and by the denial of due process of law, the equal protection of the laws, and the suspension of the privileges of the writ of habeas corpus, he, said Charles W. Mason, became, was, and is guilty of debauching and degrading said Supreme Court, and of wanton violation of his oath of office, malfeasance in office, corruption in office, and offenses involving moral turpitude committed by him while in his said office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the great and lasting scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE XI.

And said House of Representatives hereby referring to each and every and all of the Articles of Impeachment of said Charles W. Mason as a member or Justice of the Supreme Court of the State of Oklahoma, heretofore exhibited and filed, and hereby making each and every one of said Articles of Impeachment a part of this article, to the same extent as if said article were set out in full herein, do hereby further find and present:

That from and after the date of his induction into the office of Justice of the Supreme Court as aforesaid, said Charles W. Mason, acting in the capacity aforesaid and during his incumbency in said office, unmindful of the high duties of his office and of his oath of office, and in violation thereof, has, on divers, numerous, and sundry occasions, knowingly, wilfully, purposely, intentionally, wrongfully, and corruptly exhibited and demonstrated and established his official incompetency to hold and occupy such office and to serve in the capacity of Justice of the Supreme Court of the State of Oklahoma, and to perform and accomplish the duties thereof, and has exhibited, demonstrated, and established his wilful neglect to perform the duties incumbent upon him under the Constitution and laws of the State of Oklahoma, by a course of conduct as hereinbefore and hereinafter alleged, specified, set forth, and exhibited, and by divers, numerous, and sundry other acts committed by him in his official capacity, and by his reckless disregard for the rights of litigants whose causes have been appealed to the Supreme Court of the State of Oklahoma, and by concurring in the opinions in and decision of innumerable cases wherein he had made no effort to acquire or obtain any knowledge of the facts involved in such cases or familiarize himself with the law applicable thereto, and by so doing has made his acts of participating and concurring in such opinions an idle gesture and a matter of official reciprocation and judicial politics; and by complete and absolute abandonment of former judicial precedent, and by refusing to take official cognizance of the existence of widespread and generally-believed rumors to the effect that certain attorneys practicing before said Supreme Court had and exercise, to their undue advantage, such influence in the consideration by the Court of their causes, and by condoning and encouraging such conditions, generally referred to as "lobbying," and by making himself susceptible to the influence and intrigue of such specially-favored and influential lawyers, and encouraging the em-

ployment thereof and thereafter secretly conferring, consulting and communicating with such lawyers, whose interests in and connection with their cases were known only to their employers and said Charles W. Mason, and by aiding and abetting in the rendition of wrongful and corrupt opinions for self-interest and to prevent an investigation or exposure of the methods, conduct, and practices of himself, said Charles W. Mason, as a member of the Supreme Court, and by resorting to intrigue, coercion, oppression, and intimidation to delay and deny justice, and by approving, aiding, abetting and participating in the delay and denial of justice and the stimulation of the conditions within and without the Court that have caused or resulted in the delay or denial of justice, and by participating or acquiescing in concealing, changing, altering, or expunging public records, files, and final judgments and opinions in cases, for the purpose of concealing his own wrongful acts and the wrongful acts of other members of said Court, and by the exercise against litigants or other parties, or their attorneys, of his prejudice, bias, malice, and vindictiveness in the consideration or pretended consideration of causes affecting them, and by resorting to and aiding, assisting, and abetting other members of the Supreme Court in their resort to unethical, illegal, unlawful and terroristic acts of oppression, coercion, and intimidation, and by the denial of due process of law, equal protection of the laws, and the suspension of the privileges of the writ of habeas corpus, he, said Charles W. Mason, became, was, and is guilty of incompetency and wilful neglect of duty committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases as he did and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

Representative Patterson, Chairman of the Board of Managers, asked leave to present a Certificate, from the

Chief Clerk of the Honorable House, showing the tabulation of the vote on the Articles of Impeachment, voted against Chief Justice Charles W. Mason, which request was granted, and which Certificate is as follows:

ARTICLES OF IMPEACHMENT SUSTAINED BY
THE HOUSE OF REPRESENTATIVES ON MARCH
27th, 1929.

To the President of the Senate:

I am directed by the House of Representatives of the Twelfth Legislature of the State of Oklahoma, in regular Session assembled, to notify you, and through you, the Honorable Senate, that Articles of Impeachment have been exhibited by the House of Representatives against Charles W. Mason, Chief Justice of the Supreme Court of the State of Oklahoma, and that on the 27th day of March, 1929, the said Articles of Impeachment were duly adopted by the House of Representatives by the following vote, to-wit:

Article	Aye	Nay	Absent	Excused
I_____	65	24	7	8
II_____	52	28	14	10
III_____	52	42	3	7
IV_____	60	35	2	7
V_____	58	36	3	7
VI_____	52	42	3	7
VII_____	59	35	3	7
VIII_____	52	41	4	7
IX_____	53	35	9	7
X_____	58	37	3	6
XI_____	56	37	4	7

Attest:

BERT McDONEL, Chief Clerk
Of the House of Representatives.

Upon motion of Senator Stewart, the Articles of Impeachment against Charles W. Mason, Chief Justice of the Supreme Court, were ordered received, accepted and filed with the Secretary of the Senate, for the purpose of prosecution, thereof.

The President Pro Tempore informed the Board of Managers of the Honorable House that the Articles of Impeachment against Charles W. Mason, Chief Justice of the Supreme Court, were received and would be filed with the Secretary of the Senate; that a day for an answer thereto would be set and that the respondent will be notified of the day and place of trial, of all of which the Honorable Board of Managers will receive due notice.

Senator Stewart moved that the hour of ten o'clock, a. m., March 29, 1929, be fixed by the Senate as the hour to organize itself into a Court of Impeachment, if this step be found necessary, which motion prevailed.

Senator Stewart moved there be referred to the Legal Advisory Committee of the Senate the question of whether or not a re-organization of the Court of Impeachment is necessary or can said Court function under its present organization, which motion prevailed.

Senator Stewart moved that the Secretary of the Senate notify each member of the Senate of the State of Oklahoma that the Board of Managers of the House of Representatives has presented to the Senate Articles of Impeachment against Charles W. Mason, Chief Justice of the Supreme Court; that the hour of ten o'clock, a. m., March 29, 1929, has been fixed by the Senate as the hour of the organization of this body into a Court of Impeachment, and that the Secretary of the Senate have present at that time the Presiding Justice of the Criminal Court of Appeals to administer such oath or

oaths as may be necessary to the State Senate, sitting as a Court of Impeachment, its officers and employees, which motion prevailed.

Senator Stewart submitted the following motion, which was adopted:

Mr. President: WHEREAS, the Constitution provides that, in the event a member of the Supreme Court is impeached that all of said Justices are disqualified from presiding over the Senate, sitting as a Court of Impeachment, and,

WHEREAS, there has been filed with the Senate Articles of Impeachment, against Charles W. Mason, Chief Justice of the Supreme Court of this State,

NOW THEREFORE, I move that the Senate proceed to the election of one of its members to preside over the impeachment of Charles W. Mason, Chief Justice of the Supreme Court.

STEWART.

Senator Smith presiding.

Senator Stewart placed in nomination the name of Senator Wade H. Loofbourrow, to preside over the impeachment trial of Charles W. Mason.

Senator Gulager placed in nomination the name of Ira A. Hill to preside over the Impeachment trial of Chas. W. Mason.

Senator Hill asked unanimous consent, which was granted, to withdraw his name, as offered by Senator Gulager.

Upon motion of Senator Harper, the nominations were closed, and Senator Wade H. Loofbourrow was declared unanimously elected, to preside over the Impeachment trial of Charles W. Mason, Chief Justice of the Supreme Court.

Representative Patterson, Chairman of the Board of Managers of the House of Representatives, at 4:30 o'clock, p. m., being recognized, said:

MR. PRESIDENT:

We, a Board of Managers, appointed by the Honorable House of Representatives, to present to the Honorable Senate Articles of Impeachment against Fletcher Riley, Justice of the Supreme Court of the State of Oklahoma, do, in obedience to the command of the Honorable House, present to the Honorable Senate, sitting as a Court of Impeachment, the Impeachment charges which have heretofore been exhibited, received, voted and adopted by the Honorable House of Representatives of the State of Oklahoma, said Articles Nos. 1, 3, 4, 5, 6, 7, 8, 9, and 10, having been adopted by said House of Representatives on the 27th day of March, 1929.

The following Communication from the Honorable House of Representatives was received and read:

To the President of the Senate of the
Twelfth Legislature of the State of
Oklahoma.

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House of Representatives did on the 27th day of March, 1929, exhibit and adopt Articles Nos. 1, 3, 4, 5, 6, 7, 8, 9 and 10 of the Articles of Impeachment against Fletcher

Riley, Justice of the Supreme Court of the State of Oklahoma, and that the Board of Managers is now ready to report said Articles of Impeachment to the Honorable Senate, and awaits its pleasure in receiving said Articles of Impeachment.

Yours very truly,

BERT McDONEL, Chief Clerk.

Representative Head presented Articles of Impeachment against Fletcher Riley, Justice of the Supreme Court, which were read by the Clerk, as follows:

ARTICLES OF IMPEACHMENT
EXHIBITED BY THE HOUSE OF REPRESENTATIVES
OF THE STATE OF OKLAHOMA.

The House of Representatives of the Twelfth Legislature of the State of Oklahoma, in their name and in the name and by the authority of the State of Oklahoma and the people thereof, do hereby present and exhibit Articles of Impeachment and give the Honorable Senate to know and be informed that:

Fletcher Riley was a candidate for the Democratic nomination in the Ninth Supreme Court Judicial Nominating District of the State of Oklahoma for Justice of the Supreme Court of the State of Oklahoma before the primary election had and held throughout the aforesaid Supreme Court Judicial Nominating District, and throughout the State of Oklahoma, on the 5th day of August, 1924, and by the result of said primary election a certificate of nomination was issued to him as the nominee of the Democratic party from the aforesaid Judicial Nominating District for the office of Justice of the Supreme Court of the State of Oklahoma, and that thereafter, on the 4th day of November, 1924, by the result

of the general election had and held throughout the State of Oklahoma, a certificate of election was issued him, declaring him a Justice of the Supreme Court of said State; that on the 12th day of January, 1925, said Fletcher Riley became and was inducted into the office of Justice of the Supreme Court of the State of Oklahoma, and thereupon took and subscribed the oath of office prescribed by Section 1 of Article XV of the Constitution of the State of Oklahoma, as follows, to-wit:

"I, Fletcher Riley, do solemnly swear (or affirm) that I will support, obey, and defend the Constitution of the United States, and the Constitution of the State of Oklahoma, and will discharge the duties of my office with fidelity; that I have not paid, or contributed, either directly or indirectly, any money or other valuable thing to procure my nomination or election (or appointment) except for necessary and proper expenses expressly authorized by law; that I have not, knowingly, violated any election law of the State, or procured it to be done by others in my behalf; that I will not, knowingly, receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office, other than the compensation allowed by law, and I further swear (or affirm) that I will not receive, use, or travel upon any free pass or on free transportation during my term of office.

(Signed) FLETCHER RILEY.

"Subscribed and sworn to before me this 12th day of January, 1925

(Signed) N. E. McNEILL,
Chief Justice."

And thereupon he, said Fletcher Riley, assumed the duties of said office.

And said Fletcher Riley, Justice of the Supreme Court of the State of Oklahoma, unmindful of the high duties of his office, and of his oath of office, and in violation of the Constitution and laws of said State, is guilty of incompetency, wilful neglect of duty, corruption in office, and of offenses involving moral turpitude committed by him while in his said office, and said House of Representatives hereby exhibits and presents to the Honorable Senate Articles of Impeachment against said Fletcher Riley as Justice of the Supreme Court of the State of Oklahoma, for the causes, upon the grounds, and in the particulars as follows, to-wit:

ARTICLE I.

That for the purpose of delaying, denying, and corrupting the administration of justice on, prior, and subsequent to the 5th day of April, 1928, while said Fletcher Riley was acting as a duly elected and qualified member or Justice of the Supreme Court of the State of Oklahoma, he said Fletcher Riley, unmindful of the high duties of his office, and of his oath of office, and in wanton violation thereof, did wrongfully, wilfully, knowingly, and designedly enter into a conspiracy with one John Barry, an attorney at law of Oklahoma City, and a close personal friend of him, said Fletcher Riley and who had therefore been specially favored by said Fletcher Riley in the consideration by him of causes appealed to the Supreme Court in which said John Barry appeared or was employed as an attorney, and one Fred P. Branson, the Chief Justice of the Supreme Court of the State of Oklahoma, for the purpose of delaying and preventing one Anna or Roana Pettijohn and one Tom Duffy, said Tom Duffy being a relative of the aforesaid Fletcher Riley, from having to stand trial on a charge theretofore preferred against said Anna or Roana Pettijohn and said Tom Duffy, for a criminal offense; that in keeping with the aforesaid plan, scheme, design and conspiracy,

said Fletcher Riley and the aforesaid John Barry attempted, first, to delay or prevent a preliminary hearing of the charges therefore made against said Anna or Roana Pettijohn and said Tom Duffy, by seeking numerous changes of venue, the last of which was denied; that thereupon, and for the purpose of placing the future consideration, determination, and disposition of the criminal charge aforesaid within his own control, he, said Fletcher Riley, acting in concert with the aforesaid John Barry, filed in the District Court of Woodward County, Oklahoma, a pretended petition for a writ of mandamus for the pretended purpose of obtaining another change of venue, but for the real purpose of taking an appeal from the anticipated decision of the District Judge before whom such application was filed to the Supreme Court of Oklahoma, of which said Fletcher Riley was then and is now a member:

That after the filing of the aforesaid petition for a writ of mandamus to compel the Justice of the Peace, who had failed to disqualify as aforesaid, so to do, a full and complete hearing was had on such application, and the same was thereupon denied, as anticipated by said Fletcher Riley and the aforesaid John Barry, that immediately thereafter an appeal from the judgment and order of the District Court of Woodward County, aforesaid, was on April 5, 1928, lodged by said John Barry in the Supreme Court of the State of Oklahoma, and simultaneous with the filing of said appeal an order was made by the aforesaid Fred P. Branson, Chief Justice of the Supreme Court, staying all further proceedings in the lower courts, which said order had for its effect and purpose the relieving of the aforesaid Anna or Roana Pettijohn and said Tom Duffy, the brother-in-law of said Fletcher Riley, of making any defense in any hearing, preliminary or otherwise, against the charges theretofore preferred against them:

That the aforesaid case in the Supreme Court is styled

"Anna Pettijohn, et al., vs. Harry Shaffer, Justice of the Peace," and numbered 19,267 on the docket of the Clerk of the Supreme Court of the State of Oklahoma; that the aforesaid appeal was irregularly, illegally, unlawfully, and in bad faith filed in the Supreme Court and thereafter pretended to be prosecuted; that the real motive, plan and purpose of the aforesaid procedure was to place under the immediate direction and control of said Fletcher Riley acting in conspiracy with said Fred P. Branson as Chief Justice of the Supreme Court, the future hearing, consideration, and determination of the charges filed against his brother-in-law, said Tom Duffy, and said Anna or Roana Pettijohn; that after the aforesaid pretended appeal had been filed, a motion to dismiss the same was promptly denied by the Supreme Court, and the aforesaid pretended cause has at all times since been pending in the Supreme Court undetermined, during which time the aforesaid Anna or Roana Pettijohn and said Tom Duffy, the brother-in-law of said Fletcher Riley, have been relieved of making or offering any defense to the charges aforesaid; that all of the aforesaid acts done and performed by him, said Fletcher Riley, were wrongfully, wilfully, knowingly, purposely, designedly, and corruptly done, with full knowledge on his part of the effect and consequences thereof, and by the doing of which he, said Fletcher Riley, became, was, and is guilty of corruption in office, malfeasance in office, wanton violation of his oath of office, wilful neglect of duty, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE III.

And said House of Representatives as aforesaid do

further find and present that on the 25th day of October, 1927, said Fletcher Riley, acting as a member or Justice of the Supreme Court of the State of Oklahoma, as aforesaid, did wilfully, knowingly, wrongfully, unlawfully, designedly, and corruptly concur and participate in the approval and adoption of an opinion in and the determination of a certain cause theretofore appealed to the Supreme Court of the State of Oklahoma styled "Sam Yargee et al., plaintiffs in error, vs. George McMillan et al., defendants in error," numbered 15,014 on the docket of the Clerk of the Supreme Court of the State of Oklahoma; that the aforesaid cause was filed in the office of the Clerk of said Court on the 24th day of December, 1923, and pended in said Court until some time prior to May 18, 1925, when the same was assigned to Division No. 4 of the then existing Supreme Court Commission for the purpose of decision and the preparation and submission to the Supreme Court of an opinion therein; that thereafter, and on or about March 23, 1926, an opinion favorable to the plaintiffs in error in the aforesaid cause was duly prepared by the aforesaid Division No. 4 of the then existing Supreme Court Commission and submitted to the Supreme Court for consideration, approval and adoption; that said opinion was received, considered, approved and adopted by said Supreme Court, but was not officially filed, but after having been so considered, approved and adopted, and instead of being officially filed, said opinion was concealed and never at any time filed in the office of the Clerk of the Supreme Court of the State of Oklahoma, or made a part of the files in the aforesaid cause, but on said date, to-wit, March 23, 1926, said cause was reset for consideration and oral argument before the Supreme Court on April 20, 1926, and by further order such hearing was continued until May 11, 1926, when such oral argument before the Supreme Court was had and held, and said cause was thereafter, on May 12,

1926, assigned to Justice Charles W. Mason for the preparation of another opinion; that said Justice Charles W. Mason received the record or case-made or transcript, pleadings, and briefs theretofore filed with the Clerk of the Supreme Court in the aforesaid cause, and retained the same until October 15, 1927, without completing an opinion therein:

That on or about October 14, 1927, depositions were taken in the County Court of Okmulgee County, to be used by the defendants in a certain libel action theretofore filed by Justice Fletcher Riley against the World Publishing Company and others, defendants, the trial of said cause being set for hearing October 25, 1927; that in the taking of the depositions aforesaid one G. R. Horner, an attorney for the plaintiffs in error in the aforesaid cause, Yargee vs. McMillan, No. 15,014 in the Supreme Court of the State of Oklahoma, was subpoenaed by the defendants in the aforesaid libel action, and compelled to testify as a witness on behalf of the defendants, and in response to interrogatories propounded said G. R. Horner testified as to the manner in which the aforesaid cause, Yargee vs. McMillan, had been handled in the Supreme Court of the State of Oklahoma; that the testimony of said Horner aroused the antagonism of said Fletcher Riley, and of Justice J. W. Clark and Chief Justice Fred P. Branson, against said Horner and his interest in the aforesaid case of Yargee vs. McMillan:

That immediately thereafter said Chief Justice Fred P. Branson became aware of the character of the testimony theretofore given by said G. R. Horner, and said Chief Justice Branson forthwith seized the record or case-made or transcript, pleadings, and briefs then in the possession and custody of the aforesaid Justice Charles W. Mason, and proceeded forthwith to prepare

an opinion in said cause, contrary to and in conflict with the opinion theretofore rendered by the aforesaid Division No. 4 of the former Supreme Court Commission, and adverse to the interest of said G. R. Horner, and presented the same to the conference of the Supreme Court for consideration, approval, and adoption; that said Fletcher Riley, without having read the record or case-made or transcript of the testimony, and consequently having no knowledge whatever of the facts involved in said cause, and without having read the briefs theretofore filed in said cause, and without having given any consideration to the facts as reflected by the record in said cause or the law applicable thereto, concurred in the aforesaid opinion so hastily prepared by the aforesaid Chief Justice Fred P. Branson, and, acting in concert with the aforesaid Chief Justice Fred P. Branson and Justice J. W. Clark, caused the aforesaid opinion to be approved and adopted by the Supreme Court, and to be immediately thereafter, to-wit, on October 25, 1927, officially rendered and filed; that prior to the official rendering and filing of the aforesaid opinion, said Chief Justice Fred P. Branson and said J. W. Clark had each filed a libel suit in the District Court of Oklahoma County against the same parties who were defendants in the libel action theretofore filed by said Justice Fletcher Riley, and the trial of which was then about to commence, and which suits so filed by said Fred P. Branson and J. W. Clark were similar to and based upon the same alleged cause of action as the suit filed by said Justice Fletcher Riley; that the motive, purpose, plan, scheme, and design on the part of the aforesaid Fletcher Riley, acting in concert with the aforesaid Fred P. Branson and J. W. Clark, was for the purpose of retaliation and reprisal against the aforesaid G. R. Horner for his having testified as aforesaid, and for the further purpose of serving public notice and warning on all attorneys, and the intimidation of wit-

nesses who had theretofore testified on behalf of the defendants in the aforesaid libel suit brought by said Justice Fletcher Riley or who should thereafter testify, on behalf of the defendants in the trial of said cause, as to the character of consideration and kind of treatment that would be received by such attorneys and their causes from the aforesaid Fletcher Riley, and for the purpose of preventing the production of testimony in defense of such alleged causes of action brought by said Fletcher Riley, Fred P. Branson, and J. W. Clark:

That by the participation in the aforesaid corrupt plan, scheme, design, and conspiracy by him, said Fletcher Riley, and the commission of the aforesaid wilfully, wrongfully, purposely, and corruptly designed acts and deeds and omissions, he, said Fletcher Riley, then and there and thereby became, was, and is guilty of incompetency, wilful neglect of duty, wanton violation of his oath of office, malfeasance in office, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE IV.

And said House of Representatives as aforesaid do further find and present that on February 1, 1927, said Fletcher Riley, while a duly elected, qualified and acting member or Justice of the Supreme Court of the State of Oklahoma, did, in violation of his oath of office and of the high trust imposed upon him, and in violation of the Constitution and laws of the State of Oklahoma, and while having no knowledge of the facts involved in a certain cause

theretofore appealed to the Supreme Court for determination and decision, said cause being styled "Julia Oil & Gas Company, plaintiff in error, vs. Annie Cobb, defendant in error," numbered 15,609 on the docket of the Clerk of the Supreme Court, and without having read either the record or case-made or transcript, or the pleadings and briefs filed in the aforesaid cause, and without any attempt on the part of said Fletcher Riley to ascertain, or familiarize himself with the facts involved in said proceedings, concur in an opinion in the aforesaid cause prepared by Justice Charles W. Mason and submitted by him to the other members of the Court for the consideration, approval and adoption:

That prior to the adoption of the aforesaid opinion, prepared by Justice Charles W. Mason, an opinion in the aforesaid cause had been prepared by Commissioner Ray of the Supreme Court Commission, which opinion was submitted to, approved, adopted without dissent, and rendered by the Supreme Court; that the aforesaid opinion prepared by Commissioner Ray was favorable to the plaintiff in error in the aforesaid cause; that the second opinion in said cause, prepared by Justice Charles W. Mason and submitted to, approved, adopted and rendered by the Supreme Court, was contrary to and in conflict with the first opinion aforesaid; that said opinion so prepared by said Justice Charles W. Mason contained a statement, in substance, to the effect that one Mack Cobb had testified, as a witness in the lower court, to certain facts stated by said Charles W. Mason in said opinion, whereas, in truth and in fact, as shown by the record in said cause, said Mack Cobb had never testified as a witness in said cause, and said Mack Cobb, as shown by the record, was incompetent to testify therein, he being the husband of Annie Cobb, one of the parties; that said Fletcher Riley, if he had examined the record or the briefs in said cause, would have known that said statement so embodied in said opinion was false and wholly untrue, and

contrary to the record or transcript or case-made in said cause, but said Fletcher Riley, wrongfully and wilfully, neglected to examine the record or case-made and briefs in said cause; that the aforesaid distortion and misstatement of facts, as disclosed by the record or case-made, and the aforesaid attempt on the part of Justice Charles W. Mason to supply testimony in the aforesaid cause, was, by petition for rehearing duly filed February 26, 1927, in said Court, distinctly and clearly called to the attention of said Supreme Court and the members thereof, but not until after such distortion of the facts and the testimony as aforesaid and the attempt to supply testimony in the aforesaid case had, in the month of November, 1927, been exposed in the trial of a certain action theretofore brought by the aforesaid Justice Fletcher Riley, was the aforesaid opinion so prepared by Justice Charles W. Mason corrected, and the references therein contained to the testimony sought to be supplied to the record by said Justice Charles W. Mason, eliminated from said opinion by order of the Supreme Court; all of which acts done and performed by him, said Fletcher Riley, and all of which omissions and failure on his part to perform the duties incumbent upon him, under the Constitution and laws of the State of Oklahoma, were wilfully, wrongfully, purposely and designedly done and omitted, and by the doing of which said acts and omissions said Fletcher Riley became, was, and is guilty of incompetency, wilful neglect of duty, wanton violation of his oath of office, malfeasance in office, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE V.

And said House of Representatives as aforesaid do

further find and present that on the 1st day of November, 1927, said Fletcher Riley, acting as a member or Justice of the Supreme Court of the State of Oklahoma, did wilfully, knowingly, wrongfully, corruptly, and unlawfully participate in the consideration, adoption, approval, rendition, and filing of a wrongful, fraudulent, and corrupt opinion previously prepared by Mr. Commissioner Foster of the Supreme Court Commission in a certain cause theretofore appealed to the Supreme Court styled "In re Estate of John B. Myers, deceased, Walter D. Myers et al., plaintiffs in error, vs. Maye S. Myers, defendant in error," numbered 16,031 on the docket of the Clerk of the Supreme Court of the State of Oklahoma, and did thereafter wilfully, knowingly, wrongfully, corruptly, and unlawfully participate in the consideration and denial of petition for rehearing on the aforesaid Foster opinion filed by said Maye S. Myers, defendant in error in said cause:

That the aforesaid cause arose by appeal from the District Court of Pawnee County, Oklahoma, from the judgment of said Court in refusing to admit to probate the pretended will of John B. Myers, deceased, because said John B. Myers was not of testamentary capacity and had been the victim of undue influence exercised by his brother, Walter D. Myers, one of the proponents of said will; that said appeal was lodged in the office of the Clerk of the Supreme Court on December 15, 1924, and thereafter, because of neglect and failure on the part of the proponents of said will to prosecute said appeal, the same was, on October 20, 1925, dismissed for failure to file brief and for want of prosecution, and abandonment of said appeal; that thereafter said cause was reinstated, upon motion of plaintiffs in error, and after extension of time to plaintiffs in error to file briefs, said cause was duly assigned to Division No. 1 of the then existing Supreme Court Commission for the preparation of an opin-

ion; that after thorough study and consideration of the facts as disclosed by the record or case-made, pleadings, and briefs on file in said Court, said Division No. 1 of said Supreme Court Commission on March 2, 1926, submitted to the Supreme Court for consideration, approval, and adoption an opinion in the aforesaid cause, said opinion having been prepared by Mr. Commissioner Ray and unanimously concurred in and adopted by the other members of said Division No. 1 of said Supreme Court Commission, such opinion affirming and upholding the opinion of the trial court in refusing to admit the pretended will of said John B. Myers to probate; that said opinion so prepared was considered, approved, and adopted without dissent on the part of any of the members of the Supreme Court, and officially rendered and filed as the opinion of the Supreme Court in the aforesaid cause:

That thereafter extensions of time for the filing of petition for rehearing were obtained by the proponents of said will, and during such extended time the plaintiffs in error in said cause, the proponents of said will, learned that J. D. Lydick and Chas E. McPherren, attorneys of Oklahoma City, were specially favored by the Supreme Court in the consideration of cases appealed to said Court in which said firm of Lydick & McPherren was employed as attorneys, and because of such influence and favoritism extended and exhibited by the Supreme Court to said firm of Lydick & McPherren, the proponents of said will employed said Lydick & McPherren for an unconscionable, exorbitant, and unreasonable fee, so large as to be abhorrent to the administration of justice, to file and present to the Supreme Court a petition for rehearing in the aforesaid cause; that immediately upon obtaining such employment for a cash fee of \$1000, and a further fee of \$30,000 contingent upon their procuring a reversal by the Supreme Court of the opinion previously rendered in said cause, said Lydick & McPherren pre-

sented a petition for rehearing, with a request that oral argument thereon be granted; that said petition for rehearing was referred to said Division No. 1 of the Supreme Court Commission, and oral argument thereon allowed, whereupon Mr. Commissioner Logsdon, a member of said Division No. 1 of the Supreme Court Commission, submitted to the Supreme Court a recommendation, in the form of an opinion, that such petition for rehearing be denied; that, notwithstanding such recommendation, said petition for rehearing was taken over by the Supreme Court for its consideration, and said recommendation ignored, and said petition for rehearing was thereafter held under consideration until June 14, 1927, and upon recommendation of one Fred P. Branson, who had theretofore become Chief Justice of said Supreme Court, said petition for rehearing was granted and said cause was thereupon resubmitted to the newly-created Supreme Court Commission for the preparation of a second opinion therein:

That pursuant to the request, previously made at the time of the filing of the aforesaid petition for rehearing, that oral argument be granted thereon, the aforesaid newly-created Commission set the same for oral argument, and immediately thereafter, upon order of the then Chief Justice, Fred P. Branson, struck the same from assignment for oral argument, and said cause was thereupon assigned to Mr. Commissioner Earl Foster, a member of the newly-created Supreme Court Commission; that thereafter said Commissioner Foster prepared, and procured the concurrence of some of the members of the aforesaid newly-created Supreme Court Commission in, an opinion contrary to and in direct conflict with the first opinion rendered in said cause, and having for its effect and purpose the direction to the trial court to admit said will to probate and in so doing to strip the widow, Maye S. Myers, of two-thirds of not only her husband's estate but of

the joint property of herself and her deceased husband, and her separate property, all of which had, prior to the death of said John B. Myers, been held and retained by said John B. Myers in his name and for the joint use and benefit of the aforesaid John B. Myers and Maye S. Myers:

That upon submission to the Supreme Court of the aforesaid opinion so prepared by Commissioner Foster, the same was approved and adopted by a majority of the members of the Supreme Court, notwithstanding the fact that Mr. Commissioner Reid, a member of the same Division of the Supreme Court Commission of which Mr. Commissioner Foster was a member, had filed with the Supreme Court his, Mr. Commissioner Reid's, dissenting opinion, citing additional facts and legal authorities which, if considered and followed, would have made impossible the approval and adoption of the opinion so prepared by Mr. Commissioner Foster; that notwithstanding the previous conduct of the Supreme Court in considering, approving, and adopting the first opinion in said cause, which was favorable to the widow, Maye S. Myers, and in total and utter disregard of the recommendation of Mr. Commissioner Logsdon, and of the dissenting opinion of Mr. Commissioner Reid, a majority of the members of the Supreme Court, including said Fletcher Riley, on November 1, 1927, approved and adopted the opinion prepared by Mr. Commissioner Foster as aforesaid:

That said Commissioner Foster, in the preparation of his opinion as aforesaid, wilfully, wrongfully, designedly, unlawfully, and corruptly distorted and misstated the facts as disclosed by the record in the aforesaid cause, and by the opinion previously rendered by Mr. Commissioner Ray, and by the recommendation in the form of a memorandum opinion filed by Mr. Commissioner Logsdon, and by the

dissenting opinion filed by Mr. Commissioner Reid, as aforesaid; that such distortion and misstatement of the facts was necessary in order to arrive at the conclusions stated in the opinion by Mr. Commissioner Foster and to prevent detection of the fraud so perpetrated, but that notwithstanding the distortion and misstatement of the true facts, and the efforts to conceal the fraud so perpetrated, said opinion prepared by Mr. Commissioner Foster discloses on its face such distortions and misstatements of the facts and attempts to distort, misconstrue, and misapply fundamental and elementary principles of law:

That after participating in the consideration, approval, and adoption of the aforesaid Foster opinion, and causing other members of the Supreme Court to concur in the approval and adoption of said opinion and the subsequent rendition thereof as the final opinion in said cause, petition for rehearing thereon was duly filed by the widow, Maye S. Myers, and oral argument thereon was duly requested; that with incredible haste and speed, as compared to the manner in which the aforesaid cause had at all times been handled prior to the rendition of the Foster opinion, such petition for rehearing and request for oral argument was, on February 28, 1928, denied, and in like manner the widow's application for leave to file a second petition for rehearing was summarily denied, with the concurrence and approval of said Fletcher Riley:

That the aforesaid Lydick & McPherren were employed by the proponents of said will at the solicitation of one Neal Maurer, who had not theretofore been identified with said case, and solely because of the influence of said Lydick & McPherren with said Fletcher Riley, and Fred P. Branson, then Vice Chief Justice, and Associate Justices J. W. Clark and Charles W. Mason; that immediately upon procuring and obtaining such employment said Lydick & Mc-

Pherren employed one John Barry to aid and assist in obtaining a rehearing and the rendition of a second opinion in said cause favorable to the proponents of said will; that said John Barry was employed solely and exclusively because of his influence with said Fletcher Riley and Vice Chief Justice Fred P. Branson, and Associate Justices J. W. Clark and Charles W. Mason; that through the influence of the aforesaid attorneys, Lydick, McPherren and Barry, with said Fletcher Riley and the other aforesaid members of the Supreme Court, and the intrigue set in motion by said Lydick, McPherren, and Barry within the Supreme Court, the petition for rehearing filed by them in the aforesaid cause was considered and granted, notwithstanding the adverse recommendations made thereon, as hereinabove detailed, and as a result of the influence so exercised and exerted and as a result of the intrigue within the Supreme Court so set in motion, the aforesaid petition for rehearing was held under advisement until after said Fred P. Branson became Chief Justice of the Supreme Court and acquired the authority to assign cases on their merits or on rehearing to the members of said Court or the Supreme Court Commission; that after the creation of a new Supreme Court Commission, and when conditions were such as to permit the carrying into effect of the wrongful, wilful, unlawful, and corrupt scheme, plan, and design and the conspiracy entered into between said Fletcher Riley, Fred P. Branson, J. W. Clark, and Charles W. Mason, with the aforesaid Lydick, McPherren, and Barry, to bring about a reversal of the opinion and judgment of the Supreme Court theretofore rendered and filed in the aforesaid cause, such petition for rehearing was granted by the Supreme Court on the recommendation of the then Chief Justice Fred P. Branson, and said cause was immediately thereafter by him assigned to the newly-created Supreme Court Commission, with instructions to prepare an opinion therein without allowing oral argument or an opportunity to the defendant in error, the widow, Maye S. Myers, to present said

cause and defend her rights involved therein in the manner and form as provided by law and the rules of the Supreme Court:

That in keeping with the aforesaid wrongful, wilful and corrupt plan, scheme, and design and conspiracy, and pursuant to the orders and directions of said Fred P. Branson, the Chief Justice, the second opinion in said cause was prepared and submitted to the Supreme Court for its approval and adoption:

That at the time of the approval, adoption, and rendition of the aforesaid Foster opinion—which had for its purpose and effect the stripping and depriving of the widow, Maye S. Myers, of not only two-thirds of the estate of John B. Myers, her deceased husband, but also two-thirds of the joint property of said Maye S. Myers and John B. Myers, and two-thirds of the separate property of said Maye S. Myers, all of which had been commingled by said John B. Myers and Maye S. Myers in the name and the estate of said John B. Myers, deceased, and the enriching of the aforesaid Lydick, McPherren, Barry, and Maurer to the extent of \$30,000 for the services pretended to be rendered—said Fletcher Riley was partial to the proponents of said will and prejudiced against said Maye S. Myers and her interests in the aforesaid cause, and thereby disqualified to participate in the consideration and determination of said cause, Myers vs. Myers, as more particularly hereinafter detailed;

That immediately after the aforesaid Lydick & McPherren had been employed by the proponents of said will as attorneys, and said John Barry had been employed by said Lydick & McPherren, they became attorneys for the aforesaid Justice Fletcher Riley and for Justice J. W. Clark in certain causes of action in which was drawn in question the personal and official integrity of said Fletcher Riley

and J. W. Clark, and continuing throughout the further proceedings in the Supreme Court in the aforesaid cause of Myers vs. Myers said Lydick, McPherrren and Barry acted and continued to act as attorneys for the aforesaid Fletcher Riley and J. W. Clark; that thereafter and while the aforesaid cause of Myers vs. Myers was still pending in the Supreme Court, and prior to the approval, adoption and rendition by the Court of the Foster opinion in said cause, and continuing throughout the further proceedings in said case, said J. D. Lydick and John Barry became the attorneys in certain actions brought by said Fletcher Riley and J. W. Clark for the recovery of damages for alleged libel, in which said actions there was drawn in question the personal and official integrity of the aforesaid Fletcher Riley and J. W. Clark, as well as the integrity of Fred P. Branson and Charles W. Mason, and because of the employment of said J. D. Lydick and John Barry by the aforesaid Fletcher Riley and J. W. Clark, and the representation of them as attorneys, said Fletcher Riley and J. W. Clark, and Fred P. Branson, who had likewise filed, in his own name, a similar libel action, and said Justice Charles W. Mason, who, prior to the trial of the Fletcher Riley suit, contemplated the filing of a similar action, had and retained an unusual interest in the welfare and success of said J. D. Lydick and John Barry as attorneys, and in the success of the actions then being prosecuted or about to be prosecuted by said J. D. Lydick and John Barry as their attorneys;

That such interest in the aforesaid attorneys, Lydick and Barry, on the part of Fletcher Riley, J. W. Clark, Fred P. Branson, and Charles W. Mason, was such as to disqualify them, the aforesaid Justices, in the consideration of the case of Myers vs. Myers, but notwithstanding such interest, and the partiality for them and for their causes pending in the Supreme Court, and notwithstanding the prejudice and bias that existed and would naturally exist on the part of the aforesaid Fletcher Riley, J. W. Clark,

Fred P. Branson and Charles W. Mason, against the parties adverse to said J. D. Lydick and John Barry, said Fletcher Riley, J. W. Clark, Fred P. Branson, and Charles W. Mason proceeded to participate in the consideration, approval and adoption of the opinion in the aforesaid case of Myers vs. Myers so prepared by Mr. Commissioner Foster, and in so doing the aforesaid Fletcher Riley, J. W. Clark, Fred P. Branson and Charles W. Mason were influenced, moved, actuated, controlled and dominated by their partiality for said J. D. Lydick and John Barry and the interests in the aforesaid cause of Myers vs. Myers represented by them, and were further influenced, moved, actuated, controlled and dominated by the bias and prejudice against the interests in the aforesaid cause of Myers vs. Myers adverse to said J. D. Lydick and John Barry, and because, and as a result, of such partiality for said attorneys and the prejudice and bias against the interests adverse to them, which by all rules and ethics and the honest administration of justice, and all rules of conscience as well as law, disqualified said Fletcher Riley and the aforesaid J. W. Clark, Fred P. Branson, and Charles W. Mason from participating as members of the Supreme Court in the consideration, approval, adoption, official rendition, and filing of the aforesaid Foster opinion in the case of Myers vs. Myers, they participated in and made possible the rendition of said Foster opinion;

That actuated by such partiality for said J. D. Lydick and John Barry and the interests in the case of Myers vs. Myers represented by them, and influenced, moved, and actuated by the prejudice and bias against the interests in said case of Myers vs. Myers adverse to them, and for the purpose of reciprocation and the repayment of the favors theretofore exhibited by said J. D. Lydick and John Barry in the representation of the aforesaid Justices, and the representation by said J. D. Lydick and John Barry as attorneys for the aforesaid Justices that would thereafter be ren-

dered by mutual understanding and agreement, said Fletcher Riley and the aforesaid J. W. Clark, Fred P. Branson and Charles W. Mason caused to be approved, adopted, officially rendered, and filed the aforesaid Foster opinion in the case of Myers vs. Myers, that by the approval, adoption, rendition, and filing of said opinion, said J. D. Lydick and Chas. E. McPherren, John Barry, and associate counsel were enriched and rewarded to the extent of \$30,000, thereby being indirectly compensated for the services theretofore rendered and thereafter to be rendered by said J. D. Lydick, John Barry, and others in the aforesaid actions, in which said Fletcher Riley and other members of the Court were involved, as aforesaid:

That said Fletcher Riley, with full knowledge of the wrongfulness of his acts, and with complete understanding of the facts hereinbefore related, wilfully, wrongfully, unlawfully, purposely, and designedly failed, refused and neglected to certify his disqualification to participate in the consideration and determination of said case of Myers vs. Myers, or to take any steps to prevent the consideration thereof by the other aforesaid disqualified Justices, Fred P. Branson, J. W. Clark, and Charles W. Mason, or to make any attempt to prevent the miscarriage of justice in the rendition of the Foster opinion in said case of Myers vs. Myers, but, on the contrary, said Fletcher Riley aided and abetted and participated in the wrongful, wilful, unlawful, and corrupt decision and opinion in said case of Myers vs. Myers; all of which acts done and performed by him, said Fletcher Riley, and all of which omissions and failure on his part to perform the duties incumbent upon him under the Constitution and laws of the State of Oklahoma, as well as the recognized principles of conscience, common honesty, and decency, were wilfully, wrongfully, purposely and designedly done and omitted for the purpose herein above set forth, and by the doing of which said acts and omissions said Fletcher Riley became, was, and is guilty of wilful

neglect of duty, wanton violation of his oath of office, malfeasance in office, incompetency, corruption in office, the violation of the generally-recognized principles of common honesty and decency, and other offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE VI.

And said House of Representatives as aforesaid do further find and present that said Fletcher Riley, while acting and serving as a member or Justice of the Supreme Court of the State of Oklahoma, and, to-wit, on March 22, 1927, unmindful of the duties of his office and of his oath of office, and in wanton violation of his oath of office and of the high trust imposed upon him and contrary to the Constitution and laws of the State of Oklahoma, did wrongfully, wilfully, knowingly, designedly, and corruptly participate in the approval and adoption of an opinion immediately theretofore prepared by Justice J. W. Clark in a certain cause appealed to the Supreme Court of the State of Oklahoma styled "Brown et al., vs. Sturm et al.," numbered 16,492 on the docket of the Clerk of the Supreme Court; that said J. W. Clark, in preparing the aforesaid opinion, and said Fletcher Riley, in participating in the approval and adoption thereof, and for the purpose of retaliation towards and reprisal upon the attorney for the plaintiffs in error in the aforesaid cause, did wantonly, knowingly, wilfully, wrongfully, designedly, and corruptly ignore all of the previous decisions of the Supreme Court of Oklahoma and the general law of the State involving the legal questions and issues presented in the aforesaid cause, and for the purposes aforesaid he, said Fletcher Riley, participated in

and procured the approval, adoption, rendition, and official filing by the Supreme Court, of an abortive opinion counter to the settled general law of the State as previously construed and applied by the Supreme Court in all former decisions:

That prior to March 15, 1927, there was pending in the Supreme Court the aforesaid cause of *Brown vs. Sturm* and another cause styled "*Schlingman et al., vs. Wells*," numbered 17,745 on the docket of the Clerk of the Supreme Court, in which said causes there were presented facts which raised identically the same legal question, namely, the question of whether or not the plaintiffs in error in said causes were entitled to a mandatory injunction; that in said causes substantially the same briefs were filed and substantially the same authorities presented to the Court in said briefs; that said case of *Schlingman vs. Wells* was decided by an opinion prepared by Mr. Justice Hefner, and approved, adopted, rendered and officially filed on March 15, 1927, in which said opinion and decision the Court held that a mandatory injunction was a proper remedy for the plaintiffs in error therein, and said Fletcher Riley participated in the consideration of said opinion, and concurred in the approval, adoption, rendering and official filing thereof; that one week thereafter, to-wit, on March 22, 1927, said J. W. Clark presented to the Supreme Court, and said Fletcher Riley participated in the approval, adoption, rendition and official filing of, an opinion theretofore prepared by said J. W. Clark in the case first above mentioned, *Brown vs. Sturm*; that in the opinion so prepared by said J. W. Clark and concurred in, adopted, and approved by said Fletcher Riley, and subsequently rendered and filed by the Supreme Court, said J. W. Clark held that a mandatory injunction was unknown to the laws of the State of Oklahoma:

That the motive of said Fletcher Riley in thus wrong-

fully, wilfully, knowingly, unlawfully, designedly and corruptly participating in the approval, adoption, rendition, and filing of the opinion in the aforesaid cause of Brown vs. Sturm, arose out of the prejudice, bias, malice, and hatred of said Fletcher Riley toward the attorney for the plaintiffs in error in said cause of Brown vs. Sturm, against whose clients said J. W. Clark had decided the aforesaid cause; and that by the doing of the aforesaid acts and deeds with full and complete understanding and intent of the effect thereof, he, said Fletcher Riley, wrongfully, wilfully, knowingly, designedly, unlawfully, corruptly and wantonly violated his oath of office, and by the doing of which said acts and omissions performed by him, said Fletcher Riley then and there and thereby became, was, and is guilty of incompetency, wilful neglect of duty, malfeasance in office, corruption in office, wanton violation of his oath of office, and other offenses involving moral turpitude committed by him while in his said office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE VII.

And the House of Representatives as aforesaid do further find and present that said Fletcher Riley, while acting as a duly elected and qualified member or Justice of the Supreme Court of the State of Oklahoma, unmindful of the high duties of his office, and of his oath of office, and in violation thereof, and while having full knowledge of the existence and spreading throughout the State of rumors to the effect that politics, intrigue, and influence entered into or controlled the decisions rendered by the Supreme Court, and with full knowledge of the fact that one John Barry, an attorney of Oklahoma City, and members of

the law firm of Lydick & McPherren of Oklahoma City, were most frequently charged with having and exercising influence with the Supreme Court and certain members thereof, and were able to obtain results not obtainable by other attorneys in the same causes, and with full knowledge on the part of him, said Fletcher Riley, that the aforesaid attorneys, Barry and Lydick & McPherren, were capitalizing such rumors of influence and profiting greatly by obtaining employment in causes pending in the Supreme Court not obtainable except for such rumors of influence and intrigue, and at such times when there was nothing which an attorney, without influence, could accomplish, and with full knowledge on the part of him, said Fletcher Riley, that such attorneys were appearing in causes under the circumstances and conditions hereinabove outlined, and were procuring reversals of opinions previously rendered by the Supreme Court in such causes, and in the consideration of which causes he, said Fletcher Riley, participated as a member of the Supreme Court, he, said Fletcher Riley, gave credence, authenticity, and stimulation to such rumors by accepting the gratuitous services of the aforesaid John Barry, and J. D. Lydick, a member of the firm of Lydick & McPherren aforesaid, in suits in which said Fletcher Riley was a party; that said Fletcher Riley, in violation of the provisions of the criminal code of the State of Oklahoma, accepted gifts, in the form of gratuitous services, from the aforesaid John Barry and J. D. Lydick, knowing them to be the attorneys and counsel for parties in causes and proceedings then pending or to be brought before him, said Fletcher Riley, as a member of said Supreme Court, and in the decision of which causes he, said Fletcher Riley, later participated; that thereafter the rumors about the influence of said John Barry and J. D. Lydick became so widespread and generally discussed that the disrepute into which said Supreme Court was falling as a result thereof was brought to the attention of the Supreme Court by one of the members thereof, other than said Fletcher Riley, for consideration,

and with the proposal that such degrading and scandalous conditions should be corrected; that said Fletcher Riley so vehemently and vigorously opposed such suggestion and the taking of any action, that any intention on the part of other members of the Supreme Court to act as proposed was abandoned; all of which acts done and omitted by him, said Fletcher Riley, were wilful and known to be wrongful, and by the doing of which said acts and omissions he, said Fletcher Riley, became, was, and 'is guilty of wilful neglect of duty, malfeasance in office, wanton violation of his oath of office, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and Laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE VIII.

And said House of Representatives as aforesaid do further find and present that said Fletcher Riley, while acting as a duly elected and qualified member or Justice of the Supreme Court of the State of Oklahoma, and, to-wit, on December 3, 1927, unmindful of the duties of his office, and in violation of his oath of office, did participate in the consideration of and concur in the determination of a certain pretended cause styled "Simpson vs. Hill et al.," numbered 18,968 on the docket of the Clerk of the Supreme Court of the State of Oklahoma; that said Fletcher Riley was disqualified by interest, bias, and prejudice to participate in the consideration and determination of the aforesaid cause, upon the grounds and in the particulars as follows, to-wit:

That the aforesaid cause was filed in the Supreme Court of the State of Oklahoma for the purpose of pre-

venting a legislative investigation of all elective State officials, including said Fletcher Riley and other members of the Supreme Court, and for the purpose of preventing such investigation by a pretended judicial determination of the right of the members of the Legislature of Oklahoma to convene themselves in special session for such purpose, the opinion in the aforesaid cause was prepared by the then Chief Justice, Fred P. Branson, and submitted to, approved by, and concurred in by said Fletcher Riley, for the purpose aforesaid; that prior to the filing of the aforesaid case of Simpson vs. Hill in the office of the Clerk of the Supreme Court, said Fletcher Riley had full and complete knowledge of the intention of the House of Representatives of the Eleventh Legislature, when it should so convene, to investigate him, said Fletcher Riley, as a member of the Supreme Court, and because of such knowledge on the part of said Fletcher Riley of the purpose and intention of the Legislature to conduct such investigation, and because of his interest in the aforesaid action, although not nominally a party thereto, and for the purpose of gaining an advantage to himself, as aforesaid, he, said Fletcher Riley, participated in the consideration of and concurred in the rendition of the opinion so prepared:

That in the preparation of said opinion said Fred P. Branson cited spurious authority, and quoted excerpts from the speech of a lawyer as excerpts from a final judicial decision of a court of last resort, for the purpose of conveying to the members of the Legislature that by final decision of the Supreme Court of Oklahoma said members of the Legislature had no legal right to convene for investigation and inquisitorial purposes; that for the further purpose of obstructing and hampering such intended investigation said Fred P. Branson used and employed language that was intended to serve as a public notice or warning to all persons who might at-

tempt to aid, by the giving of testimony or otherwise, in such proposed legislative investigation, that all such proposed investigation was unprivileged, and the parties participating therein were and would be subsequently held to be liable for their acts; that for the purpose of accomplishing the aforesaid plan and preventing the proposed legislative investigation, and of serving such public notice and warning on all persons who might be interested therein, before the Legislature should convene on December 6, 1927, he, said Fletcher Riley, without consideration of the facts involved or the law applicable thereto, but solely for the purpose of self-protection and expediting the rendition of said opinion, did wrongfully, wilfully, knowingly, designedly, and corruptly concur in said opinion as aforesaid:

That thereafter, when the wilful, wrongful, and corrupt intention of said Fred P. Branson and said Fletcher Riley had been accomplished, and the wrongful, felonious, and corrupt purpose of said opinion had been served, and after the fraud of said Fred P. Branson, concurred in by said Fletcher Riley, had been detected and exposed, said Fred P. Branson, by and with the knowledge, consent, and approval of said Fletcher Riley, surreptitiously removed from the files of the Clerk of the Supreme Court the aforesaid opinion so prepared by him in the aforesaid cause, and sought, contrary to the laws of the State of Oklahoma, to alter and change the language used and employed in said opinion so as to erase and expunge from the final and indelible records of the Supreme Court all evidence of the perpetration of said fraud and the corrupt acts of said Fred P. Branson, which were concurred in and approved by said Fletcher Riley, as aforesaid, all of which acts done and performed by him, said Fletcher Riley, and all of which omissions and failure upon his part to perform the duties incumbent upon him under the Constitution and laws of the State of Ok-

lahoma, were wilfully, wrongfully, purposely, and designedly done and omitted for the purposes hereinabove set forth, and by the doing of which said acts and omissions said Fletcher Riley became, was, and is guilty of wilful neglect of duty, wanton violation of his oath of office, malfeasance in office, incompetency, corruption in office, and offenses involving moral turpitude committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE IX.

And the House of Representatives as aforesaid, hereby referring to each, every, and all of the Articles of Impeachment of said Fletcher Riley, as a member or Justice of the Supreme Court of the State of Oklahoma, heretofore exhibited and filed, and hereby making each and every one of said Articles of Impeachment a part of this article, to the same extent as if said Article were set out in full herein, do hereby further find and present:

That from and after the date of his induction into the office of Justice of the Supreme Court as aforesaid, said Fletcher Riley, acting in the capacity of Justice as aforesaid, and during his incumbency in said office, unmindful of the high duties of his office and of his oath of office, and in violation thereof, has, on divers, numerous, and sundry occasions, knowingly, wilfully, purposely, intentionally and wrongfully exhibited his malfeasance in office, his wanton violation of his oath of office, his corruption in office, and other offenses involving moral turpitude committed by him while in his said office, and has established and demonstrated his unfitness to hold such office and serve in the

capacity of Justice of the Supreme Court of the State of Oklahoma and to perform the duties incumbent upon him under the Constitution and laws of the State of Oklahoma and under the generally recognized principles of common honesty and decency, by a course of conduct as hereinbefore and hereinafter alleged, specified, set forth, and exhibited, and by divers, numerous, and sundry other acts committed by him in his official capacity, and by his wanton disregard for the rights of litigants whose causes have been appealed to the Supreme Court of the State of Oklahoma, and by concurring in the opinions in and decisions of innumerable causes wherein he had made no effort to acquire or obtain any knowledge of the facts involved in such cases or to familiarize himself with the law relating thereto, and by so doing has made his act of participating and concurring in such opinions one of intrigue, favoritism, or politics, and by complete and absolute abandonment of former judicial precedent because of the influence or intrigue of specially-favored lawyers, and by refusing to prevent and abolish the activities of favored or political lawyers, and by continuing to make himself, as a member of the Supreme Court, susceptible to the influence and intrigue of such favored attorneys, and by stimulating the rumors of the influence of such attorneys and encouraging their employment, and by secretly conferring, consulting and communicating with such lawyers about their causes in the absence of opposing parties or their counsel, and by aiding and abetting in the preparation and rendition of wrongful and corrupt opinions for self-interest and personal profit and to prevent an investigation or exposure of the methods, conduct, and practices of himself, said Fletcher Riley, as a member of said Supreme Court, and by resorting to intrigue, coercion, oppression, and intimidation to delay and deny justice, and by approving, abetting, aiding and participating in the delay and denial of justice, and by stimulation of conditions within and without the Court that have caused or resulted in the delay and denial of justice, and by participating or

acquiescing in concealing, changing, altering, or expunging public records, files, and final judgments and opinions in cases, for the purpose of concealing his own wrongful acts and the wrongful acts of other members of said Supreme Court, and by the exercise against litigants or other parties or their attorneys of his prejudice, bias, malice, and vindictiveness, in the consideration or pretended consideration of causes, and by resorting to and aiding, assisting, and abetting other members of said Supreme Court in their resort to unethical, illegal, unlawful, and terroristic acts of oppression, coercion, and intimidation, and by the denial of due process of law, the equal protection of the laws, and the suspension of the privileges of the writ of habeas corpus, he, said Fletcher Riley, became, was, and is guilty of debauching and degrading said Supreme Court, and of wanton violation of his oath of office, malfeasance in office, corruption in office, and offenses involving moral turpitude committed by him while in his said office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the great and lasting scandal and disgrace of said Supreme Court of the State of Oklahoma.

ARTICLE X.

And said House of Representatives, hereby referring to each and every and all of the Articles of Impeachment of said Fletcher Riley as a member or Justice of the Supreme Court of the State of Oklahoma, heretofore exhibited and filed, and hereby making each and every one of said Articles of Impeachment a part of this Article, to the same extent as if said Article were set out in full herein, do hereby further find and present:

That from and after the date of his induction into the office of Justice of the Supreme Court as aforesaid, said

Fletcher Riley, acting in the capacity aforesaid and during his incumbency in said office, unmindful of the high duties of his office and of his oath of office, and in violation thereof, has, on divers, numerous, and sundry occasions, knowingly, wilfully, purposely, intentionally, wrongfully, and corruptly exhibited and demonstrated and established his official incompetency to hold and occupy such office and to serve in the capacity of Justice of the Supreme Court of the State of Oklahoma, and to perform and accomplish the duties thereof, and has exhibited, demonstrated, and established his wilful neglect to perform the duties incumbent upon him under the Constitution and laws of the State of Oklahoma, by a course of conduct as hereinbefore and hereinafter alleged, specified, set forth, and exhibited and by divers, numerous and sundry other acts committed by him in his official capacity and by his reckless disregard for the rights of litigants whose causes have been appealed to the Supreme Court of the State of Oklahoma, and by concurring in the opinions in and decisions of innumerable cases wherein he had made no effort to acquire or obtain any knowledge of the facts involved in such cases or familiarize himself with the law applicable thereto, and by so doing has made his act of participating and concurring in such opinions an idle gesture and a matter of official reciprocation and judicial politics; and by complete and absolute abandonment of former judicial precedent, and by refusing to take official cognizance of the existence of widespread and generally-believed rumors to the effect that certain attorneys practicing before said Supreme Court had and exercised, to their undue advantage, such influence in the consideration by the Court of their causes, and by condoning and encouraging such conditions, generally referred to as "lobbying," and by making himself susceptible to the influence and intrigue of such specially-favored and influential lawyers, and encouraging the employment thereof and thereafter secretly conferring, consulting, and communicating with such lawyers, whose interests in and con-

nection with their cases were known only to their employers and said Fletcher Riley, and by aiding and abetting in the rendition of wrongful and corrupt opinions for self-interest, and to prevent an investigation or exposure of the methods, conduct, and practices of himself, said Fletcher Riley, as a member of the Supreme Court, and by resorting to intrigue, coercion, oppression, and intimidation to delay and deny justice, and by approving, aiding, abetting, and participating in the delay and denial of justice and the stimulation of the conditions within and without the Court that have caused or resulted in the delay or denial of justice, and by participating or acquiescing in concealing, changing, altering, or expunging public records, files, and final judgments and opinions in cases, for the purpose of concealing his own wrongful acts and the wrongful acts of other members of said Court, and by the exercise against litigants or other parties or their attorneys of his prejudice, bias, malice, and vindictiveness in the consideration or pretended consideration of causes affecting them, and by resorting to and aiding, assisting and abetting other members of the Supreme Court in their resort to unethical, illegal, unlawful, and terroristic acts of oppression, coercion, and intimidation, and by the denial of due process of law, equal protection of the laws, and the suspension of the privileges of the writ of habeas corpus, he, said Fletcher Riley, became, was, and is guilty of incompetency and wilful neglect of duty committed by him while in office, contrary to the Constitution and laws of the State of Oklahoma in such cases made and provided, and against the peace, dignity, and welfare of the State of Oklahoma and the people thereof, and to the scandal and disgrace of said Supreme Court of the State of Oklahoma.

Representative Patterson, Chairman of the Board of Managers, asked leave to present a Certificate, from the Chief Clerk of the Honorable House, showing the tabulation of the vote on the Articles of Impeachment, voted

against Fletcher Riley, Justice of the Supreme Court, which request was granted, and which Certificate is as follows:

ARTICLES OF IMPEACHMENT SUSTAINED BY
THE HOUSE OF REPRESENTATIVES ON MARCH 27TH,
1929.

To the President of the Senate:

I am directed by the House of Representatives of the Twelfth Legislature of the State of Oklahoma in Regular Session assembled, to notify you, and through you, the Honorable Senate, that Articles of Impeachment have been exhibited by the House of Representatives against Fletcher Riley, Justice of the Supreme Court of the State of Oklahoma, and that on the 27th day of March, 1929, the said Articles of Impeachment were duly adopted by the House of Representatives by the following vote, to-wit:

Article	Aye	Nay	Absent	Excused
I -----	49	45	3	7
III -----	50	45	2	7
IV -----	54	38	5	7
V -----	54	39	5	6
VI -----	55	36	6	7
VII -----	53	39	4	8
VIII -----	53	35	8	8
IX -----	52	37	7	8
X -----	56	32	8	8

Attest:

BERT McDONEL, Chief Clerk
Of the House of Representatives.

Upon motion of Senator Stewart, the Articles of Impeachment against Fletcher Riley, Justice of the Supreme Court, were ordered received, accepted and filed

with the Secretary of the Senate, for the purpose of prosecution, thereof.

The Presiding Officer informed the Board of Managers of the Honorable House that the Articles of Impeachment against Fletcher Riley, Justice of the Supreme Court were received and would be filed with the Secretary of the Senate; that a day for an answer thereto would be set and that the respondent will be notified of the day and place of trial, of all of which the Honorable Board of Managers will receive due notice.

Senator Stewart moved that the hour of ten o'clock, a. m., March 29, 1929, be fixed by the Senate as the hour to organize itself into a Court of Impeachment, if this step be found necessary, which motion prevailed.

Senator Stewart moved there be referred to the Legal Advisory Committee of the Senate the question as to whether or not a re-organization of the Court of Impeachment is necessary or can said Court function under its present organization, which motion prevailed.

Senator Stewart moved that the Secretary of the Senate notify each member of the Senate of the State of Oklahoma that the Board of Managers of the House of Representatives has presented to the Senate Articles of Impeachment against Fletcher Riley, Justice of the Supreme Court; that the hour of ten o'clock, a. m., March 29, 1929, has been fixed by the Senate as the hour of the organization of this body into a Court of Impeachment, and that the Secretary of the Senate have present at that time the Presiding Justice of the Criminal Court of Appeals to administer such oath or oaths, as may be necessary to the State Senate, sitting as a Court of Impeachment, its officers and employees, which motion prevailed.

Senator Stewart submitted the following motion, which was adopted:

Mr. President: WHEREAS, the Constitution provides that, in the event a member of the Supreme Court is impeached, all of said Justices are disqualified from presiding over the Senate, sitting as a Court of Impeachment, and,

WHEREAS, there has been filed with the Senate Articles of Impeachment against Fletcher Riley, a member of the Supreme Court of this State,

NOW, THEREFORE, I move that the Senate proceed to the election of one of its members to preside over the Impeachment of Fletcher Riley, Justice of the Supreme Court.

STEWART.

Senator Gulager placed in nomination the name of Senator Ira A. Hill, to preside over the impeachment trial of Fletcher Riley.

Senator Ferguson placed in nomination the name of Senator John A. MacDonald, to preside over the impeachment trial of Fletcher Riley.

There being no further nominations offered, the Presiding Officer declared the nominations closed.

Upon motion of Senator Darnell further consideration of the organization of the Court of Impeachment was postponed until 9:30 o'clock, a. m., Friday, March 29, 1929.

COMMITTEE REPORTS

By unanimous consent, the following Committee Report was submitted, the bill ordered placed upon the calendar:

MR. PRESIDENT:

We, your Committee on Fees and Salaries, to whom was referred Engrossed House Bill No. 58 by Keenan, entitled:

An Act repealing Sections 1, 2, 3, 4 and 5 of Chapter 31, of the Acts of the Ninth Legislature 1923, being an Act fixing the salaries of the County Attorneys of all Counties in the State of Oklahoma having a population of not less than 19,800, and not more than 19,900, as shown by the Federal census of 1920, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

GULAGER, Chairman.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate that the Speaker has appointed

Messrs. Stanley, Carmack, Phillips, Jacobs and Im-mell as conferees on:

ENGROSSED HOUSE BILL NO. 13—By STANLEY, LEWIS, WASSON, HEAD, PAUL, BUSEY, JACOBS, et al., entitled:

An Act amending Section 17, Chapter 35, of the Session Laws of Oklahoma, 1927, relating to Fish and Game and fixing penalty for violation, and declaring an emergency.

Respectfully,

BERT McDONEL, Chief Clerk.

To the President of the Senate,
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 202—By NANCE and MITCHELL, entitled:

An Act to create the State Park Commission, to define its rights, privileges, powers and duties in acquiring and maintaining State Parks, and to authorize the establishment of public parks throughout the State for the preservation of places of historical, natural and recreational interest, authorizing grants and donations in aid of such purposes, making an appropriation therefor and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 203—By BLACK, DITTMER and EYLAR, entitled:

An Act amending Section 4399, Compiled Oklahoma Statutes, 1921, relating to establishing general Sanitary, Storm and Combination Sewer System; and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith, for your consideration:

ENGROSSED HOUSE BILL NO. 312—By HESTER and PAUL, entitled:

An Act legalizing acknowledgments of all deeds, mortgages, oil and gas leases, powers of attorney and other instruments of writing for the conveyance or incumbrance of any land, tenements or hereditaments situated within the State heretofore executed and acknowledged or proved in any state, territory, District of Columbia, or country in conformity with the laws of such state, territory, District of Columbia, or country,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has granted your request to rescind the fourth reading of:

ENGROSSED HOUSE BILL NO. 349—By MAXWELL, HARROWER, BOYDSTUN, MOON of the House, and FIDLER of the Senate, entitled:

An Act amending Section 11 of the law known as Initiative Petition No. 100, relating to ad valorem tax levies, by adding certain exceptions under the sub-titles of free fairs; providing for the expenditure of the free fair funds for said exceptions, repealing all laws in conflict herewith, and declaring an emergency,

and herewith return the Engrossed Bill for your correction.

Respectfully,

BERT McDONEL, Chief Clerk.

Upon motion of Senator Otjen, the Senate reconsidered the vote by which HOUSE BILL NO. 349, by Maxwell et al., of the House, and Fidler, of the Senate, was passed, the roll call thereon being as follows:

Ayes: Andrews, Anglin, Boyer, Clark, Darnell, Easter,

Ferguson, George, Gray, Gulager, Harper, Hill, Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Powers, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Blakely, Ewing, Fidler, Graham, Johnson (Creek), Peck, Ray, Rexroat. Total, 8.

Absent: Rice. Total, 1.

Excused: Austin, Comptons, Moore, Pullen, Stigler. Total, 5.

Upon motion of Senator Otjen, the Senate reconsidered the vote by which House Bill No. 349 was advanced to engrossment and third reading.

Senator Otjen submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 349, line 14, page 3, by adding after the word, "insurance," the words, "and for maintenance of public libraries."

OTJEN.

Upon motion of Senator Otjen, House Bill No. 349, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Otjen, the rules of the Senate were suspended and House Bill No. 349, as amended, was considered engrossed and placed upon third reading and final passage:

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Boyer, Clark, Darnell, Easter, Ferguson, George, Gray, Gulager, Harper, Hill, Johnson, (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourowr, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Blakely, Ewing, Fidler, Graham, Rex-roat. Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Commons, Moore, Pullen, Stigler. Total, 5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Boyer, Clark, Darnell, Easter, Ferguson, George, Gray, Gulager, Harper, Hill, Johnson, (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loof-bourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Blakely, Ewing, Fidler, Graham, Rexroat.
Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Commons, Moore, Pullen, Stigler.
Total, 5.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Bill No. 349 was referred for engrossment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the House has adopted Conference Committee report on House Bill No. 440, entitled:

An Act providing for employees of the House of Representatives of the Twelfth Legislature made necessary by reason of an existing emergency, to aid and assist such House in the exercise of its inquisitorial and impeachment powers only; naming their salaries, making an appropriation therefor,

and same has been passed by the House of Representatives as amended by Conference Committee report.

Yours truly,

BERT McDONEL, Chief Clerk.

Conference Committee Report on House Bill No. 440 was read, as follows:

CONFERENCE COMMITTEE REPORT

To the Speaker of the House of
Representatives and President of the Senate:

We, the Conference Committee on House Bill No. 440, beg leave to report that we have had under consideration the same and report as follows:

1st: The House concurs in Amendment No. 1, which fixes the compensation of the Chief Investigator at \$15.00, per day.

2nd: The House concurs in Senate amendment No. 2, providing seven (7) Assistant Investigators at each \$7.00, per day.

3rd: The House concurs in Senate Amendment No. 3, which fixes the salary of Six (6) Process Servers at \$5.00, per day.

4th: The House and Senate Conferees agree that Senate Amendment No. 4, relative to Attorneys be amended to read as follows:

Three (3) Assistants to the Board of Managers in obtaining and developing evidence, at, each \$1,500.00.

5th: The House concurs in Senate Amendment No. 5, fixing the salary of Five (5) Doorkeepers, at each \$4.00, per day.

6th: The Conference Committee recommends, as a further amendment to the bill, that the emergency be added, as follows:

“It being immediately necessary for the preservation of the public peace, health and safety, an emergency

is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval."

Respectfully submitted,

ANGLIN,
OTJEN,
WILLIAMS,
HARPER,
BOYER, Senate Conferees.

KIGHT,
KEENAN,
JONES (Stephens),
HEAD,
FERGUSON, House Conferees.

Upon motion of Senator Williamson, the Conference Committee Report on House Bill No. 440 was adopted, as read.

The question being, "Shall the Bill, as amended in conference pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Boyer, Clark, Easter, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Reed, Smith, Stewart, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 29.

Nays: Darnell, Ferguson, Johnson (Pott.), Storms. Total, 4.

Not Voting: Blakely, Ewing, Fidler, Graham, Rexroat. Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Commons, Moore, Pullen, Stigler.
Total, 5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended in conference, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Boyer, Clark, Easter, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Powers, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 30.

Nays: Darnell, Ferguson, Johnson (Pott.). Total, 3.

Not Voting: Blakely, Ewing, Fidler, Graham, Rexroat. Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Commons, Moore, Pullen, Stigler,
Total, 5.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The Presiding Officer ordered House Bill No. 440, together with the Conference Committee report thereon returned to the Honorable House,

Senator Reed sent up the following explanation of his vote:

Mr. President: I vote AYE on House Bill No. 440, but am opposed to any fee for extra attorneys.

REED.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 459—By HERSCHBERGER, ALLEN (Beaver and Harper), SCHLEGEL and HUTCHINSON of the House, and POWERS and LOOFBOURROW of the Senate, entitled:

An Act authorizing the holding of an election in any County of the State having a Free Fair Association, for the purpose of determining a permanent location in said County where such Free Fair shall be held, providing for the calling of such election and the manner of holding same, authorizing the submission to a vote at said election the question of a special levy for a Free Fair Improvement Fund, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker, in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Senator Williamson submitted the following Conference Committee Report, which was adopted:

CONFERENCE COMMITTEE REPORT

To the President of the Senate and
Speaker of the House of Representatives:

We, your Conference Committee, to whom was referred Engrossed Senate Bill No. 218, beg leave to report that we have had the same under consideration, and have arrived at the following agreement in said Conference, to-wit:

We recommend that the Conference Committee substitute for Engrossed Senate Bill No. 218, hereto attached, be substituted for Engrossed Senate Bill No. 218.

Respectfully submitted,

WILLIAMSON,
DARNELL,
POWERS,
WHEATLEY,
HILL, (Senate).

STANLEY,
ALLEN (Washington),
HARVEY,
TRENT,
HESTER, (House).

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 218—By COMMONS, HILL, WHEATLEY, ANGLIN, OTJEN.

AN ACT CREATING POSITIONS, FIXING COMPENSATION THEREFOR, AND PROVIDING FOR EMPLOYEES OF THE STATE SENATE OF THE REGULAR, OR ANY SPECIAL SESSION, OF THE TWELFTH LEGISLATURE, SITTING AS A COURT OF IMPEACHMENT

MADE NECESSARY BY REASON OF EXISTING EMERGENCIES; MAKING APPROPRIATION THEREFOR AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

Section 1. There are hereby created the following positions for employees of the Senate of the Regular or any Special Session of the Twelfth Legislature, sitting as a Court of Impeachment, made absolutely necessary by the fact that the State Senate is now, and has been sitting and acting as a Court of Impeachment, and trying and deciding impeachment charges presented by the House of Representatives; said positions and the salaries to be paid in each case, being as follows:

1 Marshal, at -----	\$ 8.00	per day
1 Assistant Marshal, at -----	6.00	" "
8 Doorkeepers, at, each -----	5.00	" "
1 Telephone Operator, at -----	5.00	" "
1 Assistant Telephone Operator, at -----	4.00	" "
1 Bailiff, at -----	10.00	" "
1 Assistant Bailiff, at -----	4.00	" "
1 Court Clerk, at -----	10.00	" "
1 Court Auditor, at -----	6.00	" "
1 Messenger, at -----	4.00	" "
2 Watchmen, at, each -----	4.00	" "
5 Pages, at, each -----	3.50	" "
5 Stenographers, at, each -----	5.00	" "
3 Typists at, each -----	5.00	" "

SECTION 2. There is hereby appropriated out of the funds of the State Treasury not otherwise appropriated, the sum of Thirty-five Hundred and Thirty five (\$3,535.00)

Dollars, to pay salaries and compensation due, and to become due, the following named employees for their services rendered, and to be rendered, to the State Senate sitting as a Court of Impeachment during the Twelfth Legislature:

1 Marshall	\$176.00
1 Assistant Marshall	132.00
8 Doorkeepers, at, each, \$110.00	880.00
1 Telephone Operator	120.00
1 Assistant Telephone Operator	88.00
1 Bailiff	220.00
1 Assistant Bailiff	88.00
1 Court Clerk	220.00
1 Court Auditor	192.00
1 Messenger	88.00
2 Watchmen, at, each, \$88.00	176.00
5 Pages, at each, \$55.00	275.00
5 Stenographers, at, each, \$110.00	550.00
3 Typists, at, each, \$110.00	330.00

SECTION 3. There is hereby appropriated out of the funds of the State Treasury not otherwise appropriated, the sum of Thirty-six Thousand Four Hundred and Sixty-five (\$36,465.00) Dollars, to pay salaries and compensation due, and to become due, to the above named employees.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall be in full force and effect from and after its passage and approval.

The question being, "Shall the Bill, as amended in Conference, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Boyer, Clark, Darnell, Eas-

ter, Ferguson, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loof-bourrow, MacDonald, Nesbitt, Otjen, Patton, Powers, Ray, Reed, Smith, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 31.

Nays: 0.

Not Voting: Blakely, Ewing, Fidler, Graham, Peck. Rexroat, Stewart. Total, 7.

Absent: Rice. Total, 1.

Excused: Austin, Commons, Moore, Pullen, Stigler. Total, 5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended in Conference, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Boyer, Clark, Darnell, Easter, Ferguson, George, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loof-bourrow, MacDonald, Nesbitt, Otjen, Patton, Powers, Ray, Reed, Smith, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 31.

Not Voting: Blakely, Ewing, Fidler, Graham, Peck. Rexroat, Stewart. Total, 7.

Absent: Rice. Total, 1.

Excused: Austin, Commons, Moore, Pullen, Stigler. Total, 5.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

Senate Bill No. 218, together with Conference Committee Report, thereon, was ordered transmitted to the Honorable House for consideration.

RESOLUTIONS

By unanimous consent, the following Senate Resolution was introduced:

SENATE RESOLUTION NO. 21—By POWERS, LOOFBOURROW (Senate), ALLEN, ODELL, SNODDY, (House).

A Resolution authorizing the transfer of \$20,000.00 out of the Hospital Fund of the Western Oklahoma Hospital at Supply, Oklahoma, to the Support and Maintenance Fund thereof, and declaring an emergency.

GENERAL ORDER

Senator Gulager moved that HOUSE JOINT RESOLUTION NO. 21, by Dyer, et al., of the House and Rexroat, et al., of the Senate, be taken up for consideration.

Senator Stewart, as a substitute, moved that House Joint Resolution No. 21, be made a Special Order, for 11:00 o'clock, a. m., Friday, March 29, 1929, which motion prevailed.

HOUSE BILLS ON FIRST READING

The following bills and resolutions were received from the Honorable House and read for the first time:

ENGROSSED HOUSE BILL NO. 448—By STANLEY and STOVALL, entitled:

An Act abolishing township government in Choctaw County, Oklahoma, providing that the duties of township officers shall be performed by the Board of County Commissioners of said county; repealing any Act conflicting herewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 17—By CARTWRIGHT, entitled:

An Act providing for one deputy County Assessor for all counties in the State of Oklahoma having a population of not less than twenty thousand (20,000) inhabitants, and not exceeding twenty-one thousand (21,000) inhabitants, according to the federal census of 1920, and fixing the salary for said deputy, also fixing the amount of expense to be allowed the County Assessor and deputy of said counties, repealing all conflicting laws and declaring an emergency.

ENGROSSED HOUSE BILL NO. 441—By TILLERY of the House, and FERGUSON of the Senate, entitled:

An Act authorizing the Court Clerk of counties having a population of not less than 13,200, nor more than 13,700 inhabitants, according to the federal census of 1920, or according to any succeeding federal census, to appoint a deputy Court Clerk by and with the consent of the Board of County Commissioners of said county at a salary of not less than \$100.00 per month, nor to exceed \$125.00 per month, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 461—By WHITT, ROE and LESTER, entitled:

An Act authorizing the County Commissioners of Pitts-

burg County, Oklahoma, to include in their annual estimate, and the Excise Board of said county to make a levy in a sum equal to one-tenth of one mill for the fiscal year ending June 30, 1930, for the purpose of paying certain indebtedness created against the county for the maintenance of the poor and insane; declaring same not to be current expense; repealing all laws in conflict therewith, and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 39—By BYRUM and NOBLE of the House, and JOHNSON (Pottawatomie) of the Senate, entitled:

A Joint Resolution appropriating Four Thousand Nine Hundred Eight and Thirty-eight One-hundredths (\$4,908.38) Dollars for salaries for the State Industrial School for Girls at Tecumseh, Oklahoma, to be used and expended for the remaining of the fiscal year ending June 30th, 1929, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 202—By NANCE and MITCHELL, entitled:

An Act to create the State Park Commission, to define its rights, privileges, powers and duties in acquiring and maintaining State Parks, and to authorize the establishment of public parks throughout the State for the preservation of places of historical, natural and recreational interest, authorizing grants and donations in aid of such purposes, making an appropriation therefor and declaring an emergency.

ENGROSSED HOUSE BILL NO. 203—By BLACK, DITTMER and EYLAR, entitled:

An Act amending Section 4399, Compiled Oklahoma Statutes, 1921, relating to establishing general Sanitary,

Storm and Combination Sewer System; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 312—By HESTER and PAUL, entitled:

An Act legalizing acknowledgements of all deeds, mortgages, oil and gas leases, powers of attorney and other instruments of writing for the conveyance or incumbrance of any lands, tenements or hereditaments situated within the State heretofore executed and acknowledged or proven in any State, territory, District of Columbia, or country in conformity with the laws of such State, territory, District of Columbia, or country.

ENGROSSED HOUSE BILL NO. 459—By HERSCHBERGER, ALLEN (Beaver and Harper), SCHLEGEL and HUTCHINSON of the House, and POWERS and LOOFBOURROW of the Senate, entitled:

An Act authorizing the holding of an election in any County of the State having a Free Fair Association, for the purpose of determining a permanent location in said County where such Free Fair shall be held, providing for the calling of such election and the manner of holding same, authorizing the submission to a vote at said election the question of a special levy for a Free Fair Improvement Fund, and declaring an emergency.

Upon motion of Senator Anglin, the Senate adjourned, to meet at 9:30 o'clock, a. m., Friday, March 29, 1929.

SEVENTIETH LEGISLATIVE DAY

FRIDAY, MARCH 29th, 1929

The Senate, pursuant to adjournment, met at 9:30 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 37.

Absent: Rice. Total, 1.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORTS

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 349 correctly engrossed and Senate Resolution No. 20 correctly enrolled.

BOYER, Chairman.

The President Pro Tempore in open session, signed Engrossed Senate Amendment to and Engrossed House Bill No. 349, as amended, and ordered the same returned to the Honorable House.

The President Pro Tempore, in open session, signed Enrolled Senate Resolution No. 20 and ordered the same transmitted to the Secretary of State.

FIRST READING

The following Resolution was introduced and read at length:

SENATE RESOLUTION NO. 22—By WILLIAMSON.

A RESOLUTION RELATING TO ADDITIONAL DUTIES OF THE SECRETARY OF THE SENATE, AND HIS COMPENSATION THEREFOR.

WHEREAS, the Secretary of the Senate is ex officio secretary of the State Election Board, and is allowed for his services as Secretary of the State Election Board the sum of Two Thousand One Hundred Dollars (\$2,100.00) per annum, payable monthly; and,

WHEREAS, no provision has been made for the payment to the Secretary of the Senate of any compensation for his services as Secretary of the Senate; and,

WHEREAS, it is necessary for the proper care and

protection of the property of the Senate and the preservation of the permanent records of the Senate, and for the proper administration of the office of Secretary of the Senate that the Secretary of the Senate keep open continuously during business hours an office in the State Capitol and have under his supervision and control all papers, documents and records pertaining to or belonging to the Senate for the convenience of the public and for the information and service of the members of the Senate; and,

WHEREAS, it is necessary to provide adequate compensation for the Secretary of the Senate for such duties; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA:

That the Secretary of the Senate shall maintain and keep open during business hours an office in the State Capitol for the convenience of the public and for the use and benefit and information of members of the Senate, and shall have supervision and control over all papers, documents and records belonging to the Senate, for the better preservation of such papers, documents and records; and that the compensation of the Secretary of the Senate for his services as Secretary of the Senate is hereby fixed at the sum of One Hundred Twenty-five Dollars (\$125.00) per month, payable monthly, beginning January 1, 1929, which shall be in addition to the compensation now fixed for the Secretary of the Senate for his services as Secretary of the State Election Board; and there is hereby set aside, out of the contingent fund of the Senate appropriated by the Twelfth Legislature, the Sum of Three Thousand Dollars (\$3,000.00), for the payment of said salary as Secretary of the Senate, herein fixed; and the State Auditor is hereby authorized and directed to issue his warrants monthly to the Secretary of the Senate in the sum of One

Hundred Twenty-five Dollars (\$125.00) against that fund of Three Thousand Dollars (\$3,000.00) upon the presentation to him of claims duly approved by the Presiding Officer of the Senate; Provided, that the State Auditor shall issue to the said Secretary of the Senate one warrant for his compensation herein provided for from January 1, 1929, to April 1, 1929, upon claim therefor duly approved by the Presiding Officer of the Senate.

Upon motion of Senator Williamson, the rules of the Senate were suspended and Senate Resolution No. 22 was taken up for immediate consideration.

Upon motion of Senator Williamson, Senate Resolution No. 22 was adopted, as read, and referred for engrossment.

SECOND READING

The following bills and resolutions were read for the second time and referred to the Committees indicated:

HOUSE BILL NO. 448—By STANLEY and STOVALL.

Upon motion of Senator Stewart, the rules of the Senate were suspended and House Bill No. 448, by Stanley and Stovall, was ordered placed upon the calendar, without reference to a Committee.

Upon motion of Senator Stewart, House Bill No. 448 was advanced to engrossment and third reading.

HOUSE BILL NO. 17—By CARTWRIGHT.

Upon motion of Senator Ray, the rules of the Senate were suspended and House Bill No. 17, by Cartwright

was ordered placed upon the calendar, without reference to a Committee.

Upon motion of Senator Ray, House Bill No. 17 was advanced to engrossment and third reading.

HOUSE BILL NO. 441—By TILLERY of the House, and FERGUSON of the Senate.

Senator Ferguson moved that the rules of the Senate be suspended and House Bill No. 441, by Tillery, of the House, and Ferguson, of the Senate, be placed upon the calendar, without reference to a Committee.

Senator Loofbourrow, as a substitute, moved that further consideration of House Bill No. 441 be indefinitely postponed, which motion prevailed.

HOUSE BILL NO. 461—By WHITT, ROE and LESTER.

Upon motion of Senator Andrews, the rules of the Senate were suspended and House Bill No. 461, by Whitt, Roe and Lester, was ordered placed upon the calendar, without reference to a Committee.

Upon motion of Senator Andrews, House Bill No. 461, by Whitt, Roe and Lester, was advanced to engrossment and third reading.

ENGROSSED HOUSE BILL NO. 459—By HERSCHBERGER, ALLEN (Beaver-Harper), SCHLEGEL and HUTCHINSON of the House, and POWERS and LOOFBOURROW of the Senate.

Upon motion of Senator Loofbourrow, the rules of the Senate were suspended and House Bill No. 459, by

Herschberger, et al., of the House, and Loofbourrow and Powers of the Senate, was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 202—By NANCE and MITCHELL.

Senator Fidler moved that the rules of the Senate be suspended and House Bill No. 202, by Nance and Mitchell, be placed upon the calendar, without reference to a Committee, which motion failed of adoption, upon a roll call, as follows:

Ayes: Boyer, Clark, Commons, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Loofbourrow, Patton, Peck, Ray, Reed, Stewart, Storms, Terwilleger, Williams. Total, 19.

Nays: Andrews, Anglin, Blakely, Darnell, Easter, Ewing, Gray, Johnson (Pott.), Kimerer, MacDonald, Nesbitt, Otjen, Wheatley, Williamson. Total, 14.

Not Voting: Johnson (Creek), Jolly, Smith, Thomas. Total, 4.

Absent: Rice. Total, 1.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

Engrossed House Bill No. 202 was referred to the Committee on Appropriations.

ENGROSSED HOUSE BILL NO. 312—By HESTER and PAUL.

Senator Stewart moved that the rules of the Senate

be suspended and House Bill No. 312, by Hester and Paul, be placed upon the calendar, without reference to a Committee.

Senator Loofbourrow, as a substitute, moved that House Bill No. 312, by Hester and Paul, be referred to a Special Committee of 3, with instructions to report at 1:30 o'clock, p. m., thereon.

The motion prevailed and the President Pro Tempore appointed on such Committee Senators Darnell, Loofbourrow and Hill.

ENGROSSED HOUSE BILL NO. 203—By BLACK, DITTMER and EYLAR.

Upon motion of Senator Stewart, the rules of the Senate were suspended and House Bill No. 203, by Black, et al., was ordered placed upon the calendar, without reference to a Committee.

Upon motion of Senator Stewart, House Bill No. 203 was advanced to engrossment and third reading.

HOUSE JOINT RESOLUTION NO. 39—By BYRUM and NOBLE of the House and JOHNSON (Pottawatomie) of the Senate.

Upon motion of Senator Anglin, the rules of the Senate were suspended and House Joint Resolution No. 39, by Byrum and Noble, of the House, and Johnson (Pott.), of the Senate, was ordered placed upon the calendar, without reference to a Committee.

SPECIAL ORDER—THIRD READING

HOUSE JOINT RESOLUTION NO. 35, having been read for the third time at length, was taken up for further consideration.

Senator Gulager asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Joint Resolution No. 35, by adding at the end of Section 1, the following:

“Salaries, \$5,185.00.

Maintenance, \$500.00.

for the Connor’s School of Agriculture at Warner, Oklahoma.”

GULAGER.

Senator Gulager asked unanimous consent, which was granted, to authorize the Chief Enrolling and Engrossing clerk to amend the title and body of House Joint Resolution No. 35 to conform to the amendment adopted.

The question being, “Shall the Resolution pass?” the roll was called with the following results:

Ayes: Andrews, Blakely, Boyer, Clark, Commons, Easter, Ewing, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, MacDonald, Nesbitt, Otjen, Patton, Peck, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 30.

Nays: Anglin, Darnell, Loofbourrow. Total, 3.

Not Voting: Ferguson, Fidler, Hill, Ray. Total, 4.

Absent: Rice. Total, 1.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Blakely, Boyer, Clark, Commons, Easter, Ewing, George, Graham, Gray, Gulager, Harper, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, MacDonald, Nesbitt, Otjen, Patton, Peck, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 30.

Nays: Anglin, Darnell, Loofbourrow. Total, 3.

Not Voting: Ferguson, Fidler, Hill, Ray. Total, 4.

Absent: Rice. Total, 1.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Joint Resolution No. 35 was referred for engrossment.

Senator Loofbourrow sent up the following explanation of his vote:

Mr. President: I vote NO, for the reason there was an understanding on the part of a number of the members of the Appropriations Committee that all deficiency

appropriations would be included in a general bill at a special session.

LOOFBOURROW.

MOTION LODGED TO RECONSIDER

Senator Anglin, having served notice that he would, asked unanimous consent, which was granted, to move to reconsider the vote by which HOUSE BILL NO. 341, by Barry, of the House, and Anglin of the Senate, was passed, which motion prevailed.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Reed, Smith, Stewart, Storms, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: Gulager. Total, 1.

Not Voting: Boyer, Ray, Terwilleger. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emer-

gency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Reed, Smith, Stewart, Storms, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: Gulager. Total, 1.

Not Voting: Boyer, Ray, Terwilleger. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 341, and ordered the same transmitted to the Honorable House.

GENERAL ORDER

Upon motion of Senator Easter, HOUSE BILL NO. 429, by Mitchell and Perryman, was advanced to engrossment and third reading.

Upon motion of Senator Andrews, HOUSE BILL NO. 457, by Whitt, Roe and Lester, was advanced to engrossment and third reading.

Upon motion of Senator Andrews, the rules of the Senate were suspended and House Bill No. 457 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 457 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 35.

Nays: 0.

Not Voting: Anglin, Ray. Total, 2.

Absent: Rice. Total, 1.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham,

Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 35.

Nays: 0.

Not Voting: Anglin, Ray. Total, 2.

Absent: Rice. Total, 1.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 457, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 57, by Houston, of the House, and Ewing, of the Senate, was taken up for consideration and read at length.

Upon motion of Senator Ewing, House Bill No. 57 was advanced to engrossment and third reading.

Upon motion of Senator Ewing, the rules of the Senate were suspended and House Bill No. 57 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 57 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Blakely, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Reed, Smith, Stewart, Storms, Terwilliger, Wheatley, Williams, Williamson. Total, 34.

Nays: 0.

Not Voting: Anglin, Ray, Thomas. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

The Bill having received the constitutional majority of votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 57, and ordered the same transmitted to the Honorable House.

HOUSE BILLS ON THIRD READING

HOUSE BILL NO. 429 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray,

Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Reed, Smith, Stewart, Storms, Terwilliger, Thomas, Wheatley, Williams, Williamson.
Total, 34.

Nays: 0.

Not Voting: Anglin, Blakely, Ray. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Boyer, Clark, Commons, Darnell, Easter, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pottawatomie), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Reed, Smith, Stewart, Storms, Terwilliger, Thomas, Wheatley, Williams, Williamson.
Total, 34.

Nays: 0.

Not Voting: Anglin, Blakely, Ray. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 429, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 462 was read for the third time at length.

Senator Otjen asked unanimous consent, which was granted, to strike the word, "Legislature," in the Enacting Clause, of House Bill No. 462, and insert the word "People."

Senator Rice asked to be recorded present, which was the order.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Rice, Smith, Storms, Thomas, Wheatley, Williams. Total, 31.

Nays: 0.

Not Voting: Andrews, Commons, Fidler, Harper, Stewart, Terwilleger, Williamson. Total, 7.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Blakely, Boyer, Clark, Darnell, Easter, Ewing, Ferguson, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Rice, Smith, Storms, Thomas, Wheatley, Williams. Total, 31.

Nays: 0.

Not Voting: Andrews, Commons, Fidler, Harper, Stewart, Terwilleger, Williamson. Total, 7.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Bill No. 462, as amended, was referred for engrossment.

Upon motion of Senator Gulager, the Senate proceeded with the organization of the Senate, to sit as a Court of Impeachment.

COMMITTEE REPORT

Senator Smith, Chairman of the Legal Advisory Committee, to whom the question of whether or not a re-organization of the Court of Impeachment is necessary or, can said Court function under its present organization, submitted, orally, the following report, which was adopted:

MR. PRESIDENT:

We, your Committee on Legal Advisory, to whom was referred the question of whether or not a re-organization of the Court of Impeachment is necessary, beg leave to report that it is our opinion that the Court of Impeachment does not have to be dissolved, but, in view of the several trials to be disposed of, it will be necessary for the Senate, sitting as a Court of Impeachment, to take the prescribed oath of office at the beginning of each trial. Other than the above recommendation, there are no necessary changes to be made in the Court or procedure thereof.

SMITH, Chairman.

Resuming the matter of the election of a member of the Senate to preside over the impeachment trial of Justice Fletcher Riley, Senator MacDonald asked unanimous consent of the Senate, which was granted, to withdraw his name as offered on yesterday.

Upon motion of Senator Smith, the election of Senator Ira A. Hill, to preside during the Impeachment Trial of Justice Fletcher Riley, was by acclamation.

Upon motion of Senator Stewart, the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, to consider the charges preferred by the Honorable House against Justice J. W. Clark.

The Senate reassembled, with Senator Wheatley presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Joint Resolution No. 35 correctly engrossed.

BOYER, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Joint Resolution No. 35, as amended, and ordered the same returned to the Honorable House.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 218—By COMMONS, HILL, WHEATLEY, ANGLIN, OTJEN, entitled:

An Act creating positions, fixing compensation therefor, and providing for employees of the State Senate of the regular, or any special session, of the Twelfth Legislature, sitting as a court of impeachment made necessary by reason of existing emergencies; making appropriation therefor and declaring an emergency,

and to inform you, and through you, the Honorable Sen-

ate, that the same has been passed as amended by the Conference Committee Report.

Respectfully,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bill No. 218 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 14—By STEWART of the Senate, and JONES (Stephens) of the House, entitled:

A Resolution providing for the adjournment of regular session,

and to advise you, and through you, the Honorable Senate, that the same has been adopted by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 14 was referred to the Secretary of State.

Upon motion of Senator Storms, the Senate recessed, to meet at 1:00 o'clock, p. m.

AFTERNOON SESSION

The Senate, at 1:00 o'clock, p. m., was called to order by President Pro Tempore Storms.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Resolution No. 22 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session signed Engrossed Senate Resolution No. 22 and ordered the same referred for enrollment.

President Pro Tempore Storms announced there were matters on the President's desk for the consideration of the Senate, in executive session.

Upon motion of Senator Loofbourrow, the Senate closed its doors and went into the Executive session.

The Senate reassembled, in open session, with President Pro Tempore Storms presiding.

The President Pro Tempore announced the Senate had, in executive session, advised and consented to the executive nomination of the following named person for the position indicated:

STATE FISH AND GAME COMMISSION

(Term expires March 25, 1933)

Sam H. Harris, Oklahoma City, Okla.

GENERAL ORDER

Upon motion of Senator Loofbourrow, HOUSE BILL NO. 460, by Allen, was advanced to engrossment and third reading.

Upon motion of Senator Loofbourrow, the rules of the Senate were suspended and House Bill No. 460 was considered engrossed and placed upon third reading and final passage.

Senator Loofbourrow asked unanimous consent, which was granted, to strike Section 3, same being the emergency section.

HOUSE BILL NO. 460 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Blakely, Clark, Commons, Darnell, Easter, Ewing, Ferguson, George, Gray, Gulager, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Rice, Smith, Storms, Terwilleger, Williams. Total, 27.

Nays: 0.

Not Voting: Andrews, Boyer, Fidler, Graham, Harper, Hill, Johnson (Creek), Stewart, Thomas, Wheatley, Williamson. Total, 11.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

House Bill No. 460 was referred for engrossment.

Upon motion of Senator Commons, HOUSE BILL NO. 58, by Keenan, was stricken from the calendar.

Upon motion of Senator Ferguson, HOUSE CONCURRENT RESOLUTION NO. 10, by Snoddy and Jones (Stephens), of the House, and Ferguson and Fidler, of the Senate, was stricken from the calendar.

THIRD READING

Upon motion of Senator Otjen, SENATE BILL NO. 40, by Pullen, was stricken from the calendar.

Senator Johnson (Pottawatomie) moved that HOUSE BILL NO. 8 by Byrum, et al., be withdrawn from the Committee on Public Service Corporations and placed upon the calendar.

Senator Kimerer moved that further consideration of House Bill No. 8 be indefinitely postponed.

Senator Wheatley raised a point of order against the Johnson (Pottawatomie) motion, which was sustained, stating it would take a suspension of the rules.

Senator Johnson (Pottawatomie) moved that the rules of the Senate be suspended and House Bill No. 8, by Byrum, et al., be withdrawn from the Committee on Public Service Corporations and placed upon the calendar.

Senator Wheatley presiding.

The vote recurring on the Johnson (Pottawatomie) motion, the same failed of adoption, upon a roll call, as follows:

Ayes: Darnell, Ferguson, Graham, Hill, Johnson (Pott.), Otjen, Reed, Rice, Storms, Williams. Total, 10.

Nays: Andrews, Boyer, Clark, Commons, Easter,

Ewing, George, Gray, Gulager, Harper, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Patton, Ray, Stewart, Wheatley, Williamson. Total, 21.

Not Voting: Anglin, Blakely, Fidler, Peck, Smith, Terwilleger, Thomas. Total, 7.

Excused: Austin, Moore, Powers, Pullen, Rexroat, Stigler. Total, 6.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate that the House refuses to concur in the Senate Amendments to:

ENGROSSED HOUSE BILL NO. 349, by MAXWELL, HARROWER, BOYDSTUN, MOON, of the House and FIDLER of the Senate, entitled:

An Act amending Section 11 of the Law known as Initiative Petition No. 100, Relating to ad valorem tax levies, by adding certain exceptions under the sub-title of Free Fairs; providing for the expenditure of free fair funds for said exceptions, repealing all laws in conflict herewith, and declaring an emergency,

and requests that you recede from said Amendments. In the event your Honorable Body refuses, the House

asks that a conference be granted. The following members are named as House Conferees:

1. Herschberger,
2. Harrower, and
3. Hutchinson.

Respectfully,

BERT McDONEL, Chief Clerk.

Senator Otjen moved that the Senate refuse to recede from its amendment to House Bill No. 349 and grant the request of the Honorable House for a conference, thereon.

The motion prevailed and the Presiding Officer appointed as Senate conferees, under House Bill No. 349, Senators:

OTJEN,
GULAGER, and
RAY.

To the President of the Senate,

SIR:

I am directed by the House of Representatives, to inform you, and through you, the Honorable Senate, that the House has adopted the Conference Committee Report on:

ENGROSSED HOUSE BILL NO. 13—By STANLEY, LEWIS, WASSON, HEAD, PAUL, BUSEY, JACOBS, WAGNER, PHILLIPS, WHITAKER, DYER, STOVALL and LEECRAFT, entitled:

An Act amending Section 17, Chapter 35, of the Session Laws of Oklahoma, 1927, relating to fish and game

and fixing penalty for violation, and declaring an emergency,

and that the Bill has been passed, as amended by the Report, and the Conference Committee Substitute for Engrossed House Bill No. 13, has been signed by Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Conference Committee Report on House Bill No. 13.
was read as follows:

CONFERENCE COMMITTEE REPORT

To the President of the Senate and
Speaker of the Honorable House:

We, your Committee, appointed by the Senate, and by the House of Representatives, do hereby respectfully report that we have had a conference upon said House Bill No. 13, as requested and that said Conference Committee has agreed that the words, 'June 1st,' in said bill may be changed to "May 15th," and that the words, "six squirrels," mentioned in said bill may be changed to read, "ten squirrels," so that the bill shall be, after the said amendments have been made, as follows:

"AN ACT AMENDING SECTION 17, CHAPTER 35,
OF THE SESSION LAWS OF OKLAHOMA,
1927, RELATING TO FISH AND GAME, AND
FIXING A PENALTY FOR VIOLATION.

BE IT ENACTED BY THE PEOPLE OF THE STATE
OF OKLAHOMA:

SECTION 1. Section 17, of Chapter 35, of Session

Laws of 1927, be and the same is hereby amended to read as follows:

SECTION 17. It shall be unlawful to capture or kill any squirrel in the State, except from the 15th day of May to the 1st day of January, of each year, and it shall be unlawful to kill or capture more than ten squirrels in any one day.

Any person found guilty of violation of this section, shall be punished by a fine of not less than One (\$1.00) Dollar, nor more than Fifty (\$50.00) Dollars.

SECTION 17-a. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof of this Act shall take effect and be in full force and effect from and after its passage and approval."

Respectfully submitted,

STANLEY, Chairman,
IMMELL,
JACOBS, and
HARVEY, House Conferees.
HILL,
HARPER, and
JOLLY, Senate Conferees.

Senator Harper moved that the Conference Report be adopted, as read, which motion resulted in a tie vote.

Upon motion of Senator Stewart, the Senate recessed, for the purpose of resolving itself into a Court of Impeachment.

The Senate reassembled and was called to order by Senator Wheatley.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 460 and 462 correctly engrossed; and Senate Resolution No. 22 and Senate Bill No. 218 correctly enrolled.

BOYER, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 460 and 462, both as amended, and ordered each returned to the Honorable House.

The Presiding Officer, in open session, signed Enrolled Senate Resolution No. 22 and ordered the same transmitted to the Secretary of State.

Senate Bill No. 218 was read for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer, and ordered transmitted to the Honorable House, for the signature of the Speaker.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the House has concurred in Senate Amendments to

ENGROSSED HOUSE JOINT RESOLUTION NO. 35
—By BRIGGS, BABB, KIDD, BELEW, ROE, LESTER,

WHITT, BLACK, HINES, NANCE and BOYDSTUN of the House, and STIGLER, HARPER, ANDREWS, BOYER, STORMS and THOMAS of the Senate, entitled:

A Joint Resolution appropriating Twenty Thousand and Four Hundred Seventy-five (\$20,475.00) Dollars for salaries, maintenance, repairs and equipment for the Eastern Oklahoma College at Wilburton and the Cameron State School of Agriculture at Lawton, Oklahoma, to be used and expended for the remainder of the fiscal year ending June 30, 1929, and declaring an emergency,

and the same has been passed by the House as amended.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION
NO. 6—By BLACK, entitled:

A Resolution requesting the Chamber of Commerce of the State of Oklahoma, Inc., to appoint a commission of State business men, to co-operate with the members of the House of Representatives and the members of the Senate of the State of Oklahoma in the matter of studying the question of equitable compensation for State and other public officials occupying positions of responsibility with a view of making suggestions and recommendations to the Twelfth Legislature with a view of placing the salaries of said officials on a basis comparable with salaries paid by the business world,

and to inform you, and through you, the Honorable Senate, that the same has been signed by the Acting Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

The Presiding Officer, in open session, signed Enrolled House Concurrent Resolution No. 6 and ordered the same returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 440—By HEAD, SHERMAN, KIGHT, GRAHAM, et al., entitled:

An Act providing for employees of the House of Representatives of the Twelfth Legislature made necessary by reason of an existing emergency, to aid and assist such House in the exercise of its inquisitorial and impeachment powers only; naming their salaries, making an appropriation therefor, and declaring an emergency.

and to inform you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bill No. 440 was read for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer, and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith

ENGROSSED SENATE JOINT RESOLUTION NO. 11—By FERGUSON of the Senate, and WEBBER of the House, entitled:

A Joint Resolution appropriating certain monies from the State Treasury to reimburse the Pawnee Tribes of Indians for oil and gas bonuses and rentals and agricultural rentals collected on tribal land by the Commissioners of the Land Office, and declaring an emergency.

ENGROSSED SENATE BILL NO. 134—By FIDLER, entitled:

An Act authorizing certain County Officers in Counties having a population of 110,000, or more, as shown by the last general Federal census, to appoint deputies in said offices, by and with the consent of the County Commissioners, the salaries of said deputies to be fixed by the County Commissioners, repealing all laws in conflict herewith, and declaring an emergency.

ENGROSSED SENATE JOINT RESOLUTION NO. 7—By ANGLIN, entitled:

A Joint Resolution, providing for a temporary Title Examiner in the office of the Commissioner of the Land Office, to be filled in the manner now provided by law for like position; re-appropriating the appropriation made by the Eleventh Legislature for a Title Examiner for each of the fiscal years 1927-1928 and 1928-1929, and declaring an emergency,

and to advise you, and through you the Honorable Senate, that the same have been passed by the House and signed by the Presiding Officer, in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Joint Resolutions Nos. 7 and 11 and Engrossed Senate Bill No. 134 were each referred for enrollment.

To the President of the Senate,

Sir:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 14—By THOMAS, of the Senate, and HINES, of the House, entitled:

An Act providing for the keeping of Public Records by persons, firms and corporations who purchase domestic fowls, containing a description of all domestic fowls purchased by such persons, firms or corporations, together with description of fowls, and descriptions of vehicles in which delivery of said fowls was made, and the post-office address of each person selling such fowls, and providing a penalty for the violation thereof,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bill No. 14 was referred for enrollment.

Upon motion of Senator Stewart, the Senate recessed, for the purpose of resolving itself into a Court of Impeachment.

The Senate reassembled, with Senator Hill presiding.

COMMITTEE REPORT

Senator Darnell asked unanimous consent, which was granted, to submit the following Special Committee Report:

MR. PRESIDENT:

We, your Committee, a Special Committee composed of Darnell, Loofbourrow and Hill to whom was referred Engrossed House Bill No. 312—by Hester and Paul, entitled:

An Act legalizing acknowledgments of all deeds, mortgages, oil and gas leases, powers of attorney and other instruments of writing for the conveyance or incumbrance of any lands, tenements or hereditaments situated within the State heretofore executed and acknowledged or proved in any State, Territory, District of Columbia or country in conformity with the laws of such State, Territory, District of Columbia or Country, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

DARNELL, Chairman.

Senator Darnell moved that the Special Committee Report be adopted.

Senator Gulager, as a substitute, moved that further consideration of House Bill No. 312 be indefinitely postponed.

President Pro Tempore Storms presiding.

Senator Terwilleger moved that the Gulager motion be tabled, which motion prevailed.

The vote recurring on the Darnell motion, to adopt the Special Committee Report, the same prevailed.

Senator Stewart moved that House Bill No. 312, by Hester and Paul, be advanced to engrossment and third reading, which motion prevailed.

MESSAGES

The following Message from the Governor was received and read:

To the President and Members
of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bill No. 205, entitled:

“An Act making appropriation to pay confederate pensions for the remainder of the fiscal year ending June 30th, 1929, and declaring an emergency.”

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY,
Governor.

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the House of Representatives has adopted the Conference Committee report on:

HOUSE BILL NO. 349.—By MAXWELL, HARROWER, BOYDSTUN and MOON of the HOUSE, and FIDLER of the SENATE, entitled:

An Act amending Section 11 of the law known as Initiative Petition No. 100, relating to ad valorem tax levies, by adding certain exceptions under the sub-title of free fairs; providing for the expenditure of free fair funds for said exceptions, repealing all laws in conflict herewith, and declaring an emergency,

and the bill has been passed as amended by the report.

Yours very truly,

BERT McDONEL, Chief Clerk.

The Committee Report on House Bill No. 349 was read, as follows:

CONFERENCE COMMITTEE REPORT

To the President of the Senate, and
Speaker of the House of Representatives:

We, your Conference Committee, appointed by the Senate and by the House of Representatives, do hereby respectfully report that we have had a conference upon said House Bill No. 349, as requested, and that said Conference Committee has agreed that Engrossed Senate

Amendments Nos. 1 and 2 be adopted, same being as follows:

ENGROSSED SENATE AMENDMENT NO. 1. At the end of line 8, on page 2, after the word, "insurance," the period be changed to a comma and the following words added, "and for maintenance of public libraries."

ENGROSSED SENATE AMENDMENT NO. 2. By amending the title by adding after the word, "Exceptions," and before the word, "Repealing," the following words: "and providing for the expenditure of funds by cities and towns."

And have agreed that the following additional amendment be made to said Engrossed House Bill No. 349: Strike the words, "not to exceed fifty percent of the appropriation for which the levy was made," same being lines 23 and 24, page 2, of Engrossed House Bill No. 349.

Respectfully submitted,

HERSCHBERGER,
HARROWER,
HUTCHINSON,

House Conferees.

GULAGER,
OTJEN,
RAY,

Senate Conferees.

Upon motion of Senator Gulager, the Conference Committee Report on House Bill No. 349 was adopted, as read.

By unanimous consent, further consideration of House Bill No. 349 was deferred for this legislative day.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 57—By HOUSTON of the House, and EWING of the Senate, entitled:

An Act applicable to fees collected for fishing and hunting in lakes or ponds owned by any city, town or village, other than license fees provided by general laws for fishing in the lakes of this State, and, providing for the disposition of said fees.

ENROLLED HOUSE BILL NO. 341—By BARRY of the House, and ANGLIN of the Senate, entitled:

An Act amending Section 10,465, Compiled Oklahoma Statutes, 1921, regarding transportation in school districts, and declaring an emergency,

ENROLLED HOUSE BILL NO. 457—By WHITT, ROE and LESTER, entitled:

An Act authorizing, directing and requiring the Board of County Commissioners of Pittsburg County, Oklahoma, to include in its annual estimate and authorizing, directing and requiring the Excise Board of said county to make an extra annual levy in a sum not to exceed one-fourth of one mill and not less than one-tenth of one mill for a hospitalization fund for poor and destitute persons, and declaring same not to be a current expense of said county, repealing conflicting laws, and declaring an emergency,

and to inform you, and through you, the Honorable Senate,

that the same have been read for the fourth time, and signed by the Presiding Officer in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

House Bills Nos. 57, 341 and 457 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 52—By ANGLIN, entitled:

An Act appropriating \$500,000.00 from the general revenue fund in the State treasury to be placed into the special common school equalization fund, and apportioned by the State Board of Education among the various school districts in accordance with the terms and provisions of House Bill No. 241, of Session Laws, 1927, for the remainder of the fiscal year, ending June 30, 1929, providing that the above amount shall be in addition to that provided for in said House Bill No. 241 of the session laws, 1927, and declaring an emergency,

ENGROSSED SENATE BILL NO. 54—By BOYER, STIGLER and BLAKELY of the Senate, and LOGAN, LEWIS and JONES (Stephens) of the House, entitled:

An Act amending Section 1, Chapter 58, Oklahoma Session Laws, 1927, relating to the number of the assis-

tants of the attorney general of Oklahoma, fixing their salaries, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bills Nos. 52 and 54 were, each, referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 39—By GRAHAM and MacDONALD of the Senate, and SAMS of the House, entitled:

An Act amending Section 2119, Compiled Oklahoma Statutes, 1921, making it unlawful to steal and carry away domestic fowls, fixing penalty therefor and providing that the trial judge, in cases involving a violation of this Act, may not suspend judgment and sentence passed upon any person who violates the provisions hereof and repealing all laws in conflict herewith,

ENGROSSED SENATE BILL NO. 165—By GULAGER, entitled:

An Act directing the County Commissioners of Muskogee County to contract with the City of Muskogee to permit said city to house, guard, feed and care for the prison-

ers of said county and providing for the leasing of a jail site and for the construction of a jail; prescribing the conditions thereof, creating three (3) additional deputy sheriffs, fixing the salary of other deputies and fixing the salary of the sheriffs; providing no jail guards may be employed, repealing all conflicting Acts or parts of Acts,

and to advise you, and through you, the Honorable Senate, that the same have been passed as amended, by the House and signed by the presiding officer.

Yours truly,

BERT McDONEL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 39 were read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1. That in line 5, Section 1, after the word, "fowls," and before the word, "and," in line 7, Section 1, all the following words be stricken, "From the premises of another, or from the premises upon which the dwelling house of another is situated."

ENGROSSED HOUSE AMENDMENT NO. 2. By striking all of Section 1, after the word, "penitentiary," in line 11, and substituting therefor the following, "Not exceeding five years, or by fine not exceeding two Hundred Dollars, or by confinement in the county jail not exceeding two months, or by both such fine and imprisonment."

ENGROSSED HOUSE AMENDMENT NO. 3. By adding as joint authors, "Roper, Babb, Belew, Byrum, Whitt, Hines, Black, Logan, Gibson, Paul, Strickland, Cloyd, Howard and Faulk, of the House."

By unanimous consent, further consideration of Senate Bill No. 39 was deferred for this legislative day.

Engrossed House Amendment to Engrossed SENATE BILL NO. 165 was read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1. That the first three words of the title of Senate Bill No. 165 be stricken and the words, "AN ACT AUTHORIZING," be substituted therefor.

Upon motion of Senator Gulager, the Senate refused to concur in House Amendment to Senate Bill No. 165 and requested a conference, thereon.

To the President of the Senate,
SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 167—By FIDLER, of the Senate, entitled:

An Act amending Section 1, Chapter 126, Session Laws of Oklahoma, 1923-4, same being an Act creating Juvenile or Probation Officer in counties having a population of over 116,000 persons, and in counties having a population of not less than 30,179, and not more than 30,181, according to the preceding federal decennial census, and providing for the compensation and manner of appointment, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House, AS AMENDED, and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 167 were read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1. That in Section 1, page 1, line 12, after the word, "exceed," the figures, "\$175.00," be stricken and the figures, "\$150.00," be inserted in lieu thereof.

ENGROSSED HOUSE AMENDMENT NO. 2. That in Section 1, page 1, line 13, after the word, "exceed," the figures, "\$125.00," be stricken and the figures, "\$150.00," be inserted in lieu thereof.

ENGROSSED HOUSE AMENDMENT NO. 3. That in Section 1, page 1, lines 15, 16 and the first three words of line 17, be stricken and the following substituted therefor: "The County Judge may, with the consent of the Board of County Commissioners of such county when necessity arises, appoint such other and necessary assistant probation officers as are required."

In the absence of the author of Engrossed Senate Bill No. 167, further consideration was deferred for this legislative day.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO 218—By COMMONS, HILL, WHEATLEY, ANGLIN, and OTJEN, entitled:

An Act creating positions, fixing compensation therefor, and providing for employees of the State Sen-

ate, of the regular or any special session, of the Twelfth Legislature, sitting as a Court of Impeachment, made necessary by reason of existing emergencies; making appropriation therefor, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bill No. 218 was referred to the Governor for consideration.

Upon motion of Senator Gulager, the Senate adjourned to meet at 9:30 o'clock, a. m., Saturday, March 30, 1929.

SEVENTY-FIRST LEGISLATIVE DAY

SATURDAY, MARCH 30TH, 1929

The Senate, pursuant to adjournment, met at 9:30 o'clock, a. m., and was called to order by President Pro Tempore Storms.

Upon roll call, the following Senators were present:

Present: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 36.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

COMMITTEE REPORT

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Joint Resolutions Nos. 7, 11 and Senate Bill No. 134 correctly enrolled.

BOYER, Chairman.

Senate Joint Resolutions Nos. 7, 11 and Senate Bill No. 134 were, each, read for the fourth time, the enrolled copies signed, in open session, and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 429--By MITCHELL and PERRYMAN, entitled:

An Act repealing Chapter 209, of the Session Laws of the Session of 1927, amending Section 9666, C. O. S., 1921, relating to the assessment of taxable property and providing procedure for such assessment in all counties in the state having a population of not less than 35,000 and not more than 37,400, according to the Federal census of 1920, or according to any succeeding Federal census and declaring an emergency,

and to inform you, and through you, the Honorable Senate,

that the same has been read for the fourth time, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bill No. 429 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore, and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 29—By RAY and BLAKELY:

An Act amending Section 1, Chapter 151, Oklahoma Session Laws, 1923, and Section 9747, Compiled Oklahoma Statutes, 1921, reducing the penalty on delinquent taxes to twelve per cent per annum, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency,

and to advise you and through you the Honorable Senate that the same has been passed by the House, the EMERGENCY HAVING FAILED, and has been signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Upon motion of Senator Anglin, the Senate concurred in the House Amendment, to strike the emergency section.

Senate Bill No. 29, as amended, was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 72—By COMMITTEE ON SOLDIERS' RELIEF, entitled:

An Act making a deficiency appropriation for the payment of the University Hospital for beds furnished to veterans of the World War, Spanish-American War and other veterans who were hospitalized upon authority of the Soldiers' Relief Commission, for the fiscal year ending June 30, 1928, and declaring an emergency.

ENGROSSED SENATE BILL NO. 73—By ANGLIN, entitled:

An Act making supplementary appropriation for traveling expense of district judges and their reporters, for the remainder of fiscal year, ending June 30, 1929, and declaring an emergency.

ENGROSSED SENATE BILL NO. 37—By THOMAS, entitled:

An Act fixing Temperance day in the public schools of Oklahoma,

and to inform you and through you the Honorable Senate that the same have been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bills Nos. 37, 72 and 73 were, each, referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 86—By JOHNSON (Creek) and GULAGER, entitled:

An Act amending Section 2, Chapter 16, Oklahoma Session Laws of 1923, relating to the maximum rate of speed a motor vehicle may be driven upon the highways in the State of Oklahoma, fixing the penalty for violation thereof, and declaring an emergency,

and to advise, you, and through you, the Honorable Senate, that the same has been passed by the House, AS AMENDED, and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 86 were read by the Clerk, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1. By striking the third paragraph of Section 1, after the word "hour" and inserting in lieu thereof the following paragraph:

"Any person or persons violating any provisions of this Act shall be guilty of a misdemeanor and shall be fined not less than ten dollars (\$10.00) and not more than one hundred dollars (\$100.00) or imprisoned in the county jail for not less than ten days nor more than thirty days, or by both such fine and imprisonment."

ENGROSSED HOUSE AMENDMENT NO. 2. By inserting the following immediately following Engrossed House Amendment No. 1:

"Provided, it shall be unlawful for any arresting officer or for any judicial officer before whom the person arrested for violating the provisions of this Act is tried, to participate in or receive any portion of the fine or fees collected on account of the conviction of any such person."

ENGROSSED HOUSE AMENDMENT NO. 3. By inserting a new Section 2 as follows:

"SECTION 2. All acts or parts of Acts in conflict with the provisions of this Act are hereby repealed." And re-numbering the emergency clause "SECTION 3."

ENGROSSED HOUSE AMENDMENT NO. 4. By adding as authors of the bill: "Logan and Drake of the House."

ENGROSSED HOUSE AMENDMENT NO. 5. By amending the title, adding after the word "THEREOF" and before the word "AND" the following:

"REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH."

Upon motion of Senator Johnson (Creek), the Senate concurred in House Amendments to Senate Bill No. 86.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kim-

erer, Loofbourrow, MacDonald, Nesbitt, Oten, Patton, Peck, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Ferguson, Gulager, Ray. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Ferguson, Gulager, Ray. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore signed Engrossed House Amendments to Senate Bill No. 86 and referred the bill, as amended, for enrollment.

Conference Report on HOUSE BILL NO. 13, by Stanley, et al., having been read on the previous legislative day, was taken up for further consideration.

Upon motion of Senator Harper, the conference committee report was adopted, upon a roll call, as follows:

Ayes: Anglin, Blakely, Boyer, Clark, Darnell, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Peck, Ray, Reed, Smith, Storms, Thomas, Wheatley, Williams, Williamson. Total, 28.

Nays: Commons, Ewing, Gray, Patton, Stewart, Terwilleger. Total, 6.

Not Voting: Andrews, Johnson (Pott.). Total, 2.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Pullen, Powers, Rexroat, Stigler. Total, 7.

The question being, "Shall the Bill, as amended in conference, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham,

Gulager, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 32.

Nays: Gray, Stewart, Thomas. Total, 3.

Not Voting: Johnson (Pott.). Total, 1.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rex-roat, Stigler. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended in conference, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gulager, Harper, Hill, Johnson (Creek), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 32.

Nays: Gray, Stewart, Thomas. Total, 3.

Not Voting: Johnson (Pott.). Total, 1.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rex-roat, Stigler. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore ordered House Bill No. 13, together with conference report thereon, returned to the Honorable House.

ENGROSSED HOUSE AMENDMENTS to ENGROSSED SENATE BILL NO. 39, by Graham and MacDonald, of the Senate, and Sams, of the House, having been read on the previous legislative day, were considered further.

Upon motion of Senator Graham, the Senate concurred in House Amendments to Engrossed Senate Bill No. 39.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Peck, Ray, Reed, Smith, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 31.

Nays: 0.

Not Voting: Gray, Gulager, Harper, Kimerer, Stewart. Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed Engrossed House Amendments to Senate Bill No. 39 and referred the bill, as amended, for enrollment.

GENERAL ORDER

HOUSE JOINT RESOLUTION NO. 39, by Byrum, et al., of the House, and Johnson (Pottawatomie), of the Senate, was taken up for consideration, and read at length.

Upon motion of Senator Anglin, House Joint Resolution No. 39 was advanced to engrossment and third reading.

HOUSE BILL NO. 459, by Herschberger, et al., of the House, and Powers and Loofbourrow, was taken up for consideration and read at length.

Upon motion of Senator Loofbourrow, House Bill No. 459 was advanced to engrossment and third reading.

Upon motion of Senator Ferguson, it was the order of the President Pro Tempore that the Senate was working under call of the House.

HOUSE JOINT RESOLUTION NO. 28, by Logan, of the House and Harper, of the Senate, was read at length and considered.

Senator Harper moved that House Joint Resolution No. 28 be advanced to engrossment and third reading.

Senator Gulager, as a substitute, moved that further

consideration of House Joint Resolution No. 28 be indefinitely postponed, which motion prevailed.

Upon motion of Senator Gulager, HOUSE BILL NO. 426, by Boydston and Harrower, was stricken from the calendar.

HOUSE CONCURRENT RESOLUTION NO. 7, by Brown, et al., of the House, was taken up for consideration, and read at length, as follows:

HOUSE CONCURRENT RESOLUTION NO. 7 — By BROWN, CARTWRIGHT, ROE.

A CONCURRENT RESOLUTION MEMORIALIZING
CONGRESS TO APPROPRIATE (\$10,000,000)
FOR THE PURPOSE OF ERADICATING AND
EXTERMINATING COTTON BOLL WEEVILS
IN THE STATE OF OKLAHOMA.

WHEREAS, the Federal Government has expended fabulous sums of money for the extermination of the Corn Borer, the Hessian Fly and other farm pests affecting the northern and central parts of the United States and,

WHEREAS, said money has been successfully expended under the direction of the United States Department of Agriculture in co-operation with the State Departments of Agriculture of the states affected by the said pests last mentioned, and,

WHEREAS, the people of the State of Oklahoma have suffered incalculable damage from the Cotton Boll Weevil which has devastated all of the south and eastern part of this state,

WHEREAS, the people of said section of the State of Oklahoma are now suffering from the effects of the ravages of the said Cotton Boll Weevil and the citizens of entire counties are unable to meet their financial obligations and are unable to procure the necessities of life because of the ravages of said pest, and,

WHEREAS, the ravages of said pest have reached such proportions that it has become a material menace to the well being of the whole nation,

NOW, THEREFORE, BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF OKLAHOMA, THE SENATE CONCURRING THEREIN: that the Congress of the United States be and it is hereby requested to appropriate the sum of ten million (\$10,000,000) dollars to be expended in the State of Oklahoma for the control and eradication of the Cotton Boll Weevil.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to each of the Senators and Representatives of the State of Oklahoma in the Congress of the United States.

Upon motion of Senator Gray, House Concurrent Resolution No. 7, was adopted.

The President Pro Tempore, in open session, signed Engrossed House Concurrent Resolution No. 7 and ordered the same returned to the Honorable House.

HOUSE JOINT RESOLUTION NO. 19, by Marker, was taken up for consideration and read at length.

Upon motion of Senator Anglin, House Joint Resolution No. 19 was advanced to engrossment and third reading.

HOUSE JOINT RESOLUTION NO. 29, by Houston, was taken up for consideration and read at length.

Upon motion of Senator Anglin, House Joint Resolution No. 29 was advanced to engrossment and third reading.

SENATE RESOLUTION NO. 21, by Powers and Loofbourrow, of the Senate, and Allen (Harper), Odell and Snoddy, of the House, was taken up for consideration and read at length, as follows:

SENATE RESOLUTION NO. 21—By POWERS and LOOFBOURROW of the Senate, and ALLEN (Harper), O'DELL and SNODDY of the House.

A RESOLUTION AUTHORIZING THE TRANSFER OF \$20,000, OUT OF THE HOSPITAL FUND OF THE WESTERN OKLAHOMA HOSPITAL AT SUPPLY, OKLAHOMA, TO THE SUPPORT AND MAINTENANCE FUND THEREOF, AND DECLARING AN EMERGENCY.

WHEREAS, the funds appropriated by the Eleventh Legislature to the Western Oklahoma Hospital at Supply, Oklahoma, under the item of "support and maintenance," are practically exhausted; and

WHEREAS, in order to properly support and maintain the institution, it is necessary that additional funds be procured therefor; and

WHEREAS, it now appears that the regular session of the Twelfth Legislature will adjourn on Saturday, March 30, 1929, and unless some arrangements are made for the support of said institution it will work a hardship upon the inmates and the institution; and

WHEREAS, there are ample funds in the hospital fund of said institution with which to support and maintain the said institution until the beginning of the next fiscal year.

NOW, THEREFORE, BE IT RESOLED BY THE SENATE OF THE STATE OF OKLAHOMA,

SECTION 1. That Twenty Thousand Dollars (\$20,000.00) of the funds in the hospital fund of said institution be, and the same are hereby transferred to the item of "support and maintenance" of said institution.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Senator Anglin asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Resolution No. 21, by striking the words and figures, "Senate Resolution No. 21," and inserting the words and figures, "Senate Concurrent Resolution No. 15."

ANGLIN.

Upon motion of Senator Loofbourrow, Senate Concurrent Resolution No. 15 was adopted, as read.

Senate Concurrent Resolution No. 15, was referred for engrossment.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 44 eorretly engrossed.

BOYER, Chairman.

THIRD READING

HOUSE BILL NO. 312 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, George, Gray, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Ray, Smith, Stewart, Storms, Terwilleger, Thomas, Williams. Total, 26.

Nays: Graham, Gulager. Total, 2.

Not Voting: Fidler, Johnson (Creek), Otjen, Patton, Peck, Reed, Wheatley, Williamson. Total, 8.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 312, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 17 was read for the third time at length.

Senator Nesbitt asked unanimous consent of the Senate which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 17, by striking after the word, "exceeding," and before the word, "inhabitants," and inserting the words and figures, "twenty thousand seven hundred fifty (20,750)," and by correcting the title accordingly.

NESBITT.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Not Voting: Harper, Kimerer, Peck. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill, as amended, be-

come an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Not Voting: Harper, Kimerer, Peck. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

House Bill No. 17, as amended, was referred for engrossment.

HOUSE BILL NO. 461 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Peck, Ray, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Not Voting: Johnson (Creek), Otjen, Patton, Reed, Williamson. Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Peck, Ray, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Not Voting: Johnson (Creek), Otjen, Patton, Reed, Wilhamson. Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 461, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 448 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Peck, Ray, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Not Voting: Johnson (Creek), Otjen, Patton, Reed, Williamson. Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Peck, Ray, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams. Total, 31.

Not Voting: Johnson (Creek), Otjen, Patton, Reed, Williamson. Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rex-roat, Stigler. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 448, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 203 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Peck, Ray Reed, Smith, Stewart, Storms, Terwilleger, Wheatley, Williams. Total, 31.

Not Voting: Johnson (Creek), Otjen, Patton, Thomas, Williamson. Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rex-roat, Stigler. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Peck, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Wheatley, Williams. Total, 31.

Not Voting: Johnson (Creek), Otjen, Patton, Thomas, Williamson. Total, 5.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 203, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 44 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Peck, Ray, Reed.

Smith, Stewart, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 32.

Not Voting: Johnson (Creek), Otjen, Patton, Thomas. Total, 4.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Pott.), Jolly, Kimmerer, Loofbourrow, MacDonald, Nesbitt, Peck, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 32.

Not Voting: Johnson (Creek), Otjen, Patton, Thomas. Total, 4.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, *Pullen, Rexroat, Stigler. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed Senate amendments to and Engrossed House Bill No. 44, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 459 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Peck, Ray, Reed, Smith, Storms, Terwilliger, Wheatley, Williams, Williamson. Total, 31.

Nays: Gulager, Patton. Total, 2.

Not Voting: Otjen, Stewart, Thomas. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham,

Gray, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Peck, Ray, Reed, Smith, Storms, Terwilleger, Wheatley, Williams, Williamson. Total, 31.

Nays: Gulager, Patton. Total, 2.

Not Voting: Otjen, Stewart, Thomas. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 459, and ordered the same transmitted to the Honorable House.

HOUSE JOINT RESOLUTION NO. 39 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Patton, Peck, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Not Voting: Darnell, Ewing, Otjen. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Ferguson, Fidler, George, Graham, Gray, Gulager, Harper, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Patton, Peck, Ray, Reed, Smith, Stewart, Storms, Terwilliger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Not Voting: Darnell, Ewing, Otjen. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Joint Resolution No. 39, and ordered the same transmitted to the Honorable House.

HOUSE JOINT RESOLUTION NO. 29 was read for the third time at length.

Upon motion of Senator Darnell, further consideration of House Joint Resolution No. 29 was indefinitely postponed.

HOUSE JOINT RESOLUTION NO. 19 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Fidler, George, Gray, Harper, Hill, Jolly, Kimerer, Loofbourrow, MacDonald, Peck, Ray, Reed, Stewart, Storms, Terwilliger, Thomas, Wheatley, Williamson. Total, 23.

Nays: Commons, Darnell, Ewing, Graham, Gulager, Johnson (Creek), Johnson (Pott.), Otjen, Patton, Smith and Williams. Total, 11.

Not Voting: Ferguson, Nesbitt. Total, 2.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Boyer, Clark, Fidler, George, Graham, Gray, Harper, Hill, Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Peck, Ray, Reed, Stewart,

Storms, Terwilleger, Thomas, Wheatley, Williamson. Total, 24.

Nays: Blakely, Commons, Darnell, Ewing, Gulager, Johnson (Creek), Otjen, Patton, Smith, Williams. Total, 10.

Not Voting: Ferguson, Nesbitt. Total, 2.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The emergency having failed to receive the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared failed of passage.

House Joint Resolution No. 19 was referred for engrossment.

COMMITTEE REPORTS

The following Committee Report was submitted, the bill ordered placed upon the calendar:

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Engrossed House Bill No. 176 by Byrum, entitled:

An Act amending Section 7, Chapter 173, Session Laws of Oklahoma, 1923, relating to the character of permanent improvement of any street, avenue, lane, alley or other public place, in any city or incorporated town in

the State of Oklahoma, and to petitions for said improvement; repealing all Acts and parts of Acts in conflict herewith and declaring an emergency,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

MacDONALD, Chairman.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolution No. 15 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore signed the engrossed copy of Senate Concurrent Resolution No. 15 and ordered same transmitted to the House for consideration.

MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that a conference has been granted on:

ENGROSSED SENATE BILL NO. 165, by GULAGER, entitled:

An Act directing the county commissioners of Muskogee County to contract with the City of Muskogee to permit such city to feed prisoners of said county, prescribing the conditions thereof, creating three (3) additional deputy sheriffs, providing no jail guards may be employed, repealing conflicting laws, and declaring an emergency,

and has appointed as its Conferees:

Messrs. Harrower.

Belew, and

Parker.

Yours very truly,

BERT McDONEL, Chief Clerk.

The President Pro Tempore appointed as Senate conferees, under Senate Bill No. 165, by Gulager, Senators Gulager, Johnson (Pottawatomie), and Nesbitt.

Conference Committee Report, on HOUSE BILL NO. 349, by Maxwell, et al., of the House, and Fidler, of the Senate, having been read and adopted on the previous legislative day, was given further consideration.

The question being, "Shall the Bill, as amended in conference, pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Ray, Reed, Smith, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Harper, Peck, Stewart. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The Bill, as amended, having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended in conference, become an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Kimerer, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Ray, Reed, Smith, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 33.

Nays: 0.

Not Voting: Harper, Peck, Stewart. Total, 3.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore ordered House Bill No. 349 together with Conference Committee Report thereon returned to the Honorable House.

House Amendments to SENATE BILL NO. 167, by Fidler, having been read on the previous legislative day, were given further consideration.

Upon motion of Senator Fidler, the Senate concurred in House Amendments to Senate Bill No. 167, as read.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Andrews, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott), Jolly, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Ray, Smith, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Anglin, Harper, Kimerer, Peck, Reed, Stewart. Total, 6.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill, as amended, be-

come an emergency measure?" the roll was called with the following results:

Ayes: Andrews, Blakely, Boyer, Clark, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott), Jolly, Loofbourrow, MacDonald, Nesbitt, Otjen, Patton, Ray, Smith, Storms, Terwilleger, Thomas, Wheatley, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Anglin, Harper, Kimerer, Peck, Reed, Stewart. Total, 6.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed House amendments to Engrossed Senate Bill No. 167, and ordered the same referred for enrollment.

Senator Anglin presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Joint Resolution

No. 19 correctly engrossed; Senate Bills Nos. 14, 29, 37, 52, 54, 72 and 73 correctly enrolled.

BOYER, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Joint Resolution No. 19, as amended, and ordered the same returned to the Honorable House.

Senate Bills Nos. 14, 29, 37, 52, 54, 72, and 73 were, each, read for the fourth time, the enrolled copies signed in open session, by the Presiding Officer, and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 462—By CAMPBELL and HUTCHINSON of the House, and OTJEN of the Senate, entitled:

An Act fixing the salaries, per diem and mileage allowance for members of the Board of County Commissioners of Garfield County, Oklahoma, repealing all acts in conflict herewith insofar as such acts affect Garfield County, Oklahoma, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 460—By ALLEN, entitled:

An Act fixing the salary of County Commissioners in Harper and Beaver Counties, providing an expense account of such commissioners, and repealing all acts and parts of acts in conflict herewith and declaring an emergency,

and the same have been passed by the House as amended.

Yours very truly,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENROLLED HOUSE JOINT RESOLUTION NO. 35—
By BRIGGS, BABB, KIDD, BELEW, ROE, LESTER, WHITT et al., entitled:

A Joint Resolution appropriating Twenty Thousand Four Hundred Seventy-five Dollars (\$20,475.00) for salaries, maintenance, repairs and equipment for the Eastern Oklahoma College at Wilburton and the Cameron State School of Agriculture at Lawton, Oklahoma, and Five Thousand Six Hundred Eighty Five Dollars (\$5,685.00) for salaries, and maintenance for the Connors State School of Agriculture at Warner, Oklahoma, to be used and expended for the remainder of the fiscal year ending June 30, 1929; and declaring an emergency,

and to inform you, and through you, the Honorable Senate,

that the same has been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Joint Resolution No. 35 was read for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE JOINT RESOLUTION NO. 3
—By STORMS, entitled:

A Joint Resolution appropriating Twelve Thousand (\$12,000.00) Dollars for the purpose of paying Oklahoma's share of the expenses in making a resurvey of the boundary between the east side of Texas and the State of Oklahoma, constituting the Eastern boundary of the panhandle of Texas and the main western boundary of Oklahoma, in accordance with a decision of the Supreme Court of the United States in cause No. 6, original, wherein the State of Oklahoma was complainant and the State of Texas, defendant, and the United States of America, intervenor, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Joint Resolution No. 3 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 134, by FIDLER, entitled:

An Act authorizing certain county officers, in counties having a population of 110,000, or more, as shown by the last general federal census, to appoint deputies in said offices, by and with the consent of the County Commissioners, the salaries of said deputies to be fixed by the county commissioners, repealing all laws in conflict herewith, and declaring an emergency,

ENROLLED SENATE JOINT RESOLUTION NO. 7, by ANGLIN, entitled:

A Joint Resolution, providing for a temporary title examiner in the office of the commissioner of the land office, to be filled in the manner now provided by law for like positions, re-appropriating the appropriation made by the Eleventh Legislature for a title examiner for each of the fiscal years 1927-1928 and 1928-1929, and declaring an emergency,

ENROLLED SENATE JOINT RESOLUTION NO. 11, by FERGUSON (Senate) and WEBBER (House), entitled:

A Joint Resolution appropriating certain monies from the state treasury to reimburse the Pawnee tribe of In-

dians for oil and gas bonuses and rentals and agricultural rentals collected on tribal land by the commissioners of the land office, and declaring an emergency,

and to inform you, and through you, the Honorable Senate that the same have been read for the fourth time and signed by the Speaker in open session.

Yours truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Joint Resolutions Nos. 7, 11 and Enrolled Senate Bill No. 134 were, each, referred to the Governor for consideration.

The following Message from the Governor was received and read:

To the President and Members
of the Honorable Senate,

GENTLEMEN:

I desire to inform you that I have signed Enrolled Senate Bill No. 218, entitled:

"An Act creating positions, fixing compensation therefor, and providing for employees of the State Senate of the regular, or any special session, of the Twelfth Legislature, sitting as a court of impeachment made necessary by reason of existing emergencies; making appropriation therefor and declaring an emergency."

and have caused the same to be filed with the Secretary of State.

Respectfully,

W. J. HOLLOWAY, Governor.

Upon motion of Senator Stewart, the Senate recessed, for the purpose of resolving itself into a Court of Impeachment, subject to the call of the Chair.

The Senate reassembled, with President Pro Tempore Storms presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 86 correctly enrolled.

BOYER, Chairman.

Senate Bill No. 86 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 98—By LOOFBOURROW and STIGLER, entitled:

An Act making it unlawful to repeat or scatter false rumors or reports of a slanderous or harmful nature con-

cerning any person or persons, and providing a penalty therefor,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bill No. 98 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 44—By BRIGGS, entitled:

An Act amending Section 7297, Compiled Oklahoma Statutes, 1921, relating to appeals to the Supreme Court from orders of the State Industrial Commission, providing for appeal bond and declaring an emergency,

and the same has been passed by the House as amended.

Very truly yours,

BERT McDONEL, Chief Clerk.

GENERAL ORDER

HOUSE BILL NO. 176, by Byrum, was taken up for consideration and read at length.

Upon motion of Senator Johnson (Pottawatomie), House Bill No. 176 was advanced to engrossment and third reading.

Upon motion of Senator Johnson (Pottawatomie), the rules of the Senate were suspended and House Bill No. 176 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 176 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Loofbourrow, Nesbitt, Otjen, Patton, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Clark, Harper, Kimerer, MacDonald, Peck, Wheatley. Total, 6.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen. Rexroat, Stigler. Total, 7.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

The question being, "Shall the Bill become an emer-

gency measure?" the roll was called with the following results:

Ayes: Andrews, Anglin, Blakely, Boyer, Commons, Darnell, Ewing, Ferguson, Fidler, George, Graham, Gray, Gulager, Hill, Johnson (Creek), Johnson (Pott.), Jolly, Loofbourrow, Nesbitt, Otjen, Patton, Ray, Reed, Smith, Stewart, Storms, Terwilleger, Thomas, Williams, Williamson. Total, 30.

Nays: 0.

Not Voting: Clark, Harper, Kimerer, MacDonald, Peck, Wheatley. Total, 6.

Absent: Rice. Total, 1.

Excused: Austin, Easter, Moore, Powers, Pullen, Rexroat, Stigler. Total, 7.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate, was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of House Bill No. 176, and ordered the same transmitted to the Honorable House.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 17 correctly engrossed.

BOYER, Chairman.

The President Pro Tempore, in open session, signed

Engrossed Senate Amendments to and Engrossed House Bill No. 17, as amended, and ordered the same returned to the Honorable House.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 460—By ALLEN, entitled:

An Act fixing the salary of county commissioners in Harper and Beaver Counties, providing an expense account of such commissioners, and repealing all Acts and parts of Acts in conflict herewith,

ENROLLED HOUSE BILL NO. 462—By CAMPBELL and HUTCHINSON of the House, and OTJEN of the Senate, entitled:

An Act fixing the salaries, per diem and mileage allowance for members of the Board of County Commissioners of Garfield County, Oklahoma, repealing all Acts in conflict herewith insofar as such Acts affect Garfield County, Oklahoma and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bills Nos. 460 and 462 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 15—By POWERS and LOOFBOURROW of the Senate, and ALLEN (Harper), O'DELL and SNODDY of the House, entitled:

A Resolution authorizing the transfer of \$20,000, out of the hospital fund of the Western Oklahoma Hospital at Supply, Oklahoma, to the support and maintenance fund thereof, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been adopted by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 15 was referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 152—By LOOFBOURROW and MacDONALD, entitled:

An Act making appropriation for the repairs on the vault of the state treasury, and declaring an emergency,

ENGROSSED SENATE BILL NO. 191—By ANGLIN, entitled:

An Act creating a revolving fund for the State Training School for Negro Boys near Boley, Oklahoma, providing for additions and accretions to said fund and for the maintenance and disbursement thereof; making an appropriation and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bills Nos. 152 and 191 were, each, referred for enrollment.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 226—By ANGLIN, entitled:

An Act making an appropriation to pay for the support, maintenance, care and upkeep of the Governor's

mansion from October 1st, 1928 to and including March 31st, 1929, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Engrossed Senate Bill No. 226 was referred for enrollment.

The President Pro Tempore announced the Senate at ease for 10 minutes.

The Senate reassembled, with President Pro Tempore Storms presiding.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENROLLED HOUSE BILL NO. 312—By HESTER and PAUL, entitled:

An Act legalizing acknowledgments of all deeds, mortgages, oil and gas leases, powers of attorney and other instruments of writing for the conveyance or incumbrance of any lands, tenements or hereditaments sit-

uated within the State heretofore executed and acknowledged or proven in any State, Territory, District of Columbia or Country, in conformity with the laws of such State, Territory, District of Columbia or Country.

ENROLLED HOUSE BILL NO. 461—By WHITT, ROE and LESTER, entitled:

An Act authorizing the County Commissioners of Pittsburg County, Oklahoma, to include in their annual estimate, and the Excise Board of said County to make a levy of a sum equal to one-tenth of one mill for the fiscal year ending June 30, 1930, for the purpose of paying certain indebtedness created against the county for the maintenance of the poor and insane; declaring same not to be current expense; repealing all laws in conflict therewith, and declaring an emergency.

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 7—By BROWN, CARTWRIGHT, ROE, KEENAN, HARVEY and CLOYD, entitled:

A Concurrent Resolution memorializing Congress to extend aid for the purpose of eradicating and exterminating cotton boll weevil in the State of Oklahoma,

and to inform you, and through you, the Honorable Senate, the same have been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bills Nos. 312 and 461 were, each, read for the fourth time, the enrolled copies signed, in open session, and ordered returned to the Honorable House.

The President Pro Tempore, in open session, signed

Enrolled House Concurrent Resolution No. 7 and ordered the same returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 144, by TERWILLEGER, entitled:

An Act providing for the safety and security of County Funds and securities in the custody of County Treasurers, providing for the bonding of Deputy County Treasurers, bonds to be approved by the Board of County Commissioners and paid for the County, providing for action thereon, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House, the emergency having failed, and has been signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Upon motion of Senator Terwilleger, the Senate concurred in the House Amendment — that of striking the emergency section.

Engrossed Senate Bill No. 144 was referred for enrollment.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolution No. 15, Senate Joint Resolution No. 3, Senate Bills Nos. 39, 98, 144, 152, 167, 191 and 226, all correctly enrolled.

BOYER, Chairman.

The President Pro Tempore, in open session, signed Enrolled Senate Concurrent Resolution No. 15 and ordered the same transmitted to the Honorable House, for the signature of the Speaker.

Senate Joint Resolution No. 3, Senate Bills Nos. 39, 98, 144, 152, 167, 191 and 226 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered transmitted to the Honorable House for the signature of the Speaker.

RESOLUTIONS

Senator Anglin asked unanimous consent, which was granted, to submit the following Senate Resolutions, which were read at length:

SENATE RESOLUTION NO. 23—By ANGLIN.

A RESOLUTION PRESENTING TO THE HONORABLE W. C. McALISTER, THE DESK AND CHAIR USED BY HIM AS SECRETARY OF THE SENATE.

WHEREAS, Honorable W. C. McAlister was for many years Secretary of the Senate of the State of Oklahoma, and,

THEREFORE, BE IT RESOLVED BY THE SENATE OF THE TWELFTH LEGISLATURE, assembled in regu-

lar session, that the desk and chair used by Honorable W. C. McAlister as Secretary of the Senate, be committed to his care and keeping as a token of our high esteem and appreciation of his service and friendship, both to ourselves and to the State of Oklahoma.

Upon motion of Senator Anglin, Senate Resolution No. 23 was adopted, as read, and referred for engrossment.

Senator Hill presiding.

SENATE RESOLUTION NO. 24—By BOYER, WHEATLEY and WILLIAMSON.

WHEREAS, the State Senate of the Twelfth Oklahoma Legislature having elected a member thereof, The Honorable Charles S. Storms of Waurika, as President Pro Tempore, to preside over its sessions and deliberations; and

WHEREAS, his services in that capacity have been marked by outstanding fairness, firmness and efficiency;

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the State of Oklahoma, that Senator Charles S. Storms be commended for his zealous, fair and faithful service as presiding officer of this Body, and that a copy of this Resolution representing the sentiment of every member of the Senate, duly signed and authenticated be presented to Senator Storms as an humble token of the appreciation and esteem of the entire membership of the Senate.

Upon motion of Senator Wheatley, Senate Resolution No. 24 was adopted, as read, and referred for engrossment.

President Pro Tempore Storms briefly expressed his deep appreciation for the honor of having been permitted

to serve as the Presiding Officer of the Senate and for the co-operation given him by the members and employees of the Senate, during such period.

President Pro Tempore Storms presiding.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 13, by STANLEY, LEWIS, et al., entitled:

An Act amending Section 17, Chapter 35, of the Session Laws of Oklahoma, 1927, relating to fish and game and fixing penalty for violation, and declaring an emergency,

ENROLLED HOUSE BILL NO. 349—By MAXWELL, HARROWER, et al., entitled:

An Act amending Section 11, of the law known as Initiative Petition No. 100, relating to ad valorem tax levies by adding certain exceptions under the sub-title of free fairs, providing for the expenditures of funds by cities and towns, repealing all laws in conflict herewith, and declaring an emergency,

and to inform you, and through you, the Honorable Senate,

that the same have been read for the fourth time and signed by the Speaker in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

House Bills Nos. 13 and 349 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore, and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 14—By THOMAS, (Senate), and HINES (House), entitled:

An Act providing for the keeping of public records by persons, firms and corporations who purchase domestic fowls, containing a description of all domestic fowls purchased by such person, firm or corporation, together with description of fowls, and description of vehicles in which delivery of said fowls was made, and the post office address of each person selling such fowls and providing a penalty for the violation thereof.

ENROLLED SENATE BILL NO. 29—By RAY, and BLAKELY, entitled:

An Act amending Section 1, Chapter 151, Oklahoma Session Laws, 1923, and Section 9747, Compiled Oklahoma Statutes, 1921, reducing the penalty on delinquent taxes to twelve per cent per annum, repealing all Acts or parts of Acts in conflict.

ENROLLED SENATE BILL NO. 37—By THOMAS, entitled:

An Act fixing Temperance day in the public schools of Oklahoma.

ENROLLED SENATE BILL NO. 52—By ANGLIN, entitled:

An Act appropriating \$500,000.00 from the general revenue fund in the state treasury to be placed into the special common school equalization fund, and apportioned by the state board of education among the various school districts in accordance with the terms and provisions of House Bill No. 241 of Session Laws, 1927, etc.

ENROLLED SENATE BILL NO. 54—By BOYER, STIGLER, BLAKELY (Senate), LOGAN, LEWIS, JONES (Stephens) (House), entitled:

An Act amending Section 1, Chapter 58, Oklahoma Session Laws, 1927, relating to the number of the assistants of the attorney general of Oklahoma, fixing their salaries, and declaring an emergency.

ENROLLED SENATE BILL NO. 72—By COMMITTEE ON SOLDIERS' RELIEF, entitled:

An Act making a deficiency appropriation for the payment to the University Hospital for beds furnished to veterans of the World War, Spanish-American War, etc.

ENROLLED SENATE BILL NO. 73—By ANGLIN, entitled:

An Act making supplementary appropriation for traveling expenses to District Judges and their Reporters, for

the remainder of fiscal year ending June 30, 1929, and declaring an emergency.

ENROLLED SENATE BILL NO. 86—By JOHNSON (Creek), GULAGER (Senate) and LOGAN, DRAKE (House), entitled:

An Act amending Section 2, Chapter 16, Oklahoma Session Laws of 1923, relating to the maximum rate of speed a motor vehicle may be driven upon the highways in the State of Oklahoma, etc.,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Enrolled Senate Bills Nos. 14, 29, 37, 52, 54, 72, 73 and 86 were, each, referred to the Governor for consideration.

Senator Ewing moved that Honorable Luther Harrison, of Oklahoma City, be invited to address the Senate.

The motion prevailed and the President Pro Tempore appointed Senators Anglin and Loofbourrow to escort Mr. Harrison to the President's Chair, from where he spoke, after being introduced by President Pro Tempore Storms.

Senator Anglin presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled Bills begs leave to report Senate Resolutions Nos. 23 and 24 correctly engrossed.

BOYER, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Resolutions Nos. 23 and 24 and ordered both referred for enrollment.

The Senate was declared at ease for 10 minutes.

The Senate reassembled, with Senator Anglin presiding.

Senator Boyer submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Resolutions Nos. 23 and 24, correctly enrolled.

BOYER, Chairman.

The Presiding Officer, in open session, signed Enrolled Senate Resolutions Nos. 23 and 24 and ordered each transmitted to the Secretary of State.

President Pro Tempore Storms presiding.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the House concurs in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 17—By CARMACK,
entitled:

An Act providing for one deputy county assessor for all counties in the State of Oklahoma having a population of not less than twenty thousand (20,000) inhabitants and not exceeding twenty-one thousand (21,000) inhabitants, according to the Federal census of 1920, and fixing the salary for said deputy, also fixing the amount of expenses to be allowed the county assessor and deputy of said counties, repealing all conflicting laws and declaring an emergency,

and same has passed the House as amended.

Respectfully,

BERT McDONEL, Chief Clerk.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith:

ENROLLED HOUSE BILL NO. 176—By BYRUM, entitled:

An Act amending Section 7, Chapter 173, Session Laws of Oklahoma, 1923, relating to the character of permanent improvement of any street, avenue, lane, alley, or other public place, in any city or incorporated town in the State of Oklahoma, and to petition for said improvement; repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency,

and to inform you, and through you, the Honorable Senate,

that the same has been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bill No. 176 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENROLLED HOUSE BILL NO. 459—By HERSCHBERGER, ALLEN (Beaver), SCHLEGEL and HUTCHINSON of the House, and POWERS and LOOFBOURROW of the Senate, entitled:

An Act authorizing the holding of an election in any county of the state having a free fair association, for the purpose of determining a permanent location in said county where such free fair shall be held, providing for the calling of such election and the manner of holding same, authorizing the submission to a vote at said election the question of a special levy for a free fair improvement, and declaring an emergency,

ENROLLED HOUSE BILL NO. 448—By STANLEY and STOVALL, entitled:

An Act abolishing township government in Choctaw County, Oklahoma, providing that the duties of township officers shall be performed by the Board of County Commissioners of said County, repealing any Act conflicting herewith, and declaring an emergency,

ENROLLED HOUSE BILL NO. 44—By BRIGGS, entitled:

An Act amending Section 7297, Compiled Oklahoma Statutes, 1921, relating to appeals to the Supreme Court from orders of the state industrial commission, providing for appeal bond, and declaring an emergency,

ENROLLED HOUSE JOINT RESOLUTION NO. 39
—By BYRUM et al., entitled:

A Joint Resolution appropriating Four Thousand Nine Hundred Eight and Thirty-eight One-Hundredths (\$4,908.38) Dollars for salaries for the State Industrial School for Girls at Tecumseh, Oklahoma, to be used and expended for the remainder of the fiscal year ending June 30th, 1929, and declaring an emergency,

ENROLLED HOUSE BILL NO. 203—By BLACK, DITTMER and EYLAR, entitled:

An Act amending Section 4399, Compiled Oklahoma Statutes, 1921, relating to establishing general sanitary storm and combination sewer systems, and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Very truly yours,

BERT McDONEL, Chief Clerk.

House Joint Resolution No. 39, House Bills Nos. 44, 203, 448 and 459 were, each, read for the fourth time, the enrolled copies signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

Senator Gulager moved that a Committee of 3 be appointed, to notify the Governor that the Senate has finished its work and is about ready to adjourn sine die and ascertain if he has other matters to submit before such adjournment.

The motion prevailed and the President Pro Tempore appointed Senators Gulager, Commons and Clark, as such Special Committee.

The Senate was declared at ease, subject to the call of the Chair.

The Senate reassembled, with President Pro Tempore Storms presiding.

Senator Gulager, on behalf of the Committee appointed to notify the Governor that the Senate was ready to adjourn sine die, reported the duty performed and a message from the Governor, that he had no further matters to submit to the Senate.

The report was ordered received and the Committee discharged.

A committee from the Honorable House, headed by Representative Graham (Oklahoma), was received, who announced that the Honorable House had about finished its work and would be ready shortly to adjourn sine die, await the pleasure of the Senate.

The President Pro Tempore advised the Committee from the Honorable House that the Senate would be ready to adjourn within a short time, of which that Honorable Body would be notified.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO 17—By CARMACK, entitled:

An Act providing for one Deputy County Assessor for all counties in the State of Oklahoma having a population of not less than Twenty Thousand (20,000) inhabitants and not exceeding Twenty-one (21,000) inhabitants, according to the Federal Census of 1920, and fixing the salary for said deputy, also fixing the amount of expenses to be allowed the County Assessor and deputy of said counties, repealing all conflicting laws and declaring an emergency,

and to inform you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

House Bill No. 17 was read for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore, and ordered returned to the Honorable House.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 39—By GRAHAM, MacDONALD (Senate), SAMS, ROPER and others of the House, entitled:

An Act amending Section 2119, Compiled Oklahoma Statutes, 1921, making it unlawful to steal and carry away domestic fowls, fixing penalty therefor and providing that the trial judge in cases involving a violation of this act, may not suspend judgment, etc.

ENROLLED SENATE BILL NO. 98—By LOOFBOURROW and STIGLER, entitled:

An Act making it unlawful to repeat or scatter false rumors or reports of a slanderous or harmful nature, concerning any person or persons, and providing a penalty therefor.

ENROLLED SENATE BILL NO 144—By TERWILLEGER, entitled:

An Act providing for the safety and security of County Funds and Securities in the Custody of County Treasurers, providing for the bonding of Deputy County Treasurers, bonds to be approved by the Board of County Commissioners, etc.

ENROLLED SENATE BILL NO. 152—By LOOFBOURROW and MacDONALD, entitled:

An Act making an appropriation for the repairs on the vault of the State Treasury, and declaring an emergency.

ENROLLED SENATE BILL NO. 167—By FIDLER, entitled:

An Act amending Section 1, Chapter 126, Session

Laws of Oklahoma, 1923-24, same being an Act creating Juvenile or Probation officer in counties having a population of over 116,000 persons, and in counties having a population of not less than 30,179 and not more than 30,181 according to the preceding Federal Decennial census, etc.

ENROLLED SENATE BILL NO. 191—by ANGLIN, entitled:

An Act creating a revolving fund for the state training school for negro boys near Boley, Oklahoma, etc.

ENROLLED SENATE BILL NO. 226—By ANGLIN, entitled:

An Act making an appropriation to pay for the support, maintenance, care and upkeep of the Governors' mansion from October 1, 1928 to March 31, 1929, and declaring an emergency.

ENROLLED SENATE JOINT RESOLUTION NO. 3—
By STORMS, entitled:

A Joint Resolution appropriating Twelve Thousand Dollars for the purpose of paying Oklahoma's share of the expense in making a re-survey of the boundary between the State of Texas, etc.,

and to inform you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Respectfully,

BERT McDONEL, Chief Clerk.

Enrolled Senate Joint Resolution No. 3, Enrolled Senate Bills Nos. 39, 98, 144, 152, 167, 191 and 226 were each referred to the Governor for consideration.

To the President of the Senate,

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 15—By POWERS and LOOFBOURROW of the Senate, and ALLEN (Harper), O'DELL and SNODDY of the House, entitled:

A Resolution authorizing the transfer of \$20,000 out of the hospital fund of the Western Oklahoma Hospital at Supply, Oklahoma, to the support and maintenance fund thereof, and declaring an emergency.

and to inform you, and through you, the Honorable Senate, that the same has been adopted and signed by the Speaker in open session.

Yours very truly,

BERT McDONEL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 15 was referred to the Secretary of State.

Senator Loofbourrow moved that the President Pro Tempore appoint a Committee of 3, to notify the Honorable House that the Senate has finished its duties and is ready to adjourn, sine die.

The motion prevailed and the President Pro Tempore appointed as such Committee, Senators Loofbourrow, Andrews and Clark.

The Senate was declared at ease, subject to the call of the Chair.

The Senate reassembled, with President Pro Tempore presiding.

Senator Loofbourrow, on behalf of the Committee appointed to notify the Honorable House that the Senate is ready to adjourn, sine die, reported the duty performed, and advised the Senate that the Honorable House was ready to adjourn, sine die.

President Pro Tempore Storms said, in view of the fact that the Senate was informed by the Governor that he had no further matters to submit to the regular session of the 12th Legislature and in view of the fact that the Honorable House has finished its work, and ready to adjourn sine die, and the hour of 12:00 o'clock high noon, on this the 30th day of March, 1929, having arrived, "I now, declare the Senate of the 12th legislature adjourned, sine die."



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Part I

SENATE BILLS

By REXROAT and REED.

An Act amending Sections 7889 and 7904, Compiled Oklahoma Statutes, 1921, relating to the creating of domestic corporations for the transportation of Natural Gas and prescribing regulations for the transportation of Natural Gas in Interstate Commerce, and for other purposes; repealing Sections 7890, 7893, 7997, 7898 and 7899, of Article 1, Chapter 68, Compiled Oklahoma statutes, 1921, and all Acts and parts of Acts in conflict herewith, and declaring an emergency.

First Reading	72
Second Reading	79

SENATE BILL NO. 2—

By RICE.

An Act creating a Code Commission; providing for the appointment by the Governor of three Commissioners; prescribing their qualifications; fixing their salaries; prescribing their duties; providing for clerical assistance; making an appropriation to pay the salaries of said Commissioners and employes, and declaring an emergency.

First Reading	72
Second Reading	79
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SENATE BILL NO. 3—

By STORMS and RICE.

An Act providing for the retention by the County Judges of

all fees collected for solemnizing marriage ceremonies in addition to all other compensation allowed by law, repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

First Reading	72
Second Reading	79
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SENATE BILL NO. 4—

By AUSTIN and REXROAT.

An Act regulating and fixing the salaries of the county officers of Harmon County, State of Oklahoma, and declaring an emergency.

First Reading	76
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Considered and Re-referred	101
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SENATE BILL NO. 5—

By STEWART (Senate), GRAHAM (House).

An Act making appropriation to pay the mileage and per diem of members of the Senate and House of Representatives of the Twelfth Legislature, salaries of officers and employees and contingent expenses, and declaring an emergency.

First Reading	87
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SENATE BILL NO. 6—

By FIDLER and RICE (Senate), STREET, GRAHAM, EYLAR, et al (House).

An Act fixing the number of, and compensation of deputy sheriffs, undersheriffs, bookkeepers, jailors, clerks and matrons in the sheriff's office and jail in all counties in this State having a population in excess of One Hundred Sixteen Thousand inhabitants, as shown by the last preceding, or any future, regular, Federal Decennial Census; providing for additional deputies when necessary, fixing their salaries, providing for automobiles for use in said operations in said sheriff's office; repealing all Acts and parts of Acts in conflict, and declaring an emergency.

First Reading -----	87
Second Reading -----	101

SENATE BILL NO. 7—

By FIDLER and RICE (Senate), GRAHAM, EYLAR, MARKER and HOOVER (House).

An Act fixing the number of and compensation of assistant county attorneys, clerks, stenographers and evidence men in the office of county attorney in all counties in this state having a population in excess of One Hundred Sixteen Thousand inhabitants, as shown by the last preceding, or any future, regular, Federal Decen-

nial Census; repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

First Reading	87
Second Reading	101

SENATE BILL NO. 8—

By FIDLER.

An Act amending Chapter 16, Session Laws of Oklahoma, 1923, same being, "An Act regulating the driving and operating of motor vehicles, providing punishment therefor, etc.," repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

First Reading	87-88
Second Reading	101
Reported	316
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Reported Engrossed	359
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Third Reading	376
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Final Passage Reconsidered	419-420
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SENATE BILL NO. 9—

By FIDLER.

An Act repealing Chapter 127 Session Laws of 1925, and declaring an emergency.

First Reading	100
Second Reading	109

SENATE BILL NO. 10—

By STORMS.

An Act amending Section 1653 Compiled Oklahoma Statutes, 1921, repealing all laws in conflict herewith and declaring an emergency.

First Reading_____	100
Second Reading_____	109

SENATE BILL NO. 11—

By REXROAT.

An Act relating to the distribution of the automobile license tax and the gasoline excise tax received in Carter County, Oklahoma, and declaring an emergency.

First Reading_____	107
Second Reading_____	122
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SENATE BILL NO. 12—

By PULLEN.

An Act repealing Sections 3,037 to 3,055, inclusive, of the Compiled Oklahoma Statutes of 1921, providing that the present Elected Judges of the Criminal Court of Appeals perform the duties of the Commissioners of the Supreme Court during the remainder of their terms of office, and declaring an emergency.

First Reading_____	107
Second Reading _____	122
Reported, do not Pass_____	259

SENATE BILL NO. 13--

By FIDLER.

An Act making an appropriation to reimburse Tom Caynar for the expenses incurred while Sheriff of Oklahoma County, Oklahoma, in the arrest and return of Haywood Rector from California on a charge of burning a Cotton Compress in Oklahoma, and declaring an emergency.

First Reading	107-108
Second Reading	122
Reported	570
Referred to Calendar	570
Stricken from Calendar	1107

SENATE BILL NO. 14—

By THOMAS (Senate) and HINES (House).

An Act amending Section 2119, of Compiled Oklahoma Statutes, and requiring all dealers in produce to keep a record of all purchases; affixing a penalty for the violation hereof, and declaring an emergency.

First Reading	108
Second Reading	122
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Passed by House	1326
Referred for Enrollment	1326
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SENATE BILL NO. 15—

By ANGLIN.

An Act making an appropriation for the purpose of paying the traveling and living expenses of the Judges of the Court of Tax Review, and making an appropriation for the per diem traveling and living expenses, and making of transcripts for court reporters of said Court of Tax Review, when such judges and court reporters are outside of their counties of residence, and making appropriations for communication and supplies for the State Auditor, as Clerk of said Court of Tax Review, and declaring an emergency.

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By FERGUSON.

An Act authorizing cities, towns, townships and school districts which have a surplus on hand in the sinking

fund, against which no indebtedness exists, to transfer the same to the general fund of said municipalities, and declaring an emergency.

First Reading.....	108
Second Reading.....	122
Reported	260
Considered and Amended.....	289-290
Advanced	290
Reported Engrossed.....	299
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Engrossed House Amendments Signed.....	836
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Reported Enrolled.....	858
Fourth Reading.....	859
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SENATE BILL NO. 17—

By FERGUSON.

An Act amending Section 9588 of Article 2, Chapter 84 of Compiled Oklahoma Statutes, 1921, fixing a tax on real estate mortgages; providing it be paid by the mortgagee without an increase in the rate of interest, commission, brokerage, or otherwise, and making the violation thereof a misdemeanor.

First Reading.....	108
Second Reading.....	122
Reported	389
Considered and Advanced.....	421
Reported Engrossed.....	426
Third Reading.....	429
Engrossed Copy Signed and Transmitted to House ...	429

SENATE BILL NO. 18—

By THOMAS (Senate) and HINES (House).

An Act amending Section 1855, Compiled Oklahoma Statutes, 1921, repealing all laws in conflict herewith, and declaring an emergency.

First Reading_____	119
Second Reading_____	145

SENATE BILL NO. 19—

By ANGLIN (Senate) and BUSEY (House).

An Act regulating the setting or placing of steel traps, dead falls, and things of this nature, dangerous to the life or limb of dogs, sheep, hogs and other domestic animals, providing a penalty for the violation of the law, and declaring an emergency.

First Reading_____	119
Second Reading_____	145
Reported do not Pass_____	343

SENATE BILL NO. 20—

By ANGLIN.

A Bill to be entitled: An Act making appropriation to pay claims against Deficiency Certificates, Numbers 10 to 34, inclusive, for fiscal year ending June 30, 1927; Numbers 1 to 18, inclusive, for fiscal year ending June 30, 1928, and Numbers 1 to 6, inclusive, for fiscal year ending June 30, 1929, as approved and certified to by the Governor under authority of Chapter 231, of the Session Laws of Oklahoma, 1915, as amended by Chapter 229, of the Session Laws of Oklahoma, 1919, and declaring an emergency.

First Reading_____	119-120
Second Reading_____	145

SENATE BILL NO. 21—

By STORMS and REED.

An Act creating an Industrial Workshop for the blind, establishing the location thereof, providing a Commission to control said institution, providing the duties of said Commission, their qualifications and appointments, authorizing certain Acts to be done by said Commission, and certain employees to be employed, fixing their salaries and duties, providing who may be admitted to said workshop, appropriating Fifty Thousand (\$50,000.00) Dollars to carry said Act into effect, and to pay for the maintenance thereof, repealing all Acts or parts of Acts in conflict herewith and declaring an emergency.

First Reading.....	120
Second Reading.....	145

SENATE BILL NO. 22—

By AUSTIN.

An Act authorizing County Appropriations and levies to provide funds for making certain refunds to County Treasurers, authorizing such refunds, and declaring an emergency.

First Reading.....	120
Second Reading.....	145
Reported	497
Considered and Advanced.....	623
Reported Engrossed.....	674
Third Reading.....	680-681
Emergency Stricken.....	681
Re-referred for Engrossment.....	681
Reported Engrossed.....	692
Engrossed Copy Signed and Transmitted to House	692
Passed by House.....	815-816
Referred for Enrollment.....	816
Reported Enrolled.....	829

Fourth Reading	829
Enrolled Copy Returned by House	889
Transmitted to Governor	890
Approved by Governor	912

SENATE BILL NO. 23—

By LOOFBOURROW (Senate) and ALLEN (House).

An Act authorizing the appointment of a Deputy County Assessor in counties of this State having a population of not less than 7,610 and not more than 7,640, according to the Federal Census of 1920 or according to any succeeding Federal Census, and providing for the fixing of the salary thereof, and declaring an emergency.

First Reading	120
Second Reading	145
Reported	497-498
Stricken from Calendar	687

SENATE BILL NO. 24—

By LOOFBOURROW, RICE, FIDLER, KIMERER, REXROAT, AUSTIN, EWING, HILL and NESBITT.

An Act providing for the construction of a building to be located on the State Capitol grounds in Oklahoma City for the use of the Historical Society and the organizations of all veteran soldiers and patriotic societies of the State, said building to provide room for meetings and headquarters for all organizations of service men and auxiliary societies and associations, and providing for the use and occupancy of said building by the Oklahoma Historical Society and its Library, Museum and other affects and property, and for public meetings therein and its use for other public purposes. Providing for the construction of the building by the State Board of Public Affairs and for its location on the State Capitol grounds in accordance with the "Kess-

ler Plan" and providing for the approval of the architect's plans by the Executive Committee of the Oklahoma Historical Society and making an appropriation for such purpose.

First Reading.....	120-121
Second Reading.....	145
Withdrawn and Re-referred.....	210
Reported	386
Considered and Advanced.....	402-406
Reported Engrossed.....	411
Third Reading.....	418-419
Engrossed Copy Signed and Transmitted to House ...	419
Passed by House.....	516
Senate Concurs in House Amendments.....	516-518
Referred for Enrollment.....	518
Reported Enrolled.....	540
Fourth Reading.....	540
Enrolled Copy Returned by House.....	555-556
Transmitted to Governor	556
Approved by Governor.....	566

SENATE BILL NO. 25—

By EWING (Senate), and HOUSTON (House).

An Act amending Section 4368 of the Compiled Oklahoma Statutes, Annotated, 1921, and repealing all Acts, and parts of Acts in conflict herewith, and declaring an emergency.

First Reading	121
Second Reading	145

SENATE BILL NO. 26—

By GRAHAM.

An Act amending Section 8, Chapter 25, Session Laws of Oklahoma, 1927.

First Reading	121
Second Reading	145

SENATE BILL NO. 27—

By STEWART.

An Act repealing Chapter 43, Oklahoma Session Laws of 1925, and declaring an emergency.

First Reading	121
Second Reading	145

SENATE BILL NO. 28—

By GULAGER.

An Act amending Section 8580, Compiled Oklahoma Statutes, 1921, as amended by Senate Bill No. 269, Chapter 56, Session Laws of 1927, relating to the investment of sinking funds and the purchase and sale of city or town bonds by the Treasurer of such city or town; repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

First Reading	121
Second Reading	145
Reported	205-206
Considered, Amended and Re-referred	218-219
Reported	214
Considered, Amended and Advanced	243
Reported Engrossed	261
Third Reading	267-268
Engrossed Copy Signed and Transmitted to House ...	268

SENATE BILL NO. 29—

By RAY.

An Act amending Section 1, Chapter 151, Oklahoma Session Laws, 1923 and Section 9747, Compiled Oklahoma Statutes 1921, reducing the penalty on delinquent taxes

to the per cent per annum; repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

First Reading	122
Second Reading	146
Reported	283-284
Considered, Amended and Advanced	313-315
Reported Engrossed	329
Consideration Deferred	335
Third Reading	355
Motion Lodged to Reconsider	356
Vote Reconsidered	370
Vote Reconsidered by Which Advanced to Engrossment and Third Reading	370
Considered	400-402
Referred to Committee for Redrafting	402
Reported	425
Considered and Made Special Order	589
Considered and Advanced	614
Amended	614
Considered Engrossed	614
Third Reading	615-616
Referred for Engrossment	616
Reported Engrossed	631
Engrossed Copy Signed and Transmitted to House	631
Passed by House	1340
Emergency Stricken	1340
Referred for Enrollment	1340
Reported Enrolled	1370-1371
Fourth Reading	1371
Enrolled Copy Returned from House	1389
Transmitted to Governor	1391

SENATE BILL NO. 30—

By REXROAT.

An Act relating to County Government in the State of Oklahoma, and providing for the adoption of the County Manager form of Government.

First Reading	142
Second Reading	157

SENATE BILL NO. 31—

By TERWILLEGER.

An Act amending Section 4721 of Article 16, Chapter 29, Compiled Oklahoma Statutes, Annotated 1921, relating to the jurisdiction of Municipal Criminal Courts, and declaring an emergency.

First Reading	142
Second Reading	157
Withdrawn and Referred to Calendar	238
Considered and Amended	251-252
Advanced	252
Reported Engrossed	261
Third Reading	269-270
Engrossed Copy Signed and Transmitted to House	270
Passed by House	754-755
Referred for Enrollment	755
Reported Enrolled	786
Fourth Reading	786
Enrolled Copy Returned by House	816
Transmitted to Governor	816
Approved by Governor	839

SENATE BILL NO. 32—

By STEWART.

An Act amending Section 7, of Senate Bill No. 341, Chapter 113, Regular Session Laws of Oklahoma, 1923, relating to liability of insurance companies for negligent acts of motor carriers insured by them, and regulating suits brought on policies or bonds, and declaring an emergency.

First Reading	142
Second Reading	157
Reported	601-602
Stricken from Calendar	1107

SENATE BILL NO. 33—

By REED and MOORE.

An Act creating additional positions in the office of the Commissioners of the Land Office, fixing the salaries therefor, making an emergency appropriation for salaries to June 30th, 1929, and declaring an emergency.

First Reading	143
Second Reading	157
Withdrawn and Re-referred	218
Reported	220
Re-referred	221

SENATE BILL NO. 34—

By REED.

An Act providing for the appraisement of State School and other State Lands, and providing for appraisers and clerical help and fixing the annual rental, and making an appropriation therefor.

First Reading	143
Second Reading	157
Reported and Re-referred	214

SENATE BILL NO. 35—

By DARNELL, GRAY, REED and GEORGE.

An Act relating to the introduction into this State of Tuberculous Cattle and to the prevention and eradication of Tuberculosis in cattle; authorizing the State Board of Agriculture to promulgate and enforce rules and regulations relating thereto; providing for the killing of tubercular cattle and for compensating the owners thereof; permitting counties to provide a fund to be

used in co-operating with the State and United States Departments of Agriculture County Area Plan; repealing Chapter 127, Oklahoma Session Laws, 1923-1924, and all other Acts or parts of Acts in conflict herewith, and declaring an emergency.

First Reading	143
Second Reading	158

SENATE BILL NO. 36—

By GULAGER, WHEATLEY, GRAHAM, REXROAT, STIGLER, PATTON and COMMONS (Senate) and PATTERSON, et al, (House).

An Act authorizing County Clerks, or Register of Deeds, to register designated homesteads, under Act of Congress passed and approved May 10, 1928, and declaring an emergency.

First Reading	143
Second Reading	158
Referred to Calendar	158
Considered and Deferred	180-181
Considered and Advanced	200
Reported Engrossed	206
Third Reading	210-211
Engrossed Copy Signed and Transmitted to House	210-211
Passed by House	885
House Amendments Read and Consideration Temporarily Deferred	886
Senate Concurs in House Amendments	1084
Engrossed House Amendments Signed	1084
Referred for Enrollment	1084
Reported Enrolled	1096
Fourth Reading	1096
Enrolled Copy Received from House	1136-1137
Transmitted to Governor	1137

SENATE BILL NO. 37—

By THOMAS.

An Act fixing Temperance Day in the Public Schools of Oklahoma.

First Reading	143
Second Reading	158
Reported	316-317
Amended and Advanced	337-338
Reported Engrossed	359
Third Reading	368-369
Engrossed Copy Signed and Transmitted to House ...	369
Passed by House	1341
Referred for Enrollment	1341
Reported Enrolled	1370-1371
Fourth Reading	1371
Enrolled Copy Received from House	1390
Transmitted to Governor	1391

SENATE BILL NO. 38—

By CLARK.

An Act amending Section 2119, Compiled Oklahoma Statutes, 1921, and declaring an emergency.

First Reading	144
Second Reading	158
Reported, do not Pass	343

SENATE BILL NO. 39—

By GRAHAM and MacDONALD.

An Act amending Section 2119, Compiled Oklahoma Statutes, 1921, and providing that the Trial Judge, in cases involving a violation of this Act, may not suspend judgment and sentence passed upon any person who violates

the provisions hereof, repealing all laws in conflict herewith, and declaring an emergency.

First Reading	144
Second Reading	158
Reported	260
Considered and Amended	290-292
Advanced	292
Reported Engrossed	299
Third Reading	302-303
Amended	303
Re-referred for Engrossment	303
Reported Engrossed	329
Engrossed Copy Signed and Transmitted to House ...	329
Passed by House	1333
House Amendments Read	1334
Consideration Deferred	1335
Senate Concurs in House Amendments	1347
Engrossed House Amendments Signed	1348
Referred for Enrollment	1348
Reported Enrolled	1386
Fourth Reading	1386
Enrolled Copy Returned from House	1398
Transmitted to Governor	1399

SENATE BILL NO. 40—

By PULLEN.

A Bill to be entitled: An Act requiring Court Clerks in the several counties, in the State of Oklahoma, to furnish a transcript of the proceedings filed in Probate matters wherein the deceased, minor or incompetent was the owner of real estate in more than one county to each and every Court Clerk of the counties in which the deceased, minor or incompetent was the owner of real estate, and declaring an emergency.

First Reading	154
Second Reading	171
Reported	471-472
Considered and Advanced	486

Reported Engrossed	556
Third Reading	559
Consideration Deferred	559
Stricken from Calendar	1317

SENATE BILL NO. 41—

By RICE and REED.

An Act providing the time of holding primary elections, repealing all laws in conflict herewith, and declaring an emergency.

First Reading	154
Second Reading	171

SENATE BILL NO. 42—

By WHEATLEY.

An Act authorizing Corporations to barter, sell or otherwise dispose of all or any part of their rights, assets, and other property either real or personal, and regulating such barter, sale or disposition.

First Reading	154
Second Reading	171

SENATE BILL NO. 43—

By COMMONS (Senate) and ROPER (House).

An Act to amend Section 4236, Article 1, Chapter 25, Compiled Oklahoma Statutes, 1921, relating to the establishment of a Fiscal Agency, and providing for the method of apportionment of interest received on funds deposited with such agency.

First Reading	154
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Second Reading	171
Reported	602
Stricken from Calendar	1107

SENATE BILL NO. 44—

By THOMAS.

An Act providing for two lights on all vehicles used at night, on the public roads and fixing a penalty for the violation thereof.

First Reading	154
Second Reading	171

SENATE BILL NO. 45—

By MacDONALD.

An Act repealing Chapter 102, Session Laws of Oklahoma of 1925, relating to the business of furnishing power, light, heat, gas, electricity, or water in cities and towns authorizing the surrender of municipal franchises in exchange for revocable permits; requiring certificates of convenience and necessity and providing for the determination and issuance thereof; and repealing acts in conflict herewith, and declaring an emergency.

First Reading	155
Second Reading	171
Withdrawn and Re-referred	289

SENATE BILL NO. 46—

By MacDONALD.

An Act authorizing counties in the State of Oklahoma, to purchase lands and construct buildings thereon for

Free Fair purposes, authorizing the issuance of bonds for such purposes, providing the manner of holding the bond election and declaring an emergency.

First Reading	155
Second Reading	171
Reported	453
Considered and Advanced	564
Reported Engrossed	606
Third Reading	626
Made Special Order	626
Considered and Amended	634-635
Advanced	635
Considered Engrossed	635
Third Reading	635-636
Referred for Engrossment	636
Reported Engrossed	641
Engrossed Copy Signed and Transmitted to House ...	641
Passed by House	1046-1047
Referred for Enrollment	1047
Reported Enrolled	1082-1083
Fourth Reading	1083
Enrolled Copy Received from House	1122
Transmitted to Governor	1124

SENATE BILL NO. 47—

By MacDONALD.

An Act amending Section 3780, Compiled Oklahoma Statutes, 1921, pertaining to adulteration of stock food, repealing all laws in conflict herewith, and declaring an emergency.

First Reading	155
Second Reading	171

SENATE BILL NO. 48—

By BOYER.

An Act requiring and providing for the calling and convening of a Grand Jury in every county of the State of

Oklahoma at least once each year, and declaring an emergency.

First Reading	155
Second Reading	171
Reported	221
Considered and Indefinitely Postponed	270

SENATE BILL NO. 49—

By BOYER.

An Act authorizing the State Highway Commission to carry workmen's compensation insurance on their employees who are engaged in manual or mechanical work or labor in the construction or maintenance of State Highways to pay the premium for said insurance out of the State Highway Construction and Maintenance Fund, and declaring an emergency.

First Reading	155-156
Second Reading	171
Reported	602-603
Considered and Amended	979
Emergency Stricken	980
Advanced	980
Considered Engrossed	980
Third Reading	980-981
Referred for Engrossment	981
Reported Engrossed	989
Engrossed Copy Signed and Transmitted to House ...	989

SENATE BILL NO. 50—

By BOYER.

An Act amending subdivision "B", Section 8, Chapter 48, Oklahoma Session Laws of 1923-24, limiting the expenditure of the State Highway Construction and Maintenance Fund on State Highways which are constructed

in part by the use of county highway funds, providing that such counties must pay all of certain costs in constructing the same, and declaring an emergency.

First Reading	156
Second Reading	171

SENATE BILL NO. 51—

By ANGLIN.

A Bill to be entitled: An Act making general appropriation for the budget of the Legislative, Executive and Judicial Departments of the State and for the principal and interest of the public debt, for the fiscal years ending June 30th, 1930, and June 30th, 1931, by functions of each department in accordance with the budget classification adopted by the Governor, and declaring an emergency.

First Reading	156
Second Reading	171

SENATE BILL NO. 52—

By ANGLIN.

A Bill to be entitled: An Act appropriating \$500,000.00 from the General Revenue Fund in the State Treasury to be placed into the Special Common School Equalization Fund, and apportioned by the State Board of Education among the various school districts in accordance with the terms and provisions of House Bill No. 241, of Session Laws, 1927, for the remainder of fiscal year, ending June 30, 1929, and declaring an emergency.

First Reading	156
Second Reading	171
Reported and Re-referred	317
Reported	747-748

Considered and Advanced	1024-1026
Considered Engrossed	1024
Third Reading	1025-1026
Referred for Engrossment	1026
Reported Engrossed	1029
Engrossed Copy Signed and Transmitted to House	1029
Passed by House	1332
Referred for Enrollment	1333
Reported Enrolled	1370-1371
Fourth Reading	1371
Enrolled Copy Received from House	1390
Transmitted to Governor	1391

SENATE BILL NO. 53—

By COMMONS (Senate), and CHAMBERS and SKINNER
(House).

An Act providing for the regulation of the working of lead, zinc and other metal mines; providing for the protection of the lives, health, safety and welfare of persons employed therein and thereabouts; defining the duties of persons, firms and corporations operating said mines; prescribing the duties of persons working in and about said mines; prescribing penalties for violations of the provisions of this act; prohibiting the employment of certain persons in underground work in said mines and fixing eight hours as a day's work in all underground work in said mines except in case of an emergency; defining the authority and prescribing the duties of the Chief Mining Inspector and Deputy Mine Inspector of the district in which said mines are located; defining words "mines," "operator" and "mining inspector" when used in this act; authorizing and conferring jurisdiction of the District Court in the Judicial District where mines are located affected by orders of the Chief Mining Inspector of the State of Oklahoma or his assistants to modify, affirm or cancel said orders and providing an appeal from the action of said court; repealing Chapter Sixty-three entitled, "Mines and Mining" of the Compiled Statutes of the State of Oklahoma, 1921, being Sections 7540 to 7633, both inclusive, in so

far as it affects or applies to mines defined in this Act; also repealing all other Acts, laws or parts thereof in conflict or inconsistent with this Act in so far as they apply to mines as defined in this Act, and declaring an emergency.

First Reading	168-169
Second Reading	199

SENATE BILL NO. 54—

By BOYER, STIGLER and BLAKELY (Senate), and LOGAN et al (House).

An Act amending Section 1, Chapter 58, Oklahoma Session Laws, 1927, relating to the number of the assistants of the Attorney General of Oklahoma, fixing their salaries, and declaring an emergency.

First Reading	169
Second Reading	199
Reported	343-344
Considered and Advanced	379
Reported Engrossed	390-391
Third Reading	398-399
Engrossed Copy Signed and Transmitted to House ...	399
Passed by House	1332-1333
Referred for Enrollment	1333
Reported Enrolled	1370-1371
Fourth Reading	1371
Enrolled Copy Returned by House	1390
Transmitted to Governor	1391

SENATE BILL NO. 55—

By ANGLIN.

An Act to amend Section 185, of Article II of Chapter 3 of the Compiled Statutes of the State of Oklahoma, 1921, entitled: "Code of Civil Procedure of the State of Oklahoma relating to Limitation of Actions" by

making such Section, as amended, prescribe limitations for all action in regard to severing mineral from real property and for the sale, conversion or accounting for mineral severed, and declaring an emergency.

First Reading	169-170
Second Reading	199
Reported	522
Stricken from Calendar	1107

SENATE BILL NO. 56—

By ANGLIN.

A Bill to be entitled: An Act to amend Article 2, of Chapter 36 of the Compiled Statutes of the State of Oklahoma of 1921, by adding thereto Section 5997A defining detriment to real estate by the wrongful severance of mineral or sale of mineral so severed, and repealing all Acts in conflict therewith, and declaring an emergency.

First Reading	170
Second Reading	199
Reported	522
Stricken from Calendar	1107

SENATE BILL NO. 57—

By ANGLIN.

A Bill to be entitled: An Act to render conclusive judgments, orders and decrees of County Courts in Guardians', Executors' and Administrators' sales; repealing all Acts in conflict therewith, and declaring an emergency.

First Reading	170
Second Reading	199
Reported	522-523
Stricken from Calendar	1107

SENATE BILL NO. 58—

By ANGLIN.

A Bill to be entitled: An Act making an appropriation to pay J. L. McCormack and C. C. McGuirt for labor performed at the State Tubercular Sanatorium for negroes at Boley, and declaring an emergency.

First Reading	170
Second Reading	199

SENATE BILL NO. 59—

By ANGLIN.

An Act providing for ten per cent attorney fee in certain actions to recover on fire and life insurance policies, and declaring an emergency.

First Reading	170
Second Reading	199
Reported	603
Stricken from Calendar	1107

SENATE BILL NO. 60—

By COMMITTEE ON SOLDIERS' RELIEF.

An Act making a Deficiency Appropriation of Twenty-five (\$25,000.00) Dollars, for the fiscal year ending June 30, 1929, for the aid of sick, wounded and disabled soldiers, sailors, marines and nurses of the late World War, the War with Spain and their destitute wives, widows and minor children, and declaring an emergency.

First Reading	199
Second Reading	209
Reported and Advanced	215
Considered Engrossed	215

Third Reading	215
Referred for Engrossment	217
Reported Engrossed	230
Engrossed Copy Signed and Transmitted to House ...	230
Passed by House	309-310
Referred for Enrollment	310
Reported Enrolled	329
Fourth Reading	329
Enrolled Copy Returned by House	354
Transmitted to Governor	354
Approved by Governor	362-363

SENATE BILL NO. 61 —

By GULAGER.

An Act creating a Board of Examiners of Cleaners, Pressers, and Dyers, providing for their appointment, duties and compensation, requiring all persons, co-partnerships, firms, and corporations engaged in the business of cleaning, pressing and dyeing in the State of Oklahoma, to be licensed by said board and providing for the fees and procedure therefor; providing the procedure and authority for the revocation of such a license; making it unlawful for such cleaners, pressers, and dyers to engage in said business without first procuring said license, fixing a penalty for the violation thereof, and declaring an emergency.

First Reading	209
Second Reading	218

SENATE BILL NO. 62—

By RICE.

An Act authorizing the building of transportation facilities for transporting Public Utilities, provided that when such transportation facilities are constructed in accordance with the requirements of the Corporation Commission and to point connecting with transportation

facilities of Public Service Corporations and Common Carriers, it shall be the duty of such Corporation and Common Carriers to furnish Public Utilities, repealing all laws in conflict herewith, and declaring an emergency.

First Reading	217
Second Reading	233

SENATE BILL NO. 63—

By POWERS, RAY, KIMERER (Senate), and ORENDORFF, CARMACK, GIBSON, CHAMBERS and BARRY (House).

An Act amending Section 4152, Compiled Oklahoma Statutes, 1921, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

First Reading	217
Second Reading	233
Reported	260-261
Considered and Advanced	289
Reported Engrossed	299
Third Reading	299-300
Engrossed Copy Signed and Transmitted to House ...	300
Passed by House	612-613
Referred for Enrollment	613
Reported Enrolled	631
Fourth Reading	631
Enrolled Copy Returned by House	666
Transmitted to Governor	666
Approved by Governor	733-734

SENATE BILL NO. 64—

By EASTER (Senate) and ALLEN (Washington) (House).

An Act providing for the renewal of Chattel Mortgages, procedure therefor, repealing all Acts and parts of Acts

in conflict therewith, amending Section 7654, Compiled
Oklahoma Statutes, Annotated, 1921.

First Reading	217
Second Reading	233

SENATE BILL NO. 65—

By PULLEN, AUSTIN and STIGLER.

An Act amending Section 1, Chapter 14, Oklahoma Session
Laws, 1923, as amended by Section 1, Chapter 133,
Oklahoma Session Laws, 1925, relating to Confederate
Pensions, and declaring an emergency.

First Reading	230
Second Reading	242
Reported	571
Stricken from Calendar	981

SENATE BILL NO. 66—

By HARPER.

An Act amending Sections 8968 and 8970, Compiled
Oklahoma Statutes, 1921, relating to Tubercular Sana-
toriums, and declaring an emergency.

First Reading	231
Second Reading	242
Reported	445-446
Considered and Advanced	486
Reported Engrossed	523
Third Reading	527
Considered and Amended	527
Referred for Engrossment	528
Reported Engrossed	531
Engrossed Copy Signed and Transmitted to House ...	531
Passed by House	885
Senate Concurs in House Amendments	886-887

Engrossed House Amendments Signed	887
Referred for Enrollment	887
Reported Enrolled	898
Fourth Reading	899
Enrolled Copy Returned by House	917
Transmitted to Governor	918
Approved by Governor	1050-1051

SENATE BILL NO. 67—

By HARPER.

An Act providing that all penalties and interest accruing from delinquent taxes levied to retire the principal and to pay the interest on county, school district, township or municipal bonds shall be credited to the sinking fund created to retire the bonds for which said taxes were levied.

First Reading	231
Second Reading	242
Reported	498
Stricken from Calendar	1107

SENATE BILL NO. 68—

By CLARK.

An Act authorizing counties which have a surplus on hand in the sinking fund, against which no indebtedness exists, to transfer the same to the general fund of said counties, and declaring an emergency.

First Reading	231
Second Reading	242
Reported	283
Considered	312-313-337-377-400-420
Stricken from Calendar	827

SENATE BILL NO. 69—

By PULLEN.

An Act authorizing a tax levy in cities and towns for the purpose of providing a fund for the maintenance or employment of brass bands for municipal purposes, and providing for the submission of the question of levying a tax for such purpose to the voters of such cities and towns within said state, who may avail themselves of the privileges and rights hereinafter set out.

First Reading	231
Second Reading	242
Reported	731-732
Stricken from Calendar	1107

SENATE BILL NO. 70—

By FIDLER.

An Act creating procedure for the application and granting of clemency by the Governor, providing a Local Advisory Board in the county from which the application for clemency arises, outlining the precedent procedure for presentation of clemency applications to the Governor, prohibiting recommendations for clemency by members of the Legislature, abolishing the present office of Pardon and Parole officer, compelling the disclosure of identity of parties interested in clemency applications, and declaring an emergency.

First Reading	231
Second Reading	242

SENATE BILL NO. 71—

By BLAKELY (Senate) and LOGAN and McADOO (House).

An Act providing for the location and equipment of a Demonstration Dairy Farm in central portion of Eastern

Oklahoma, the renting and purchasing of lands therefor, the construction of dairy and other necessary buildings and appurtenances thereon; the purchasing of dairy cattle and other necessary stock therefor, the management thereof; making an appropriation therefor; and declaring an emergency.

First Reading	232
Second Reading	242

SENATE BILL NO. 72—

By COMMITTEE ON SOLDIERS' RELIEF.

An Act making a deficiency appropriation for the payment to the University Hospital for beds furnished to veterans of the World War, Spanish American War and other veterans who were hospitalized upon authority of the Soldiers' Relief Commission, for the fiscal year ending June 30, 1928, and declaring an emergency.

First Reading	232
Second Reading	242
Reported	317-318
Considered and 'Advanced'	339
Reported Engrossed	359
Third Reading	374-375
Engrossed Copy Signed and Transmitted to House ...	376
Passed by House	1341
Referred for Enrollment	1341
Reported Enrolled	1370-1371
Fourth Reading	1371
Enrolled Copy Returned by House	1390
Transmitted to Governor	1391

SENATE BILL NO. 73—

By ANGLIN.

A Bill to be entitled: An Act making supplementary appropriation for traveling expense of District Judges and their

reporters, for the remainder of fiscal year, ending June 30, 1929, and declaring an emergency.

First Reading	240
Second Reading	263
Reported	318
Considered and Advanced	339
Reported Engrossed	359
Third Reading	373-374
Engrossed Copy Signed and Transmitted to House ...	374
Passed by House	1341
Referred for Enrollment	1341
Reported Enrolled	1370-1371
Fourth Reading	1371
Enrolled Copy Returned by House	1390
Transmitted to Governor	1391

SENATE BILL NO. 74—

By REXROAT.

An Act amending and re-enacting Section 9727, Compiled Oklahoma Statutes, 1921, relating to the issuance and service of Tax Warrants, providing for the employment of a person by the County Commissioners to serve Tax Warrants, and providing compensation for such person, and declaring an emergency.

First Reading	240
Second Reading	263
Reported	498-499
Stricken from Calendar	1107

SENATE BILL NO. 75—

By LOOFBOURROW.

An Act creating a State Civil Service Commission of three members, dividing the State into Civil Service Districts, providing for selection of Commissioners, defining their

duties, term of office and salary making an appropriation therefor, and declaring an emergency.

First Reading	240-241
Second Reading	263

SENATE BILL NO. 76—

By RICE and REXROAT.

An Act fixing the salaries of elective Executive and Judicial State Officers; repealing all Acts or parts of Acts in conflict therewith.

First Reading	241
Second Reading	263

SENATE BILL NO. 77—

By CLARK.

An Act authorizing the County Clerk upon order of the District Judge to destroy chattel mortgages on file where the same are barred by the Statutes of limitation, repealing all laws in conflict, and declaring an emergency.

First Reading	241
Second Reading	263
Reported	453
Considered and Indefinitely Postponed	1002

SENATE BILL NO. 78—

By AUSTIN.

An Act amending Section 4406, Compiled Oklahoma Statutes, 1921, relating to assessments for sewer districts,

repealing all laws in conflict herewith, and declaring an emergency.

First Reading	241
Second Reading	263

SENATE BILL NO. 79—

By FIDLER.

An Act making appropriation to reimburse R. B. Thomas, employee of the Highway Department, for expense incurred while traveling over the State in collection of delinquent automobile tax; and declaring an emergency.

First Reading	241
Second Reading	263

SENATE BILL NO. 80—

By JOLLY.

An Act authorizing and empowering the County Assessor of Caddo County, Oklahoma, to employ extra help at the expense of the County in a sum not to exceed Four Hundred (\$400.00) Dollars annually; such services to be paid by the County in like manner as other salary claims are paid, and declaring an emergency.

First Reading	241
Second Reading	263
Referred to Calendar	263
Considered and Advanced	292
Reported Engrossed	299
Third Reading	303-304
Engrossed Copy Signed and Transmitted to House ...	305
Passed by House	508
Referred for Enrollment	508
Reported Enrolled	531
Fourth Reading	531

Enrolled Copy Returned by House	580
Transmitted to Governor	580
Approved by Governor	688

SENATE BILL NO. 81—

By WILLIAMSON and WHEATLEY.

An Act authorizing the Senate and the House of Representatives to provide such employees, and fixing their duties and compensation such as may be, by each body, deemed necessary and proper; repealing Section 109, Compiled Oklahoma Statutes 1921; and declaring an emergency.

First Reading	241-242
Second Reading	263
Reported	571
Considered and Amended	636-638
Considered and Referred to Special Committee	760-777
Re-reported	776-781
Considered and Advanced	781
Considered Engrossed	781
Third Reading	781-782
Referred for Engrossment	783
Reported Engrossed	783
Engrossed Copy Signed and Transmitted to House	783
Passed by House	864
Senate Refuses to Concur in House Amendments	868
Conference Requested	868
House Grants Conference	882
House Conferees Appointed	882
Senate Conferees Appointed	883
Conference Committee Report Adopted by Senate	905
Conference Report Transmitted to House	907
House Adopts Conference Report	908
Referred for Enrollment	909
Reported Enrolled	909
Fourth Reading	909
Enrolled Copy Returned by House	911-912
Transmitted to Governor	912
Approved by Governor	918

SENATE BILL NO. 82—

By MOORE.

An Act declaring the Sovereignty of the State of Oklahoma over the air, and declaring the air and the space above the geographical surface of the State of Oklahoma as belonging to the State, and subject to the control of the State, and providing for the regulation of the use thereby by vehicles, airplanes, and conveyances, and providing for the rules and regulations for the use thereof for telegraphic, telephonic or radio purposes, for broadcasting by radio, and vesting in the Corporation Commission of the State of Oklahoma jurisdiction to make rules and regulations governing the use thereof for the above purposes, and granting said Corporation Commission jurisdiction to license or regulate, and to fix priorities in the use thereof, and providing for penalties for violation of this Act, and the rules and regulations of the Corporation Commission duly promulgated.

First Reading	261
Second Reading	289

SENATE BILL NO. 83—

By MOORE.

An Act amending Section 10307, Compiled Oklahoma Statutes, 1921, relating to duties of high school inspectors, and declaring an emergency.

First Reading	262
Second Reading	289

SENATE BILL NO. 84—

By CLARK, STIGLER and HILL (Senate) and CHAPPELL, et al. (House).

An Act providing for venue of civil actions and the service of process in cases by residents of the State of Okla-

homa against a Foreign Corporation, which has failed to comply with the laws of the State of Oklahoma as to appointing a resident agent for the service of process in actions accruing to residents of the State of Oklahoma on account of or while such Foreign Corporation was doing business within the State of Oklahoma; and providing for the fees for such services; amending Section 5442 of Compiled Oklahoma Statutes 1921; repealing conflicting laws, and declaring an emergency.

First Reading	262
Second Reading	289
Reported	425
Stricken from Calendar	1107

SENATE BILL NO. 85—

By POWERS, LOOFBOURROW (Senate), SNODDY, ODELL and ALLEN (House).

An Act making an emergency appropriation for the Western Oklahoma Hospital for the fiscal year ending June 30, 1929, and declaring an emergency.

First Reading	262-263
Second Reading	289
Reported	468-469
Considered and Advanced	495
Reported Engrossed	641
Third Reading	649-650
Engrossed Copy Signed and Transmitted to House ...	650
Passed by House	1095
Referred for Enrollment	1096
Reported Enrolled	1096
Fourth Reading	1096
Enrolled Copy Returned by House	1137
Transmitted to Governor	1138

SENATE BILL NO. 86—

By FLETCHER JOHNSON.

An Act amending Section 2, Chapter 16, Oklahoma Session Laws of 1923, relating to the maximum rate of speed a

motor vehicle may be driven upon highways within the State of Oklahoma, and declaring an emergency.

First Reading	284
Second Reading	298
Reported	785-786
Considered and Advanced	809
Reported Engrossed	824-825
Third Reading	842-843
Title Amended	843
Motion Lodged to Reconsider	843
Votes Reconsidered by Which Passed and Advanced to Engrossment and Third Reading	1062
Considered and Advanced	1062-1063
Considered Engrossed	1063
Final Passage	1064
Referred for Engrossment	1065
Reported Engrossed	1071
Engrossed Copy Signed and Transmitted to House	1072
Passed by House, As Amended	1342
House Amendments Read	1342-1343
Senate Concurs in House Amendments	1343
Bill Passed As Amended	1343-1344
Referred for Enrollment	1345
Reported Enrolled	1376
Fourth Reading	1376
Enrolled Copy Returned by House	1391
Transmitted to Governor	1391

SENATE BILL NO. 87—

By LOOFBOURROW.

An Act amending Section 6729, Compiled Oklahoma Statutes, 1921, as amended by Session Laws of 1925, Chapter 132, and by Session Laws of 1925, Chapter 92, relating to life insurance.

First Reading	284
Second Reading	298
Reported	603
Stricken from Calendar	1107

SENATE BILL NO. 88—

By EASTER.

An Act amending Section 574 of the Compiled Oklahoma Statutes, annotated, 1921, and declaring an emergency.

First Reading	285
Second Reading	298

SENATE BILL NO. 89—

By ANGLIN.

An Act amending Section 1893, Compiled Oklahoma Statutes, 1921, relating to lotteries, and declaring an emergency.

First Reading	285
Second Reading	298
Reported	344
Considered, Amended and Advanced	377-379
Reported Engrossed	390-391
Third Reading	397-398
Engrossed Copy Signed and Transmitted to House ...	398
Passed by House	1048
Referred for Enrollment	1048
Reported Enrolled	1082-1083
Fourth Reading	1083
Enrolled Copy Returned by House	1122
Transmitted to Governor	1124

SENATE BILL NO. 90—

By TERWILLEGER, SMITH and GRAY.

An Act to require the registration of motor vehicles, trailers and semi-trailers and to require the payment of fees thereupon and to require report to be made of any accident involving a vehicle and to impose certain duties and obligations upon the owners of motor vehi-

cles rented without drivers, and to prevent the taking, transfer of or injury to any vehicle without the consent of the owner; to provide for the office of vehicle commission and a department of motor vehicles and their powers and duties hereunder; to regulate court procedure in certain civil actions arising under this Act; to provide penalties for violations of this Act and to make uniform the law relating to the subject matter of this Act.

First Reading	296
Second Reading	322
Reported and Re-referred	344-345

SENATE BILL NO. 91—

By WHEATLEY and COMMONS.

An Act amending Section 10,203, Compiled Oklahoma Statutes, 1921, relating to construction and maintenance of township roads and bridges; authorizing the expenditure of funds derived from the two mill drag tax on property located in incorporated towns within municipal townships upon the streets and alleys of such towns, and declaring an emergency.

First Reading	296-297
Second Reading	322

SENATE BILL NO. 92—

By ANGLIN.

A Bill to be entitled: An Act amending Section 2629, Compiled Laws of Oklahoma, 1921, relating to disqualification of trial judge, and declaring an emergency.

First Reading	297
Second Reading	322
Reported, do not Pass	472

SENATE BILL NO. 93—

By SMITH.

An Act creating the offices of the employees of the Oklahoma Legislature, fixing the salaries of such employees, and repealing all Acts or parts of Acts in conflict herewith.

First Reading	297
Second Reading	322

SENATE BILL NO. 94—

By PATTON.

An Act to amend Section 8234, Compiled Oklahoma Statutes, 1921, relating to the duties of the overseers of the poor, and declaring an emergency.

First Reading	297
Second Reading	322
Reported	629-630
Stricken from Calendar	1107

SENATE BILL NO. 95—

By ANGLIN.

An Act to amend Section 8234, Compiled Oklahoma Statutes, 1921, relating to and providing that set-offs or counter-claims which involve solely a money demand shall not be barred by the statutes of limitations until the claim of the plaintiff is so barred, and declaring an emergency.

First Reading	297
Second Reading	322
Reported	345
Considered	379, 400, 420, 617

Reported Engrossed	1128
Third Reading	1131
Motion Lodged to Reconsider	1131
Motion to Reconsider Failed	1149-1150
Amended	1150
Referred for Re-engrossment	1150
Reported Engrossed	1198
Engrossed Copy Signed and Transmitted to House	1198

SENATE BILL NO. 96—

By GULAGER.

An Act amending Section 2927, Compiled Oklahoma Statutes, 1921, relating to forfeiture of bail, repealing all laws in conflict herewith, and declaring an emergency.

First Reading	297
Second Reading	322
Reported and Re-referred	389-390

SENATE BILL NO. 97—

By GULAGER.

An Act amending Section 5744, Compiled Oklahoma Statutes, 1921, relating to the County Attorney, repealing all laws in conflict herewith, and declaring an emergency.

First Reading	297
Second Reading	322
Reported	571-572
Considered and Indefinitely Postponed	1107

SENATE BILL NO. 98—

By LOOFBOURROW and STIGLER.

An Act making it unlawful to repeat or scatter false rumors or reports of a slanderous or harmful nature concern-

ing any person or persons, and providing a penalty therefor, and declaring an emergency.

First Reading	298
Second Reading	322
Considered, Amended and Advanced	421
Reported Engrossed	426
Third Reading	428
Engrossed Copy Signed and Transmitted to House ...	429
Passed by House	1376-1377
Referred for Enrollment	1377
Reported Enrolled	1386
Fourth Reading	1386
Enrolled Copy Returned by House	1398
Transmitted to Governor	1399

SENATE BILL NO. 99—

By ANDREWS.

A Bill to be entitled: An Act amending Section 9230, Compiled Oklahoma Statutes, 1921, relating to the salaries of officers and employees of the Oklahoma State Prison at McAlester, Oklahoma, the employment of assistants, deputies, turnkeys, doorkeepers, sergeants, guards and such other employees as may be necessary, and repealing all Acts in conflict herewith.

First Reading	329
Second Reading	352

SENATE BILL NO. 100—

By JOHNSON (Creek).

An Act repealing Chapter 163, Oklahoma Session Laws, 1925, providing for the salaries and expenses of the County Commissioners of Creek County, and declaring an emergency.

First Reading	329
Second Reading	352

Referred to Calendar	352-353
Considered and Advanced	379
Considered Engrossed	379
Third Reading	379-380
Amended	380
Referred for Engrossment	380
Reported Engrossed	390-391
Engrossed Copy Signed and Transmitted to House	391
Passed by House	738
Referred for Enrollment	739
Fourth Reading	744
Enrolled Copy Returned by House	799-800
Transmitted to Governor	800
Approved by Governor	840

SENATE BILL NO. 101—

By JOHNSON (Creek).

An Act amending Section 9744, Compiled Oklahoma Statutes, 1921, as amended by Section 4, Chapter 158, Session Laws of 1923, and Section 9745, Compiled Oklahoma Statutes, 1921, as amended by Section 5, Chapter 158, Session Laws of 1923, relating to delinquent taxes and the sale thereof by the County Treasurer, repealing all laws in conflict herewith, and declaring an emergency.

First Reading	330
Second Reading	353

SENATE BILL NO. 102—

By FERGUSON.

An Act amending and re-enacting Section 9574, Compiled Oklahoma Statutes, 1921, exempting chickens, turkeys, ducks, gees and guineas in the aggregate amount of not to exceed Two Hundred (\$200.00) Dollars, and farm products in the raw state from ad valorem taxation.

First Reading	330
Second Reading	353
Reported	426
Considered and Advanced	486
Reported Engrossed	531
Third Reading	536-537
Engrossed Copy Signed and Transmitted to House ...	537
Motion Lodged to Reconsider	540
Reconsidered	547-548
Referred to Special Committee	548

SENATE BILL NO. 103—

By FERGUSON.

A Bill entitled: An Act amending and re-enacting Section 6595, Compiled Oklahoma Statutes, 1921, reserving to the head of every family certain property exempt from attachment or execution, and every other species of forced sale for the payment of debts.

First Reading	330
Second Reading	353
Reported	572
Stricken from Calendar	1107

SENATE BILL NO. 104—

By HILL (Senate) and IMMELL (House).

An Act authorizing County Commissioners of Alfalfa County, Oklahoma, to make a special levy for the purpose of erecting live stock and exhibit buildings and making improvements on the grounds of the Free Fair Association upon real estate owned by the said county for Free Fair purposes and declaring an emergency.

First Reading	330
Second Reading	353
Referred to Calendar	353
Considered and Advanced	380

Considered Engrossed	380
Third Reading	381-382
Referred for Engrossment	382
Reported Engrossed	390-391
Engrossed Copy Signed and Transmitted to House ...	391
Passed by House	485
Referred for Enrollment	485
Reported Enrolled	488-489
Fourth Reading	489
Enrolled Copy Returned by House	511-512
Transmitted to Governor	512
Approved by Governor	551-552

SENATE BILL NO. 105—

By RAY.

An Act amending Section 5727, Compiled Oklahoma Statutes, 1921, as amended by Section 1, Chapter 88, Oklahoma Session Laws of 1925, relating to County Depositories, and declaring an emergency.

First Reading	330-331
Second Reading	353
Reported, do not Pass	572
Referred to Calendar	573
Stricken from Calendar	1107

SENATE BILL NO. 106—

By GULAGER.

An Act repealing Article 15, Chapter 29, Compiled Oklahoma Statutes, Annotated, 1921, and declaring an emergency.

First Reading	351
Second Reading	368
Withdrawn and Referred to Calendar	422
Considered and Advanced	475

Reported Engrossed	606
Third Reading	624-626
Engrossed Copy Signed and Transmitted to House	626

SENATE BILL NO. 107—

By MOORE.

An Act amending Sections 9601, 9602 and 9603 of Compiled Oklahoma Statutes, 1921.

First Reading	351
Second Reading	368

SENATE BILL NO. 108—

By BOYER.

An Act amending Section 1, Chapter 88, Oklahoma Session Laws 1925, relating to County Depositories, and declaring an emergency.

First Reading	351
Second Reading	368
Reported	499
Stricken from Calendar	1107

SENATE BILL NO. 109—

By STEWART.

An Act repealing Section 2, Chapter 16, Oklahoma Session Laws 1923, relating to the driving and operating of motor vehicles, and declaring an emergency.

First Reading	352
Second Reading	368

SENATE BILL NO. 110—

By AUSTIN.

An Act making it unlawful for any person to operate in Oklahoma, any electrical machine that will in any way cause an interference with the operation of a radio without having said electrical machine grounded; fixing penalties for violation thereof, and declaring an emergency.

First Reading	352
Second Reading	368
Reported	472
Considered and Advanced	564
Reported Engrossed	575
Third Reading	594
Amended	594
Referred for Re-engrossment	594
Final Passage	844-845
Emergency Stricken	845
Notice Lodged to Reconsider	845
Notice Withdrawn	975
Engrossed Copy Signed and Transmitted to House ...	875

SENATE BILL NO. 111—

By TERWILLEGER (Senate) SEARS, PARKER (House).

An Act amending Section 9707 of Chapter 84, Article 10 of the Compiled Oklahoma Statutes Annotated, 1921, repealing Section 9709 of said Chapter 84, Art. 10 of said Statutes, and declaring an emergency.

First Reading	365
Second Reading	393

SENATE BILL NO. 112—

By LOOFBOURROW, JOHNSON (Creek), HILL, RICE, GRAHAM, EWING, PECK, et al.

An Act to create the State Park Commission, to define its rights, privileges, powers and duties in acquiring and

maintaining State Parks, and to authorize the establishment of public parks throughout the State for the preservation of places of historic, natural and recreational interest, authorizing grants and donations in all of such purposes, making an Appropriation therefor and declaring an emergency.

First Reading	365
Second Reading	393

SENATE BILL NO. 113—

By COMMITTEE ON SOLDIERS' RELIEF.

An Act providing for an Appropriation of Thirty-five Thousand (\$35,000.00) Dollars for the fiscal year ending June 30, 1931, for the maintenance of orphans and children of World War veterans at the American Legion Home School and providing for the expenditure of the same on a per capita basis and requiring a report.

First Reading	365
Second Reading	393

SENATE BILL NO. 114—

By TERWILLEGER (Senate), PARKER (House):

An Act providing that property, funds and revenues of charitable Corporations whose net earnings do not inure to the benefit of any individual shall be exempt from taxation and declaring an emergency.

First Reading	365
Second Reading	393

SENATE BILL NO. 115--

By STORMS.

An Act amending Section 33, Chapter 174, Session Laws of Oklahoma 1923, relating to the maintenance and

repairing of permanent improved streets in Cities and
Towns and declaring an emergency.

First Reading ----- 365-366
Second Reading ----- 394

SENATE BILL NO. 116—

By OTJEN, FERGUSON, et al (Senate), SNODDY, DRAKE, et al
(House).

An Act creating a Highway Commission composed of three
members, fixing their tenure of office and salaries, pro-
viding for their appointment and procedure for the
removal of Highway Commissioners, repealing Section
1, Chapter 71, Session Laws 1927, and declaring an
emergency.

First Reading ----- 366
Second Reading ----- 394

SENATE BILL NO. 117—

By REED, THOMAS (Senate), CARMICHAEL, LOWRY (House)

An Act requiring County Commissioners to designate and
maintain as County Highways all roads not designated
as State Highways which are on a prescribed route of
rural free mail delivery carriers, repealing all Acts or
parts of Acts in conflict herewith, and declaring an
emergency.

First Reading ----- 366
Second Reading ----- 394

SENATE BILL NO. 118—

By THOMAS.

An Act amending Section 1, Chapter 198, Session Laws
1925, providing that persons using gasoline in farm

tractors, stationary engines and gasoline engines for agricultural purposes shall be refunded the excise tax on gasoline, providing a penalty for making false affidavits by persons seeking to collect refunds, repealing all laws in conflict herewith, and declaring in emergency.

First Reading	366
Second Reading	394

SENATE BILL NO. 119—

By TERWILLEGER (Senate) and SEARS (House).

An Act authorizing cities and towns to acquire by condemnation, purchase, gift, or otherwise, real estate, for the purpose of constructing, building, laying out, opening, widening, extending or straightening streets, alleys, boulevards, playgrounds, parks, public squares and public ways, providing for the payment of the cost and improvement thereof by the levy and collection of special assessments against all property benefitted by reason of such acquisition and improvement, authorizing the issuance and sale of bonds secured by special assessments, providing for the payment of said bonds, authorizing the making of all such improvements, repealing all laws in conflict herewith, and declaring an emergency.

First Reading	391
Second Reading	416

SENATE BILL NO. 120—

By ANDREWS.

An Act conferring and confirming upon courts of record remedial jurisdiction to hear and determine controversies and enter declaratory judgments where no further relief is or could be claimed; providing for review of

such judgment; for jury trials of such controversies where necessary; defining the terms of said Act; and declaring an emergency.

First Reading	391-392
Second Reading	416
Reported	630
Stricken from Calendar	1107

SENATE BILL NO. 121—

By STORMS:

An Act regulating the slaughter and sale of the meat of animals and domestic poultry for market and providing that every person engaged in the occupation of a butcher or slaughterer of cattle in this State shall file a bond to be approved by the County Judge of the County in which he desires to carry on such business setting out the terms of said bond and providing penalties for violation thereof; and repealing all laws in conflict therewith, and declaring an emergency.

First Reading	392
Second Reading	416

SENATE BILL NO. 122—

By RAY.

An Act making taxes a prior lien on insurance policies, contracts and funds accruing by reason of loss thereunder, making it the duty of the insurer to ascertain if any taxes are due on the property covered by insurance contract and to pay the taxes due before making payment to insured, repealing all laws in conflict herewith, and declaring an emergency.

First Reading	392
Second Reading	416
Reported	897
Stricken from Calendar	1107

SENATE BILL NO. 123—

By WHEATLEY, STIGLER and COMMONS.

An Act to amend Chapter 113, Session Laws 1923, providing for the supervision, regulation and conduct of the transportation of passengers for compensation over the public highways of the State of Oklahoma by motor vehicles, conferring jurisdiction upon the Corporation Commission, providing for the enforcement of the provisions of this Act, and for the punishment for violation hereof; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency.

First Reading	392
Second Reading	416

SENATE BILL NO. 124—

By STORMS (Senate) and JONES (House).

An Act authorizing the Board of City Commissioners of the city of Duncan to waive, remit and refund certain penalty or interest on delinquent paving taxes and assessments and authorizing the County Treasurer of Stephens County, Oklahoma, to collect said paving taxes and assessments without collecting the penalty or interest delinquent thereon, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

First Reading	392-393
Second Reading	416
Referred to Calendar	416-417
Considered and Advanced	438
Reported Engrossed	446
Third Reading	449-450
Engrossed Copy Signed and Transmitted to House ...	450
Passed by House	485
Referred for Enrollment	485
Reported Enrolled	486
Fourth Reading	486-487

Enrolled Copy Returned by House	512
Transmitted to Governor	512
Approved by Governor	552-553

SENATE BILL NO. 125—

By ANGLIN.

A Bill to be entitled: An Act authorizing and empowering the Excise Board of Hughes County, Oklahoma, to levy, in addition to all other authorized levies for current expenses, a special tax of not to exceed one-half of one mill for improvements to the Free Fair grounds situated in Hughes County, adjacent to the city of Holdenville, Oklahoma, for the fiscal years 1929-1930 and 1930-1931, and declaring an emergency.

First Reading	393
Second Reading	417
Referred to Calendar	417
Considered and Advanced	438
Reported Engrossed	454
Third Reading	459-461
Engrossed Copy Signed and Transmitted to House.	461
Passed by House	509
Referred for Enrollment	509
Reported Enrolled	531
Fourth Reading	531
Enrolled Copy Returned by House	581
Transmitted to Governor	581
Approved by Governor	689

SENATE BILL NO. 126—

By GRAY.

An Act making it unlawful for any member of the Legislature during the term for which he was elected, or any state official or employee, to represent any person, firm, contractor or corporation before the State Board of Public Affairs, the State Board of Agriculture, the

State Highway Commission, the State Insurance Board, the State Board of Education, or the State Banking Board or Department, fixing a penalty for the violation thereof, and declaring an emergency.

First Reading	414
Second Reading	426

SENATE BILL NO. 127—

By JOHNSON (Creek).

An Act to authorize the issuance of contingent endowment certificates of insurance by life insurance companies and fraternal benefit societies; to provide for the maintenance of a reserve thereon, and declaring an emergency.

First Reading	414
Second Reading	427
Reported	604
Stricken from Calendar	1107

SENATE BILL NO. 128—

By MOORE.

An Act repealing Sections 1, 2, 3, and 4, of Chapter 101, Session Laws, 1925, relating to railroad crossings, and declaring an emergency.

First Reading	414
Second Reading	427
Reported	604
Stricken from Calendar	1107

SENATE BILL NO. 129—

By GRAY.

An Act making provisions for accidents on steam railroads, interurban electric railways and motor buses,

requiring each company, corporation, lessee, owner, operator or receiver or other person owning or operating a steam railway, interurban electric railway, or motor bus in the State of Oklahoma, in whole or in part, to provide each train or motor bus so operated, with a package containing the Articles hereinafter mentioned for first aid of persons who may be injured in the course of the operation of such train or bus, and providing for penalty for violation thereof.

First Reading	414
Second Reading	427

SENATE BILL NO. 130—

By GRAY.

An Act making it unlawful for any member of the Oklahoma Legislature during the term for which he was elected, or for any state officer or employee, to sell or offer for sale, or to represent others in selling, or offering for sale, any insurance or property to the State of Oklahoma, or to any institution or Department thereof, providing penalties for violation thereof, and declaring an emergency.

First Reading	415
Second Reading	427

SENATE BILL NO. 131—

By GRAY.

An Act amending Section 1653, Compiled Oklahoma Statutes, 1921, relating to Nepotism, and declaring an emergency.

First Reading	415
Second Reading	427

SENATE BILL NO. 132—

By GRAY.

An Act making it unlawful for any member of the Legislature during the term for which he was elected or for any state official or employee, to represent any person in seeking a reprieve, pardon or parole before the State Pardon and Parole office or from the Governor of Oklahoma, fixing a penalty for the violation thereof, and declaring an emergency.

First Reading	415
Second Reading	427

SENATE BILL NO. 133—

By JOLLY (Senate) and MAUK (House).

An Act fixing the salary of the County Attorney and Assistant County Attorney, and providing for the appointment of a stenographer for the County Attorney and fixing the salary of stenographer, in Caddo County, Oklahoma, repealing all Acts in conflict herewith, and declaring an emergency.

First Reading	415
Second Reading	427
Referred to Calendar	427
Considered and Advanced	437
Reported Engrossed	446
Third Reading	448-449
Engrossed Copy Signed and Transmitted to House ...	449
Passed by House	484-485
Referred for Enrollment	485
Reported Enrolled	488-489
Fourth Reading	489
Enrolled Copy Returned by House	512
Transmitted to Governor	512
Approved by Governor	553

SENATE BILL NO. 134—

By FIDLER.

An Act authorizing certain county officers in counties having a population of 100,000 or more as shown by the last General or Special Federal Census, or any future General or Special Federal Census, to appoint deputies in said offices by and with the consent of the County Commissioners, the salaries of said deputies to be fixed by the County Commissioners, repealing all laws in conflict herewith, and declaring an emergency.

First Reading	416
Second Reading	427
Reported	604-605
Considered and Advanced	949
Reported Engrossed	967
Vote Reconsidered by Which Advanced	972
Considered, Amended and Advanced	972-974
Considered Engrossed	974
Third Reading	974-975
Referred for Engrossment	975
Reported Engrossed	981-982
Engrossed Copy Signed and Transmitted to House ...	982
Passed by House	1325
Referred for Enrollment	1326
Reported Enrolled	1339
Fourth Reading	1339
Enrolled Copy Returned by House	1374
Transmitted to Governor	1375

SENATE BILL NO. 135—

By MacDONALD and ANGLIN.

An Act to regulate the sale and offering for sale of stocks, bonds, and other securities in the State of Oklahoma and providing penalties for the violation thereof, and to repeal Article LXII of the Compiled Statutes of Oklahoma, 1921, and declaring an emergency.

First Reading	435
Second Reading	437

SENATE BILL NO. 136—

By JOHNSON (Creek).

An Act prohibiting the erection of markers giving road information upon State Highways without authority of the State Highway Commission, prescribing a penalty, and declaring an emergency.

First Reading	436-437
Second Reading	446

SENATE BILL NO. 137—

By ANGLIN.

A Bill to be entitled: An Act abolishing township government in Hughes County, Oklahoma, and providing that the duties of township officers shall be performed by the Board of County Commissioners of said county, and declaring an emergency.

First Reading	437
Second Reading	446
Referred to Calendar	446
Considered and Advanced	447
Reported Engrossed	454
Third Reading	461-462
Engrossed Copy Signed and Transmitted to House ...	462
Passed by House	508-509
Referred for Enrollment	509
Reported Enrolled	531
Fourth Reading	531
Enrolled Copy Returned from House	580
Transmitted to Governor	580
Approved by Governor	689-690

SENATE BILL NO. 138—

By REXROAT.

An Act relating to the distribution of the automobile license tax and the gasoline excise tax received in Carter County, Oklahoma, and declaring an emergency.

First Reading	437
Second Reading	447
Referred to Calendar	447
Referred to Special Committee	447

SENATE BILL NO. 139—

By SMITH.

An Act providing that contractors constructing public buildings or works in which any county, city, town, township or school district contributes a part of the contract price shall furnish a surety performance bond executed by an agent of the surety company who resides in said municipal subdivision of government in the county in which same is located, repealing all laws in conflict herewith, and declaring an emergency.

First Reading	437
Second Reading	447

SENATE BILL NO. 140—

By STEWART.

An Act providing for the correction of errors of law and fact occurring prior to and in the trial of criminal and civil cases in the District, Superior and County Courts, and providing the procedure for the correction of errors occurring prior to and in the trial of criminal and civil cases in the District, Superior and County Courts.

First Reading	457-458
Second Reading	474

State Highway Commission, the State Insurance Board, the State Board of Education, or the State Banking Board or Department, fixing a penalty for the violation thereof, and declaring an emergency.

First Reading	414
Second Reading	426

SENATE BILL NO. 127—

By JOHNSON (Creek).

An Act to authorize the issuance of contingent endowment certificates of insurance by life insurance companies and fraternal benefit societies; to provide for the maintenance of a reserve thereon, and declaring an emergency.

First Reading	414
Second Reading	427
Reported	604
Stricken from Calendar	1107

SENATE BILL NO. 128—

By MOORE.

An Act repealing Sections 1, 2, 3, and 4, of Chapter 101, Session Laws, 1925, relating to railroad crossings, and declaring an emergency.

First Reading	414
Second Reading	427
Reported	604
Stricken from Calendar	1107

SENATE BILL NO. 129—

By GRAY.

An Act making provisions for accidents on steam railroads, interurban electric railways and motor buses,

Considered and Amended	1027-1028
Advanced	1028
Consideration Deferred	1028

SENATE BILL NO. 144—

By TERWILLEGER.

An Act providing for the safety and security of county funds and securities in the custody of County Treasurers in counties having a population of more than 100,000; providing for the bonding of Deputy County Treasurers, bonds to be approved by the Board of County Commissioners and paid for by the county; providing for action thereon, and declaring an emergency.

First Reading	458
Second Reading	474
Reported	500
Considered and Advanced	565
Reported Engrossed	605-606
Third Reading	623-624
Engrossed Copy Signed and Transmitted to House ...	624
Passed by House as Amended	1385
House Amendment Read, Senate Concurs in House Amendment	1385
Referred for Enrollment	1385
Reported Enrolled	1386
Fourth Reading	1386
Enrolled Copy Received from House	1398
Transmitted to Governor	1399

SENATE BILL NO. 145—

By ANDREWS.

An Act amending Section 5506, Compiled Oklahoma Statutes, 1921, relating to appraisement of lands taken under the eminent domain statutes of the State of Oklahoma; providing for a mileage in addition to com-

pensation for said commissioners, and declaring an emergency.

First Reading	458
Second Reading	474

SENATE BILL NO. 146—

By REXROAT.

An Act amending Section 10,203, Compiled Oklahoma Statutes, 1921, relating to dragging and maintenance of township roads, making a special levy of two mills therefor, in addition to the maximum levy of one and one-half mills for township purposes authorized by Section 9692, Compiled Oklahoma Statutes, 1921, and declaring an emergency.

First Reading	459
Second Reading	474

SENATE BILL NO. 147—

By FERGUSON.

An Act amending and re-enacting Sections 1 and 3 of Chapter 75, Session Laws 1927, being Section 8820 and 8820B, of the 1927 Supplement Compiled Oklahoma Statutes, 1921; providing for the exemption of disabled ex-service persons from the payment of a license fee or tax for hawking and peddling; providing the method of issuing said certificate and fixing the rules governing the issuance thereof.

First Reading	459
Second Reading	474
Reported	573
Stricken from Calendar	1107

SENATE BILL NO. 148—

By FIDLER.

An Act providing that all contracts for public work on the part of the State of Oklahoma or any municipal subdivision thereof shall provide for the use of raw material produced in Oklahoma, and declaring an emergency.

First Reading	459
Second Reading	474
Withdrawn and Re-referred	482

SENATE BILL NO. 149—

By FIDLER.

An Act making it a crime for two or more persons to conspire to commit any offense against the State of Oklahoma, or to defraud the State of Oklahoma, or any municipal subdivision thereof, or to enter into any agreement, plan or device to refrain from bidding or to make any split, complimentary or to trick bid upon any public work, prescribing the punishment therefor, and declaring an emergency.

First Reading	473
Second Reading	481

SENATE BILL NO. 150—

By PULLEN.

An Act relating to the incorporation in Oklahoma of corporations authorized to publish magazines, newspapers and periodicals in the State of Oklahoma, providing that seventy-five per cent (75 %) of the authorized capital stock thereof must be owned by residents of the State of Oklahoma, and declaring an emergency.

First Reading	473
Second Reading	481

SENATE BILL NO. 151—

By WHEATLEY and ANGLIN.

An Act making it the duty of the County Assessor, upon request of an interested party in real estate, to segregate and prorate upon the proper records of the office of the County Treasurer and to make it the duty of the County Treasurer to accept same and prorate taxes and issue receipts, and if sold for taxes to issue pro rata redemption receipts in cases where parties interested in real estate have obtained their interest subsequent to the assessment of said property where it has been previously assessed in a tract or body with other property.

First Reading	473-474
Second Reading	481

SENATE BILL NO. 152—

By LOOFBOURROW and MACDONALD.

An Act making an appropriation for the repairs on the vault of the State Treasury, and declaring an emergency.

First Reading	480
Second Reading	491
Reported	573
Considered and Advanced	857
Reported Engrossed	1029
Third Reading	1029-1030
Engrossed Copy Signed and Transmitted to House	1030
Passed by House	1382
Referred for Enrollment	1382
Reported Enrolled	1386
Fourth Reading	1386
Enrolled Copy Returned by House	1398
Transmitted to Governor	1399

SENATE BILL NO. 153—

By POWERS, RAY, KIMERER (Senate), and HESTER and GIBSON (House).

An Act amending Chapter 157, Session Laws of Oklahoma, 1923, relating to Fidelity Bonds of employes and officers of banks; repealing all Acts in conflict therewith and declaring an emergency.

First Reading	481
Second Reading	491
Reported	630
Stricken from Calendar	1107

SENATE BILL NO. 154—

By EASTER (Senate) and ALLEN (House).

An Act amending Section 3462, Compiled Oklahoma Statutes, 1921, defining "Public Utilities" and declaring an emergency.

First Reading	481
Second Reading	491

SENATE BILL NO. 155—

By BOYER.

An Act relating to notaries public, amending Sections 130 and 7860, Compiled Oklahoma Statutes, 1921, and declaring an emergency.

First Reading	481
Second Reading	491
Reported	574
Considered and Advanced	714
Considered Engrossed	714

Third Reading	714-715
Referred for Engrossment	715
Engrossed Copy Signed and Transmitted to House ---	730

SENATE BILL NO. 156—

By BOYER.

An Act amending Section 670, Compiled Oklahoma Statutes, 1921, pertaining to judgments in foreclosure proceedings, and declaring an emergency.

First Reading	481
Second Reading	491

SENATE BILL NO. 157—

By BOYER.

An Act limiting the amount of recovery of Attorney's fees in all cases where the fee is set by contract or allowed by statutes, and declaring an emergency.

First Reading	481
Second Reading	491

SENATE BILL NO. 158—

By WHEATLEY.

An Act fixing the salaries of certain County Officials of Craig County, Oklahoma, and of certain deputy county officials of Craig County, Oklahoma, repealing all Acts in conflict herewith, and declaring an emergency.

First Reading	481
Second Reading	491

Referred to Calendar	491
Considered and Advanced	507
Reported Engrossed	523
Third Reading	525-527
Engrossed Copy Signed and Transmitted to House ---	527
Passed by House	697
Referred for Enrollment	698
Reported Enrolled	710
Fourth Reading	711
Enrolled Copy Returned by House	739
Transmitted to Governor	740
Approved by Governor	750-751

SENATE BILL NO. 159—

By FIDLER (Senate), HOOVER, MARKER, EYLAR (House).

An Act relating to certain duties of the County Commissioners in certain counties of the State of Oklahoma, having a population in excess of 115,000 inhabitants, as shown by the last preceding, or any future regular Federal decennial census, in relation to overseeing and care of the poor, providing for the construction of a hospital under certain conditions, and providing for the maintenance of the same, repealing all Acts or parts of Acts in conflict therewith, and declaring an emergency.

First Reading	489
Second Reading	505-506
Considered and Advanced	711
Reported Engrossed	932
Third Reading	933-934
Engrossed Copy Signed and Transmitted to House ---	934
Passed by House	1047
Referred for Enrollment	1047
Reported Enrolled	1082-1083
Fourth Reading	1083
Enrolled Copy Returned by House	1122-1123
Transmitted to Governor	1124

SENATE BILL NO. 160—

By GRAY.

An Act providing for the appointment, qualification, duties and compensation of a State Architect, and declaring an emergency.

First Reading	489
Second Reading	506

SENATE BILL NO. 161—

By GRAY.

An Act relating to insurance on State property and buildings, fixing penalties for violation thereof, and declaring an emergency.

First Reading	490
Second Reading	506
Reported	897
Stricken from Calendar	1107

SENATE BILL NO. 162—

By GULAGER, HILL, PATTON (Senate), NANCE, STOVALL, PATTERSON, MAXWELL (House).

An Act creating a State Tax Commission; prescribing the powers and duties of the commission and its agents; prescribing qualification of members; fixing their salaries and term of office; providing for a uniform system for the assessment of property for the purpose of taxation; making the system for the appraisal of property for taxation purposes which may be adopted and the rules for its application mandatory upon all assessing

officers; providing for penalties for any violation of this Act; and declaring an emergency.

First Reading	490
Second Reading	506

SENATE BILL NO. 163—

By LOOFBOURROW.

An Act amending Section 5286, of Compiled Oklahoma Statutes of 1921, relating to attestation of corporations to instruments and to corporations seal-exception, and declaring an emergency.

First Reading	490
Second Reading	506

SENATE BILL NO. 164—

By JOHNSON (Creek).

An Act requiring dealers in goods, wares and merchandise, operating under the guise of private individuals from apartments and private houses to place the word "dealer" in their advertisement and prescribing a punishment for violations thereof, and declaring an emergency.

First Reading	490
Second Reading	506

SENATE BILL NO. 165—

By GULAGER.

An Act directing the County Commissioners, Muskogee County, to contract with the City of Muskogee to permit such city to feed the prisoners of said county; pre-

scribing the conditions thereof; creating three (3) additional deputy sheriffs; providing no jail guards may be employed; repealing conflicting laws and declaring an emergency.

First Reading	490-491
Second Reading	506
Referred to Calendar	506
Considered and Advanced	564
Reported Engrossed	674
Third Reading	679-680
Engrossed Copy Signed and Transmitted to House	680
Passed by House, As Amended	1333-1334
House Amendments Read	1334
Senate Refuses to Concur in House Amendments and Requests Conference	1335
House Grants Conference and Appoints Con- ferees	1366-1367
Senate Conferees Appointed	1367

SENATE BILL NO. 166—

By MacDONALD.

An Act providing an exclusive method of nominating Justices of the Supreme Court by petition as contemplated by Art. 7, Sec. 3, Constitution, upon a non-partisan basis, and providing a special primary in districts where under existing law nominations are to be made, providing a special primary election therefor, providing for the issuance of certificates of nomination and contests therefor, providing for the election of Justices of the Supreme Court, in the general election held throughout the State, upon a separate ballot, without regard to the candidates' political affiliations, making it a misdemeanor to violate the provisions hereof and repealing all Acts and parts of Acts in conflict herewith.

First Reading	505
Second Reading	523
Reported	605
Stricken from Calendar	1107

SENATE BILL NO. 167—

By FIDLER.

An Act amending Section One, Chapter 126, Session Laws of Oklahoma, 1923-24, same being an Act creating juvenile or probation officers in counties having a population of over 116,000 persons, and in counties having a population of not less than 30,179, and not more than 30,181, according to the preceding Federal decennial census, and providing for the compensation and manner of appointment, and declaring an emergency.

First Reading	523
Second Reading and Placed on Calendar	536
Considered and Advanced	711
Reported Engrossed	722
Third Reading	725-726
Engrossed Copy Signed and Transmitted to House ...	727
Returned by House	1335
House Amendment Read	1336
Senate Concurs in House Amendments	1369-1370
House Amendment and Bill Referred for Enrollment	1370
Reported Enrolled	1386
Fourth Reading	1386
Enrolled Copy Returned by House	1398
Transmitted to Governor	1398-1399

SENATE BILL NO. 168—

By DARNELL.

An Act to regulate the manufacture, use and sale of oleomargarine, and prevent any fraud therein and to prescribe penalties and punishments for violations of the provisions thereof.

First Reading	534
Second Reading	543

SENATE BILL NO. 169—

By DARNELL.

An Act making it unlawful to offer, to give, to receive, to retain by any official or member of a school board or school district, servant or employee of such district, any money, property or other thing of value for the discharging of an official duty, or refraining from or failure to discharge such official duty, and from the use by any clerk, agent, or employee of any argument or influence with any member of the board or school district to accomplish such result; defining the offense of bribery in such cases, prescribing penalties and sentences to be imposed upon conviction; and also providing for immunity with relation to witnesses who may testify in proceedings or trials had of a criminal nature, and for other purposes.

First Reading	534
Second Reading	543

SENATE BILL NO. 170—

By BLAKELY, STORMS, MacDONALD, RICE, EASTER, GULAGER, PATTON, WILLIAMS, REED and PULLEN (Senate), LOWRANCE, DYER, WATSON (House).

An Act providing for the appointment of one special dairy agent for each of the Supervisory Districts of the Extension Division of the Oklahoma A. & M. College, fixing their compensation, providing for the purchase of automobiles therefor, defining their duties, making an appropriation therefor, and declaring an emergency.

First Reading	535
Second Reading	543
Reported	574
Stricken from Calendar	1107

SENATE BILL NO. 171—

By CLARK (Senate), CHAPPELL (House).

An Act amending Section 4507, Compiled Oklahoma Statutes, Annotated, 1921, and declaring an emergency.

First Reading	-----	535
Second Reading	-----	543

SENATE BILL NO. 172—

By RAY.

An Act amending Section 5678, Compiled Oklahoma Statutes, 1921, relating to the formation of counties and transferring of territory from one county to another, repealing all laws in conflict therewith, and declaring an emergency.

First Reading	-----	535
Second Reading	-----	544

SENATE BILL NO. 173—

By FERGUSON, OTJEN, HILL, PATTON, TERWILLEGER, BLAKELY, EWING, EASTER, POWERS, KIMERER, CLARK, JOHNSON (Pottawatomie), (Senate), ALLEN (Washington), SNODDY, LEWIS, SHERMAN (House).

An Act creating a State Election Board, county election boards, precinct election boards, providing for the appointment of the members thereof, prescribing their duties, fixing their compensation and amending Sections 6128, 6129, 6130, 6131, 6133, 6155, 6275, 6276, 6278, 6279, 6286, Compiled Statutes of Oklahoma, 1921, providing penalties for the violation thereof, repealing Sections 6139, 6144, 6281, Compiled Statutes of Oklahoma, 1921, and all other Acts or parts of Acts in conflict herewith and declaring an emergency.

First Reading	-----	535-536
Second Reading	-----	544

SENATE BILL NO. 174—

By GULAGER.

An Act to amend Section 3465 and Section 3466, Revised Laws of Oklahoma, 1910, relating to beneficiary who may sue; rights of creditors, and rights of married women as beneficiary.

First Reading	536
Second Reading	544

SENATE BILL NO. 175—

By GULAGER.

An Act permitting composition by banks and trust companies in charge of the State Bank Commissioner, prescribing the procedure for effecting compositions and declaring an emergency.

First Reading	536
Second Reading	544

SENATE BILL NO. 176—

By REED.

An Act providing for three deputies in the office of the county clerk of Beckham County, Oklahoma; fixing their salaries and declaring an emergency.

First Reading	549-550
Second Reading	578
Considered and Advanced	644
Considered Engrossed	644
Third Reading	645-646
Referred for Engrossment	646
Reported Engrossed	652

Engrossed Copy Signed and Transmitted to House	652-653
Passed by House	738-739
Referred for Enrollment	739
Reported Enrolled	744
Fourth Reading	744
Enrolled Copy Returned by House	799
Transmitted to Governor	800
Approved by Governor	840

SENATE BILL NO. 177—

By FLETCHER JOHNSON.

An Act prescribing the minimum number of employees to be used in the operation of freight trains in this state, and providing a penalty for the violation of this Act.

First Reading	550
Second Reading	578

SENATE BILL NO. 178—

By FLETCHER JOHNSON.

An Act to promote the safety of travelers and employees upon railroads and railways in whole or in part in the State of Oklahoma, while operating within said state by any person, persons, partnership or corporation, either as owner, lessee, or receiver, between two or more points or places, wholly within said state, by compelling said person, persons, partnership or corporation to have at least a crew consisting of one motorman, one motorman helper, one conductor, on all gasoline motor car trains, gasoline electric motor car trains and steam motor car trains, providing this Act shall not apply to electric street railways, electric interurban railways, nor to any railway of whatsoever of less than 100 miles in length, and providing for the violation thereof.

First Reading	550
Second Reading	578

SENATE BILL NO. 179—

By FLETCHER JOHNSON.

An Act for the better protection of employees and the public, and prescribing the minimum number of employees to be used in the operation of switch engines, and providing a penalty for the violation of this Act.

First Reading ----- 550
Second Reading ----- 578

SENATE BILL NO. 180—

By JOLLY.

An Act to amend Section 10,006, Compiled Oklahoma Statutes, 1921, relating to compensation of township road supervision.

First Reading ----- 550
Second Reading ----- 578

SENATE BILL NO. 181—

By PATTON.

An Act to amend Section 9649, Compiled Oklahoma Statutes, 1921, relating to transfer of delinquent tax to the tax roll, and fixing a limitation upon the collection of such tax.

First Reading ----- 550-551
Second Reading ----- 578

SENATE BILL NO. 182—

By REED.

An Act fixing the number of deputy sheriffs, and their

salaries in Beckham County, Oklahoma, and declaring
an emergency.

First Reading	551
Second Reading	578
Referred to Calendar	578
Considered and Advanced	620
Considered Engrossed	620
Third Reading	620-621
Referred for Engrossment	621
Reported Engrossed	641
Engrossed Copy Signed and Transmitted to House ...	641
Passed by House	739
Referred for Enrollment	739
Reported Enrolled	744
Fourth Reading	744
Enrolled Copy Returned by House	799
Transmitted to Governor	800
Approved by Governor	840

SENATE BILL NO. 183—

By SOLDIERS' RELIEF COMMITTEE.

A Bill entitled a veterans' uniform guardianship Act, providing for the appointment of guardians of wards of the United States Veterans' Bureau; fixing the manner of appointment; limiting the number of wards for which one person may be guardian; regulating the investment and disbursement of funds belonging to the ward; providing for the furnishing of public records pertaining to said wards; regulating the placing of said wards in hospitals of the United States Veterans' Bureau by the state courts, vesting certain powers in the superintendents of said hospitals; providing for the discharge of the guardian; repealing all Acts and parts of Acts in conflict herewith.

First Reading	575
Second Reading	607

SENATE BILL NO. 184—

By JOHNSON (Creek) and MacDONALD.

An Act creating the office of County Delinquent tax collectors and amending Section No. 9725 and Section No. 9727 and Section No. 9728 of the Compiled Oklahoma Statutes, Annotated, 1921, and repealing Section No. 9726, of said Statutes, relating to the issuance and service, of warrants for the collection of delinquent taxes on personal property and providing for the publication of a list of delinquent taxes on personal property and providing a method for the collection of such taxes and providing for the contents return and endorsements of such tax warrants and providing for the liability of the county delinquent personal tax collector and the county treasurer for failure to perform their respective duties as to the collection of such taxes, and repealing all laws in conflict herewith, and declaring an emergency.

First Reading	575
Second Reading	607
Reported	898
Stricken from Calendar	1107

SENATE BILL NO. 185—

By STORMS.

An Act amending Section 1, Chapter 149, Session Laws, 1925, relating to repairing of streets and alleys and providing that penalties and delinquent taxes in cities of first class may be used for repairing such streets and alleys, and cleaning the same and purchasing equipment for such cleaning, and declaring an emergency.

First Reading	576
Second Reading	607

SENATE BILL NO. 186—

By ANGLIN.

A Bill to be entitled: An Act making appropriation for certain State departments, for emergency necessities; to pay certain unpaid claims against said departments and supplementary appropriations for the remainder of the fiscal year, ending June 30, 1929, and declaring an emergency.

First Reading ----- 576
Second Reading ----- 607

SENATE BILL NO. 187—

By REED, STORMS, STIGLER, et al., (Senate), SNODDY, SMITH, BUSEY, WATSON, et al., (House).

An Act amending Section 1, Chapter 38, Session Laws of Oklahoma, 1923-24, relating to the department of agriculture, creating certain positions, fixing the salaries, and providing for the appointment of employees, providing the number and qualifications of the employees in the feed and fertilizer inspection bureau division of the department of agriculture, authorizing the inspectors of the feed and fertilizer inspection bureau to furnish cars for transportation and to receive ten cents (10c) per mile for the use thereof, authorizing the payment of traveling expenses of inspectors, repealing all laws in conflict herewith, and declaring an emergency.

First Reading ----- 576-577
Second Reading ----- 607

SENATE BILL NO. 188—

By REED, STORMS, STIGLER, et al (Senate), SNODDY, DITTMER, SMITH, et al (House).

An Act amending Section 3773, Compiled Oklahoma Statutes, 1921, and making an appropriation of \$8,100.00 of

the amount received as inspection tax and penalties on feed stuffs received by the Oklahoma State Board of Agriculture for inspection tax and penalties to be used in the payment of salaries, operating expenses, equipping and maintaining an agricultural laboratory to be located in the State Capitol Building, and for publishing reports and bulletins for the agricultural department showing results of the analysis of samples of feed stuffs, fertilizers, and additional information relative thereto, repealing all laws in conflict herewith, and declaring an emergency.

First Reading ----- 577
 Second Reading ----- 607

SENATE BILL NO. 189—

By GRAHAM.

An Act providing for a closed season on raccoons and eagles; providing the penalty for violation thereof, and declaring an emergency.

First Reading ----- 577
 Second Reading ----- 607

SENATE BILL NO. 190—

By GULAGER.

An Act regulating ownership of petroleum, crude oil, and mineral producing lands by foreign owned, or controlled corporations, and or, by citizens, or associations of citizens of foreign nations, providing for the disposition of such lands, now owned, controlled, managed, operated, or held in violation of the provisions of this Act; fixing penalties and declaring an emergency.

First Reading ----- 577
 Second Reading ----- 607

SENATE BILL NO. 191—

By ANGLIN.

An Act creating a revolving fund for the State Training School for Negro Boys near Boley, Oklahoma; providing for additions and accretions to said fund and for the maintenance and disbursement thereof; making an appropriation and declaring an emergency.

First Reading	606
Second Reading	633
Reported	748
Considered and Advanced	1023-1024
Reported Engrossed	1029
Third Reading	1030-1032
Engrossed Copy Signed and Transmitted to House	1032
Passed by House	1382
Referred for Enrollment	1382
Reported Enrolled	1386
Fourth Reading	1386
Enrolled Copy Received from House	1399
Transmitted to Governor	1399

SENATE BILL NO. 192—

By TERWILLEGGER.

An Act permitting and authorizing the Board of County Commissioners of Tulsa County to give, donate, grant and convey certain real estate to Tulsa County Humane Society, a corporation of Tulsa, Oklahoma, repealing all Acts in conflict therewith, and declaring an emergency.

First Reading	606
Second Reading	633
Referred to Calendar	633
Considered and Advanced	643
Considered Engrossed	643
Third Reading	643-644
Referred for Engrossment	644

Reported Engrossed	652
Engrossed Copy Signed and Transmitted to House	652-653
Passed by House	738
Referred for Enrollment	739
Reported Enrolled	744
Fourth Reading	744
Enrolled Copy Returned by House	799
Transmitted to Governor	800
Approved by Governor	840

SENATE BILL NO. 193—

By FERGUSON, ANDREWS, AUSTIN, HILL, SMITH, GULAGER, GRAHAM and DARNELL.

A Bill entitled an Act repealing "An Act imposing a tax on money and credits in lieu of existing tax or existing law, providing the rate of taxation on such money or credits and a method for scheduling for taxation such money, certificates of deposit or evidence thereof, and providing the purposes for which said tax shall be used," being Chapter 72, of Session Laws of 1927.

First Reading	606
Second Reading and Referred to Calendar	633
Considered and Advanced	662-1027
Considered Engrossed	1027
Third Reading	1027
Motion Lodged to Reconsider	1027
Reconsidered	1120-1121

SENATE BILL NO. 194—

By STEWART.

An Act amending Sections 497 and 498, and repealing Sections 499 and 500, all of Article 17, Compiled Oklahoma Statutes, 1921, relating to the publication or circulation of libelous or slanderous statements or publications, and declaring an emergency.

First Reading	631
Second Reading	642

SENATE BILL NO. 195—

By BLAKELY (Senate), LOGAN (House).

An Act amending Section 6337, Compiled Oklahoma Statutes of 1921, by increasing the salary of jailors in counties having a population in excess of 53,000 and not to exceed 61,700 and declaring an emergency.

First Reading	631
Second Reading	642
Withdrawn, and Referred to Calendar	678
Considered and Advanced	686
Considered Engrossed	686
Third Reading	686-687
Motion Lodged to Reconsider	687
Motion to Reconsider Failed	712
Emergency Stricken	712
Referred for Engrossment	712
Reported Engrossed	730
Engrossed Copy Signed and Transmitted to House ..	730

SENATE BILL NO. 196—

By JOHNSON (Creek).

An Act providing for the relief of Laura E. Doolin, surviving widow of Curtis M. Doolin, deceased, Dollie Marie Doolin, Roy Edward Doolin, Violet Ellen Doolin, Curtis James Doolin, and Hazel Irene Doolin, minor children of said decedent.

First Reading	632
Second Reading	642

SENATE BILL NO. 197—

By EWING.

An Act providing for the erection of necessary separate

school buildings by the issuance of time warrants by counties and repealing all laws in conflict therewith.

First Reading	632
Second Reading	642
Reported	736
Considered and Advanced	856
Reported Engrossed	895
Third Reading	903

SENATE BILL NO. 198—

By FERGUSON.

An Act amending Section 10417, of the Compiled Oklahoma Statutes of 1921, requiring an official bond of Treasurers of Independent School Districts, regulating and fixing the amount and conditions thereof, prescribing certain duties for the Treasurer and Board of Education, providing for the suspension of the Treasurer for failing to make reports, and for the appointment of the successor, and declaring an emergency.

First Reading	632
Second Reading	642

SENATE BILL NO. 199—

By DARNELL.

An Act to legalize all orders, judgments, proceedings and official acts made, rendered, amended and performed in the Superior Court of Custer County, Oklahoma, and declaring an emergency.

First Reading	632
Second Reading and Referred to Calendar	642
Considered and Advanced	683
Considered Engrossed	683
Third Reading	683

Referred for Engrossment	684
Reported Engrossed	710
Engrossed Copy Signed and Transmitted to House ...	710
Passed by House	888
Referred for Enrollment	889
Reported Enrolled	895
Fourth Reading	899
Enrolled Copy Returned by House.....	916-917
Transmitted to Governor	918
Approved by Governor	1051

SENATE BILL NO. 200—

By JOHNSON (Creek), EWING, GRAY (Senate), ORNER,
LOGAN, SCHLEGEL, LEECRAFT, et al., (House).

An Act authorizing the construction and equipping of an infirmary building at the Oklahoma Agricultural and Mechanical College, at Stillwater, providing for the issuance and payment of public building bonds of the State, thereof, providing the manner of expending the proceeds of the bonds, providing for the management of the infirmary and authorizing and directing the commissioners of the Land Office of the State of Oklahoma to invest the public building fund of the State of Oklahoma in said bonds, and defining the duties of the Board of Regents in regard thereto.

First Reading	632
Second Reading	643

SENATE BILL NO. 201—

By STORMS.

An Act authorizing the Mayor and City Council of the City of Waurika, Oklahoma, to waive, remit and refund certain penalty or interest on delinquent paving taxes and assessments, and authorizing the County Treasurer of Jefferson County, Oklahoma, to collect said paving

taxes and assessments without collecting the penalty or interest delinquent thereon, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

First Reading	641
Second Reading and Referrred to Calendar	663
Considered and Advanced	681
Considered Engrossed	681
Third Reading	681-682
Referred for Engrossment	682
Reported Engrossed	692
Engrossed Copy Signed and Transmitted to House ...	692
Passed by House	815
Referred for Enrollment	816
Reported Enrolled	829
Fourth Reading	829
Enrolled Copy Returned by House	890
Transmitted to Governor	891
Approved by Governor	913

SENATE BILL NO. 202—

By REXROAT.

An Act to amend Section 4, Chapter 120, Session Laws, 1921, relating to the number of deputies to the County Assessor of Carter County, State of Oklahoma, declaring an emergency.

First Reading	641
Second Reading and Referred to Calendar	663
Considered and Advanced	684
Considered Engrossed	684
Third Reading	685
Referred for Engrossment	686
Reported Engrossed	710
Engrossed Copy Signed and Transmitted to House ...	710
Passed by House	888
Referred for Enrollment	889

Reported Enrolled	898
Fourth Reading	899
Enrolled Copy Returned by House.....	917
Transmitted to Governor	918
Approved by Governor	1051

SENATE BILL NO. 203—

By AUSTIN.

An Act relating to the appointment of service agent for express, common law or statutory trusts, providing for service of summons upon such trusts and declaring an emergency.

First Reading	641-642
Second Reading	663

SENATE BILL NO. 204—

By BLAKELY, MacDONALD

An Act authorizing cities and towns to spray and prune the trees and shrubbery located and growing within said city or town; and providing for the cost thereof, and assessing the same against the said lots, pieces, or parcels of ground upon which said trees or shrubbery are located, and making the cost thereof a lien against the same; providing for the collection thereof; and authorizing cities to purchase the necessary equipment; repealing all laws in conflict herewith, and declaring an emergency.

First Reading	662
Second Reading	676

SENATE BILL NO. 205—

By ANGLIN.

An Act making appropriation to pay Confederate pensions

for the remainder of the fiscal year ending June 30, 1929, and declaring an emergency.

First Reading	662
Second Reading	676
Reported	720-721
Advanced	721
Considered Engrossed	721
Third Reading	721-722
Referred for Engrossment	722
Reported Engrossed	730
Engrossed Copy Signed and Transmitted to House	730
Passed by House	1066
Referred for Enrollment	1067
Reported Enrolled	1082-1083
Fourth Reading	1083
Enrolled Copy Received from House	1123
Transmitted to Governor	1124
Approved by Governor	1328

SENATE BILL NO. 206—

By COMMONS.

An Act creating the office of evidence man in the office of County Attorney of Ottawa County, Oklahoma, fixing the salary thereof and declaring an emergency.

First Reading	662
Second Reading and Referred to Calendar	677
Considered and Advanced	711
Reported Engrossed	722
Third Reading	724-725
Engrossed Copy Signed and Transmitted to House	725
Passed by House	889
Referred for Enrollment	889
Reported Enrolled	898
Fourth Reading	899
Enrolled Copy Returned by House	917
Transmitted to Governor	918
Approved by Governor	1051

SENATE BILL NO. 207—

By WHEATLEY.

An Act validating all informal and irregular certificate of acknowledgments, defective executions of acknowledgments to deeds and other instruments that have been of record in the proper office of any county in the State of Oklahoma prior to January 1, 1925; repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

First Reading	675
Second Reading	693

SENATE BILL NO. 208—

By LOOFBOURROW.

An Act authorizing and empowering the County Commissioners of Cimarron County, Oklahoma, to include a special item in its estimate for the fiscal years ending June 30, _____, and June 30, _____, for the purpose of erecting buildings and making improvements on the lands owned by the Free Fair Association of Cimarron County, authorizing and empowering the County Excise Board to make a levy, in addition to the maximum levy for current expense purposes therefor, and declaring an emergency.

First Reading	675
Second Reading and Referred to Calendar	693-694
Considered and Advanced	727
Considered Engrossed	727
Third Reading	727-728
Referred for Engrossment	728
Engrossed Copy Signed and Transmitted to House ...	730
Passed by House	888
Referred for Enrollment	889
Reported Enrolled	898
Fourth Reading	899

Enrolled Copy Returned by House	917
Transmitted to Governor	918
Approved by Governor	1051

SENATE BILL NO. 209—

By GRAY.

An Act amending Section 1660, Compiled Oklahoma Statutes, 1921, relating to granting or using free franks or passes and declaring an emergency.

First Reading	675
Second Reading	694

SENATE BILL NO. 210—

By JOHNSON (Creek).

An Act amending Chapter 113, Session Laws, 1923, and providing for the supervision, regulation, and conduct of the transportation of persons, freight and property for compensation over the public highways of the State of Oklahoma by motor vehicles; conferring jurisdiction upon the Corporation Commission, providing for the enforcement of the provisions of this Act and for the punishment for violations of this Act, and declaring an emergency.

First Reading	675
Second Reading	694

SENATE BILL NO. 211—

By GRAY, STORMS, RICE and BOYER.

An Act providing for the appointment of county agents and county home demonstration agents by the exten-

sion division of the Oklahoma Agricultural and Mechanical College co-operating with the United States Department of Agriculture and making the appropriation therefor, authorizing counties to pay the expenses thereof, repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

First Reading 692-693
 Second Reading 723

SENATE BILL NO. 212—

By KIMERER, HILL, WILLIAMSON, POWERS, OTJEN and
 GULAGER.

An Act providing that persons taking orders for articles and collecting purchase price thereof upon delivery of merchandise, shall procure an annual county license and providing that persons engaged in such occupation without procuring the license shall be guilty of a misdemeanor, prescribing the punishment therefor, and declaring an emergency.

First Reading 693
 Second Reading 723

SENATE BILL NO. 213—

By FERGUSON (Senate), WEBBER (House).

An Act creating a fund in Pawnee County hereby designated "Court House Fund;" limiting said fund to Two Hundred Thousand Dollars; converting the sinking fund of said county, not anticipated by bonded indebtedness or judgments, into "Court House Fund;" authorizing and directing the annual levy and collection of a tax on all taxable property in said county of not to exceed one mill on the dollar, to be added to said fund; providing for the handling of said fund during the accumulation thereof; authorizing the expenditure

thereof in the erection, furnishing and equipping of a court house and jail in said county; and providing the method for such expenditure; and declaring an emergency.

First Reading	740-741
Second Reading and Referred to Calendar	749
Stricken from Calendar	756

SENATE BILL NO. 214—

By PATTON, HARPER (Senate), ORENDORFF (House).

An Act permitting the city of Fort Smith, Arkansas, to acquire, own, improve and operate an airport or flying field in Sequoyah County, Oklahoma; repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

First Reading	748-749
Second Reading and Referred to Calendar	759
Considered and Advanced	795
Considered Engrossed	795
Third Reading	795-797
Referred for Engrossment	799
Reported Engrossed	804
Engrossed Copy Signed and Transmitted to House ...	804
Passed by House	1066
Referred for Enrollment	1067
Reported Enrolled	1082-1083
Fourth Reading	1083
Enrolled Copy Received from House	1123
Transmitted to Governor	1124

SENATE BILL NO. 215--

By FERGUSON (Senate), WEBBER (House).

An Act creating a fund in Pawnee County hereby designated "Court House Fund"; limiting said fund to Two

Hundred Thousand Dollars; converting the sinking fund of said county, not anticipated by bonded indebtedness or judgments, into "Court House Fund"; authorizing the annual levy and collection of a tax on all taxable property in said county of not to exceed one mill on the dollar, to be added to said fund; providing for the handling of said fund during the accumulation thereof; authorizing the expenditure thereof in the erection, furnishing and equipping of a court house and jail in said county; and providing the method for such expenditure; and declaring an emergency.

First Reading	749
Second Reading and Referred to Calendar	759-760
Considered and Advanced	792
Considered Engrossed	792
Third Reading	792-793
Referred for Engrossment	793
Reported Engrossed	804
Engrossed Copy Signed and Transmitted to House ...	804
Passed by House	916
Referred for Enrollment	916
Reported Enrolled	957
Fourth Reading	957
Enrolled Copy Received from House	993
Transmitted to Governor	994
Approved by Governor	1050

SENATE BILL NO. 216—

By LOOFBOURROW (Senate), ALLEN (Beaver-Harper) (House).

An Act authorizing the appointment of a deputy county assessor, in Harper County, Oklahoma, and providing for the fixing of the salary thereof, and declaring an emergency.

First Reading	749
Second Reading and Referred to Calendar	760
Considered and Advanced	827
Considered Engrossed	827
Third Reading	827-828

Referred for Engrossment	828
Reported Engrossed	855
Engrossed Copy Signed and Transmitted to House	855
Passed by House	923-924
Referred for Enrollment	924
Reported Enrolled	957
Fourth Reading	957
Enrolled Copy Received from House	993-994
Transmitted to Governor	994
Approved by Governor	1050

SENATE BILL NO. 217—

By THOMAS.

An Act amending Section 8716, Compiled Oklahoma Statutes, 1921, relating to dental hygienists and declaring an emergency.

First Reading	759
Second Reading	787

SENATE BILL NO. 218—

By COMMONS, HILL, WHEATLEY, ANGLIN, OTJEN.

An Act providing for employees of the Senate of the Twelfth Legislature sitting as a court of impeachment, made necessary by reason of existing emergencies, making appropriation therefor; and declaring an emergency.

First Reading	787
Second Reading and Referred to Calendar	804-805
Considered, Amended and Advanced	849
Considered Engrossed	850
Third Reading	850-851
Referred for Engrossment	851
Reported Engrossed	858
Engrossed Copy Signed and Transmitted to House	859
Passed by House As Amended	1032
House Amendment Read	1033
Senate Concurs in House Amendments	1033-1034

Motion Lodged to Reconsider	1034, 1079
Reconsidered	1102
Senate Refuses to Concur in House Amendments and Requests a Conference and Appoints Conferees	1102
House Grants Conference and Conferees Appointed	1148
Conference Committee Report Read and Adopted	1286-1290
Bill Passed As Amended in Conference	1289-1291
Transmitted to House	1291
Bill, Together with Conference Report Transmitted to House	1291
Conference Report Adopted by House and Bill Passed by House As Amended in Conference	1313-1314
Referred for Enrollment	1314
Reported Enrolled	1322
Fourth Reading	1322
Enrolled Copy Received from House	1336-1337
Transmitted to Governor	1337
Approved by Governor	1375

SENATE BILL NO. 219—

By BOYER.

An Act authorizing any peace officer of Oklahoma to file in any justice of the peace court of the county where the violation occurred, and to there prosecute any violation of the highway or the automobile license laws of this state, the maximum penalty of which is within the jurisdiction of a justice of the peace, without the complaint so filed being approved by the county attorney or the prosecution being conducted thereby, and declaring an emergency.

First Reading	787
Second Reading	805

SENATE BILL NO. 220—

By GRAY (Senate), MATHERLY (House).

An Act amending Section 10696; Compiled Oklahoma Statutes, 1921, placing the duties of the State Board of

Vocational Education under the control of the Board of Regents of the Oklahoma Agricultural and Mechanical College; repealing all Acts in conflict therewith, and declaring an emergency.

First Reading	804
Second Reading	825

SENATE BILL NO. 221—

By AUSTIN, LOOFBOURROW, WILLIAMS, MOORE.

An Act continuing the Joint Committee of the Legislature provided for by Senate Concurrent Resolution No. 22 after the adjournment of the Twelfth Session of the Legislature, fixing their powers and duties, providing for their per diem and expenses, making an appropriation therefor, and declaring an emergency.

First Reading	825
Second Reading and Referred to Calendar	856
Considered and Advanced	891
Considered and Made Special Order	904-905
Reported Engrossed	932
Third Reading	936-937
Engrossed Copy Signed and Transmitted to House ...	937
Passed by House	1047
Referred for Enrollment	1047
Reported Enrolled	1082-1083
Fourth Reading	1083
Enrolled Copy Received from House	1123
Transmitted to Governor	1124

SENATE BILL NO. 222—

By BOYER.

An Act amending Section 1, Chapter 118, Session Laws of 1927, relating to roads and highways and conferring upon the State Highway Commission the right of

exercise of eminent domain and declaring an emergency.

First Reading	855
Second Reading	870

SENATE BILL NO. 223—

By GRAHAM.

An Act providing for a closed season on deer, turkey, raccoons and eagles; providing penalties for the violation thereof, and declaring an emergency.

First Reading	855
Second Reading	871
Considered and Advanced	950
Considered Engrossed	950
Third Reading	950
Motion Lodged to Reconsider	951
Motion to Reconsider Withdrawn	975
Referred for Engrossment	975
Reported Engrossed	981-982
Engrossed Copy Signed and Transmitted to House ...	982

SENATE BILL NO. 224—

By OTJEN (Senate), CAMPBELL, HUTCHINSON (House).

An Act providing for the appointment of additional deputies, assistants or employees for any county officer in Garfield County, Oklahoma, and empowering the Board of County Commissioners to authorize such appointment and fix the salaries of such additional deputies, assistants or employees, and declaring an emergency.

First Reading	855
Second Reading and Referred to Calendar	871
Considered and Advanced	909
Reported Engrossed	932

Third Reading	934-935
Engrossed Copy Signed and Transmitted to House ..	935
Passed by House	1048
Referred for Enrollment	1048
Reported Enrolled	1082-1083
Fourth Reading	1083
Enrolled Copy Returned by House	1123-1124
Transmitted to Governor	1124

SENATE BILL NO. 225—

By MOORE.

An Act relating to certain State Institutions, and providing for the examination and sterilization of such inmates in certain cases.

First Reading	899
Second Reading	910

SENATE BILL NO. 226—

By ANGLIN.

A Bill to be entitled: An Act making an appropriation to pay for the support, maintenance, care and upkeep of the governor's mansion from October 1, 1928, to and including March 31, 1929, and declaring an emergency.

First Reading	1039-1040
Second Reading and Referred to Calendar	1083
Considered and Advanced	1107
Reported Engrossed	1128
Third Reading	1129-1131
Engrossed Copy Signed and Transmitted to House ..	1131
Passed by House	1382
Referred for Enrollment	1383
Reported Enrolled	1386
Fourth Reading	1386
Enrolled Copy Returned by House	1399
Transmitted to Governor	1399

Part II

SENATE JOINT RESOLUTIONS

SENATE JOINT RESOLUTION NO. 1—

By TERWILLEGER (Senate), NEWBERRY, SEARS, MAXWELL, et al (House).

A Resolution authorizing an extension of time of payment of the first half of 1928 ad valorem taxes in Tulsa County, Oklahoma, until February 15, 1929, and providing that the last half of the 1928 ad valorem taxes shall not become due until the 15th day of June, 1929, and relieving the taxpayer of all penalty of such taxes if the first half of such taxes is paid on or before February 15th, 1929; and declaring an emergency.

First Reading	73
Second Reading	79

SENATE JOINT RESOLUTION NO. 2—

By GRAY.

A Resolution proposing an amendment to the Constitution of the State of Oklahoma, and providing for the submission of the same to the people for their approval or rejection for the purpose of amending Section 31, Article 6, thereof, to provide for relieving the State Board of Agriculture of its duty as a Board of Regents of the State Agricultural and Mechanical College, and providing for a separate Board of Regents for the State Agricultural and Mechanical Schools, and Colleges, and declaring an emergency.

First Reading	73
Second Reading	79

Reported	478
Considered and Advanced	857
Reported Engrossed	891
Third Reading	892-893
Made Special Order	892-893
Considered	901
Vote Reconsidered by Which Advanced and Made Special Order	901
Considered and Advanced	926-927
Third Reading	927-930
Notice Lodged to Reconsider, etc.	930
Referred for Engrossment	966
Reported Engrossed	967
Engrossed Copy Signed and Transmitted to House...	967

SENATE JOINT RESOLUTION NO. 3—

By STORMS.

A Joint Resolution appropriating Twelve Thousand Dollars for the purpose of paying Oklahoma's share of the expenses in making a re-survey of the Boundary between the State of Texas and the State of Oklahoma, constituting the Eastern Boundary of the Panhandle of Texas and the main Western Boundary of Oklahoma, in accordance with a decision of the Supreme Court of the United States in Cause No. 6 original, wherein the State of Oklahoma was complainant, and the State of Texas defendant, and the United States of America, intervenor.

First Reading	73
Second Reading	79
Reported	138-139
Considered and Advanced	160
Reported Engrossed	168
Third Reading	177-178
Engrossed Copy Signed and Transmitted to House...	178
Passed by House	1373
Referred for Enrollment	1374
Reported Enrolled	1386
Fourth Reading	1386

SENATE JOINT RESOLUTION NO. 4—

By STORMS.

A Resolution appropriating Eighteen Thousand (\$18,000.00) Dollars for the purpose of paying Oklahoma's share of the expense of making a survey for the purpose of locating the line between Oklahoma and Texas along the South Bank of Red River, pursuant to the decree of the Supreme Court of the United States under date of March 12, 1923, and declaring an emergency

First Reading	74
Second Reading	79
Reported	139
Considered and Advanced	160
Reported Engrossed	168
Third Reading	175-176
Engrossed Copy Signed and Transmitted to House....	176
Passed by House As Amended	476-477
House Amendment Read	477
Consideration Deferred	476-477
Senate Concurs in House Amendments	493-494
Referred for Enrollment	494
Reported Enrolled	504
Fourth Reading	505
Enrolled Copy Returned by House	509
Transmitted to Governor	509
Approved by Governor	552

SENATE JOINT RESOLUTION NO. 5—

By REXROAT, (Senate), FISCHL (House).

A Joint Resolution providing for credit to be given by the State Auditor for gross production tax heretofore paid in error by Humble Oil & Refining Company to the State of Oklahoma, and declaring an emergency.

First Reading	76
Second Reading	88

SENATE JOINT RESOLUTION NO. 6—

By ANGLIN.

A Joint Resolution to be entitled: A Resolution transferring and reappropriating certain balances of funds appropriated at the Regular Session of the Eleventh Legislature of the State of Oklahoma, for the Bureau of preparation of budget, for the Fiscal Year ending June 30, 1928; declaring an emergency.

First Reading	99
Second Reading	109
Reported	139
Considered and Advanced	159
Reported Engrossed	168
Third Reading	173-174
Engrossed Copy Signed and Transmitted to House...	175
Passed by House	411-412
Referred for Enrollment	412
Reported Enrolled	426
Fourth Reading	426
Enrolled Copy Returned by House	438-439
Transmitted to Governor	438-439
Approved by Governor	457

SENATE JOINT RESOLUTION NO. 7—

By ANGLIN.

A Joint Resolution to be entitled: A Resolution, providing for a temporary Title Examiner in the office of the Commissioners of the Land Office, to be filled in the manner now provided by law for like position; re-appropriating the appropriation made by the Eleventh Legislature for a Title Examiner for each of the Fiscal Years 1927-1928 and 1928-1929; and declaring an emergency.

First Reading	99-100
Second Reading	109
Reported	315
Considered and Advanced	339
Reported Engrossed	359

Third Reading	372-373
Engrossed Copy Signed and Transmitted to House...	373
Passed by House	1325
Referred for Enrollment	1326
Reported Enrolled	1339
Fourth Reading	1339
Enrolled Copy Returned by House	1374
Transmitted to Governor	1375

SENATE JOINT RESOLUTION NO. 8—

By ANGLIN (Senate), KIGHT (House).

A Resolution reappropriating the sum of \$86,786.18, unexpended balance in the appropriation provided for in Senate Bill No. 250, of the Eleventh Legislature, Chapter 52, Session Laws of Oklahoma 1927, so that the same may be used for salaries of officers and employees and contingent expenses of the State and House of Representatives of the Twelfth Legislature, and declaring an emergency.

First Reading	100
Second Reading	109
Reported	140
Considered and Advanced	160
Reported Engrossed	168
Third Reading	176-177
Engrossed Copy Signed and Transmitted to House...	177
Passed by House	265
Referred for Enrollment	265
Reported Enrolled	328
Fourth Reading	329
Enrolled Copy Returned by House	361
Transmitted to Governor	361
Approved by Governor	406-407

SENATE JOINT RESOLUTION NO. 9—

By FERGUSON and STORMS.

A Bill directing the State Highway Commission to complete all uncompleted contracts, promises and agreements

with the various counties and townships in the State before entering into any further agreements to construct, maintain or improve roads or highways and declaring an emergency.

First Reading	122
Second Reading	146

SENATE JOINT RESOLUTION NO. 10—

By ANGLIN, AUSTIN, STORMS and STEWART.

A Resolution authorizing the Senate of the State of Oklahoma to employ temporary help and assistance, making an appropriation therefor, and declaring an emergency.

First Reading	144
Second Reading and Referred to Calendar.....	158
Considered and Advanced	158-159
Reported Engrossed	168
Third Reading	172
Engrossed Copy Signed and Transmitted to House....	173
Passed by House	203
Referred for Enrollment	204
Reported Enrolled	219
Fourth Reading	219
Enrolled Copy Returned by House	266
Transmitted to Governor	266
Approved by Governor	284

SENATE JOINT RESOLUTION NO. 11—

By FERGUSON (Senate) and WEBBER (House).

A Joint Resolution appropriating certain monies from the State Treasury to reimburse the Pawnee Tribe of Indians for oil and gas bonuses and rental and agricultural rentals collected on tribal land by the Commissioners of the Land Office, and declaring an emergency.

First Reading	144
Second Reading	159

Reported	316
Considered and Advanced	339
Reported Engrossed	359
Third Reading	371-372
Engrossed Copy Signed and Transmitted to House---	372
Passed by House	1325
Referred for Enrollment	1326
Reported Enrolled	1339
Fourth Reading	1339
Enrolled Copy Returned by House	1374
Transmitted to Governor	1375

SENATE JOINT RESOLUTION NO 12--

By FIDLER, OTJEN (Senate), and MARKER, EYLAR, GRAHAM and LEECRAFT (House).

A Joint Resolution appropriating and authorizing the payment of fund in the State Treasury not otherwise appropriated in the sum of Thirteen Hundred Dollars to E. G. Spilman, and declaring an emergency.

First Reading	144
Second Reading	159
Reported	388-389
Considered and Advanced	421-422
Reported Engrossed	426
Third Reading	429-431
Engrossed Copy Signed and Transmitted to House---	431

SENATE JOINT RESOLUTION NO. 13--

By GRAHAM.

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma providing for the re-districting of the State Senatorial and Legislative Districts, fixing the number, salary, term of office and manner of election of State Senators and Representatives, and amending Sec-

tions 9, 10 and 21 of Article 5 of the Constitution of Oklahoma.

First Reading	170
Second Reading	199

SENATE JOINT RESOLUTION NO. 14—

By REED.

A Resolution authorizing and directing the Commissioners of the Land Office to place in the permanent common school fund certain funds which have escheated to the State, and declaring an emergency.

First Reading	209
Second Reading	218

SENATE JOINT RESOLUTION NO. 15—

By THOMAS and SMITH (Senate), and CARMICHAEL and HARVEY (House).

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma, fixing the term of office of the Governor and the Lieutenant Governor of Oklahoma, providing that the Governor and Lieutenant Governor shall be eligible immediately to succeed themselves for only one consecutive term, and declaring an emergency.

First Reading	285
Second Reading	298

SENATE JOINT RESOLUTION NO. 16—

By FIDLER.

A Joint Resolution making an appropriation to Mrs. Winnie M. Sanger, and declaring an emergency.

First Reading	352
Second Reading	368

SENATE JOINT RESOLUTION NO. 17—

By BOYER, STIGLER, BLAKELY (Senate), and LOGAN,
LEWIS (House).

- A Joint Resolution making a deficiency appropriation of Four Hundred (\$400.00) Dollars to pay the balance of the present salary of one Assistant Attorney General for the fiscal year ending June 30, 1929, and making an appropriation of One Hundred and Sixty-six (\$166.60) Dollars and Sixty Cents to cover the increased salary of one Assistant Attorney General for the balance of said fiscal year, and declaring an emergency.

First Reading	352
Second Reading	368
Reported	467-468
Considered and Advanced	495
Reported Engrossed	556
Third Reading	562-564
Engrossed Copy Signed and Transmitted to House	563-564
Passed by House	1065
Referred for Enrollment	1066
Reported Enrolled	1082-1083
Fourth Reading	1083
Enrolled Copy Returned by House	1124
Transmitted to Governor	1124

SENATE JOINT RESOLUTION NO. 18—

By OTJEN (Senate), HUTCHINSON, CAMPBELL (House),

- A Joint Resolution authorizing the Oklahoma State Institution for Feeble Minded at Enid, and the State Board of Affairs to purchase an additional twenty-one acres of land and declaring an emergency.

First Reading	366
Second Reading	394
Reported	570
Considered and Advanced	617
Reported Engrossed	715
Third Reading	715-716

Engrossed Copy Signed and Transmitted to House	716-717
Passed by House	1048
Referred for Enrollment	1048
Reported Enrolled	1082-1083
Fourth Reading	1083
Enrolled Copy Returned by House	1124
Transmitted to Governor	1124

SENATE JOINT RESOLUTION NO. 19—

By MOORE, MacDONALD, JOHNSON (Creek), and STIGLER.

- A Resolution transferring and reappropriating certain Amounts of balances in funds appropriated at the regular Session of the Legislature of the State of Oklahoma for the Adjutant General's Department for the fiscal year ending June 30, 1929, and declaring an emergency.

First Reading	366-367
Second Reading	394
Reported	468
Considered and Advanced	495
Reported Engrossed	575
Third Reading	589-591
Engrossed Copy Signed and Transmitted to House	591
Passed by House	884
Referred for Enrollment	885
Reported Enrolled	898
Fourth Reading	899
Enrolled Copy Returned by House	925
Transmitted to Governor	926
Approved by Governor	1049

SENATE JOINT RESOLUTION NO. 20—

By TERWILLEGER.

- A Resolution providing for the refunding of State Income Taxes to J. A. Hull and Mrs. Lina J. Hull, making appropriation therefor, and declaring an emergency.

First Reading	459
Second Reading	475

SENATE JOINT RESOLUTION NO. 21—

By BOYER (Senate), and NANCE (House).

A Joint Resolution making an appropriation of One Thousand (\$1,000.00) Dollars for the fiscal year ending June 30th, 1929, and One Thousand (\$1,000.00) Dollars for the fiscal year ending June 30, 1930, to aid in promoting and financing the Free Indian State Fair held annually at Craterville Park, Oklahoma, and providing for the disbursement thereof.

First Reading	473
Second Reading	481

SENATE JOINT RESOLUTION NO. 22—

By WHEATLEY.

A Joint Resolution containing permission to picture the past and present historically of Oklahoma and its achievements and making an appropriation therefor.

First Reading	676
Second Reading	694

SENATE JOINT RESOLUTION NO. 23—

By STIGLER (Senate), BELEW (House).

A Joint Resolution authorizing the excise board of Haskell County to transfer any unused revenue or funds derived by virtue of a levy for tick eradication in said county for the fiscal year ending June 30, 1928, to the court fund of said county for the fiscal years ending June 30, 1929 and June 30, 1930, and declaring an emergency.

First Reading	693
Second Reading and Referred to Calendar	723

Considered and Advanced	741
Considered Engrossed	741
Third Reading	742-743
Referred for Engrossment	743
Reported Engrossed	743-744
Engrossed Copy Signed and Transmitted to House....	744
Passed by House	884
Referred for Enrollment	884
Reported Enrolled	898
Fourth Reading	899
Enrolled Copy Returned by House	925
Transmitted to Governor	926
Approved by Governor	1049

SENATE JOINT RESOLUTION NO. 24—

By WHEATLEY, WILLIAMSON.

A Joint Resolution providing for the recognition and establishment of Independence Sunday, to be observed by religious-patriotic services and the display of the American Flag, the Sunday preceding the Fourth of July of each year, or on the Fourth when that date falls on Sunday.

First Reading	723
Second Reading	741
Stricken from Calendar	1107

Part III

SENATE CONCURRENT RESOLUTIONS

SENATE CONCURRENT RESOLUTION NO. 1—

By PULLEN.

- A Resolution directing the University Hospital of Oklahoma City to transmit to the Attorney General items of indebtedness due the Hospital, and directing the Attorney General to take such action as may be necessary for the collection thereof.

Introduced	74
Considered and Amended	80-81
Adopted	81-82
Referred for Engrossment	82
Reported Engrossed	130
Engrossed Copy Signed and Transmitted to House.....	130-131

SENATE CONCURRENT RESOLUTION NO. 2—

By DARNELL.

- A Resolution presenting Chief Justice Fred P. Branson his desk chair occupied by him during his term of office.

Introduced	99
Read and Adopted	114-116
Referred for Engrossment	116
Engrossed Copy Signed and Transmitted to House....	131

SENATE CONCURRENT RESOLUTION NO. 3—

By CLARK, REXROAT and HARPER.

- Concurrent Resolution commending Frank Phillips, Bartlesville, Oklahoma, for his patriotic spirit manifest by

having painted on the south panels of the corridor of the fourth floor of the Capitol Building a war memorial picture.

Introduced	108
Read and Amended	127-128
Adopted	128
Referred for Engrossment	128
Reported Engrossed	142
Engrossed Copy Signed and Transmitted to House....	142
Adopted by House	198
Referred for Enrollment	198
Transmitted to House	261
Enrolled Copy Returned by House	332
Transmitted to Secretary of State	332

SENATE CONCURRENT RESOLUTION NO. 4—

By HARPER.

A Concurrent resolution authorizing the appointment of a Committee to investigate the property loss of certain citizens of Wister, Oklahoma, arising out of floods alleged to have been caused by the construction of a State Highway, authorizing said Committee to make investigation and report their findings to the Twelfth Legislature of Oklahoma.

Introduced	232
Read and Adopted	243-245
Referred for Engrossment	246
Reported Engrossed	261
Engrossed Copy Signed and Transmitted to House....	261
Adopted by House	310-311
Returned to House for Amendment	311
Vote Returning Resolution to House, Reconsidered....	312
Referred for Enrollment	312
Reported Enrolled	328
Enrolled Copy Returned by House	362
Transmitted to Secretary of State	362

SENATE CONCURRENT RESOLUTION NO. 5—

By WILLIAMS, LOOFBOURROW, and MOORE (Senate), CARMICHAEL, CARMACK and DUNNING (House).

A Resolution authorizing the President of the Senate of the State of Oklahoma and the Speaker of the House of Representatives of the State of Oklahoma, to immediately appoint a Committee of three from their respective bodies to go to Austin, Texas, to confer with the Governor of the State of Texas and the State Legislature of the State of Texas there assembled, for the purpose of conferring and negotiating with them for the introduction into the Legislature of the respective states of a uniform act authorizing the Governors of the respective states to enter into a treaty regarding that strip of land that is by Supreme Court decree given to Texas and taken away from Oklahoma along the Western Boundary of Oklahoma and the Eastern Boundary of Texas; provided, however, that the Speaker of the House of Representatives and the President Pro Tempore of the Senate shall be ex-officio members of the Committee of said respective Houses.

Introduced	285-286
Considered and Amended	286-288
Read and Adopted	287-288
Referred for Engrossment	288
Reported Engrossed	293
Engrossed Copy Signed and Transmitted to House...	293

SENATE CONCURRENT RESOLUTION NO. 6—

By THOMAS, RAY, REXROAT and PULLEN (Senate), and HARVEY (House).

A Concurrent Resolution memorializing Congress to not pass the Cruiser Bill, providing for fifteen cruisers, which bill is sponsored by President Coolidge and now pending before Congress, but to use the money necessary to be appropriated to build said cruisers to relieve

the present deplorable condition of the farmers of the United States.

Introduced	331
Considered	367
Indefinitely Postponed	382

SENATE CONCURRENT RESOLUTION NO. 7—

By LOOFBOURROW, MOORE, WILLIAMS and STORMS (Senate), and CARMACK, CARMICHAEL, DUNNING and NANCE (House).

- A Concurrent Resolution authorizing a joint Legislative Committee composed of four members of the Senate, and five members of the House of Representatives to confer with a like committee from the Legislature of the State of Texas to visit the strip of land lying on the western boundary of Oklahoma which has been awarded to the State of Texas, to investigate the confusion that exists there among the citizens and property owners and to make an effort to reach an agreement with the State of Texas for the retention of said land by the State of Oklahoma and providing for the expense of said committee.

Introduced	347
Read and Adopted	347-351
Referred for Engrossment	351
Reported Engrossed	359
Engrossed Copy Signed and Transmitted to House...	359
Adopted by House	396-397
Referred for Enrollment	396-397
Reported Enrolled	446
Enrolled Copy Signed and Transmitted to House...	446
Enrolled Copy Returned by House	454
Transmitted to Secretary of State	455

SENATE CONCURRENT RESOLUTION NO. 8—

By STORMS (Senate), and NANCE (House).

- A Resolution commending the Oklahoma City University and Professor Gilbert I. Garretson, the Dean of the

School of Journalism of said University for the progressive spirit shown in making provision for the attendance of a group of students from the School of Journalism upon the inaugural ceremonies of President-elect Herbert Hoover, at Washington, D. C., on March 4, 1929.

Introduced	363
Read and Adopted	363-364
Referred for Engrossment	364
Reported Engrossed	390-391
Engrossed Copy Signed and Transmitted to House.....	391
Adopted by House	455
Referred for Enrollment	455
Reported Enrolled	488-489
Enrolled Copy Signed and Transmitted to House.....	489
Enrolled Copy Returned by House	510-511
Transferred to Secretary of State	511

SENATE CONCURRENT RESOLUTION NO. 9—

By GULAGER, PATTON, WILLIAMS, NESBITT, FERGUSON (Senate), KIGHT, BOYDSTUN, NEWBERRY, WAGNER, HUTCHINSON (House).

A Resolution petitioning Madam Constance Whitney Warren to present to the State of Oklahoma a sculptured life-size statue of a cowboy and his pony, providing for its location, erection, maintenance and preservation.

Introduced	551
Read and Adopted	585-588
Referred for Engrossment	588
Reported Engrossed	605-606
Engrossed Copy Signed and Transmitted to House.....	605-606
Adopted by House	665
Referred for Enrollment	665
Reported Enrolled	710
Enrolled Copy Signed and Transmitted to House.....	710
Enrolled Copy Returned by House	739-740
Transmitted to Secretary of State	740
Committee appointed, Regarding	958

SENATE CONCURRENT RESOLUTION NO. 10—

By REXROAT.

A Resolution fixing the date of the final adjournment sine die of the Twelfth Session of the Oklahoma Legislature.

Introduced	661
Read	702
Consideration Indefinitely Postponed	702

SENATE CONCURRENT RESOLUTION NO. 11—

By AUSTIN, LOOFBOURROW, MOORE, WILLIAMS.

A Resolution authorizing the appointment of a joint committee from the Senate and House of Representatives of Oklahoma to negotiate with the State of Texas over the settlement of the western boundary of Oklahoma and the eastern boundary of the Panhandle of Texas; authorizing said Committee to negotiate terms upon which said boundary line may be settled; providing for the payment of the expenses and per diem of said committee from the contingent fund of the respective houses; continuing the existence of said committee during the remainder of the present session of the Legislature and authorizing it to carry on its negotiations and remain in existence after the adjournment of the present session of the Legislature.

Introduced	676
Read and Adopted	698-702
Referred for Engrossment	702
Reported Engrossed	710
Engrossed Copy Signed and Transmitted to House.....	710
Adopted by House, as Amended.....	753-754
House Amendment Read	754
Senate Concurs in House Amendments	754
Referred for Enrollment	754
Reported Enrolled	758-759
Enrolled Copy Signed and Transmitted to House.....	759
Enrolled Copy Returned by House	798
Transmitted to Secretary of State	799
Committee Appointed, Regarding	958

SENATE CONCURRENT RESOLUTION NO. 12—

By GRAY (Senate), and WATSON (House).

An Act giving assent of both Houses of the Legislature of the State of Oklahoma to the payment of grants of money by the Federal Government under the provisions of an act by the United States Congress known as "the Capper-Ketcham Act" and providing for the expenditure of same through the extension division of the Oklahoma Agricultural and Mechanical College and declaring an emergency.

Introduced	817
Read and Adopted	817-818
Referred for Engrossment	818
Reported Engrossed	824-825
Engrossed Copy Signed and Transmitted to House....	825
Adopted by House	883
Referred for Enrollment	884
Reported Enrolled	898
Enrolled Copy Signed and Transmitted to House....	898
Enrolled Copy Returned by House	924
Transmitted to Secretary of State	925

SENATE CONCURRENT RESOLUTION NO. 13—

By FERGUSON and STEWART (Senate), and SNODDY and JONES (Stephens) (House).

A Resolution urging the President to Promote the Honorable Arthur H. Geissler to an Ambassadorship.

Introduced	931
Read and Adopted	932
Referred for Engrossment	933
Reported Engrossed	1003
Engrossed Copy Signed and Transmitted to House....	1003
Adopted by House	1014
Referred for Enrollment	1015
Reported Enrolled	1052
Enrolled Copy Signed and Transmitted to House....	1052

Enrolled Copy Returned by House	1116-1117
Transmitted to Secretary of State	1117

SENATE CONCURRENT RESOLUTION NO. 14—

By STEWART (Senate) and JONES (Stephens), (House).

A Resolution providing for the adjournment of Regular Session.

Introduced and Adopted	1132
Referred for Engrossment	1132
Engrossed Copy Signed and Transmitted to House.....	1138
Adopted by House	1149
Referred for Enrollment	1149
Reported Enrolled Copy Signed and Transmitted to House	1149
Enrolled Copy Returned by House	1314
Transmitted to Secretary of State	1314

SENATE CONCURRENT RESOLUTION NO. 15—

By POWERS, LOOFBOURROW (Senate) and ALLEN (Harper), ODELL and SNODDY (House).

A Resolution authorizing the transfer of \$20,000 out of the hospital fund of the Western Oklahoma Hospital at Supply, Oklahoma, to the support and maintenance fund thereof and declaring an emergency.

Introduced	1351-1352
Read and Amended	1351-1352
Adopted	1352
Referred for Engrossment	1352
Reported Engrossed	1366
Engrossed Copy Signed and Transmitted to House.....	1366
Passed by House	1381
Referred for Enrollment	1381
Reported Enrolled	1386
Enrolled Copy Signed and Transmitted to House.....	1386
Enrolled Copy Returned by House	1400
Transmitted to Secretary of State	1400

Part IV

SENATE RESOLUTIONS

SENATE RESOLUTION NO. 1—

By AUSTIN and DARNELL.

A Resolution of Respect for and in Memory of H. D. Henry.

Introduced	7- 8
Read and Adopted	7- 8
Referred for Engrossment	8
Reported Engrossed	130
Engrossed Copy Signed and Referred for Enrollment	130-131
Reported Enrolled	261
Enrolled Copy Signed and Transmitted to Secretary of State	261

SENATE RESOLUTION NO. 2—

By OTJEN.

A Resolution providing for the appointment of a Committee to investigate Charges of Corruption against certain members of the State Senate of the State of Oklahoma, providing for an investigation thereof, authorizing the Committee to subpoena witnesses and hear testimony.

Introduced	74
Read and Amended	80
Considered and Made Special Order	86-87
Referred to Special Committee	126-127
Reported	131-132

SENATE RESOLUTION NO. 3—

By GULAGER.

A Resolution requesting the several court clerks of the State of Oklahoma to forthwith furnish to the Senate of the State of Oklahoma information relating to civil and criminal docket of the District Court of their Counties.

Introduced	76
Read and Amended	124-126
Adopted	126
Referred for Engrossment	126
Reported Engrossed	142
Engrossed Copy Signed and Referred for Enrollment ..	142
Reported Enrolled	261
Enrolled Copy Signed and Transmitted to Secretary of State	261

SENATE RESOLUTION NO. 4—

By COMMONS.

A Resolution of respect for and in memory of Mrs. J. J. Smith, wife of Ex-Senator, J. J. Smith.

Introduced	75
Read and Adopted	75-77
Referred for Engrossment	77
Reported Engrossed	130
Engrossed Copy Signed and Referred for Enrollment ment	130-131
Reported Enrolled	261
Enrolled Copy Signed and Transmitted to Secretary of State	261

SENATE RESOLUTION NO. 5—

By GULAGER.

A Resolution calling on the Highway Commission to furnish Certain Information.

Introduced	77-78
Read and Amended	78-79
Adopted and Referred for Engrossment.....	79
Reported Engrossed	130
Engrossed Copy Signed and Referred for Enrollment	130-131
Reported Enrolled	261
Enrolled Copy Signed and Transmitted to Secretary of State	261

SENATE RESOLUTION NO. 6—

By JOHNSON (Creek) and ANDREWS.

A Resolution to authorize the investigation by a Committee of the Senate of certain charges made relative to the action of a Court of Impeachment in the year 1927; to appoint a committee to conduct such investigation; to empower said committee to perform its duties and setting forth the procedure in conducting such investigation and clothing the committee so appointed with power to conduct such investigation.

Introduced	86
Made Special Order	86-87
Referred to Special Committee	126-127
Reported	132
Read and Amended	132-135
Adopted	136
Referred for Engrossment	136
Reported Engrossed	142
Engrossed Copy Signed and Referred for Enrollment	142
Reported Enrolled	261
Enrolled Copy Signed and Transmitted to Secretary of State	261

SENATE RESOLUTION NO. 7—

By THOMAS.

A Resolution providing for and demanding immediate and open investigation by the Senate sitting as a Commit-

tee of the Whole, of the abrupt adjournment of the Special Session of the Senate, sitting as a Court of Impeachment during the month of _____, and providing for the necessary expenses, and authorizing the subpoenaing of witnesses.

Introduced	86
Made Special Order	86-87
Referred to Special Committee	126-127
Reported	131-132

SENATE RESOLUTION NO. 8—

By FIDLER and LOOFBOURROW.

A Resolution requesting the State Highway Commission of the State of Oklahoma to furnish information concerning receipts and disbursements as required by law.

Introduced	88
Read and Adopted	129-130
Referred for Engrossment	130
Reported Engrossed	142
Engrossed Copy Signed and Referred for Enrollment	142
Reported Enrolled	261
Enrolled Copy Signed and Transmitted to Secretary of State	261

SENATE RESOLUTION NO. 9—

By WHEATLEY.

Calling on the State Examiner and Inspector to furnish certain Information.

Introduced	99
Read, Amended and Adopted	111-113
Referred for Engrossment	113
Reported Engrossed	130

Engrossed Copy Signed and Referred for Enrollment	130-131
Reported Enrolled	261
Enrolled Copy Signed and Transmitted to Secretary of State	261

SENATE RESOLUTION NO. 10—

By FIDLER and LOOFBOURROW.

- A Resolution requesting the State Highway Commission of the State of Oklahoma to defer action upon bids received on January 9, 1929, for the construction of highway projects in the State of Oklahoma, until February 9, 1929.

Introduced	109
Considered	200
Stricken from Calendar	219-220

SENATE RESOLUTION NO. 11—

By FIDLER.

- A Resolution authorizing the Attorney General of the State of Oklahoma to institute appropriate action to revoke the pardon granted to R. D. Crosthwaite, by the Governor of the State of Oklahoma.

Introduced	156-157
Considered	200-270
Stricken from Calendar	465

SENATE RESOLUTION NO. 12—

By CLARK and JOHNSON (Creek).

- A Resolution to Not Suspend Governor Henry S. Johnston During Impeachment Trial.

Introduced	190-191
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SENATE RESOLUTION NO. 13—

By STEWART.

A Resolution Suspending Henry S. Johnston As Governor
During Impeachment Trial.

Introduced	192-193
Read and Adopted	193
Referred for Engrossment	193
Engrossed Copy Signed and Referred for Enrollment	194
Referred for Enrollment	194
Reported Enrolled	261
Enrolled Copy Signed and Transmitted to Secretary of State	261

SENATE RESOLUTION NO. 14—

By JOHNSON (Creek).

A Resolution inviting the All State High School Band to
play in the rotunda of the Capitol Building, Thursday,
February 7th, 1929, between 1 and 2 o'clock, p. m.

Introduced	345
Read and Adopted	345-346
Referred for Engrossment	346
Reported Engrossed	359
Engrossed Copy Signed and Referred for Enrollment	359
Reported Enrolled	390-391
Enrolled Copy Signed and Transmitted to Secretary of State	391

SENATE RESOLUTION NO. 15—

By ANGLIN, ANDREWS, AUSTIN, BLAKELY, EWING,
FIDLER, GEORGE, GRAY, HARPER, JOHNSON
(Creek), MacDONALD, NESBITT, PULLEN, RAY, REX-

ROAT, RICE, STEWART, STIGLER, STORMS, THOMAS,
WHEATLEY, WILLIAMS, WILLIAMSON.

- A Resolution endorsing Judge Robert L. Williams of the Eastern District of Oklahoma as a member of the United States Circuit Court for the Tenth Judicial District, and urging his appointment.

Introduced and Read	653-655
Adopted	655
Referred for Engrossment	655
Engrossed Copy Signed and Referred for Enrollment	661
Referred for Enrollment	661
Reported Enrolled	710
Enrolled Copy Signed and Transmitted to Secretary of State	710

SENATE RESOLUTION NO. 16—

By FIDLER.

- A Resolution expressing the opposition of the Senate of the Oklahoma Legislature against national legislation authorizing construction of toll bridges in the State of Oklahoma.

Introduced	655
Read and Adopted	655-666
Referred for Engrossment	656
Reported Engrossed	661
Engrossed Copy Signed and Referred for Enrollment	661
Reported Enrolled	710
Enrolled Copy Signed and Transmitted to Secretary of State	710

SENATE RESOLUTION NO. 17—

By FIDLER, STORMS and LOOFBOURROW.

- A Resolution of respect for the Reverend H. J. P. Horne,

grandfather of His Excellency, Acting Governor W. J. Holloway.

Introduced	800
Read and Adopted	800-801
Referred for Engrossment	801
Reported Engrossed	803-804
Engrossed Copy Signed and Referred for Enrollment	803-804
Reported Enrolled	829
Enrolled Copy Signed and Transmitted to Secretary of State	829

SENATE RESOLUTION NO. 18—

By EWING.

A Resolution asking the Governor to direct the Attorney General to investigate matters connected with the letting of a contract to Ward-Beekman and Company, for the construction of a hard surface road south of Crescent, in Logan County, Oklahoma.

Introduced	932
Read and Adopted	967-972
Referred for Engrossment	972
Reported Engrossed	1010
Engrossed Copy Signed and Referred for Enrollment	1010
Reported Enrolled	1052
Enrolled Copy Signed and Transmitted to Secretary of State	1052

SENATE RESOLUTION NO. 19—

By WILLIAMS and COMMONS.

A Resolution providing for the investigation of charges uttered and published by Senator John L. Rice.

Introduced	998
Read and Adopted	998-1001

Referred for Engrossment	1001
Reported Engrossed	1010
Engrossed Copy Signed and Referred for Enrollment	1010
Reported Enrolled	1052
Enrolled Copy Signed and Transmitted to Secretary of State	1052

SENATE RESOLUTION NO. 20—

By STEWART.

A Resolution providing for the closing of unfinished business of the Regular Session of the Twelfth Legislature after adjournment.

Introduced	1133
Read and Adopted	1133-1134
Referred for Engrossment	1134
Reported Engrossed	1193
Engrossed Copy Signed and Referred for Enrollment	1198
Reported Enrolled	1296
Enrolled Copy Signed and Transmitted to Secretary of State	1296

SENATE RESOLUTION NO. 21—

By POWERS, LOOFBOURROW (Senate), ALLEN, ODELL, SNODDY (House).

A Resolution authorizing the transfer of \$20,000.00 out of the Hospital Fund of the Western Oklahoma Hospital at Supply, Oklahoma, to the support and maintenance fund thereof, and declaring an emergency.

Introduced	1291
Read and Amended	1352

SENATE RESOLUTION NO. 22—

By WILLIAMSON.

A Resolution relating to additional duties of the Secretary
of the Senate and his compensation therefor.

Introduced	1296
Read and Adopted	1296-1298
Reported Engrossed	1315
Engrossed Copy Signed and Referred for Enroll- ment	1315
Reported Enrolled	1322
Enrolled Copy Signed and Transmitted to Secretary of State	1322

SENATE RESOLUTION NO. 23—

By ANGLIN.

A Resolution presenting to the Honorable W. C. McAlister,
the desk and chair used by him as Secretary of the
Senate.

Introduced	1386-1387
Read and Adopted	1386-1387
Referred for Engrossment	1387
Reported Engrossed	1392
Engrossed Copy Signed and Referred for Enroll- ment	1392
Reported Enrolled	1392
Enrolled Copy Signed and Transmitted to Secretary of State	1392

SENATE RESOLUTION NO. 24—

By BOYER, WILLIAMSON and WHEATLEY.

A Resolution commending C. S. Storms as Presiding Officer.

Introduced	1386
Read and Adopted	1386-1387

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Referred for Engrossment	1387
Reported Engrossed	1392
Engrossed Copy Signed and Referred for Enrollment	1392
Reported Enrolled	1392
Enrolled Copy Signed and Transmitted to Secretary of State	1392

Part V

SENATE RECORD OF HOUSE BILLS

HOUSE BILL NO. 1—

By CARMICHAEL, MITCHELL, NANCE, TRENT, THOMAS,
(House), and REXROAT, REED, MOORE (Senate).

An Act amending Sections 7889, 7891 and 7904, Compiled
Oklahoma Statutes, 1921, relating to the creating of
domestic corporations for the transportation of natural
gas and prescribing regulations for the transportation
of natural gas in interstate commerce, and for other
purposes, etc.

Received from House	394-395
First Reading	407
Second Reading	417
Reported	465-466
Considered and Made Special Order	565
Considered and Advanced	581-582
Third Reading	582-583
Engrossed Copy Signed and Returned to House	583
Enrolled Copy Received from House	609-610
Fourth Reading	610

HOUSE BILL NO. 2—

By CARMACK.

An Act regulating and fixing the salaries of the County
Officers of Harmon County, State of Oklahoma, and
declaring an emergency.

Received from House	101
First Reading	104

Second Reading and Referred to Calendar	109-110
Considered and Amended	113-114
Advanced	114
Reported Engrossed	119
Third Reading	123-124
Engrossed Copy Signed and Returned to House	124
Enrolled Copy Received from House	167
Fourth Reading	167

HOUSE BILL NO. 3—

By GRAHAM, HESTER, CLOYD, GIBSON, SEARS, MARKER, DITTMER, PAUL, DRAKE, WIMBISH, SMITH, BUTLER, TRENT, BUNCH, PARKER, SNODDY, PERRYMAN, MAUK, and HERSCHBERGER.

An Act authorizing the State Highway Commission to purchase any intra-state toll bridge located on any State Highway, making an appropriation therefor and directing the State Highway Commission to build a free bridge to serve any State Highway now served by a toll bridge which cannot be acquired under the provisions of this Act.

Received from House	694
First Reading	717
Second Reading	723

HOUSE BILL NO. 4—

By STOVALL, GRAHAM, STREET, MITCHELL, CLOYD, LEE-CRAFT, BRIGGS, LOGAN, SKINNER, KING, JACOBS, WAGNER, BYRUM, GIBSON, HOWARD, CHAMBERS, ORENDORFF, EYLAR, HERSCHBERGER, HOOVER, ROE, DUNNING, KEENAN, LOWRY, JONES (Greer), STRICKLAND, MAUK, STANLEY, and PAUL.

An Act authorizing and directing the Board of Regents of the University to complete the Oklahoma Hospital for Crippled Children, making improvements on grounds

and equipping the said hospital and making an appropriation for the same and declaring an emergency.

Received from House	696
First Reading	718
Second Reading	724
Reported	818-819
Considered and Advanced	828-829
Considered and Made Special Order	837
Third Reading	837-839
Engrossed Copy Signed and Returned to House	839
Enrolled Copy Received from House	861-862
Fourth Reading	862

HOUSE BILL NO. 6—

By STRICKLAND, BYRUM, FISCHL, HARROWER, WHITT, and HESTER.

An Act amending Section 10007, Compiled Oklahoma Statutes, 1921, and providing for the collection of and accounting for funds collected, authorizing the exemption of townships or counties therefrom, repealing Section 10033, Compiled Oklahoma Statutes, and all other Acts or parts of Acts in conflict therewith.

Received from House	964
First Reading	1006
Second Reading	1009

HOUSE BILL NO. 8—

By BYRUM, BROWN, STRICKLAND, CARMICHAEL, DYER, HOWARD, KING, ORENDORFF, PAUL, STANLEY, WHITAKER, GIBSON, KIGHT, CHAMBERS, MITCHELL and DRAKE.

An Act relating to the manufacture, sale and distribution of ice, providing for the repeal of Chapter 147, Session Laws of Oklahoma, 1925, the same being an Act declar-

ing the manufacture, sale and distribution of ice to be a public business, placing same under the jurisdiction of the Corporation Commission, providing a license fee, and penalty for violation thereof and providing the Corporation Commission shall have no jurisdiction over the manufacture, sale or distribution of ice.

Received from House	811
First Reading	820-821
Second Reading	825
Withdrawn	1002
Motion Lodged to Reconsider Vote Withdrawing	1005
Considered	1317-1318

HOUSE BILL NO. 12—

By STANLEY, LEWIS, WASSON, HEAD, BUSEY, KEENAN, CARTWRIGHT, WHITT, ORENDORFF, BARRY, WAGNER, and LEECRAFT.

An Act amending Section 2 of Chapter 35 of the Session Laws of Oklahoma, 1927, relating to Fish and Game, and declaring an emergency.

Received from House	412
First Reading	422
Second Reading	427

HOUSE BILL NO. 13—

By STANLEY, LEWIS, WASSON, PAUL, BUSEY, JACOBS, HEAD, WAGNER, PHILLIPS, WHITAKER, DYER, STOVALL and LEECRAFT.

An Act amending Section 17, Chapter 35 of the Session Laws of Oklahoma, 1927, relating to fish and game and fixing penalty for violation, and declaring an emergency.

Received from House	695
First Reading	718

Second Reading	724
Reported	819
Considered and Advanced	1119
Considered Engrossed	1119
Third Reading	1119-1120
Referred for Engrossment	1120
Reported Engrossed	1128
Engrossed Copy Signed and Returned to House	1128
House Refuses to Concur in Senate Amendment and Requests Conference	1142-1143
Senate Grants Conference and Appoints Conferees	1143
House Appoints Conferees	1277
Conference Committee Report Adopted by House 1319-1320	
Conference Committee Report Read	1320-1321
Conference Committee Report Adopted by Senate	1345
Bill Passed As Amended in Conference	1345-1346
Returned to House	1347
Enrolled Copy Received from House	1386
Fourth Reading	1389

HOUSE BILL NO. 16—

By BOYDSTUN, HARROWER, WAGNER, DANIEL, HOWARD, ROPER, BROWN, DRAKE, ORENDORFF, PAUL, FAULK, KING, KIDD, LEECRAFT, CLOYD, MITCHELL, and PARKER (House), PATTON (Senate).

An Act amending Section 8172 of Chapter 133, Session Laws of Oklahoma, 1925, relating to Pensions of Confederate Soldiers and Sailors and their Widows, and declaring an emergency.

Received from House	797
First Reading	801
Second Reading	805
Reported	819-820
Considered and Made Special Order	847
Considered and Amended	872-873
Advanced	873
Considered Engrossed	873
Third Reading	873-875
Referred for Engrossment	875

Reported Engrossed	891
Engrossed Copy Signed and Returned to House	891
House Concurs in Senate Amendments	911
Enrolled Copy Received from House	914
Fourth Reading	915

HOUSE BILL NO. 17—

By CARTWRIGHT.

An *Act providing for one deputy County Assessor for all counties in the State of Oklahoma having a population of not less than twenty thousand (20,000) inhabitants, and not exceeding twenty-one thousand (21,000) inhabitants, according to the federal census of 1920; and fixing the salary for said deputy, also fixing the amount of expense to be allowed the County Assessor and deputy of said counties, repealing all conflicting laws, and declaring an emergency.

Received from House	1143-1144
First Reading	1292
Second Reading and Referred to Calendar	1298-1299
Advanced	1299
Third Reading	1354
Amended	1354
Referred for Engrossment	1355
Reported Engrossed	1379
Engrossed Copy Signed and Returned to House	1380
House Concurs in Senate Amendments	1393
Enrolled Copy Received from House	1397
Fourth Reading	1397

HOUSE BILL NO. 19—

By WIMBISH and STRICKLAND.

An Act regulating and fixing the salaries of certain County officers and assistants of Pontotoc County, State of Oklahoma, repealing all laws in conflict herewith, and declaring an emergency.

Received from House	476
First Reading	482
Second Reading	482
Withdrawn and Referred to Calendar	565
Advanced	565
Third Reading	591-592
Engrossed Copy Signed and Returned to House	592
Enrolled Copy Received from House	626-627
Fourth Reading	627

HOUSE BILL NO. 20—

By STANLEY, LEWIS, WASSON, HEAD, PAUL, BUSEY, PHILLIPS, WHITAKER, STOVALL, FAULK, JACOBS, LEECRAFT, ROE, BARRY, CHAMBERS, CARTWRIGHT, WAGNER and SKINNER.

An Act providing for the taking of fish other than game fish from the waters of the State of Oklahoma by the use of seines, nets, or spears, describing the kind of fish that may be taken, the kind of spears that may be used, and the kind of nets that may not be used, and exempting private lakes and ponds from the operation of the fish and game laws of the State of Oklahoma, and repealing all laws in conflict therewith and declaring an emergency.

Received from House	695
First Reading	717
Second Reading	723

HOUSE BILL NO. 26—

By CHAPPELL and TILLERY.

An Act creating an additional Judgeship in Judicial District No. 12.

Received from House	963
First Reading	1005
Second Reading	1009
Withdrawn and Referred to Calendar	1069
Consideration Indefinitely Postponed	1103

HOUSE BILL NO. 31—

By LOGAN.

An Act authorizing the State Board of Public Affairs to purchase and have installed one additional passenger elevator in the State Capitol, appropriating a sum in payment of the purchase and installation thereof, and declaring an emergency.

Received from House	412
First Reading	422
Second Reading	427
Reported, do not pass	466

HOUSE BILL NO. 33—

By CLOYD and LOGAN.

An Act repealing Section 9328, Compiled Oklahoma Statutes, 1921, and Chapter 7, Oklahoma Session Laws of 1927; relating to public libraries of cities and towns and special tax levies therefor; repealing all Acts or parts of Acts in conflict therewith and declaring an emergency.

Received from House	859
First Reading	868
Second Reading	871
Reported	896-897
Considered and Advanced	947-948
Third Reading	948-949
Engrossed Copy Signed and Returned to House	949
Enrolled Copy Received from House	997
Fourth Reading	998

HOUSE BILL NO. 35—

By KING.

An Act repealing Sections 3399 to 3406, inclusive, of the Compiled Oklahoma Statutes, of 1921, abolishing the

County Court of Grandfield in Tillman County, Oklahoma, requiring all books and records thereof to be delivered to the Court Clerk of said Court, providing for the future disposal of all cases now pending in said County, and declaring an emergency.

Received from House	482-483
First Reading	487
Second Reading	491

HOUSE BILL NO. 39—

By MITCHELL and PERRYMAN.

An Act authorizing the county attorney of certain counties of the State of Oklahoma whose population was not less than 36,536 and not more than 36,636 as shown by the last federal county census, to appoint a county evidence man, fixing his salary, providing for traveling expenses, and repealing all laws in conflict herewith.

Received from House	812
First Reading	821
Second Reading	826
Referred to Calendar	826
Considered and Advanced	856
Third Reading	942-943
Engrossed Copy Signed and Returned to House	943
Enrolled Copy Received from House	991
Fourth Reading	993

HOUSE BILL NO. 44—

BY BRIGGS.

An Act amending Section 7297, Compiled Oklahoma Statutes, 1921, relating to appeals to the Supreme Court from orders of the State Industrial Commission, providing for appeal bond and declaring an emergency.

Received from House	395
First Reading	407

Second Reading	417
Reported	600
Considered and Advanced	1139
Reported Engrossed	1353
Third Reading	1359-1360
Engrossed Copy Signed and Returned to House	1361
House Concurs in Senate Amendments	1377
Enrolled Copy Received from House	1395
Fourth Reading	1395

HOUSE BILL NO. 48—

By STANLEY.

An Act providing that non-profit sharing associations that have no capital stock and pay no fees or salaries to their officers and pay not to exceed one hundred dollars, as a burial fund to the beneficiary or beneficiaries named in the certificate issued by them, or only furnish a burial outfit and burial to those entitled thereto under said certificate, etc.

Received from House	395
First Reading	407-408
Second Reading	417
Withdrawn and Re-referred	438
Reported	600-601
Considered and Referred to Special Committee	962
Reported	985-986
Amended and Advanced	986-987
Reported Engrossed	1010
Third Reading	1013
Amended	1013-1014
Consideration Deferred	1018
Considered Engrossed and Placed on Final Passage	1018-1019
Referred for Re-Engrossment	1019
Reported Engrossed	1020
Engrossed Copy Signed and Returned to House	1020
House Concurs in Senate Amendments	1043
Enrolled Copy Received from House	1044
Fourth Reading	1044

HOUSE BILL NO. 50—

By WASSON.

An Act making an appropriation to pay the mileage of the Presidential Electors that convened at the Capitol of the State of Oklahoma on the Second Day of January 1929, in obedience to the Act of Congress approved May 29, 1928, and declaring an emergency.

Received from House	440
First Reading	443
Second Reading	447
Reported	466-467
Considered and Advanced	495
Third Reading	557-558
Engrossed Copy Signed and Returned to House	558
Enrolled Copy Received from House	610
Fourth Reading	610

HOUSE BILL NO. 53—

By MAUK, BYRUM, ROPER and THOMAS.

An Act authorizing County Commissioners to permit township officers to use county road machinery and equipment; providing that the township government shall pay the expense, upkeep, maintenance and repair of said machinery when used, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

Received from House	440
First Reading	443
Second Reading	447
Withdrawn and Referred to Calendar	981
Advanced	981
Third Reading	1012-1013
Engrossed Copy Signed and Returned to House	1013
Enrolled Copy Received from House	1045
Fourth Reading	1045

HOUSE BILL NO. 56—

By SMITH and LEECRAFT.

An Act amending Section 3780, Compiled Oklahoma Statutes, 1921, pertaining to adulterated feed stuffs, and repealing all laws in conflict herewith.

Received from House	334
First Reading	341
Second Reading	353
Reported	410
Considered	564
Considered and Advanced	646
Considered Engrossed	646
Third Reading	646-647
Referred for Engrossment	647
Reported Engrossed	652
Engrossed Copy Signed and Returned to House	652-653
House Concurs in Senate Amendments	696
Enrolled Copy Received from House	736
Fourth Reading	755

HOUSE BILL NO. 57—

By HOUSTON (House) and EWING (Senate).

An Act applicable to fees collected for fishing and hunting in lakes or ponds owned by any city, town or village, other than license fees provided by General Laws for fishing in the waters of this State and providing for the disposition of said fees.

Received from House	1121
First Reading	1126
Second Reading and Referred to Calendar	1129
Advanced	1307
Third Reading	1307-1308
Engrossed Copy Signed and Returned to House	1308
Enrolled Copy Received from House	1331
Fourth Reading	1332

HOUSE BILL NO. 58—

By KEENAN.

An Act repealing Sections 1, 2, 3, 4, and 5 of Chapter 31, of the Acts of the Ninth Legislature, 1923, being an Act fixing the salaries of the County Attorneys of all counties in the State of Oklahoma having a population of not less than 19,800, and not more than 19,900, as shown by the Federal census of 1920.

Received from House	752
First Reading	757
Second Reading	760
Reported	1276
Considered and Advanced	1307
Third Reading	1307-1308
Engrossed Copy Signed and Returned to House	1308
Stricken from Calendar	1316

HOUSE BILL NO. 85—

By DITTMER and SNODDY.

An Act amending Section 202, Chapter 3, Article 4, of the Compiled Statutes of Oklahoma, 1921, relating to the venue of civil actions, and declaring an emergency.

Received from House	455-456
First Reading	470
Second Reading	475

HOUSE BILL NO. 88—

By SKINNER, CHAMBERS and COMMITTEE ON MINES AND MINING (House), and COMMONS (Senate).

An Act providing for the regulating of the working of lead zinc and other metal mines; providing for the protection

of the lives, health, safety and welfare of persons employed therein and thereabout; defining the duties of persons, firms and corporations operating said mines, etc.

Received from House	395-396
First Reading	408
Second Reading and Referred to Calendar	417
Considered and Advanced	431
Third Reading	431-432
Engrossed Copy Signed and Returned to House	432
Fourth Reading	469

HOUSE BILL NO. 100—

By CHAPPELL.

An Act pertaining to the salary of Assistant County Attorney, of Kay County, Oklahoma, fixing his salary at \$200.00 per month, prohibiting him from engaging in private practice of law, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

Received from House	396
First Reading	408
Second Reading and Referred to Calendar	417
Considered and Advanced	438
Third Reading	462-463
Engrossed Copy Signed and Returned to House	463
Enrolled Copy Received from House	483-484
Fourth Reading	483-484

HOUSE BILL NO. 102—

By KING.

An Act authorizing and empowering the County Commissioners of Tillman County, Oklahoma, to sell the North half of Lot 26, Lots 27 and 28, all in Block 52 of the original town of Frederick, Oklahoma, providing for

the disposition of the funds received therefor, and declaring an emergency.

Received from House	334
First Reading	341
Second Reading	353
Withdrawn and Referred to Calendar	438
Considered and Advanced	438
Third Reading	463-465
Engrossed Copy Signed and Returned to House	465
Enrolled Copy Received from House	483
Fourth Reading	483

HOUSE BILL NO. 104—

By HARVEY, MATHERLY, LOWRY, CARMACK, HARROWER, CLOYD, WHITT, STRICKLAND, MAUK, CARTWRIGHT, BUSEY and HOOVER.

An Act regulating the sale or distribution of pamphlets, publications, and books and providing a penalty for violation of the act, and declaring an emergency.

Received from House	667-668
First Reading	672
Second Reading	677

HOUSE BILL NO. 114—

By GRAHAM, WILSON, and LOGAN (House), FIDLER (Senate).

An Act making appropriations to be paid the cities and towns named, the total of the amount of money collected by the State Insurance Commissioner from the Insurance Companies, and which has been turned into the State Treasury as provided in Article 5, Chapter 29, Compiled Oklahoma Statutes, 1921, and declaring an emergency.

Received from House	360
First Reading	387

Second Reading	394
Reported	466-467
Considered and Advanced	495
Third Reading	559
Engrossed Copy Signed and Returned to House	561
Enrolled Copy Received from House	669
Fourth Reading	670

HOUSE BILL NO. 117—

By GRAHAM, CLOYD and THE SOLDIERS' RELIEF COMMITTEE.

An Act creating a special fund in the State Treasury to be known as the Soldiers' Relief Commission Fund of the Oklahoma State Hospital; and declaring an emergency.

Received from House	532
First Reading	541
Second Reading	544
Reported	569
Considered and Advanced	807
Third Reading	807-808
Engrossed Copy Signed and Returned to House	806
Enrolled Copy Received from House	862-863
Fourth Reading	863

HOUSE BILL NO. 119—

By GRAHAM, CLOYD and SOLDIERS' RELIEF COMMITTEE.

An Act providing for the construction and equipment of two additional wings to the separate ward for ex-service persons of the World War at the Central Oklahoma State Hospital at Norman, Oklahoma, and making an appropriation therefor, and providing for the re-painting and repairing of the old wards and for

the landscaping of said wards and wings, and making an appropriation for same, and declaring an emergency.

Received from House	440
First Reading	443
Second Reading	447
Reported	569
Considered and Advanced	805
Third Reading	805-807
Engrossed Copy Signed and Returned to House	207
Enrolled Copy Received from House	862
Fourth Reading	863

HOUSE BILL NO. 121—

By BOYDSTUN.

An Act amending Section 10938, Compiled Oklahoma Statutes, 1921, relating to organization of townships, repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

Received from House	412-413
First Reading	422
Second Reading	428
Reported	720
Considered and Advanced	1075
Third Reading	1076-1077
Engrossed Copy Signed and Returned to House	1077
Enrolled Copy Received from House	1135
Fourth Reading	1136

HOUSE BILL NO. 130—

By NANCE (House), and BOYER (Senate).

An Act authorizing the Board of City Commissioners of the City of Walters, Oklahoma, to waive, remit, and refund certain penalty or interest on delinquent paving

taxes and assessments, and authorizing the County Treasurer of Cotton County, Oklahoma, to collect said paving taxes and assessments without collecting the penalty or interest delinquent thereon, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

Received from House	309
First Reading	320
Second Reading and Referred to Calendar	322
Considered, Amended and Advanced	340, 382-383
Considered Engrossed	383
Third Reading	383-384
Referred for Engrossment	384
Reported Engrossed	391
Returned to House	391
House Concurs in Senate Amendments	456-457
Enrolled Copy Received from House	484
Fourth Reading	484

HOUSE BILL NO. 132—

By JONES (Greer).

An Act amending Section 8662, Compiled Oklahoma Statutes, 1921, relating to the proposed use of State prison revolving fund, repealing all laws in conflict herewith and declaring an emergency.

Received from House	609
First Reading	627
Second Reading	633
Reported	977
Considered, Amended and Advanced	1037
Reported Engrossed	1052
Third Reading	1055-1056
Engrossed Copy Signed and Returned to House	1056
House Concurs in Senate Amendments	1114-1115
Enrolled Copy Received from House	1115
Fourth Reading	1116

HOUSE BILL NO. 136—

By BOYDSTUN.

An Act amending Section 4710, of the Compiled Oklahoma Statutes, 1921, relating to costs-deposit of the city court, and declaring an emergency.

Received from House	495-496
First Reading	503
Second Reading	506
Reported	1035
Considered and Advanced	1037
Reported Engrossed	1052
Third Reading	1058-1059
Engrossed Copy Signed and Returned to House	1059
Motion Lodged to Reconsider	1077

HOUSE BILL NO. 137—

By WATSON, BROWN, HESTER, MAUK and PAUL.

An Act amending Section 9606, Compiled Oklahoma Statutes of 1921, as amended by House Bill 139, Chapter 135, Session Laws of 1925, relating to assessments and taxation of property of corporations, repealing Section 9962, Compiled Oklahoma Statutes, 1921, and all Acts and parts of Acts in conflict herewith and declaring an emergency.

Received from House	609
First Reading	628
Second Reading	634
Reported	660
Considered and Referred to Special Committee	953
Reported and Amended	989
Advanced	990
Reported Engrossed	1010
Third Reading	1011
Made Special Order	1012
Considered and Made Special Order	1019
Reported	1060

HOUSE BILL NO. 140—

By JONES (Stephens).

An Act authorizing the Board of County Commissioners of Stephens County to purchase, for the use of said County Commissioners, automobiles, and declaring an emergency.

Received from House	921
First Reading	954
Second Reading and Referred to Calendar	957
Considered and Advanced	1023
Third Reading	1057-1058
Engrossed Copy Signed and Returned to House	1050
Enrolled Copy Received from House	1115
Fourth Reading	1116

HOUSE BILL NO. 141—

By BLACK, HERSCHBERGER, PARKER, DRAKE, McADOO, MITCHELL and PHILLIPS.

An Act amending Chapter 56 of the Session Laws of 1927, relating to the investment of sinking funds, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

Received from House	413
First Reading	422
Second Reading	428

HOUSE BILL NO. 144—

By NANCE (House) and BOYER (Senate).

An Act abolishing the offices of township trustee, township clerk, and township treasurer of Cache, Texas, Beaver, Hulen, Strauss, Bryan, Jackson, Jefferson, Devol townships in Cotton County, State of Oklahoma, and conferring the powers and duties of said offices

on the Board of County Commissioners, County Clerk and County Treasurer of Cotton County, Oklahoma; providing that additional salaries shall be paid to the Board of County Commissioners and County Clerk for performing additional duties; repealing all laws in conflict herewith, and declaring an emergency.

Received from House	333-334
First Reading	340
Second Reading and Referred to Calendar	353
Considered and Advanced	384-385
Third Reading	385
Engrossed Copy Signed and Returned to House	386
Enrolled Copy Received from House	441-442
Fourth Reading	442

HOUSE BILL NO. 149—

By HARVEY and JONES (Greer).

An Act authorizing Greer and Kiowa Counties to erect Memorial Statues at each end of the bridge now constructed across the North Fork of Red River on State Highway Number Nine; providing the manner of payment thereof and declaring an emergency.

Received from House	456
First Reading	470
Second Reading and Referred to Calendar	475
Considered and Advanced	537
Third Reading	538-539
Engrossed Copy Signed and Returned to House	539
Enrolled Copy Received from House	611
Fourth Reading	612

HOUSE BILL NO. 164—

By BOYDSTUN, HARROWER and MOON.

An Act amending Section 7, of Chapter 85, Senate Bill No. 284, Session Laws of 1919, relating to salaries of depu-

ties in the office of the Assessor of Muskogee County, repealing all laws in conflict herewith, and declaring an emergency.

Received from House	483
First Reading	487
Second Reading	492
Reported	543
Consideration Deferred	1139

HOUSE BILL NO. 171—

By HOOVER and the COMMITTEE ON MUNICIPAL CORPORATIONS.

An Act authorizing and permitting the State of Oklahoma and political subdivisions thereof to construct, repair and maintain and operate by joint agreement with themselves public buildings, bridges, viaducts, highways and other public improvements, and describing the method and procedure therefor, and repealing all laws in conflict herewith.

Received from House	922
First Reading	954
Second Reading	957

HOUSE BILL NO. 173—

By PAUL.

An Act amending Section 1699, Compiled Oklahoma Statutes, 1921, relating to the giving of evidence by one spouse against the other, in criminal cases, and providing that in all criminal cases each spouse shall be a competent witness either for or against the other.

Received from House	512-513
First Reading	518
Second Reading	524
Reported, do not pass	601

HOUSE BILL NO. 175—

By BLACK.

An Act amending Section 4507, Compiled Oklahoma Statutes, 1921, relating to the right of municipalities to engage in business, acquire, own and maintain public utilities and to issue bonds for said purposes, to be owned exclusively by said municipalities, including the right to enter into lease contract for such public utility; and declaring an emergency.

Received from House	666-667
First Reading	671
Second Reading	677
Reported	691-692
Considered and Advanced	808
Third Reading	808
Consideration Deferred	809
Third Reading	843-844
Engrossed Copy Signed and Returned to House	844
Enrolled Copy Received from House	881
Consideration Temporarily Deferred	882
Consideration Deferred	932-933
Senate Requests Return of Engrossed Copy for Amendments	952
Enrolled Copy Received from House	987
Fourth Reading Deferred	988
House Recedes from Fourth Reading	1067
Reconsidered, Amended and Advanced	1067-1068
Third Reading	1068-1069
Referred for Engrossment	1069
Reported Engrossed	1075
Engrossed Copy Signed	1075
Considered Engrossed	1068
House Concurs in Senate Amendments	1114
Enrolled Copy Received from House	1145
Fourth Reading	1147

HOUSE BILL NO. 176—

By BYRUM.

An Act amending Section 7, Chapter 173, Session Laws of Oklahoma, 1923, relating to the character of perma-

nent improvement of any street, avenue, lane, alley or other public place, in any city or incorporated town in the State of Oklahoma, and to petitions for said improvement; repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

Received from House	1108
First Reading	1125
Second Reading	1129
Reported	1365-1366
Considered and Advanced	1377-1378
Third Reading	1378-1379
Engrossed Copy Signed and Returned to House	1379
Enrolled Copy Received from House	1393-1394
Fourth Reading	1394

HOUSE BILL NO. 190—

By PAUL and GIBSON.

An Act making an appropriation for maintenance, bedding, supplies and farm equipment for the State Training School for White Boys at Pauls Valley, Oklahoma, and declaring an emergency.

Received from House	441
First Reading	443-444
Second Reading	447
Reported	467
Considered and Advanced	486
Third Reading	492-493
Engrossed Copy Signed and Returned to House	493
Enrolled Copy Received from House	515
Fourth Reading	516

HOUSE BILL NO. 200—

By WHITT, ROE and LESTER.

An Act fixing the salaries of the County Assessor and dep-

uties of Pittsburg County, Oklahoma, and declaring an emergency.

Received from House	413
First Reading	422
Second Reading	428
Reported	453-454
Consideration Deferred	949
Stricken from Calendar	1138

HOUSE BILL NO. 202—

By NANCE and MITCHELL.

An Act to create the State Park Commission, to define its rights, privileges, powers and duties in acquiring and maintaining State Parks, and to authorize the establishment of public parks throughout the State for the preservation of places of historical, natural and recreational interest, authorizing grants and donations in aid of such purposes, making an appropriation therefor and declaring an emergency.

Received from House	1277
First Reading	1293
Second Reading	1300

HOUSE BILL NO. 203—

By BLACK, DITTMER and EYLAR.

An Act amending Section 4399, Compiled Oklahoma Statutes, 1921, relating to establishing general Sanitary, Storm and Combination Sewer System; and declaring an emergency.

Received from House	1278
First Reading	1293-1294
Second Reading and Referred to Calendar	1301
Advanced	1301

Third Reading	1358-1359
Engrossed Copy Signed and Returned to House	1359
Enrolled Copy Received from House	1395
Fourth Reading	1395

HOUSE BILL NO. 209—

By BARRY.

An Act providing for the salaries of the County Commissioners of Okfuskee County, Oklahoma, and declaring an emergency.

Received from House	456
First Reading	470
Second Reading and Referred to Calendar	475
Advanced	475
Third Reading	937-938
Engrossed Copy Signed and Returned to House	938
Enrolled Copy Received from House	991
Fourth Reading	991

HOUSE BILL NO. 210—

By WHITT, ROE and LESTER.

An Act amending Section 9666, Compiled Oklahoma Statutes, 1921, relating to assessment of taxable property and providing for procedure in such assessments in all Counties in the State having a population of not less than 52,570 and not more than 54,500 according to the Federal census of 1920.

Received from House	433
First Reading	433
Second Reading	435
Reported	660
Consideration Deferred	949
Stricken from Calendar	1138-1139

HOUSE BILL NO. 220—

By ODELL.

An Act providing for the appointment of a deputy County Superintendent of Schools in Woodward County, fixing the salary thereof and declaring an emergency.

Received from House	513
First Reading	519
Second Reading and Referred to Calendar	524
Considered and Advanced	565
Third Reading	594-596
Engrossed Copy Signed and Returned to House	596
Enrolled Copy Received from House	669
Fourth Reading	670

HOUSE BILL NO. 222—

By HUTCHINSON, STANLEY, BRIGGS, JONES (Greer),
DUNNING and CLOYD (House) and OTJEN (Senate).

An Act amending Section 6982, Compiled Oklahoma Statutes, 1921, relating to the purchasing outside of the State of Oklahoma and the transportation into Oklahoma of tax-free alcohol, for use in scientific institutions, colleges, universities and hospitals, and declaring an emergency.

Received from House	667
First Reading	672
Second Reading	677
Reported	747
Considered and Advanced	847
Third Reading	848-849
Engrossed Copy Signed and Returned to House	849
Enrolled Copy Received from House	881
Fourth Reading	882

HOUSE BILL NO. 231—

By KENISON (House), and KIMERER (Senate).

An Act authorizing the County Commissioners of Blaine County, Oklahoma, to make a special levy for the purpose of erecting buildings for the Free Fair Association upon real estate owned by said county or municipal corporation therein, under contract or lease, for use as exhibit grounds for free county fair, and declaring an emergency.

Received from House	513
First Reading	519
Second Reading and Referred to Calendar	525
Considered and Advanced	564
Third Reading	582-594
Engrossed Copy Signed and Returned to House	594
Enrolled Copy Received from House	669
Fourth Reading	670

HOUSE BILL NO. 241—

By DRAKE, CARMACK, KEENAN, BROWN and MATHERLY (House), and ANDREWS (Senate), and JOINT COMMITTEE OF HOUSE AND SENATE ON ROADS AND HIGHWAYS.

An Act authorizing the State Highway Commission of the State of Oklahoma to acquire, condemn, construct and maintain bridges spanning or to span any stream which forms the boundary line between this and any other state; providing for the expenditure of State Highway Construction and Maintenance Funds therefor; providing that such bridges shall connect designated State Highways in this state with designated state highways of such other state, provided that such other state shall have enacted a statute with provisions similar to this Act; providing that the State Highway Commission shall not expend more than one-half of the amount necessary to acquire, condemn, construct or maintain any

such bridge; providing for condemnation and the manner of proceeding thereof; and repealing all Acts and parts of Acts in conflict herewith.

Received from House	728-729
First Reading	734
Second Reading	741

HOUSE BILL NO. 247—

By HOOVER.

An Act relating to janitors and elevator operators in the State Capitol Building, creating the positions of janitors, operators of elevators and firemen, repealing all laws in conflict herewith and declaring an emergency.

Received from House	554
First Reading	567
Second Reading	579

HOUSE BILL NO. 253—

By ORENDORFF (House), and PATTON (Senate).

An Act amending Section 3973, Compiled Oklahoma Statutes, 1921, as amended by Chapter 119, Session Laws of Oklahoma, 1927, relating to the herding of domestic animals, and declaring an emergency.

Received from House	554
First Reading	567
Second Reading and Referred to Calendar	578-579
Considered and Advanced	621
Third Reading	621-623
Engrossed Copy Signed and Returned to House	623
Enrolled Copy Received from House	670
Fourth Reading	671

HOUSE BILL NO. 261—

By MOON and DYER.

An Act amending Sections 1, 2, and 5 of Chapter 45, Session Laws of 1925, relating to Fish and Game Commission, providing certain qualifications, and manner of removal from office, fixing salaries and expenses, prescribing duties and powers, authorizing condemnation proceedings for acquiring lands, repealing all Acts or parts of Acts in conflict herewith and declaring an emergency.

Received from House	773-774
First Reading	784
Second Reading	787
Reported	803
Considered, Amended and Advanced	960
Considered Engrossed	960
Third Reading	960-962
Referred for Engrossment	962
Reported Engrossed	962
Engrossed Copy Signed and Returned to House	963
Senate Amendments Withdrawn	966
Enrolled Copy Received from House	1017
Fourth Reading	1017

HOUSE BILL NO. 267—

By HARVEY.

An Act increasing the salaries of the deputies of the County Clerk's office of Kiowa County, Oklahoma.

Received from House	513
First Reading	519
Second Reading and Referred to Calendar	525
Considered and Advanced	539
Third Reading	561
Engrossed Copy Signed and Returned to House	562
Motion Lodged to Reconsider	565
Reconsidered	584

Emergency Stricken and Advanced	584-585
Considered Engrossed	585
Third Reading	585
Referred for Engrossment	585
Reported Engrossed	594
Engrossed Copy Signed and Returned to House	594
House Concurs in Senate Amendments	697
Enrolled Copy Received from House	736-737
Fourth Reading	737

HOUSE BILL NO. 270—

By SCHLEGEL, ORNER (House) and JOHNSON (Creek)
(Senate).

An Act providing for two deputies in the office of Court Clerk of Payne County, Oklahoma, fixing their salaries; repealing all laws in conflict herewith and declaring an emergency.

Received from House	496
First Reading	503
Second Reading and Referred to Calendar	507
Considered and Advanced	539
Third Reading	544-456
Engrossed Copy Signed and Returned to House	546
Enrolled Copy Received from House	611
Fourth Reading	612

HOUSE BILL NO. 272—

By SCHLEGEL, ORNER (House), and JOHNSON (Creek)
(Senate).

An Act providing for an Assistant County Attorney of Payne County, Oklahoma; prescribing his duties and qualifications; fixing his salary and expenses; providing for a stenographer in the office of said County Attorney; fixing the salary of said stenographer; re-

pealing all laws or parts of laws in conflict herewith,
and declaring an emergency.

Received from House	496
First Reading	503
Second Reading and Referred to Calendar	506-507
Considered and Advanced	539
Third Reading	546-547
Engrossed Copy Signed and Returned to House	547
Enrolled Copy Received from House	611
Fourth Reading	612

HOUSE BILL NO. 274—

By SMITH.

An Act amending Section One, Chapter 190, Session Laws
of Oklahoma, 1927, relating to School District No. 73,
Bryan County, Oklahoma; and declaring an emergency.

Received from House	513
First Reading	519
Second Reading and Referred to Calendar	525
Considered and Advanced	539
Third Reading	558-559
Engrossed Copy Signed and Returned to House	559
Enrolled Copy Received from House	612
Fourth Reading	612

HOUSE BILL NO. 276—

By BUNCH.

An Act providing for the abolition of the Court Town at
Westville, Adair County, Oklahoma.

Received from House	496
First Reading	503
Second Reading	506

HOUSE BILL NO. 282—

By BOYDSTUN, HARROWER and MOON.

An Act fixing the salary of the County Assessor of Muskogee County, Oklahoma, and repealing all laws in conflict herewith.

Received from House	513
First Reading	518
Second Reading and Referred to Calendar	524
Considered and Advanced	743
Third Reading	789
Engrossed Copy Signed and Returned to House	789
Enrolled Copy Received from House	831-832
Fourth Reading	833

HOUSE BILL NO. 284—

By ROPER, WHITAKER, SNODDY, DRAKE, MAUK, HARVEY, WATSON, KIGHT, MATHERLY, SHERMAN, TRENT, BUNCH, LANGLEY, PARKER, FERGUSON, HERSCHBERGER, CARMICHAEL, SMITH, HESTER, HINES, GRAHAM, HUTCHINSON, BUTLER, PERRYMAN and PHILLIPS.

An Act repealing Chapter 71, of the Session Laws of 1927, and creating a Highway Commission; providing for the appointment and procedure of removal of said Commission; providing for tenure of office, salaries of such Commission; and declaring an emergency.

Received from House	988
First Reading	1006
Second Reading and Referred to Calendar	1009
Made Special Order	1009
Considered, Amended and Advanced	1020-1022
Reported Engrossed	1052
Third Reading	1052
Consideration Deferred	1052
Amended and Final Passage	1085-1087
Referred for Engrossment	1087

Reported Engrossed	1096
Engrossed Copy Signed and Returned to House	1096
House Concurs in Senate Amendments	1114
Enrolled Copy Received from House	1145-1146
Fourth Reading	1147

HOUSE BILL NO. 285—

By THOMAS, BRIGGS, BROWN, CLOYD, KEENAN, LOGAN, and LEECRAFT (House), and GRAY, FIDLER, WILLIAMSON, AUSTIN and STORMS (Senate).

An Act amending Section 5505, of the Compiled Oklahoma Statutes of 1921, relating to eminent domain and condemnation proceedings by railroads and other corporations, authorizing the State of Oklahoma and its various educational, reformatory, penal and eleemosynary institutions and other departments of State to institute condemnation proceedings in the same manner and under the procedure authorized for railroad corporations, and declaring an emergency.

Received from House	668
First Reading	672-673
Second Reading	677-678
Reported	730-731
Advanced	731
Third Reading	743
Consideration Temporarily Deferred	743
Final Passage	841
Engrossed Copy Signed and Returned to House	842
Enrolled Copy Received from House	880
Fourth Reading	881

HOUSE BILL NO. 288—

By BOYDSTUN, HARROWER and MOON.

An Act fixing the salaries of the deputies or assistants in the office of County Superintendent of Public Instruction in and for Muskogee County and fixing the num-

ber of deputies to said official, repealing all Laws in conflict herewith and declaring an emergency.

Received from House	515
First Reading	520
Second Reading and Referred to Calendar.....	524
Considered and Advanced	564
Third Reading	678-679
Emergency Stricken	679
Referred for Engrossment	679
Reported Engrossed	692
Engrossed Copy Signed and Returned to House.....	692
House Concurs in Senate Amendments	830
Enrolled Copy Received from House	863
Fourth Reading	863

HOUSE BILL NO. 290—

By JONES (Greer) and DANIEL.

An Act amending Section 10,483 Compiled Statutes of Oklahoma, 1921, relating to the formation of Union Graded School Districts, validating Union Graded School Districts heretofore formed comprising territory lying in more than one county; providing for appeals in certain cases, and declaring an emergency.

Received from House	1042
First Reading	1080
Second Reading	1083

HOUSE BILL NO. 292—

By STRICKLAND and WIMBISH.

An Act fixing the salaries and compensation of the County Commissioners of Pontotoc County, Oklahoma, at \$180.00 per month payable monthly, and providing that said commissioners shall receive no other compensation for any duty performed or services rendered by

them, except that they shall receive their actual necessary expenses when engaged outside of the county in business for the county, etc.

Received from House	514
First Reading	519-520
Second Reading	524

HOUSE BILL NO. 294—

By WATSON.

An Act fixing the salary of the County Court Stenographer of Lincoln County, Oklahoma, and repealing all Acts in conflict herewith, and declaring an emergency.

Received from House	514
First Reading	520
Second Reading and Referred to Calendar	524
Considered and Advanced	564
Third Reading	596-697
Engrossed Copy Signed and Returned to House	597
Enrolled Copy Received from House	669-670
Fourth Reading	670

HOUSE BILL NO. 295

By HUTCHINSON and CLOYD (House) and OTJEN (Senate).

An Act authorizing the Excise Board of any County in this State to make an annual levy of not to exceed one-half of one mill for the purpose of establishing, extending, operating, and maintaining a county circulating library and for the employment of help in connection therewith; providing for the use and expenditure of such funds in co-operation with other public libraries, and declaring an emergency.

Received from House	877
First Reading	894

Second Reading	900
Withdrawn and Referred to Calendar	1001
Considered and Advanced	1117
Third Reading	1117-1119
Engrossed Copy Signed and Returned to House.....	1119
Enrolled Copy Received from House	1146
Fourth Reading	1147

HOUSE BILL NO. 301—

By BRIGGS (House), and HARPER (Senate).

An Act to prevent live stock from running at large in certain parts of Latimer County, Oklahoma, prescribing punishment for the violation thereof, providing for damages for trespassing animals and distraint thereof, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

Received from House	554
First Reading	566-567
Second Reading	578
Reported and Indefinitely Postponed.....	660-661

HOUSE BILL NO. 302—

By WHITT, LESTER and ROE.

An Act authorizing and directing the Board of County Commissioners of Pittsburg County, Oklahoma, to include in its annual estimate, and the Excise Board of said county to make an extra annual levy in a sum equal to one-half of one mill for a District Court Fund to cover expenditures for jurors and witnesses, etc.

Received from House	531
First Reading	540
Second Reading and Referred to Calendar	544
Considered and Advanced	732
Third Reading	732-733

Engrossed Copy Signed and Returned to House-----	733
Enrolled Copy Received from House -----	832
Fourth Reading -----	833

HOUSE BILL NO. 312—

By HESTER and PAUL.

An Act legalizing acknowledgments of all deeds, mortgages, oil and gas leases, powers of attorney and other instruments of writing for the conveyance or incumbrance of any land, tenements or hereditaments situated within the State heretofore executed and acknowledged or proved in any state, territory, District of Columbia, or country in conformity with the laws of such state, territory, District of Columbia, or country.

Received from House -----	1278
First Reading -----	1294
Second Reading -----	1300-1301
Referred to Special Committee -----	1301
Report of Special Committee -----	1327
Advanced -----	1328
Third Reading -----	1353
Engrossed Copy Signed and Returned to House-----	1353
Enrolled Copy Received from House -----	1383-1384
Fourth Reading -----	1384

HOUSE BILL NO. 313—

BY WHITAKER.

An Act regulating fishing and the taking of fish in the portions of the streams known as Deep Fork and North Canadian Rivers, situated within the confines of McIntosh County, Oklahoma; permitting the trapping, netting, seining and gigging of fish therein; repealing all Acts and parts of Acts in conflict herewith.

Received from House -----	751-752
First Reading -----	757
Second Reading -----	760

HOUSE BILL NO. 315—

By GRAHAM, STREET, SEARS, MARKER, PARKER, BOYDSTUN, HARROWER, MAXWELL, and STRICKLAND (House) and FIDLER and TERWILLEGER (Senate).

An Act to amend Section 7208, 7213 and 7214 of Article III, Chapter 55, Compiled Oklahoma Statutes, Annotated, 1921, providing for the employment of women and children, and declaring an emergency.

Received from House	579
First Reading	597-598
Second Reading	608
Reported	720
Considered and Advanced	771
Third Reading	901-902
Engrossed Copy Signed and Returned to House.....	902-903
Enrolled Copy Received from House	915
Fourth Reading	915

HOUSE BILL NO. 319—

By BOYDSTUN, HARROWER and MOON.

An Act fixing the number of deputies and their salaries in the office of the Court Clerk of Muskogee County, Oklahoma, repealing all laws in conflict herewith, and declaring an emergency.

Received from House	579-580
First Reading	598
Second Reading and Referred to Calendar	608
Considered and Advanced	750
Third Reading	791-792
Engrossed Copy Signed and Returned to House.....	792
Enrolled Copy Received from House	832-833
Fourth Reading	833

HOUSE BILL NO. 324—

By STRICKLAND and WIMBISH.

An Act providing for the appointment of additional Deputy County Assessors in Pontotoc County, Oklahoma, fixing their compensation and term of office and declaring an emergency.

Received from House	651
First Reading	657
Second Reading and Referred to Calendar	664
Considered and Advanced	836
Third Reading	938-939
Engrossed Copy Signed and Returned to House	940
Enrolled Copy Received from House	997
Fourth Reading	998

HOUSE BILL NO. 332—

By BLACK, HINES, MOON, HOUSTON, BOYDSTUN, FERGUSON and NANCE (House), and BOYER, STORMS, JOLLY, REXROAT, THOMAS and AUSTIN (Senate).

An Act making appropriation for the purchase of farming implements, live stock, motor bus, plumbing supplies, and for the construction of a barn, tool shed, blacksmith shop and hog house at Cameron College; and declaring an emergency.

Received from House	608
First Reading	627
Second Reading	633
Reported and Advanced	639.
Third Reading	647-648
Engrossed Copy Signed and Returned to House	649
Enrolled Copy Received from House	670
Fourth Reading	671

HOUSE BILL NO. 334—

By BOYDSTUN (House) and GULAGER (Senate).

An Act authorizing and empowering the Board of Trustees of the Incorporated Town of Fort Gibson, Muskogee County, Oklahoma, to convey in fee simple the Sam Houston Park Located in the Town of Fort Gibson, Oklahoma, to the State of Oklahoma for the use and benefit of a State Park and declaring an emergency.

Received from House	650-651
First Reading	656-657
Second Reading and Referred to Calendar.....	664
Considered and Advanced	711
Third Reading	787-788
Engrossed Copy Signed and Returned to House.....	789
Enrolled Copy Received from House	832
Fourth Reading	833

HOUSE BILL NO. 335—

By MOON, HARROWER and BOYDSTUN.

An Act amending Chapter 202 (House Bill No. 392), Session Laws of 1925, empowering Muskogee County to levy and collect an annual tax for the use and benefit of the Free Oklahoma State Fair at Muskogee, Oklahoma, regulating the expenditure thereof, and declaring an emergency.

Received from House	651
First Reading	657
Second Reading	664
Withdrawn and Referred to Calendar	744
Considered and Advanced	771-773
Reported Engrossed	786
Third Reading	789-790
Engrossed Copy Signed and Transmitted to House.....	790-791
House Concurs in Senate Amendments	810
House Refuses to Concur in Senate Amendments.....	860
Consideration Deferred	860

Senate Refuses to Recede and Conference Requested__	926
Senate Conference Committee Appointed _____	958
House Conference Committee Appointed _____	1015
House Adopts Conference Committee Report_____	1110
Conference Report Read _____	1110-1112
Senate Adopts Conference Committee Report_____	1112
Bill Passed as Amended in Conference_____	1112-1113
Bill, Together with Conference Report Returned to House _____	1113
Enrolled Copy Received from House _____	1146
Fourth Reading _____	1147

HOUSE BILL NO. 338—

By PHILLIPS.

An Act deferring resale of real estate for delinquent taxes in counties having a population of not less than 20,850 nor more than 20,857, according to the official Federal census for the year 1920, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

Received from House _____	651
First Reading _____	657
Second Reading _____	664
Reported _____	731
Considered and Advanced _____	856
Third Reading _____	941-942
Engrossed Copy Signed and Returned to House_____	942
Enrolled Copy Received from House _____	992-993
Fourth Reading _____	993

HOUSE BILL NO. 341—

By BARRY (House) and ANGLIN (Senate).

An Act amending Section 10,465, Compiled Oklahoma Statutes, 1921, regarding transportation in school districts, and declaring an emergency.

Received from House	811
First Reading	821
Second Reading	828
Reported and Advanced	978
Third Reading	978-979
Motion Lodged to Reconsider	979
Reconsidered and Passed	1304
Engrossed Copy Signed and Returned to House.....	1305
Enrolled Copy Received from House.....	1331
Fourth Reading	1332

HOUSE BILL NO. 345—

By NANCE (House) and BOYER (Senate).

An Act to amend Section 10, of Chapter 93, of the Session Laws of Oklahoma of 1927, the same being an Act entitled: "An Act to authorize the governing body of any city or incorporated town to refund street improvement bonds heretofore issued by authority of Chapter 10, Article 1, of the Session Laws of Oklahoma 1907-1908, or Article 12, Chapter 29, Compiled Oklahoma Statutes, Annotated, 1921; to provide for the levy and collection of assessments to pay such bonds and the method of procedure therefor; to provide for the retirement of street improvement bonds heretofore issued; to provide for the repeal of Chapter 216, of the Session Laws of the State of Oklahoma, 1919, and all other laws and parts of laws in conflict herewith" repealing all laws or parts of laws in conflict herewith; and declaring an emergency

Received from House	922-923
First Reading	954-955
Second Reading	957
Withdrawn and Referred to Calendar	1002
Considered, Amended and Advanced	1105
Considered Engrossed	1105
Third Reading	1105-1106
Referred for Engrossment	1107
Reported Engrossed	1107
Engrossed Copy Signed and Returned to House	1108

House Concurs in Senate Amendments	1114
Enrolled Copy Received from House	1146
Fourth Reading	1147

HOUSE BILL NO. 346—

By NANCE (House) and BOYER (Senate).

An Act to authorize cities and towns in Oklahoma, whether acting under the General Law or Freeholders' Charter, that have issued street improvement bonds under and by virtue of the authority of Chapter 10, Article 12, Revised Laws, 1910, or Chapter 176, Session Laws, 1919, to refund said bonds, to levy and collect assessments, to pay such bonds, and to provide for cancellation of any or all prior assessments and penalties, together with penalty and interest, by and with written consent of and under contracts with the holder or holders of any series of such bonds, and to provide a procedure therefor; and declaring an emergency.

Received from House	963-964
First Reading	1005-1006
Second Reading	1009
Reported	1035-1036
Considered and Advanced	1103
Third Reading	1103-1104
Engrossed Copy Signed and Returned to House.....	1104
Enrolled Copy Received from House	1136
Fourth Reading	1136

HOUSE BILL NO. 349—

By MAXWELL, HARROWER, BOYDSTUN, and MOON (House),
and FIDLER (Senate).

An Act amending Section 11 of the law known as Initiative Petition No. 100, relating to ad valorem tax levies, by adding certain exceptions under the sub-title of free fairs; providing for the expenditure of free fair funds

for said exceptions. Repealing all laws in conflict herewith, and declaring an emergency.

Received from House	923
First Reading	955
Second Reading	958
Reported	1036
Considered and Advanced	1070
Third Reading	1070-1071
Engrossed Copy Signed and Returned to House	1071
Enrolled Copy Received from House	1146
Fourth Reading	1147
Requests House to Rescind Fourth Reading	1147
Fourth Reading Rescinded	1279-1282
Re-considered and Amended	1280
Advanced	1280
Considered Engrossed	1280
Placed on Final Passage	1281-1282
Referred for Engrossment	1282
Reported	1296
Engrossed Copy Signed and Returned to House	1296
House Refuses to Concur in Senate Amendments	1318
House Requests Conference and Appoints Conferees	1319
Senate Grants Conference and Appoints Conferees	1319
House Adopts Conference Committee Report	1329
Senate Adopts Conference Committee Report	1329-1330
Roll Call Deferred	1330
Final Roll Call	1367-1368
Bill, Together with Conference Report Returned to House	1369
Enrolled Copy Received from House	1388-1389
Fourth Reading	1389

HOUSE BILL NO. 352—

By SCHLEGEL and ORNER (House), and JOHNSON (Creek)
(Senate).

An Act providing for the appointment of an undersheriff, two deputy sheriffs and a jailer of Payne County, Oklahoma; fixing their salaries; repealing all laws in conflict herewith and declaring an emergency.

Received from House	667
First Reading	672
Second Reading and Referred to Calendar.....	677
Considered and Advanced	712
Considered Engrossed	712
Third Reading	712-713
Engrossed Copy Signed and Returned to House.....	714
Enrolled Copy Received from House	752
Fourth Reading	753

HOUSE BILL NO. 359—

By JACOBS (House), NESBITT (Senate).

An Act deferring resale of real estate for delinquent taxes in counties having a population of not less than 18,406, nor more than 18,425 according to the official federal census for the year 1920, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

Received from House	667
First Reading	671-672
Second Reading	677
Withdrawn and Referred to Calendar	710
Considered and Advanced	856
Third Reading	940-941
Engrossed Copy Signed and Returned to House.....	941
Enrolled Copy Received from House	992
Fourth Reading	993

HOUSE BILL NO. 364—

By BUTLER.

An Act repealing Section 3244, Compiled Oklahoma Statutes, 1921, relating to County Court at the Town of Grove in Delaware County, Oklahoma, and declaring an emergency.

Received from House	651-652
First Reading	657-658
Second Reading	664

HOUSE BILL NO. 371—

By SNODDY.

An Act fixing the salaries of county officials and authorizing the employment of certain deputies by county officers in Woods County, Oklahoma, fixing the salaries of such officers and deputies and repealing all laws in conflict herewith.

Received from House	652
First Reading	658
Second Reading and Referred to Calendar.....	664
Considered and Advanced	755
Third Reading	755-756
Engrossed Copy Signed and Returned to House.....	756
Enrolled Copy Received from House	814-815
Fourth Reading	815

HOUSE BILL NO. 375—

By FERGUSON.

An Act amending Chapter 84, of the Session Laws of Oklahoma, 1925, relating to the salaries of certain deputies in the office of the County Clerk, County Assessor, County Treasurer and Court Clerk in Texas County, Oklahoma, being a county having a population of not less than 13,950 inhabitants and not more than 13,990 inhabitants, according to the last Federal census of 1920, repealing all laws in conflict herewith and declaring an emergency.

Received from House	737
First Reading	744
Second Reading and Referred to Calendar.....	750
Considered and Advanced	845
Third Reading	846-847
Engrossed Copy Signed and Returned to House.....	847
Enrolled Copy Received from House	881-828
Fourth Reading	882

HOUSE BILL NO. 378—

By BYRUM and PATTERSON.

An Act governing cities of the first class situated in two counties, having a population of 20,000 or less, as shown by any legal census; designating the elective officers thereof; regulating the salaries, power and duty of said officers; defining the powers, duties and authority of the County Excise Boards of each county of which said city is a part; defining wards; regulating the making of the annual estimate of said city and requiring the County Clerk of each county of which the city is a part to make certain reports; repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

Received from House	831
First Reading	853
Second Reading	856
Withdrawn and Referred to Calendar	892
Considered and Made Special Order	905
Considered and Advanced	949
Third Reading	964-966
Engrossed Copy Signed and Returned to House.....	966
Enrolled Copy Received from House	1004
Fourth Reading	1005

HOUSE BILL NO. 386—

By BABB and KIDD (House), and HARPER (Senate).

An Act fixing the salaries of the County Clerk and regular deputies in the office of the County Clerk of LeFlore County, Oklahoma, repealing all conflicting laws, and declaring an emergency.

Received from House	737-738
First Reading	745
Second Reading and Referred to Calendar.....	750
Considered and Advanced	774
Third Reading	774-775
Engrossed Copy Signed and Returned to House.....	775-776

Enrolled Copy Received from House	832
Fourth Reading	833

HOUSE BILL NO. 388—

By BROWN and FISCHL.

An Act relating to the office of the Sheriff of Carter County, fixing the number of deputies, regulating the salaries of Deputy Sheriffs and the fees to be paid in the Sheriffs's office of Carter County, Oklahoma, providing for the appointment of a Bertillon expert and finger print man and providing penalty for charging constructive mileage; repealing Section Seven, of Chapter 120, of the 1921 Session Laws of Oklahoma.

Received from House	751
First Reading	756-757
Second Reading and Referred to Calendar.....	760
Considered and Advanced	793
Considered Engrossed	794
Third Reading	794-795
Referred for Engrossment	795
Reported Engrossed	803-804
Engrossed Copy Signed and Returned to House...	803-804
House Concurs in Senate Amendments	830
Enrolled Copy Received from House	863
Fourth Reading	863

HOUSE BILL NO. 401—

By WHITT.

An Act repealing Sections 3358, 3359, 3360, 3361, 3362, 3363, and 3364, inclusive, Compiled Oklahoma Statutes, 1921, relating to the County Court of Pittsburg County, Oklahoma, providing for the disposition of the records, at Crowder, Oklahoma, and declaring an emergency.

Received from House	814
First Reading	823
Second Reading	827

HOUSE BILL NO. 402—

By PATTERSON (Seminole).

An Act providing for compensation for the county attorney, and providing for the appointment and compensation of deputies, assistants and stenographers for certain county offices of Seminole County, Oklahoma; and repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

Received from House	812
First Reading	821
Second Reading and Referred to Calendar.....	826
Considered and Advanced	901
Third Reading	946-947
Engrossed Copy Signed and Returned to House.....	947
Enrolled Copy Received from House	991
Fourth Reading	993

HOUSE BILL NO. 409—

By HOUSTON and FARR (House) and EWING (Senate).

An Act providing for an extra deputy sheriff for Logan County, State of Oklahoma, fixing his salary, and repealing all laws in conflict herewith, and declaring an emergency.

Received from House	913-914
First Reading	919
Second Reading and Referred to Calendar.....	921
Considered and Advanced	958
Third Reading	959-960
Engrossed Copy Signed and Returned to House.....	960
Enrolled Copy Received from House	997-998
Fourth Reading	998

HOUSE BILL NO. 413—

By NOBLE.

An Act repealing Chapter 132, Session Laws of Oklahoma, 1927, relating to the office of county attorney of Pottawatomie County, Oklahoma, and declaring an emergency.

Received from House	812
First Reading	821-822

HOUSE BILL NO. 417—

By WHITT, ROE and LESTER.

An Act abolishing the offices of township trustee, township clerk and township treasurer of each municipal township in Pittsburg County, State of Oklahoma, and conferring the powers and duties of said offices on the Board of County Commissioners, county clerk and county treasurer of Pittsburg County, Oklahoma; repealing all laws in conflict herewith and declaring an emergency.

Received from House	812
First Reading	822
Second Reading	826

HOUSE BILL NO. 421—

By HARVEY.

An Act fixing the salaries of the deputy county clerk, deputy county treasurer and county court stenographer of Kiowa County, Oklahoma, repealing all Acts or parts of Acts in conflict therewith, and declaring an emergency.

Received from House	877
First Reading	894
Second Reading and Referred to Calendar.....	900
Considered and Advanced	949
Third Reading	951-952
Referred for Engrossment	952
Reported Engrossed	957
Engrossed Copy Signed and Returned to House.....	957
House Concurs in Senate Amendments.....	1016
Enrolled Copy Received from House	1003-1004
Fourth Reading	1005

HOUSE BILL NO. 423—

By CLOYD.

An Act authorizing the county superintendent of Cleveland County, Oklahoma, to appoint by, and with the consent and approval of, the county commissioners of said county, an assistant county superintendent, having the same qualifications as are required by law of a county superintendent, at a salary of \$1,200.00 per annum, and declaring an emergency.

Received from House	813
First Reading	822
Second Reading and Referred to Calendar.....	891
Considered and Advanced	891
Third Reading	943-945
Engrossed Copy Signed and Returned to House.....	945
Enrolled Copy Received from House	992
Fourth Reading	993

HOUSE BILL NO. 424—

By CLOYD.

An Act authorizing the Board of County Commissioners of Cleveland County, Oklahoma, to make, and the county excise board of Cleveland County, Oklahoma, to approve, an estimate for the purchase of grounds and the

erection of buildings for free county fair purposes to be the exclusive property of Cleveland County, Oklahoma; and authorizing the levy of a tax in addition to all other taxes now authorized by law of not to exceed one mill upon all the taxable property in said county for the year 1929; providing for an annual levy in addition to all other levies now authorized by law, of not to exceed one-fourth mill upon all taxable property in said county for the purpose of improving, maintaining and enlarging said county fair buildings and grounds and for the support and maintenance of the free fair to be conducted therein, repealing Chapter 210, Session Laws of Oklahoma, 1927; repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

Received from House	813
First Reading	822-823
Second Reading and Referred to Calendar	826
Considered and Advanced	891
Third Reading	945-946
Engrossed Copy Signed and Returned to House	946
Enrolled Copy Received from House	992
Fourth Reading	993

HOUSE BILL NO. 426—

By BOYDSTUN and HARROWER.

An Act making a deficiency appropriation for the Connors School of Agriculture for the years of 1928 and 1929, and declaring an emergency.

Received from House	1016
First Reading	1038
Second Reading	1040
Reported	1078
Considered and Advanced	1130
Stricken from Calendar	1349

HOUSE BILL NO. 428—

By MITCHELL and PERRYMAN (House) and EASTER (Senate).

An Act authorizing the appointment of an assistant county superintendent of public instruction of Osage County; Oklahoma; fixing the salary; providing for the payment thereof; repealing all conflicting laws; and declaring an emergency.

Received from House	878
First Reading	894-895
Second Reading and Referred to Calendar	900
Third Reading	976-977
Engrossed Copy Signed and Returned to House	977
Enrolled Copy Received from House	1004
Fourth Reading	1005

HOUSE BILL NO. 429—

By MITCHELL and PERRYMAN.

An Act repealing Chapter 209, of the Session Laws of 1927, amending Section 9666, C. O. S. 1921, relating to the assessment of taxable property and providing procedure for such assessment in all counties in the State having a population of not less than 35,000 and not more than 37,400 according to the Federal Census of 1920, or according to any succeeding Federal Census and declaring an emergency.

Received from House	1042
First Reading	1080-1081
Second Reading	1083-1084
Withdrawn and Referred to Calendar	1150
Considered and Advanced	1305
Third Reading	1308-1310
Engrossed Copy Signed and Returned to House	1310
Enrolled Copy Received from House	1339-1340
Fourth Reading	1340

HOUSE BILL NO. 434—

By SNODDY.

An Act authorizing the county commissioners of Woods County, Oklahoma, to make a special levy for the purpose of erecting buildings for the free fair association of said county upon real estate used as exhibit grounds by said free fair association; authorizing said board of county commissioners to enter into contracts for the use of said buildings for free fair purposes; and declaring an emergency.

Received from House	878-879
First Reading	895
Second Reading and Referred to Calendar	901
Considered and Advanced	949
Third Reading	1010-1011
Engrossed Copy Signed and Returned to House	1011
Enrolled Copy Received from House	1045-1046
Fourth Reading	1046

HOUSE BILL NO. 437—

By BLACK.

An Act fixing the salaries of certain officers of Comanche County, Oklahoma, repealing all laws in conflict herewith and declaring an emergency.

Received from House	878-879
First Reading	895
Second Reading and Referred to Calendar	900
Consideration Deferred	950
Considered and Amended	1022-1023
Advanced	1023
Reported Engrossed	1052
Third Reading	1052-1054
Engrossed Copy Signed and Returned to House	1054
House Concurs in Senate Amendments	1115
Enrolled Copy Received from House	1115
Fourth Reading	1116

HOUSE BILL NO. 440—

By HEAD, SHERMAN, KIGHT, GRAHAM, KEENAN, PATTERSON, CARMICHAEL, CHAPPELL, STANLEY, MOON, LEWIS, SNODDY and FERGUSON.

An Act providing for employees of the House of Representatives of the Twelfth Legislature made necessary by reason of an existing emergency, to aid and assist such House in the exercising of its inquisitorial and impeachment powers only; naming their salaries, making an appropriation therefor.

Received from House	860-861
First Reading	868-869
Second Reading and Referred to Calendar	871
Considered and Referred to Committee	962
Reported	1061-1062
Considered and Amended	1096
Advanced	1098
Considered Engrossed	1098
Third Reading	1098-1100
Referred for Engrossment	1100
Reported Engrossed	1107
Engrossed Copy Signed and Returned to House	1107
House Refuses to Concur in Senate Amendments, Requests Conference and Appoints Conferees	1134-1135
Senate Grants Conference and Appoints Conferees	1135
House Adopts Conference Committee Report	1282
Conference Report Read	1283-1284
Senate Adopts Conference Committee Report	1284
Bill Passed as Amended in Conference	1284
Bill, Together with Conference Report Returned to House	1285
Enrolled Copy Received from House	1324
Fourth Reading	1324

HOUSE BILL NO. 441—

By TILLERY (House) and FERGUSON (Senate).

An Act authorizing the Court Clerk of counties having a population of not less than 13,200, nor more than 13,700,

inhabitants, according to the federal census of 1920, or according to any succeeding federal census, to appoint a deputy Court Clerk by and with the consent of the Board of County Commissioners of said county at a salary of not less than \$100.00 per month, nor to exceed \$125.00 per month, and declaring an emergency.

Received from House	1144
First Reading	1292
Second Reading	1299
Consideration Indefinitely Postponed	1299

HOUSE BILL NO. 448—

By STANLEY and STOVALL.

An Act abolishing township government in Choctaw County, Oklahoma, providing that the duties of township officers shall be performed by the Board of County Commissioners of said county; repealing any Act conflicting herewith, and declaring an emergency.

Received from House	1143
First Reading	1292
Second Reading and Placed on Calendar	1298
Advanced	1298
Third Reading	1357-1358
Engrossed Copy Signed and Returned to House	1358
Enrolled Copy Received from House	1394
Fourth Reading	1395

HOUSE BILL NO. 454—

By MATHERLY, DRAKE and LEWIS.

An Act repealing Chapter 46, Session Laws of Oklahoma, 1927, relating to an additional Judge for the Twenty-second Judicial District of Oklahoma.

Received from House	1043
First Reading	1081
Second Reading	1084

HOUSE BILL NO. 457—

By WHITT, ROE and LESTER.

An Act authorizing, directing and requiring the Board of County Commissioners of Pittsburg County, Oklahoma, to include in its annual estimate and authorizing, directing and requiring the Excise Board of said county to make an extra annual levy in a sum not to exceed one-fourth of one mill and not less than one-tenth of one mill for a hospitalization fund for poor and destitute persons and declaring an emergency.

Received from House	1109
First Reading	1125
Second Reading and Referred to Calendar	1128-1129
Considered and Advanced	1305
Considered Engrossed	1306
Third Reading	1306-1307
Engrossed Copy Signed and Returned to House	1307
Enrolled Copy Received from House	1331
Fourth Reading	1332

HOUSE BILL NO. 459—

By HERSCHBERGER, ALLEN (Beaver and Harper), SCHLEGEL and HUTCHINSON (House), POWERS and LOOFBOURROW (Senate).

An Act authorizing the holding of an election in any County of the State having a Free Fair Association, for the purpose of determining a permanent location in said County where such Free Fair shall be held, providing for the calling of such election and the manner of holding same, authorizing the submission to a vote at said election the question of a special levy for a Free Fair Improvement Fund, and declaring an emergency.

Received from House	1286
First Reading	1294
Second Reading and Referred to Calendar	1299-1300
Considered and Advanced	1348

Third Reading	1361-1362
Engrossed Copy Signed and Returned to House.....	1362
Enrolled Copy Received from House	1394
Fourth Reading	1375

HOUSE BILL NO. 460—

By ALLEN.

An Act fixing the salary of County Commissioners in Harper and Beaver Counties, providing an expense account of such commissioners, and repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

Received from House	1109
First Reading	1125
Second Reading and Referred to Calendar.....	1129
Considered and Advanced	1315
Considered Engrossed	1316
Emergency Stricken	1316
Third Reading	1316
Referred for Engrossment	1316
Reported Engrossed	1322
Engrossed Copy Signed and Returned to House.....	1322
House Concurs in Senate Amendments	1372
Enrolled Copy Received from House	1380
Fourth Reading	1381

HOUSE BILL NO. 461—

By WHITT, ROE and LESTER.

An Act authorizing the County Commissioners of Pittsburg County, Oklahoma, to include in their annual estimate, and the Excise Board of said county to make a levy in a sum equal to one-tenth of one mill for the fiscal year ending June 30, 1930, for the purpose of paying certain indebtedness created against the county for the maintenance of the poor and insane; declaring same not to

be current expense; repealing all laws in conflict there-
with and, declaring an emergency.

Received from House	1144
First Reading	1292-1293
Second Reading and Referred to Calendar	1299
Advanced	1299
Third Reading	1355-1356
Engrossed Copy Signed and Returned to House	1356
Enrolled Copy Received from House	1384
Fourth Reading	1384

HOUSE BILL NO. 462—

By CAMPBELL and HUTCHINSON (House) and OTJEN
(Senate).

An Act fixing the salaries, per diem and mileage allowance
for members of the Board of County Commissioners of
Garfield County, Oklahoma, repealing all acts in con-
flict herewith in so far as such acts affect Garfield
County, Oklahoma, and declaring an emergency.

Received from House	1042
First Reading	1080
Second Reading and Referred to Calendar	1083
Considered and Advanced	1139
Amended	1310
Third Reading	1310-1311
Referred for Engrossment	1311
Reported Engrossed	1322
Engrossed Copy Signed and Returned to House	1322
House Concurs in Senate Amendments	1371
Enrolled Copy Received from House	1380
Fourth Reading	1381

Part VI

SENATE RECORD OF HOUSE JOINT RESOLUTIONS

HOUSE JOINT RESOLUTION NO. 1—

By MAXWELL, OWENS, et al.

A Resolution authorizing an extension of the time of payment of the First Half of the 1928 ad valorem taxes in Oklahoma until March 15, 1929, and providing that the Last Half of the 1928 ad valorem taxes shall not become delinquent until the 15th day of June, 1929, and relieving the taxpayer of all penalty of such taxes if the First Half of such taxes is paid on or before March 15, 1929, and declaring an emergency.

Received from House and Returned for Correction	107
Received from House	131
First Reading	136
Second Reading and Referred to Calendar	146
Considered, Amended and Advanced	160-161
Considered Engrossed	161
Third Reading	161-163
Referred for Engrossment	163
Reported Engrossed	168
Engrossed Copy Signed and Returned to House	168
Enrolled Copy Received from House	204-205
Fourth Reading	205

HOUSE JOINT RESOLUTION NO. 7—

By WEBBER, STANLEY, JONES (Stephens) (House) and
WHEATLEY, STEWART, AUSTIN (Senate).

A Resolution authorizing the House of Representatives to

employ temporary help and assistance, making an appropriation therefor, and declaring an emergency.

Received from House	204
First Reading	212
Second Reading	218
Reported	220
Considered, Amended and Advanced	234
Considered Engrossed	234
Third Reading	234
Referred for Engrossment	236
Reported Engrossed	240
Engrossed Copy Signed and Returned to House.....	240
House Concurs in Senate Amendments	264
Enrolled Copy Received from House	267
Fourth Reading	267

HOUSE JOINT RESOLUTION NO. 9—

By JONES (Greer) and CARMACK.

- A Resolution providing for assumption by State Election Board of obligations incurred in holding Special Elections in Fourth Senatorial District of the State of Oklahoma for which no funds are available in the counties comprising such districts, and declaring an emergency.

Received from House	334
First Reading	341
Second Reading	354
Reported	803
Considered and Advanced	836
Third Reading	857-853
Engrossed Copy Signed and Returned to House.....	858
Enrolled Copy Received from House	879
Fourth Reading	880

HOUSE JOINT RESOLUTION NO. 11—

By CLOYD, WATSON, STREET, GRAHAM, EYLAR,
HOOVER, MARKER, BYRUM and NOBLE (House),

GEORGE, WILLIAMSON, FIDLER, RICE, PECK and
JOHNSON (Pottawatomie) (Senate).

- A Resolution making an appropriation for payment of
drainage assessments against State school and other
public lands of the State located in recognized drain-
age districts, and declaring an emergency.

Received from House	668
First Reading	673
Second Reading	678
Reported	747
Considered and Advanced	851
Third Reading	851-852
Engrossed Copy Signed and Returned to House.....	852
Enrolled Copy Received from House	879
Fourth Reading	880

HOUSE JOINT RESOLUTION NO. 19—

By MARKER.

- A Resolution appropriating the sum of six hundred sixty
(\$660.00) dollars out of any money in the State Treas-
ury not otherwise appropriated, for fire and police pro-
tection of State property and public morals and declar-
ing an emergency.

Received from House	1041
First Reading	1080
Second Reading	1084
Reported	1128
Considered and Advanced	1350
Third Reading	1364
Emergency Stricken	1365
Referred for Engrossment	1365
Reported Engrossed	1370-1371
Engrossed Copy Signed and Returned to House.....	1371

HOUSE JOINT RESOLUTION NO. 21—

By DYER, BUNCH, WASSON, BUTLER, HOWARD, LES-
TER, PAUL, LEECRAFT, SMITH, NANCE, LEWIS,

STOVALL, JACOBS, LOGAN, OWENS, CLOYD, MITCHELL, HOOVER, MARKER, SNODDY, THOMAS, NEWBERRY, ORNER, ALLEN (Washington), DANIEL, EYLAR and ORENDORFF (House), REXROAT, FERGUSON, GULAGER, PATTON, MacDONALD and STIGLER (Senate).

- A Resolution making appropriation to supplement funds raised by certain public spirited citizens, members of Choctaw Indians, to remove and re-locate the old Choctaw capitol building on the campus of the Southeastern State Teachers College, at Durant, Oklahoma, and declaring an emergency.

Received from House	875-876
First Reading	893
Second Reading	899
Reported	1078
Considered and Made Special Order	1291

HOUSE JOINT RESOLUTION NO. 28—

By LOGAN (House) and HARPER (Senate).

- A Resolution providing that the Federal Law governing the hunting of migratory birds shall prevail over the State Law of the State of Oklahoma; and declaring an emergency.

Received from House	1034-1035
First Reading	1038
Second Reading and Referred to Calendar	1040
Considered and Advanced	1348
Consideration Indefinitely Postponed	1348-1349

HOUSE JOINT RESOLUTION NO. 29—

By HOUSTON (House) and EWING (Senate).

- An Act appropriating two hundred (\$200.00) dollars for the purpose of removing an obstruction in Cimarron river for protection of state land, and declaring an emergency.

Received from House	813-814
First Reading	823
Second Reading	827
Reported	1078
Considered and Advanced	1351
Third Reading	1363-1364
Consideration Indefinitely Postponed	1364

HOUSE JOINT RESOLUTION NO. 31—

By PAUL and GIBSON.

A Resolution appropriating and authorizing the payment of the sum of one thousand, nine hundred and fifty-one dollars and thirty-five cents (\$1,951.35) to Allie E. Nicholson, nee Van Hooser, as executrix of the estate of W. C. Van Hooser and declaring an emergency.

Received from House	876
First Reading	893
Second Reading	899-900

HOUSE JOINT RESOLUTION NO. 35—

By BRIGGS, BABB, KIDD, BELEW, ROE, LESTER, WHITAKER, BLACK, HINES, NANCE and BOYDSTUN (House) and STIGLER, HARPER, ANDREWS, BOYER, STORMS and THOMAS (Senate).

A Joint Resolution appropriating Twenty Thousand Four Hundred Seventy-five (\$20,475.00) Dollars for salaries, maintenance, repair and equipment for the Eastern Oklahoma College at Wilburton, and the Cameron State School of Agriculture at Lawton, Oklahoma, to be used and expended for the remainder of the fiscal year ending June 30, 1929.

Received from House	990
First Reading	1006-1007
Second Reading	1009
Reported	1078

Considered and Advanced	1085
Considered Engrossed	1085
Consideration Deferred	1085-1107
Third Reading	1301
Amended	1312
Referred for Engrossment	1303
Reported Engrossed, Engrossed Copy Signed and Re- turned to House	1313
House Concurs in Senate Amendments	1322-1323
Enrolled Copy Received from House	1372-1373
Fourth Reading	1373

HOUSE JOINT RESOLUTION NO. 36—

By GRAHAM, DIXON, PAUL, JONES (Stephens), TILLERY
and ORNER.

- A Resolution appropriating funds and authorizing the pay-
ment of expenses incurred by certain members of the
Legislature acting upon committees, and declaring an
emergency.

Received from House	876-877
First Reading	893-894
Second Reading and Referred to Calendar	899-900
Considered and Advanced	1022
Third Reading	1054-1055
Engrossed Copy Signed and Returned to House	1055
Enrolled Copy Received from House	1116
Fourth Reading	1116

HOUSE JOINT RESOLUTION NO. 39—

By BYRUM and NOBLE (House) and JOHNSON (Potta-
watomie) (Senate).

- A Joint Resolution appropriating four thousand nine hun-
dred eight and thirty-eight one hundredths (\$4,908.38)
dollars for salaries for the State Industrial School for

Girls at Tecumseh, Oklahoma, to be used and expended
for the remainder of the fiscal year ending June 30,
1929, and declaring an emergency.

Received from House	1144
First Reading	1293
Second Reading and Referred to Calendar.....	1301
Considered and Advanced	1348
Third Reading	1362-1363
Engrossed Copy Signed and Returned to House.....	1363
Enrolled Copy Received from House	1395
Fourth Reading	1395

Part VII

SENATE RECORD OF HOUSE CONCURRENT RESOLUTIONS

HOUSE CONCURRENT RESOLUTION NO. 1—

By STREET, HARROWER and SNODDY.

- A Concurrent Resolution endorsing Honorable Harry H. Rogers for appointment in the Cabinet of President-elect Herbert Hoover.

Received from House	102
Read and Adopted	102-104
Engrossed Copy Signed and Returned to House	104
Enrolled Copy Received from House	167
Enrolled Copy Signed and Returned to House	167

HOUSE CONCURRENT RESOLUTION NO. 2—

By HOOVER, SNODDY, GRAHAM (House) and FIDLER, ANDREWS and COMMONS (Senate).

- A Resolution authorizing Joint Session at 2 p. m., February 4, 1929, for the purpose of hearing the address of the Grand Exalted Ruler, Murray Hulbert, of the Order of the Elks, former United States Congressman for two terms, from New York, Vice Mayor of New York City under Mayor Hylan.

Received from House	166
Read and Adopted	200-201
Engrossed Copy Signed and Returned to House	201
Enrolled Copy Received from House	265-266
Enrolled Copy Signed and Returned to House	266

HOUSE CONCURRENT RESOLUTION NO. 3—

By KIGHT, SNODDY and MOON.

A Resolution directing the State Highway Commission of the State of Oklahoma to defer action upon bids received on January 9, 1929, for the construction of highway projects in the State of Oklahoma until February 9, 1929.

Received from House	148
Read	164
Considered	200
Stricken from Calendar	219-220

HOUSE CONCURRENT RESOLUTION NO. 4—

By CARMICHAEL, CARMACK and DUNNING (House) and WILLIAMS, LOOFBOURROW and MOORE (Senate).

A Resolution authorizing the Speaker of the House of Representatives of the State of Oklahoma and the President of the Senate of the State of Oklahoma to immediately appoint a Committee of Three from their respective bodies to go to Austin, Texas, to confer with the Governor of the State of Texas and the State Legislature of the State of Texas there assembled, for the purpose of conferring and negotiating with them for the introduction into the Legislature of the respective states of a uniform Act authorizing the Governors of the respective states to enter into an agreement regarding that strip of land that is by Supreme Court decree given to Texas and taken away from Oklahoma along the Western Boundary of Oklahoma and the Eastern Boundary of Texas. Provided, however, that the President Pro Tem of the Senate and the Speaker of the House of Representatives shall be ex-officio members of the Committees of said respective bodies.

Received from House	305-309
Read and Amended	306-308
Adopted	309

Referred for Engrossment	309
Reported Engrossed	311
Engrossed Copy Signed and Returned to House	311
House Concurs in Senate Amendments	331-332
Enrolled Copy Received from House	333
Enrolled Copy Signed and Returned to House	333

HOUSE CONCURRENT RESOLUTION NO. 6—

By BLACK.

A Resolution requesting the Chamber of Commerce of the State of Oklahoma, Inc., to appoint a Commission of State Business Men, to co-operate with the members of the House of Representatives and the members of the Senate of the State of Oklahoma in the matter of studying the question of equitable compensation for state and other public officials occupying positions of responsibility with a view of making suggestions and recommendations to the Twelfth Legislature with a view of placing the salaries of said officials on a basis comparable with salaries paid by the business world.

Received from House	439-440
First Reading	442-443
Considered	1139-1141
Read and Adopted	1140-1141
Engrossed Copy Signed and Returned to House	1141
Enrolled Copy Received from House	1323
Enrolled Copy Signed and Returned to House	1324

HOUSE CONCURRENT RESOLUTION NO. 7—

By BROWN, CARTWRIGHT, ROE, KEENAN, HARVEY and CLOYD.

A Concurrent Resolution memorializing Congress to extend aid for the purpose of eradicating and exterminating cotton boll weevils in the State of Oklahoma.

Received and Returned to House for Correction	697
Received from House	810-811
Read	820-821
Considered and Adopted	1349-1350
Engrossed Copy Signed and Returned to House	1350
Enrolled Copy Received from House	1384
Enrolled Copy Signed and Returned to House	1384-1385

HOUSE CONCURRENT RESOLUTION NO. 10—

By SNODDY and JONES (Stephens) (House) and FERGUSON and FIDLER (Senate).

A Resolution urging Congress to promote Arthur H. Geisler to an Ambassadorship.

Received from House	1040
Read	1079-1080
Stricken from Calendar	1317

Part VIII

SENATE RECORD OF JOINT SESSION RESOLUTIONS

JOINT SESSION RESOLUTION NO. 1—

By MacDONALD, NESBITT (Senate) and LEECRAFT,
SMITH (House).

- A Concurrent Resolution honoring and commending Ira C. Eaker, Captain, Air Service, United States Army, and his intrepidity and ability evidenced as chief pilot of the United States Army endurance flight plane, "Question Mark."

Introduced and Adopted in Joint Session	20-21
Received from House	149
Engrossed Copy Signed and Returned to House	168
Enrolled Copy Signed and Returned to House	266

JOINT SESSION RESOLUTION NO. 2—

By GRAHAM and CHAPPELL (House) and CLARK (Senate).

In Memoriam—Colonel George L. Miller.

Introduced, Read and Adopted in Joint Session ____	336-337
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BROWN, (Representative)

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Author H. B. No. 457	1109
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Author H. C. R. No. 7	810
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Joint Author S. B. No. 170	535
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Author S. B. No. 212	693
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