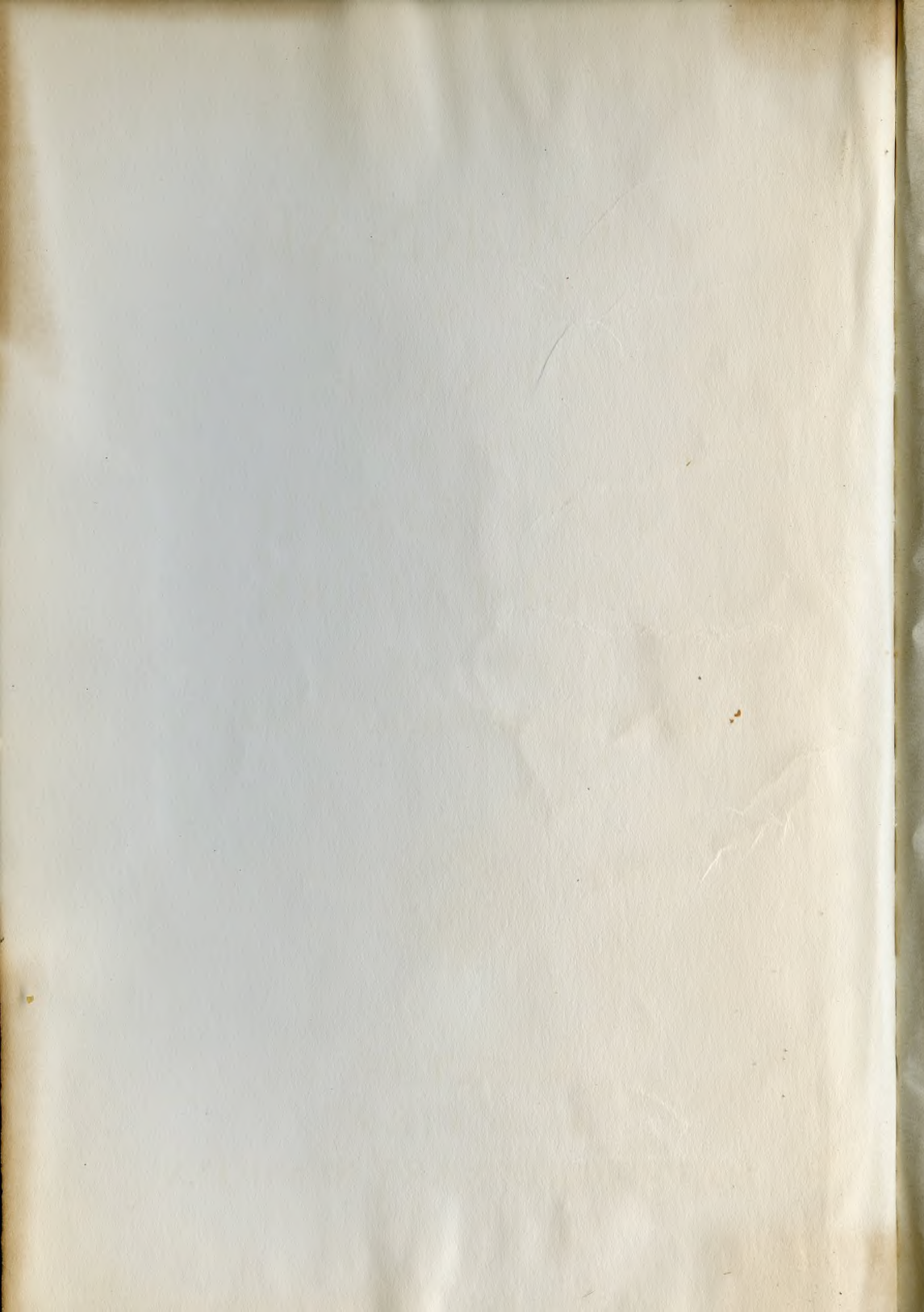


SENATE JOURNAL  
FOURTEENTH LEGISLATURE  
REGULAR AND FIRST EXTRAORDINARY SESSIONS  
OKLAHOMA  
1933







JOURNAL  
OF  
SENATE  
OF THE  
FOURTEENTH  
LEGISLATURE  
OF THE  
STATE OF OKLAHOMA



REGULAR  
AND FIRST  
EXTRAORDINARY SESSIONS



## OFFICERS OF THE SENATE

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BURNS, ROBERT	-----	President
STEWART, PAUL	-----	President Pro Tempore
CORDELL, J. Wm.	-----	Secretary
SHIPLEY, W. E. (Miss)	-----	Journal Clerk
CORDELL, J. Wm.	-----	Reading Clerk
WILCOX, JERRA	-----	Calendar Clerk
BOYER, DAVE	-----	Chief Enrolling and Engrossing Clerk
CLAIBORNE, H. L.	-----	Sergeant-at-Arms
METHVIN, MARVIN	-----	Messenger



# MEMBERSHIP OF THE SENATE

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Ross Rizley, Rep.	Guymon
Ed M. Reed, Dem.	Elk City
Nat Taylor, Dem.	Strong City
D. H. Powers, Rep.	Freedom
S. W. Carmack, Dem.	Gould
Cecil R. Chamberlin, Dem.	Frederick
Claude E. Liggett, Dem.	Hobart
Grover Thomas, Dem.	Clinton
Stanley Coppock, Rep.	Cleo Springs
Geo. A. Hutchinson, Rep.	Enid
W. T. Clark, Rep.	Medford
Henry S. Johnston, Dem.	Perry
George H. Jennings, Dem.	Sapulpa
Louis H. Ritzhaupt, Dem.	Guthrie
Willard Sowards, Dem.	Stroud
Tom Waldrep, Dem.	Shawnee
W. P. Morrison, Dem.	El Reno
W. C. Fidler, Dem.	Oklahoma City
William Stacey, Dem.	Chickasha
John D. Pugh, Dem.	Anadarko
Bert R. Willis, Dem.	Canton
Knox L. Garvin, Dem.	Duncan
Jim Nance, Dem.	Walters
J. Woody Dixon, Dem.	Marietta
Louis A. Fischl, Dem.	Ardmore
Hardin Ballard, Dem.	Purcell
Homer Paul, Dem.	Pauls Valley
C. B. Memminger, Dem.	Atoka
John A. MacDonald, Dem.	Durant
Claud Briggs, Dem.	Wilburton
Don Wilbanks, Dem.	Holdenville
Allen G. Nichols, Dem.	Wewoka
Paul Stewart, Dem.	Haworth
Pres S. Lester, Dem.	McAlester
W. O. Ray, Dem.	Tishomingo
Charles A. Moon, Dem.	Muskogee
Joe M. Whitaker, Dem.	Eufaula
W. A. Carlile, Dem.	Sallisaw
Babe Howard, Dem.	Pryor



*Membership of the Senate*

A. L. Commons, Dem.	-----	Miami
S. Morton Rutherford, Dem.	-----	Tulsa
David M. Logan, Dem.	-----	Okmulgee
H. P. Daugherty, Dem.	-----	Chelsea
H. M. Curnutt, Dem.	-----	Barnsdall



# Senate Journal

of the  
FOURTEENTH LEGISLATURE OF THE STATE  
OF OKLAHOMA

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FIRST LEGISLATIVE DAY  
Tuesday, January 3rd, 1933

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Conforming with Section 26 of Article 5, of the Constitution of the State of Oklahoma, the Senate met at 12:00 o'clock, noon, and was called to order by the President, Lieutenant Governor Robert Burns.

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

Present: Ballard, Briggs, Chamberlin, Clark, Coppock, Daugherty, Dixon, Garvin, Howard, Jennings, Lester, Liggett, Memminger, Moon, Morrison, Nichols, Powers, Reed, Rizley, Rutherford, Sowards, Stacey. Total, 22.

Upon motion of Senator Morrison, a Credentials Committee, of three, composed of Senators Chamberlin, Fidler and Coppock, was appointed, with instructions to report immediately.

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

The Senate reassembled, with President Burns presiding.

The President announced the presentation to the Senate of a hand-painted Oklahoma Flag and Oklahoma Seal, done on leather, by Harold O. McCall, of Oklahoma City.

Upon motion of Senator Dixon, the Senate extended a vote of thanks to Harold O. McCall, for the Flag and Seal.



Senator Chamberlin submitted the following Credentials Committee Report, which, upon his motion, 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 Senatorial District No.:

2—Nat Taylor.	18—Louis A. Fischl.
4—S. W. Carmack.	19—Homer Paul.
6—Grover Thomas.	20—John A. MacDonald.
8—Geo. A. Hutchinson.	22—Don Wilbanks.
10—Henry S. Johnston.	24—Paul Stewart.
12—Louis H. Ritzhaupt.	26—W. O. Ray.
13—Tom Waldrep.	27—Joe M. Whitaker.
14—W. C. Fidler.	28—W. A. Carlile.
15—John D. Pugh.	30—A. L. Commons.
16—Bert R. Willis.	32—David M. Logan.
17—Jim Nance.	34—H. M. Curnutt.

Respectfully submitted,  
 CECIL R. CHAMBERLIN, Chairman,  
 W. C. FIDLER,  
 STANLEY COPPOCK.

The President announced Chief Justice Fletcher Riley, of the Oklahoma Supreme Court, was present to administer the oath of office to the newly-elected members of the Senate.

The official oath of office was administered by Justice Riley to the following-named Members of the Senate:

Carlile, Carmack, Commons, Curnutt, Fidler, Hutchinson, Johnston, Logan, MacDonald, Nance,

Paul, Pugh, Ray, Ritzhaupt, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 21.

Upon the order by the President of a roll call of the entire membership of the Senate, the result was as follows:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Fischl. Total, 1.

The President announced a quorum of the Senate present and declared the Senate of the Fourteenth Legislature duly organized.

Prayer was offered by Reverend Newton, of Stroud, Oklahoma.

Upon motion of Senator Commons, the Senate proceeded with the election of one of its members as President Pro Tempore.

The President announced nominations for that office were in order.

Senator Morrison, pursuant to the action of the majority of the Democratic Members of the Senate of the Fourteenth Legislative session, placed in nomination the name of Senator Paul Stewart, of Haworth, for the office of President Pro Tempore.

Senator Rizley, as spokesman for the Minority membership of the Senate, placed in nomination the name of Senator W. T. Clark, of Medford.

Upon motion of Senator Morrison, the nominations for President Pro Tempore were declared closed.

Prior to putting the motion for the election of Senator Stewart, Senator Clark moved that the election of Senator Stewart be made unanimous.



Senator Rizley asked unanimous consent, which was granted, to withdraw his nomination of Senator Clark, and seconded the Clark motion, that the election of Senator Paul Stewart be made unanimous.

Upon a viva voce vote, being taken, the election of Senator Stewart, as President Pro Tempore of the Senate of the Fourteenth Legislature, was declared unanimous.

Upon motion of Senator Commons, a Committee of three, composed of Senators Briggs, Sowards and Hutchinson, was appointed by the President, to escort Senator Stewart to the President's desk.

President Burns introduced President Pro Tempore Stewart, after which the President Pro Tempore expressed his "gratitude and appreciation for your vote."

Upon motion of Senator Commons, the Senate proceeded with the election of a Secretary.

Senator Commons placed in nomination the name of J. Wm. Cordell, of Oklahoma City, as Secretary of the Senate, which motion was seconded by Senator Morrison.

There being no other nominations offered, the President declared nominations closed.

Upon a viva voce vote being taken, the election of J. Wm. Cordell, as Secretary of the Senate, was declared by the President.

Senator Commons moved that the President appoint a Committee of 3, to escort J. Wm. Cordell to the President's desk.

The motion prevailed and the President appointed, as such committee, Senators Commons, Chamberlin and Fidler.

The President introduced Secretary Cordell, after which the secretary expressed his thanks.

Upon motion of Senator Morrison, the Senate proceeded to the selection of a Sergeant-at-Arms.

Senator Morrison placed in nomination the name of H. L. Claiborne, of Oklahoma City, as Sergeant-at-Arms.

Upon motion of Senator Morrison, nominations for Sergeant-at-Arms was ordered closed.

The vote occurring on the Morrison nomination, of H. L. Claiborne, it was declared adopted.

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

Senator Morrison moved that a Committee on Committees, composed of Senators Whitaker, Chairman; Briggs, Vice Chairman; Morrison, Carmack, Logan, Garvin, Chamberlin, Rutherford, Howard, Stewart and Rizley, be appointed by the President, which motion prevailed.

Upon motion of Senator Morrison, a Committee on Rules and Procedure, composed of Senators Commons, Chairman; Morrison, Vice Chairman; Moon, Memminger, Curnutt, Pugh, Jennings and Hutchinson, was appointed by the President.

Pending the report and adoption of the Committee on Rules and Procedure, it was upon motion of Senator Morrison that the Senate voted to proceed under the Rules laid down in Jefferson's Manual.

Upon motion of Senator Morrison, the President appointed as the Committee on Employees, Senators Thomas, Chairman; Ritzhaupt, Vice Chairman; Wilbanks, Dixon, Powers and Memminger.

Upon motion of Senator Commons, a Committee of 3, composed of Senators Nichols, Curnutt and Clark, was



appointed by the President, to notify the Governor that the Senate is now organized and ready to transact any business that may properly come before it.

Upon motion of Senator Commons, a Committee of 3, composed of Senators Garvin, Daugherty and Powers, was appointed by the President, to notify the Honorable House that the Senate is organized and ready to transact business.

Upon motion of Senator Commons, a Committee of 3, on mileage, composed of Senators Ballard, Carlile and Rizley, was appointed by the President.

Upon motion of Senator Commons, a Committee of 3, composed of Senators Jennings, Moon and Rizley, was appointed by the President, to advise the Honorable House that the Senate is ready to meet in Joint Session, suggesting 2:00 o'clock p. m., as the hour for such meeting.

Senator Nichols, on behalf of the Committee, appointed to notify the Governor that the Senate is organized and ready to transact business, reported the duty performed, after which the Committee was discharged.

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

Senator Jennings, on behalf of the Committee appointed to notify the Honorable House that the Senate desires to meet in Joint Session at 2:00 o'clock, p. m., reported the duty performed, after which the Committee was discharged.

#### FIRST READING

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

SENATE BILL NO. 1—By CARLILE.—An Act amending Section 10072, Oklahoma Statutes, 1931, relating to the State Highway Commission, its offices, the

appointment of its members by the Governor, and their confirmation, their tenure of office; and repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 2—By NICHOLS.—An Act providing for the waiving of penalties on delinquent ad valorem taxes in the State of Oklahoma, and declaring an emergency.

SENATE BILL NO. 3—By FIDLER.—An Act relating to legislative corrupt practices; providing penalties for violation thereof, and declaring an emergency.

SENATE BILL NO. 4—By FIDLER.—An Act relating to corrupt practices by candidates for office and other persons interested in the success of such candidate; providing penalties for the violations of this Act and declaring an emergency.

SENATE BILL NO. 5—By LOGAN.—An Act making an appropriation from the general revenue fund to supplement the special common school equalization fund, and providing for the distribution of same, and declaring an emergency.

SENATE BILL NO. 6—By STEWART.—An Act repealing Chapter 161, Session Laws, 1923; and declaring an emergency.

SENATE BILL NO. 7—By BALLARD.—An Act vitalizing Section 6, Article 10 of the Constitution, providing what property shall be subject to taxation and enumerating certain exemptions; providing that all property not herein exempted shall be placed on tax rolls and assessed for the year 1933; repealing all of Section 9574, all of Section 9575, and all of Section 9580, of the Compiled Oklahoma Statutes of 1921, together with all laws or parts of laws in conflict herewith, and other purposes, and declaring an emergency.

SENATE BILL NO. 8—By CURNUTT.—An Act providing that if the principal amounts of delinquent ad valorem taxes in this State are paid on or before



May 1, 1933, all penalties which have accrued thereon shall be cancelled; authorizing and directing county treasurers to accept said principal amounts without penalty and to cancel and strike said penalties from the tax rolls, providing that said act will not effect existing tax sale certificates and declaring an emergency.

SENATE BILL NO. 9—By STACEY.—An Act relating to the distribution of an excise tax of four (4c) cents per gallon on gasoline consumed in Oklahoma, amending Sections 2 and 3, Chapter 278, Oklahoma Session Laws, 1929, and repealing inconsistent statutes.

SENATE BILL NO. 10—By CHAMBERLIN, COMMONS, RAY, PAUL and SOWARDS.—An Act providing that if the principal amounts of delinquent ad valorem taxes in this State are paid on or before May 1, 1933, all penalties which have accrued thereon shall be cancelled, providing that said act will not effect existing tax sale certificates, and declaring an emergency.

SENATE BILL NO. 11—By NICHOLS, CLARK and CURNUTT.—An Act amending paragraph (a), Section 10090, Oklahoma Statutes 1931, providing that the streets around and about the State Capitol Building and Lincoln Boulevard from Twenty-third to Sixteenth street, Oklahoma City, Oklahoma, and which were laid out pursuant to the George E. Kessler plans, shall be a part of the State Highway system, and declaring an emergency.

SENATE BILL NO. 12—By STACEY.—An Act to protect borrowers from building and loan associations in the event of the insolvency of the association, by providing that the borrower shall receive credit on his indebtedness for the full amount of principal paid on his loan, repealing conflicting acts and declaring an emergency.

SENATE BILL NO. 13—By STACEY.—An Act fixing the license fees for the registration of automobiles, motorcycles, and motor trucks not exceeding two thousand pounds carrying capacity, that have been in service

and paid license fees for four years or more, repealing conflicting statutes, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 1—By NICHOLS.—A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma, relating to Section 9, Article 10, of said Constitution.

SENATE JOINT RESOLUTION NO. 2—By STACEY.—A Resolution authorizing the submission of a proposed amendment to Section One (1), Article Twelve (12), of the Constitution of the State of Oklahoma, to the people for their approval or rejection, for the purpose of amending the same by providing for a partial exemption from taxation of homesteads actually and continuously occupied by the owners as homes.

SENATE CONCURRENT RESOLUTION NO. 1—By NICHOLS.—Concurrent Resolution ratifying a proposed amendment to the Constitution of the United States of America.

SENATE CONCURRENT RESOLUTION NO. 2—By NICHOLS.—A Resolution expressing the sentiment of the Oklahoma State Legislature concerning the reduction of the budget and appropriations for the departments and institutions of the State of Oklahoma, providing for the conducting of joint open hearings by the Committees on Appropriations of the respective Houses, and expressing the desire of the Legislature to reduce all appropriations at least twenty-five per cent.

The Senate was declared at ease, until 2:00 o'clock, p. m.

The Senate reassembled, with its President presiding.

A Committee from the Honorable House, composed of Representatives Ferman Phillips, Wayland Childers, Herman Darks, Dyton Bennett and Thomas Z. Wright, was received, and announced the Honorable House was ready to meet with the Senate in Joint Session.

Upon motion of Senator Commons, the report of the House Committee was ordered received.

Upon motion of Senator Commons, the House Committee was advised that the Senate would meet with the Honorable House, in joint session, at 2:10 o'clock, p. m.

Senator Ballard asked unanimous consent, which was granted, to submit the following Committee report, which, upon his motion, was declared adopted:

Mr. President: We, your Committee on Mileage beg leave to submit herewith the following report, the mileage being arrived at via reasonable passenger routes:

Name	Town	Miles	Amount
Ross Rizley	Guymon	353	\$70.60
Ed. M. Reed	Elk City	123	24.60
Nat Taylor	Strong City	147	29.40
D. H. Powers	Freedom	174	34.80
S. W. Carmack	Gould	174	34.80
Cecil R. Chamberlin	Frederick	144	28.80
Claude E. Liggett	Hobart	115	23.00
Grover Thomas	Clinton	96	19.20
Stanley Coppock	Cleo Spring	111	22.20
Geo. A. Hutchinson	Enid	87	17.40
W. T. Clark	Medford	118	23.60
Henry S. Johnston	Perry	63	12.60
George H. Jennings	Sapulpa	103	20.60
Louis H. Ritzhaupt	Guthrie	32	6.40
Willard Sowards	Stroud	63	12.60
Tom Waldrep	Shawnee	38	7.60
W. P. Morrison	El Reno	27	5.40
W. C. Fidler	Oklahoma City	—	—
William Stacey	Chickasha	42	8.40
John D. Pugh	Anadarko	59	11.80
Bert R. Willis	Canton	143	28.60
Knox L. Garvin	Duncan	82	16.40
Jim Nance	Walters	109	21.80
J. Woody Dixon	Marietta	118	23.60



Louis A. Fischl	Ardmore	101	20.20
Hardin Ballard	Purcell	34	6.80
Homer Paul	Pauls Valley	55	11.00
C. B. Memminger	Atoka	133	26.60
John A. MacDonald	Durant	150	30.00
Claud Briggs	Wilburton	152	30.40
Don Wilbanks	Holdenville	77	15.40
Allen G. Nichols	Wewoka	68	13.60
Paul Stewart	Haworth	251	50.20
Pres S. Lester	McAlester	121	24.20
W. O. Ray	Tishomingo	134	26.80
Charles A. Moon	Muskogee	174	34.80
Joe M. Whitaker	Eufaula	149	29.80
W. A. Carlile	Sallisaw	234	46.80
Babb Howard	Pryor	206	41.20
A. L. Commons	Miami	209	41.80
S. Morton Rutherford	Tulsa	117	23.40
David M. Logan	Okmulgee	135	27.00
H. P. Daugherty	Chelsea	162	32.40
H. M. Curnutt	Barnsdall	153	30.60

Respectfully submitted,

BALLARD, Chairman.

Upon motion of Senator Commons, the Secretary of the Senate was instructed to procure sixty (60) copies of the 1931 Compiled Oklahoma Statutes, for the use of the Senate and Committees.

The hour of 2:10 o'clock p. m., having arrived, the President directed the Senate to repair to the House Chamber, there to meet the Honorable House in Joint Session, for the purpose of receiving the Governor and hearing his message.

#### JOINT SESSION

The Joint Session of the Fourteenth Legislature was called to order by the President of the Senate, Lieutenant Governor Robert Burns.

The President ordered a roll of the Senate called, which resulted as follows:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Fischl. Total, 1.

The President announced a quorum of the Senate present.

The Speaker of the Honorable House, Representative Tom Anglin, ordered a roll of the House of Representatives called, which resulted as follows:

Present: Abernathy (Pott.), Abernethy (Harmon), Albright, Allen, Armstrong, Batson, Beaman, Beard, Beaver, Bennett, Billings, Blocker, Boyer, Brazell, Broadbush, Burnham, Bushyhead, Cavins, Cavitt, Childers, Cline, Cloyd, Coe, Collins, Conner, Copeland, Cox, Daniel, Darks, Davis, Douthat, Duke, Eason, Ebey (Pontotoc), Eby (Tulsa), Ellis, Fitzgerald, Fraley, Garland, Gibson, Glen, Gray, Grisso, Grunert, Haile, Hankla, Harp, Hart, Hays, Henderson, Hill, Hinds, Hogg, Holliman, Hughes, Hutchings, Jessee, Johnson (Comanche), Johnson (Osage), Jones, Kenan, Knight, King (Coal), King (Creek), Kirkpatrick, Landingham, Leecraft, Lindsey, Logsdon, Lowrance, Mallory, Marshall, Martin, Massey, McElhaney, Misenheimer, Mooney, Morse, Munson, Neill, O'Neill, Ottesen, Palmer, Parks, Paxton, Phillips (Atoka), Phillips (Okfuskee), Rawls, Remund, Roberts, Shoemaker, Singleton, Smalley, Spear, Speck, Stewart, Strickland (Marshall), Strickland (Pontotoc), Sturgell, Sullivan, Sutherland, Timmons, Todd, Turner, Ulmark, Wagner, Watson, Whitford, Williams, Wilmot, Wingo, Wooten, Worthington, Wright, Mr. Speaker. Total, 115.

Absent: Babb, Chambers, Graham. Total, 3.

The Speaker announced a quorum of the Honorable House present.

The President announced the Joint Assembly duly organized and ready to transact business that may come before it.

Thereupon, the Speaker of the Honorable House proceeded to canvass the returns of the General Election, held November 8th, 1932, as certified to him by the Honorable Secretary of State, and publish the results thereof in the presence of a majority of each legislative branch, in joint session assembled:

For Corporation Commissioner:

Jack Walton, Oklahoma City-----Dem.      377,923

J. H. Johnston, Oklahoma City----Rep.      290,716

Jack Walton having received a majority of the votes cast for the office of Corporation Commission, I, Tom Anglin, Speaker of the House of Representatives, do declare the said Jack Walton duly elected to said office.

For Justice of the Supreme Court:

District No 1—Unexpired term:

Wayne W. Bayless, Claremore----Dem.      426,621

Dennis H. Wilson, Miami-----Rep.      173,050

Wayne W. Bayless having received a majority of the votes cast for the office of Justice of the Supreme Court, District No. 1, unexpired term, I, Tom Anglin, Speaker of the House of Representatives, do declare the said Wayne W. Bayless duly elected to said office.

District No. 2:

Earl Welch, Antlers -----Dem.      423,128

Douglas Allen, Idabel -----Rep.      168,153

Earl Welch having received a majority of the votes cast for the office of Justice of the Supreme Court, District No. 2, I, Tom Anglin, Speaker of the House of Representatives, do declare the said Earl Welch duly elected to said office.

District No. 5:

Monroe Osborn, Pauls Valley-----Dem.      419,190



C. G. Moore, Purcell-----Rep. 172,041

Monroe Osborn having received a majority of the votes cast for the office of Justice of the Supreme Court, District No. 5, I, Tom Anglin, Speaker of the House of Representatives, do declare the said Monroe Osborn duly elected to said office.

District No. 8:

Orel Busby, Ada-----Dem. 423,335

Paul F. Cooper, Shawnee-----Rep. 171,216

Orel Busby having received a majority of the votes cast for the office of Justice of the Supreme Court, District No. 8, I, Tom Anglin, Speaker of the House of Representatives, do declare the said Orel Busby duly elected to said office.

For Judge of the Criminal Court of Appeals—Eastern District:

James S. Davenport, Vinita-----Dem. 439,857

Bruce L. Keenan, Tahlequah-----Rep. 174,735

James S. Davenport having received a majority of the votes cast for the office of Judge of the Criminal Court of Appeals, Eastern District, I, Tom Anglin, Speaker of the House of Representatives, do declare the said James S. Davenport duly elected to said office.

At the conclusion of the canvassing of the returns and declaration of results, Senator Commons moved that the President of the Senate appoint a committee of 3, and the Honorable Speaker of the House appoint a committee of 3, said joint committee to notify the Governor of Oklahoma that the Joint Assembly is in session and ready to receive him and hear his Message, the joint committee to escort His Excellency to the Speaker's desk.

The motion prevailed and the President, on behalf of the Senate, appointed Senators Commons, Rutherford and Garvin, the Honorable Speaker appointing, on behalf of the House, Representatives Jones, King (Creek) and Daniel.

The Joint Session was declared at ease.

The Joint Session was called to order, by the President of the Senate, who announced the Committee appointed to notify the Governor that the Joint Session was organized and ready to receive him, was ready to report.

The Joint Committee escorted Governor Wm. H. Murray to the Speaker's desk, where he read his Message, which was as follows:

TO THE HONORABLE, THE MEMBERS OF THE  
FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

In the beginning of the third year of my term as Chief Magistrate, I wish to refer to our chart of Government, the Constitution. We find in Section 9 of Article 6 of that Charter the following language:

"Sec. 9. Governor to Communicate by Message.  
—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."

Such copies of the reports of the officers and commissions of State as I have in my possession I hereby lay before you. Others will be submitted so soon as they are obtained. I especially call your attention to the report of the Oklahoma Tax Commission.

In this connection, I call your attention to Section 33 of the said Article 6 of the Constitution, which, among other things, provides:

" \* \* \* The Governor may, at any time, require information in writing, under oath, from all officers and commissioners of the State, and all officers of

State institutions, penal, eleemosynary, educational, and industrial. \* \* \* ”

This section has never been vitalized; and, without some penalty for failure to obey this clause of the Constitution, the Governor is powerless to obtain this information.

In the distribution of the Relief Fund, provided by the Thirteenth Legislature, the county commissioners of twenty-two counties failed and steadfastly refused to make any report of these expenditures for the lack of this penalty; I called on Lew Wentz shortly after going into office to make a report of disposition he had made of what is known as “The Federal Truck Account,” and never received even a letter in reply; I requested the Bar Commission recently to make an accounting under oath of their expenditures of money, and they too failed. Other instances I could give, but this ought to be sufficient for the Governor to urge upon the Legislature the enactment of a law vitalizing this section of the Constitution, either with a criminal penalty or forfeiture of office, or by both of such penalties.

The other responsibilities and duties named in the section of the Constitution first quoted submitting his recommendations as to legislation needed I now proceed to perform. It may be observed by this section that this is one of the functions of legislative power expressly granted to the Governor, along with the power to veto, to override which, he is given the strength of five members of the Senate and nineteen members of the House.

When inaugurated on January 12, 1931, I found outstanding approximately \$5,000,000.00 of unpaid warrants, representing the expenditures of government in excess of the revenues collected. This occurred largely by lack of machinery to collect the taxes really due, and a lack of economy. There was due to be nearly \$7,000,000.00 of these outstanding warrants at the end of the fiscal year, 1931, as a consequence of the stupendous ap-



propriation—the greatest in the history of the State—made by the Twelfth Legislature aggregating \$34,271,000.00, together with a deficit of more than a half a million more. An effort on the part of certain bankers, fostered by the Oklahoma City daily press, was made to force a recommendation by me, and an enactment by the Thirteenth Legislature to provide for the issuance of bonds to take up these outstanding warrants. This I steadfastly refused.

Moreover, about the time of the adjournment of the Thirteenth Legislature, the entire structure of oil prices dropped to 22 cents and less a barrel, followed by a shut-down of 3,108 flowing wells for some three months, in order to restore the price, causing, during all this time, a loss of approximately \$400,000.00 a month in revenues, and thus increasing the outstanding warrants more than \$3,000,000.00. The State was in its worst financial condition; but I have to report that through certain efforts, warrants, both State and County, were brought to par. One of these methods was through a contract with the Chatham Phenix Bank of New York, as State depository.

#### STATE DEPOSITS SECURED

In connection with this contract, the State Treasurer called my attention to the fact that heretofore, and, indeed, from Statehood, it had been the practice of having the New York depository to make a trust company bond in the sum of \$500,000.00. In view of the old Southern Trust Company's, one of the oldest and strongest, having gone into the hands of a receiver, it occurred to me that it was doubtful safety to accept the bond of any trust company. Moreover, there was on deposit \$1,500,000.00 of the State's money; and, even though the trust company's bond was solvent, the State stood to lose in the event of the failure of the depository bank, the sum of \$1,000,000.00. Upon this showing, the Governor issued an executive order, directing that the

state warrants could be placed in escrow, dollar for dollar of the amount on deposit, as a bond, to secure this \$1,500,000.00 deposited; and that is as yet the bond of the depository. Thus, the State funds have been safe by security with our own paper.

#### BONDS MADE BY STATE AND COUNTY OBLIGATIONS

In this connection, I wish to call your attention to the fact that bonding companies have discriminated against certain filling station keepers and others required under the law to give bond. In view of this fact, and in order to give a market and thus preserve the parity of our warrants, I urgently recommend the passage of an Act, authorizing the placing in escrow as a bond, State, county, and municipal warrants and bonds in lieu of that of any bonding company or personal security, if the person so choose. Such a law would strengthen the finances of the State and make sure the guarantee required by the law. These non-taxable warrants bearing 6 per cent interest would cause the investment by those required to make bond in these securities, and thus they would make a profit while saving the cost of the bond.

Such a law would prove wholesome from every standpoint of public policy, unless we undertake to write laws for the special and peculiar benefit of the bonding companies.

In my opinion also, the law requires the execution of some bonds for officials that are wholly unnecessary, and conserve no public interest or any other interest save and except the premiums paid to the bonding companies. Wherever bonds are unnecessary, the law should be repealed requiring them.

#### OKLAHOMA TAX COMMISSION

As is well known, the first act of the Thirteenth Legislature was the passage of the "Oklahoma Tax Commission" Law. The Commission has proven the bulwark

of the financial integrity of the State. Through two years of observation, serving as chairman of the Tax Equalization Board, which board heretofore had no means whatsoever to value the corporate properties of the State, I am astonished that prior to the creation of the Oklahoma Tax Commission that we collected as much taxes as we did from those classes which are always operated on the principle of selfishness and "pay dividends,"—whether the law was violated or not. I am thoroughly convinced that had this Commission existed eight years ago, the State would have no outstanding warrants unpaid.

After nearly two years' trial of the law, there is no amendment that either I or the Commission could suggest. The "Oklahoma Tax Commission" law is as nearly perfect as any act ever passed by the Legislature of this State. Therefore, it should be the watchword of every honest representative of the people, whether in the Executive branch or of either House of the Legislative branch, to watch and thwart any and all efforts to modify this law, even by implication. It should be the shibboleth of every patriotic Oklahoman to every Legislature that convenes: "Hands Off the Oklahoma Tax Commission." In the administration of the funds, through its chairman, the Honorable Melven Cornish, honest and honorable, a master of detail and a keen intellect; together with the great legal ability and integrity of the Honorable W. D. Humphrey; and the splendid character, intelligent understanding of tax principles, and sympathy for humanity, as shown in the person of Col. John T. Bailey, we are prone to congratulate ourselves on both the splendid personnel and satisfactory achievements of the "Oklahoma Tax Commission." I feel sure that but for that Commission's services there would be outstanding warrants unpaid \$6,000,000.00 more than now outstanding.



## REDUCTION OF AD VALOREM TAX

The immediate and crying need of the State is to reduce the ad valorem taxes upon property of the citizens. To do this requires economy in governmental functions and the payment of all public and bonded debt, school district, municipal, county, and State, and to issue no more. The best way, the safest way, the most sensible way, to balance the budget is to lower the cost of government. This I endeavored to do by lowering all appropriation in the Thirteenth Legislature, and, since, by using watchfulness and alertness to prevent the expenditure of the money appropriated; and, in a measure, have succeeded.

From the appropriation first proposed by the State Senate, the Governor was enabled to cause a reduction before the bill finally passed:

In the sum of -----	\$1,109,000.00
The Governor vetoed in the Institutional Bill -----	240,000.00
In the Bill for Officials, he vetoed -----	235,000.00
And there was saved in the various institutions and departments from the appropriation at the end of the fiscal year, June 30, 1931 -----	1,232,000.00

This makes an aggregate of -----\$2,816,000.00 which, through the action of the Governor, was saved the taxpayers of this State; but it is not sufficient saving as yet.

This State can be run with efficient help in every department and the continued efficiency of the schools and educational institutions on an aggregate sum of \$20,000,000.00 for the next biennium, or two years, and, if Your Honorable Body will pass the bill, which will be submitted to you, recommended by the unofficial budget commission, appointed by the Governor, this will show

your saving. This commission knows more than either you or I, or any member of either House, or all together, for they have studied the question for a greater length of time than you will probably be in session. I therefore urge that the Legislature take the credit of this reduction by passing the bill without change, *as it will be submitted*. There is no need of any increase in any item. In my opinion, some items could be reduced, and the future will prove that is true, but I am willing to risk the bill as written. You have the opportunity of taking the credit, but, if you decline, I shall take it.

In truth, if the organization of the State Government were based upon the principles as in the beginning, this State Government could be operated on \$15,000,000.00 for the biennium, and yet leave all the schools and colleges ample funds for efficient operation. I recall that when Sam Houston retired from the Presidency of the Texas Republic; and Lamar, the dreamy, poetical mind, became President, he directed and authorized all kinds of dreams and schemes; and expeditions to Santa Fe and the Montezumas, none of which ever came back, and the paper money went down to twenty cents on the dollar until the Congress had to put Houston back into power. Having the power under the Constitution to make his own budget and frame up the Government, he reduced appropriations for officials the first day from \$174,000.00 to \$32,800.00, practiced economy, restored the paper money to par, and brought the young republic out of chaos. We have simply had too many experiments in Boards, Bureaus, and Commissions.

The question of economy or reduction in the cost of State government thus solved and determined upon, the next question is how shall we extinguish the public debt and thus vouchsafe reduction in ad valorem tax and save nearly \$23,000,000.00 of interest on the public debt, State and local. I propose this remedy:

**REMEDY FOR PAYING ALL PUBLIC DEBT**

That, from the State's portion of the gasoline and automobile tax, a sufficient amount be used to match the Federal quota for roads and for reasonable upkeep of the State highways; the remainder to go into the general fund to be used exclusively for the payment of the state warrants and the bonded debt and then revert to its present use and purposes; then all of such gasoline and automobile tax assigned to the counties be used to pay off all of the bonds of any class or kind, including warrants outstanding of such county; and their portion under the law assigned to the cities be used for the same purpose. This will shortly extinguish the State, county, and municipal debts, leaving the school districts, which, on the whole, are in far worse condition than all other public indebtedness, in that the school teacher must needs "shave" his warrants heavily to get them cashed; and many districts can not at all cash them. This condition, in my opinion, is a disgrace to the administration of the school districts. It is bad enough for an individual to have out a "hot" check; it is a crime against government and the people to have outstanding government "hot" checks.

**BRING TEACHER WARRANTS TO PAR**

To remedy this situation and bring the warrants to par and to extinguish the public debt, and, in a double way, insure the reduction of the ad valorem tax, the Governor recommends the enactment of an income tax law, without the arbitrary depletion clause, but a depletion only of cost, that the big taxpayer, as well as the ordinary school teacher and professional man, shall pay taxes in proportion to the ability to pay and the service of government received; for there is no depletion for the professional man's brain allowed; and, therefore, why should there be a "depletion" greater than the cost of these great corporations and monied concerns?



Let the whole of the proceeds of this income tax be apportioned among the school districts according to the scholastic population; be used exclusively to pay school teachers, and then require a reduction in the ad valorem tax in each of such school districts to the amount or quota received of the income tax.

Then enact a law taxing cigarettes, cigars, cosmetics, and habit-forming drinks, the proceeds of which to be distributed according to the scholastic population and to be used exclusively in each such districts to pay: First, the warrants; second, the bonded debt, with a provision that so fast as a given school district has extinguished its debt, the money shall be used for the current operation of the school; and, when thus used for the operation of the school, the ad valorem tax shall be further reduced to the quota of such tax received.

This will bring back to par within two years the warrants of every school district in the State, and sooner than two years in most of them. It will tremendously reduce the ad valorem tax by the three methods of paying the four debts: State, county, municipal, and school district, together with the reductions required under the income tax law and the select sales tax law, until tax on property will never be a burden; provided economy of government in all of its several divisions and functions shall be reasonable, economical, and sensible in the future.

I would also provide in the case of the Select Sales Tax that whenever a school community creates a debt in the future, this tax shall be withdrawn from that district unless such debt and the amount of it is approved by the Oklahoma Tax Commission. This provision would encourage the teacher as well as others to keep that community out of debt. Indeed, it need not go in debt except where a school building is needed, and then it should be a building that could be constructed economically.

All frills of education as well as every other function of government, should, by law, be wiped out. In this connection, permit me to call your attention to the fact that in many counties of the State, the school trustees, at the urgent solicitation for more salaries by the teacher, have issued warrants in excess of the revenues and in violation of the Constitution and the criminal laws. These warrants, failing to sell to the banks, are cashed out of the Sinking Fund, and both the State and county officials are powerless to check the criminality. I say criminality, because it is a violation not only of the criminal laws but of the Constitution itself. They get away with it because the most prominent and influential citizens of each school community are the school trustees, and, through their influence, sometimes aided and abetted by the teachers and county officers, makes it easy for them to escape conviction or prosecution.

The superintendents of several counties have called my attention to this evil and criminality. One county, with bonds in every school district, has entirely exhausted the Sinking Fund in every district, and they will be due and payable within the next two years. To remedy this evil, I suggest and urge upon you to provide that no school warrants shall be valid until approved by the county judge, and then place the penalty upon him, and he will have jealous enemies enough to watch his course, and conviction ought to be easily had. Moreover, the county judge being a lawyer would understand what he was doing, whereas, be it said to the credit of their integrity, most of the school trustees are not unaware that their acts violate the criminal laws.

In my opinion also, municipalities should have like approval; and, in order to vouchsafe conviction, especially upon an investigation directed by the Governor, there should be a change of venue from the county in which an official stands accused, and the case assigned by the Supreme Court to some other county within that

supreme judicial district, wherever any county officer is proceeded against for violating his oath or the laws.

It will be observed that there is usually a combination and political affiliations among the officers of a county to protect one another from an unjust criticism of the public, so that it is difficult to convict one of them in the county in which he holds an office unless he be out of line with the political line-up of the machine of the county seat. Such change of venue on the part of the State or prosecution should be permitted as an absolute right on the part of the Governor whenever a foreigner is prosecuted, because of the delicate international aspect of the question.

Whether the result would have been the same or not had there been a change of venue from Carter County in the killing of the two Mexican schoolboys, the Mexican government had at least been better satisfied. I am not at liberty to disclose to your body how delicate that situation was and how close had to be the co-operation between the Governor of the State of Oklahoma and the Secretary of State at Washington to prevent retaliation upon the part of the Mexican people and officials toward Americans residing there and their property; and it will be recalled that just recently, the United States Government quickly made an appropriation of \$30,000.00 to preserve that amity and good will which should always characterize the citizens of neighboring republics. It is not a boast on my part to say to you that but for my knowledge of the Latin mind, together with my quick and decisive action, with the subsequent course pursued from recommendation of the Secretary of State at Washington, whose praise was warm and unstinted for the course I pursued, the killing of the two Mexican students might have resulted in much bloodshed. Indeed, the World War started over the killing of one prince, and here were two, and the whole of Latin America was watching us. These considerations



are the most cogent for such change of venue in the future.

### SUSPENSION OF TAX PENALTIES

Closely allied to the financial affairs of the State is the question of providing methods whereby the people may pay their taxes upon their property. Many of them are delinquent in the payments for the reason that it is impossible for them to make such payments until penalties have piled upon them to such an extent that to exact both the taxes and penalty would mean failure of collection of any of these taxes, and forfeiture of their properties.

I am thoroughly of the opinion that if the penalties were suspended, we could collect more taxes than to attempt to collect the penalties thereon; therefore, urgently recommend a joint resolution having the force of law, or an act suspending all penalties on delinquent taxes of every class and kind until the 1st day of May, 1933, with the provision that if such taxes are paid prior to the 1st day of May, 1933, the payment of the tax shall entitle them to a clear receipt; but that failure to pay after that date, the penalties shall again attach.

### COUNTY EXCISE BOARDS

It will be recalled that the County Excise Boards were created by the Thirteenth Legislature, which at once became the arm of the machinery for the collection of taxes and for the reduction of the same, together with a reduction of the expenditures of government in the several subdivisions of the State. This act was defective when it was passed; indeed, it was difficult to pass at all. Some of the language was so ambiguous that the Supreme Court of the State has crippled it in many of its intended functions.

I urgently recommend that it be revised, with the power intended to be given it written in such plain and explicit language that all of the courts of the land may understand the intentions of the Legislature.

## EXEMPTION OF AD VALOREM TAX OF OIL PRODUCERS

In the enactment of the gross production tax on oil, the Legislature provided "that the pipes, derricks, and all property necessary to production, in and around the well should be exempt from ad valorem taxation."

In some two or three cases before the Supreme Court, that court has ruled that a *hospital* and an *ice plant* operated by the company was necessary for the production of oil, and, therefore exempt from taxation; also, in another case, where a water system 20 miles away was declared exempt, since it was necessary for the production of oil. Therefore, it becomes as necessary for the Legislature to define in specific terms just the property that is exempt in such language that even the Supreme Court can understand it, because if we start as a basis for reasoning upon "what is necessary for the production of oil," an oil company could include cattle ranches, and packing houses, because meat is essential throughout the year while "ice" declared to be exempt, may not be essential throughout the year; indeed, overall factories, tailor shops, steel plants to make drilling machinery, and truck factories to transport the oil, all and many more, could, by the same analysis, be declared exempt from ad valorem taxation.

## FREE SEED AND RELIEF OF THE PEOPLE

I urge upon the Legislature the passage of a special law appropriating money to purchase garden seed for all persons who will plant a garden or produce food crops that cannot purchase them, in an amount of \$100,000.00, for the present fiscal year; and \$100,000.00 for the fiscal year beginning July 1, 1933; together with \$200,000.00 for the present fiscal year, for relief of the poor who are unable to work; and \$200,000.00 for the fiscal year beginning July 1, 1933; or an aggregate amount for two fiscal years of \$600,000.00.

As is well known, the Reconstruction Finance Cor-

poration assigned to the State for work relief for the three months of October, November and December, the sum of \$817,000.00; and also for the months of January and February an additional sum of \$1,300,000.00.

The Governor, in each of these requests, has been required to pledge that the State of Oklahoma will make a reasonable provision to match these funds, and also that the counties will make a like effort.

I have discussed with the representatives of the Federal Bureau this question and pledged them to urge upon the Legislature of the State the appropriation mentioned in the foregoing, and the same was pronounced satisfactory to them. I may state that a failure on the State's part to provide these funds would greatly lessen the amount we could receive in the future from the Federal Government.

The plan that the Governor has worked out is to use the Federal funds supplied by the Reconstruction Finance Corporation to the employment of labor of all enabled to work, and let the State's funds and the county funds, appropriated for the relief of the people, be used exclusively and wholly for those needing assistance and unable to work.

I urge that this appropriation be made as quickly as it is possible, that the seed may be provided in time for early gardens; also, that the provision of the law be so written that any of these funds not expended during the present fiscal year might be expended in the next fiscal year, to the end that the stressful times of next winter may be provided with all that we can save out of the funds for the present year.

Permit me to call your attention to the fact that it is during periods of this kind that famine threatens the densely populated centers of the country. It has proved so in all of the years of the past in India; it will prove so in America. Indeed, during the next two years there is danger of famine in portions of the United States. It is



our hope that it shall not occur in Oklahoma, for, so long as there is a surplus of food produced, there will be means of providing food for those who have not the money with which to purchase it. And there are many more cogent reasons for the provision of seed at this time than there were two years ago, when \$300,000.00 worth of seed were provided for the farmers of the State. Then, not only garden but field seed was also provided. That, this year, is not necessary, and I am reasonably certain that \$200,000.00 will be ample for the two fiscal years.

#### SCHOOL LANDS AND FUNDS OF THE STATE

The Governor recommended to the Thirteenth Legislature an appropriation to audit three departments; but, during all the term, there was a source of opposition that we never could locate; however, the bill was passed, making an appropriation of \$25,000.00 for the audit of "All" departments, which was not enough for the one department, the School Land Commission. Feeling, from the information I knew, that this department, in some years of the past had handled these lands and funds not to the best advantage, the Governor was anxious to find out where and how these errors were made, and authorized and directed the Board of Public Affairs to contract for the audit of the School Land Department alone. It was found that no auditor would undertake a bid upon the whole work of auditing that department for the \$25,000.00, some of them asking \$100,000.00 to guarantee the completion of the work. At length, the Board of Public Affairs was enabled to make a contract with Willson & Garnett to audit the department, on somewhat a piece compensation.

They found that the records of the first administration having been removed from Guthrie were mixed so that it was difficult to find and trace these different landed properties. When the auditors reached the year of about 1926, the \$25,000.00 appropriated was ex-

hausted. The Governor then made an Executive Order directing the Board of Public Affairs to create an expenditure of not exceeding \$8,000.00, and continue the work up to the fiscal year June 1, 1932, in order that the Fourteenth Legislature could have certain accurate knowledge of the condition of that department.

It is almost inconceivable to an intelligent man that this department which ought to be accredited with \$70,000,000.00, and more than 800,000 acres of land should never have an audit, even in part, for a duration of twenty-five years.

In the course of the audit, it was found that lands listed on the records earlier had for some reason dropped from the records, and, for many years, lost; holders of the land cultivating it without paying rent to the State. It was found that during a portion of the time, the Commission had permitted the Secretary to make loans on property where the amount did not exceed \$2,500.00, brought about largely through the connivance of the Secretary and the then President of the Board of Agriculture, whose brother, I learned, as early as 1930, had sought out small places and farms in the southeastern and eastern portion of the State, purchased them for \$1,000.00, \$1,500.00 and \$1,800.00, and then borrowed through the School Land Department \$2,400.00, then turned the property over to some person as a lease, and, thereafter, the lease never again paid either interest or rent to the School Fund, and, through this method, there were losses aggregating millions of dollars; since the lands foreclosed and in the process of foreclosure cannot be sold, there is no way to ascertain just how much was lost.

In addition, beginning in 1926, and running to 1930, there were some direct thefts, the amount of which can be definitely ascertained; and, since the Constitution provides that the funds of that department shall never be diminished, and that any loss shall be replenished by

appropriation of the Legislature; and, since claims for rent or interest supersede that of taxes, that is the only department of State that cannot be used, in the contemplation of the Constitution and the law, for charitable purposes or for friendship or politics, although the Legislature and any other branches of government might aid charity and provide for the same.

I, therefore, recommend that the Legislature exercise the functions of the Constitution enjoined upon it and formulate rules for the guidance of that department; and, among such rules should be a provision authorizing the audit of the School Land Department every two years, so as to keep up the audit regularly, and a copy to be filed with each House of the Legislature at every regular session, and with the School Land Department; and that the contract for an audit shall be made by at least two members of a commission, to be composed of the Governor, the Speaker of the House, and the President Pro tempore of the Senate of each Legislature. Had such been the law in 1926, the Legislature in 1927 had been made acquainted with the thefts made before and the subsequent thefts would not have occurred, nor would there have been a limitation against criminal prosecution.

Another phase of this question: Beginning with the first loans, a rule was formulated in the absence of a rule made by the Legislature that when a borrower of these funds was delinquent in the payment, there should be an express contract for him to pay 10 per cent during the period instead of 5 per cent. Those facts have been known to the Legislature ever since. No act or resolution had ever nullified the rule, so that the Supreme Court in one case ruled that that was tantamount to a legislative enactment; and so also ruled the present Attorney General of the State. In the face of these facts, a majority of the Commission, by a vote, superseded the rule, and the contract as well, on loans heretofore made,



and, by resolution, remitted the 5 per cent contract rate of this interest, under the belief that the present stressful conditions justified such act, although many of the lessees had been compelled since the beginning of these conditions to pay the full contract rate. This made liable the Secretary who is under bond for this money; and, in the opinion of the Governor, the Commission had no authority so to do unless under another rule extension of the time was agreed to at the rate of 5 per cent, which had always been the practice of the Commission.

Acting under this belief, the Governor employed Ex-Governor J. B. A. Robertson, and directed the Attorney General to bring suit to enjoin the Commission from changing this rule, and the Governor agreed to pay out of his own pocket, the attorney fees; and has made all payments out of his own pocket, in order to ascertain what the law is, and to protect the Secretary on his bond.

These circumstances are recited to make clear to the Legislature the reasons for certain rules for that department.

There are a number of members of the House and Senate who have loans in that department. Most of them, however, were obtained prior to their being elected to the House and Senate, one that I know of ten years before; and, therefore, could not be blamed for owing the State at this time; but I submit that no man who holds an office under the State of either department should, during his term of office, or while he was a candidate for the office, or for twelve months after the expiration of his time, borrow any of this money, for the reason that did he do so, the Commission would be charged with doing it out of consideration of friendship or politics, whether the charge would be true or not.

I, therefore, recommend that among the rules, no person in either the legislative, executive, or judicial branches, or commissioned by them, drawing funds from the State, shall, during their term, or while they were

candidates for such positions, or for twelve months after the expiration of their terms, be permitted to borrow any of these funds; with the proviso that if either such person shall have borrowed before he became a candidate, and afterwards, or during his term of office, the loan became due, that the Commission will be authorized to extend the loan, as in other loans made. This seems to me to be the clear, wholesome way of handling these funds. The effort is to prevent, while in office, the use of these funds for political favoritism, and to remove from the charge of such favoritism, but not to create a hardship either on the State, the School Land Commission, or the borrower, should he, perchance, have a loan made prior to his going into office, just because he was elected to office.

#### THE HIGHWAY COMMISSION

I recommend that the salaries of the Highway Commissioners, the engineers, heads of bureaus, and all that it is possible to provide for, have their salaries fixed by law; and I also recommend and submit that the Legislature ought not to throw upon the Governor the responsibility for the acts of the Highway Commission, and then take it away from him by giving him a Commissioner, over whose acts he has no control. The Legislature should give the complete control either to the Governor or take the authority and obligation upon themselves. I leave it to your good sense which ought to be done.

#### A SUB-PENITENTIARY, OR STATION

The Thirteenth Legislature made appropriation for the purchase of lands for a penitentiary station. The purpose of the fund was thoroughly explained to members of the House and Senate. Lands were purchased to carry out the purposes and plans, when the Attorney General, in the absence of the Governor, ruled that the work had to cease and that the money could not be used,

doubtless due to the fact that it was in the nature of legislation in an appropriation bill.

I therefore recommend that a special act be created re-appropriating this money appropriated at that time, and that the work may continue.

The first intention was to buy the land at Limestone Gap, partly because of the limestone rock deposit; and, in part, because of the soil and water, since the penitentiary at McAlester has no water, and has to rely upon the water of the city of McAlester, and disagreement arose in Governor Williams' administration which caused him to threaten to remove the penitentiary, because of lack of water.

A gentleman was secured to undertake to get up options on the land without the people's knowing that the State wanted to purchase the land; but, at length, it leaked out. As a result, they asked for some of the land \$75.00, and the whole tract amounted to an average of \$25.00 an acre. The Governor took the position that it was too much, and gave out public notice that he intended to go elsewhere near McAlester to locate this penitentiary camp.

At length, the citizens of Atoka became interested, came to me, and I informed them that I would not pay exceeding \$12.50 an acre, and that it had to be as good as the Limestone Gap property. They got connection with the Kuykendahl heirs who owned a great amount of a tract of land a mile south of Limestone Gap, on the Katy Railroad, and which land had to be sold. They proposed to take \$12.50 an acre, and came to my office and talked over the matter, and I told them that I would not pay a cent more, and did not want to pay that much, but agreed that I would go and look at the land. Judge I. L. Cook, their attorney, then told them that they had better get down to the last copper that they would accept, that he "knew the Governor so well that he would not parley or dicker with them over the price."



I went down to the land and personally looked over it; and, when through, I asked them what was the lowest cent they now would take, without parley, and that would determine whether it would be accepted, and then announced \$9.18 an acre.

The tract of land is ideal for the purpose; indeed I do not know of one that meets every requirement more completely; indeed, it is better land than the Limestone Gap property; and I invite the Legislature to go see.

It lies on either side of the Katy Railroad; on the west side running parallel with the tract some few hundred yards from it is a limestone hill, probably a half mile long. Such would be ideal in the event the State desired to make cement; indeed, one cement company of the state had tried to purchase that hill. The south end of the hill would be ideal to build walls on top so that a look-out could be erected whereby a guard with field glasses could see every part of the land of more than 8,000 acres. West of the hill is a valley of approximately 2,020 acres of black, sticky limestone dirt, part in cultivation, but the most part in timber. Through it flows the Boggy River, the largest stream in Atoka County. At the upper end of the tract is an ideal water basin, with a dam constructed, capable of forming a reservoir from the river and irrigating 2,020 acres of land, which could raise vegetables during all the warm months of the year, and upon which could be grown seeded ribbon cane that would produce all the molasses and syrup used by the institution, and they use more than a barrel a day. East of the track is the pasture and meadow land. Some of it has been used to cut hay for years. The rolling limestone dirt is ideal for pasture in that it does not get mushy as flat land in rainy seasons. If this east tract or pasture were fenced with woven wire, and calves were bought and placed upon it, the pasture and hay could feed them through the winter months until they were three-year old steers and produce the \$65,000.00 worth

of meat used annually at the penitentiary. Hogs could also run at large in the pasture and fattened on the swill from the penitentiary. Goats could be used, and they do not eat grass, but eat the brush and weed; and therefore, benefit the pasture, while producing another variety of meats.

#### NECESSITY FOR THE SUB-PENITENTIARY

The institution at McAlester is overcrowded; the hallways are filled with cots, and there is constant danger of a break. In addition to this, the prevalence of tuberculosis in the institution and the danger from that source to the short-term convict is a menace and inexcusable to the State Government. Short-term and ordinary convicts should never be permitted to keep the company of these shrewd, high-powered criminals who rob banks and commit depredations with firearms, for it is easy enough during their confinement to "pump" into their minds that acts of lawlessness would be justified. Outbreaks would be more likely, for, as one of the high-powered criminal convicts said to me, in speaking of this evil: "Governor give me access to the convicts of that penitentiary, that I may teach them by signs, eyes, mouth, and lips, for six months, and I can create a break that all the guards could not prevent and that no warden could put down in two years." This convict was one of the shrewdest bank robbers in the penitentiary. He was given clemency in order to catch the source of dope smuggled into the penitentiary. His lead in this effort led to the conviction of a number who were perpetrating these crimes.

If this project can be carried out, which is the project partly borrowed from my personal knowledge of the Texas penal financiering of years in the past, we could make this institution almost self sustaining. Indeed, Texas's cost is the lowest in the United States, and it is believed that it will be entirely self-sustaining within another year, (as it was thirty odd years ago), and so announced by the Penitentiary Board of Texas. The plan

would lessen the danger of tuberculosis among the short-term convicts by giving them outdoor exercise. It would shield them from immoral conduct, and criminal company, and better serve the probability of learning their lesson and becoming good citizens, in addition to lessening the cost of government and the taxpayer; the danger of outbreak, and give employment, because idleness causes the convict to brood and gives him evil thoughts that otherwise he would not have, as well as provide the water necessary, because not only Boggy Creek runs through the farm portion but a clear stream known as Chickasaw Creek, the next largest stream in the county, with flowing water the year around, clear, cool, and wholesome, runs through the pasture portion.

It would afford room and occupation for all the short-term convicts, leaving the walls at McAlester wholly for the high-powered criminal and long-termers. Moreover, it would cost more to provide walls, buildings, and water for the institution at McAlester than this plant would cost. The land is the very best for pasture and among the best for the farm, and was purchased at a very low price; and I submit to any man who knows land to go look at it and, especially, to compare it with the land at Limestone Gap, where was originated all of this "hue and cry" in the Press, because they were not permitted to speculate upon the State and bleed the State for land that was not worth the money they asked.

#### OIL PRORATION

You gentlemen know more or less the facts, and perhaps more gossip, growing out of the breaking down of the oil industry. It is well known that we had a proration law that was splendid until it reached the penalty or enforcing clauses, and they were evidently written defective at the instance of some shrewd lobbyists around the Legislature, who imposed upon the members in the past, who did not know law, and the necessity of criminal penalties to enforce a statute.



The Sinclair interest had arranged with the Prairie of Indiana, a subsidiary of the Standard, to take over all of their crude; and, later form a united corporation. In the meantime, it became the intention of Sinclair to break down the price of oil, fill his tankers with 20 cent oil, and then push it back, and thus reach big speculation at the expense of the little independents, who, in the meantime, would go out of business.

The anti-prorationists surrounded the last Legislature in an effort to repeal the law entirely. Oil went down to 20 cents and less a barrel. The revenue of the State was cut off \$400,000.00 a month. Exercising the Supreme Executive Power, through its military arm, the Governor shut down the 3,108 flowing wells and held them until October, restoring the price of oil by reason of the taking from the tankers the oil throughout the country. This shut-down raised the price of oil all over the United States. Numerous efforts since have been made to break down the price again. The case went to the Supreme Court of the United States in an effort to do so, and also one from Texas, and the one from Oklahoma was upheld by the Court because the Governor of Oklahoma was using his power to uphold the law, whereas the Texas military control was nullified by the Supreme Court of the United States for the reason that the military forces were laying down the rules of proration; in Oklahoma, we were merely enforcing the rule of proration laid down by the Corporation Commission.

This difference made the difference in decision. The Supreme Court, in passing upon the Texas case, used the explicit language that the power of the Governor to use the military power to carry out and enforce the law was "All inclusive," and could not be interfered with; but, in the Texas case, the military arm was used to violate the law and not to enforce it, and, again, in effect, upheld the military rule in Oklahoma.

Many companies have been stealing oil, which their

own books show. One of their men swore before the Corporation Commission that he, every day for ninety-one days swore falsely as to the oil, but it so happens that he cannot be convicted for those false oaths, owing to the peculiar wording of the penalties of the proration law, which penalties the Supreme Court of the United States declared null and void, while upholding the law.

There will be submitted a Bill, creating in explicit terms penalties for violating the law for these false oaths and returns, and for additional and more satisfactory machinery for enforcement, which will remove the necessity for military control; and I urge the passage of that law, for the constant watchfulness and mental effort, treading on close powers, is a constant task of the Governor, which he would avoid, if he could; and, without this new statute, which I here recommend, the moment the military power should be removed, in thirty days, oil would drop to below twenty cents a barrel, wrecking every independent producer; stop the development of oil, to the detriment of the farmer who leases his land; and the returns to the School Land Department; and would break every bank in what is called the oil centers, resulting in the wake the bankruptcy of many of our citizens.

For lack of time, I cannot go into all of the detailed discussion necessary to make plain what I have done and its effect, but it is sufficient for me to call your attention to the fact that the oil industry was taken through the efforts of the Governor in this State from where it would lead to bankruptcy to a status where they are paying dividends, and one of the few industries in the United States that is paying dividends; all through the knowledge and effort of the Governor of Oklahoma, who has not been spared criticism either by the Press, politician, or the criminal interest in breaking down the law.

From time to time, it may become necessary for the

Governor to submit other and further recommendations, but the foregoing is submitted as his best judgment as to what should be done by this Legislature.

Many other things needing legislative action,—enough to keep Your Honorable Body at work twelve months,—the Governor could discuss with you but, in the foregoing is a program having for its *fundamental purpose the reduction of the ad valorem* tax on property, and to effectuate this policy, a three-fold plan is heretofore proposed, to-wit: rigid reduction in the cost of government; the payment of all public and bonded debt; the providing for education, which is the greatest local burden upon ad valorem property, by the enactment of an income tax law; and a tax upon sales upon non-essential habit-forming articles of commerce, with a reduction of ad valorem tax to the extent of the amount of revenue thus produced, together with a change in the issuance of certificates so as to discourage the great evil of issuing warrants in excess of the revenues.

I therefore urge the passage of these measures as speedily as it is possible to do so, and then I shall submit to Your Honorable Bodies other and further recommendations.

By the passage of the foregoing, you have an opportunity of going down in history as having adopted the greatest program in the history of the State; and likewise, you may frit away your time like the Congress of the United States; where, for thirty days, the sum and total of their achievements is to “blab” over beer, which, in effect, is worse than Nero’s fiddling in Rome, for doubtless his music was entertaining; but not so the Basso of the two Houses of our National Blab.

All of which, sirs, is respectfully submitted,

BY THE GOVERNOR OF THE STATE

OF OKLAHOMA: WM. H. MURRAY.

Upon motion of Representative Batson, the Gov-



ernor's message was ordered accepted, filed and printed in the Journals of the respective branches of the Fourteenth Legislature.

Upon motion of Senator Commons, the Joint Session was dissolved.

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

Upon motion of Senator Commons, postage in the amount of Fifteen Dollars, was ordered for each member of the Senate.

Senator Curnutt moved that five (5) additional copies of the Governor's message be ordered printed for each member of the Senate.

Senator Ballard moved that the Curnutt motion be tabled, which motion failed of adoption.

The vote occurring on the Curnutt motion, it was declared adopted.

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

## SECOND LEGISLATIVE DAY

Wednesday, January 4, 1933.

Pursuant to adjournment, the Senate met at 1:30 p. m., with its President presiding.

Upon a roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Fischl. Total, 1.

The President announced a quorum present.

Prayer was offered by Rev. J. Y. Callahan, of Enid, Oklahoma.

Senator Morrison submitted the following request for permit to appear before Senate Committees and, upon his motion, was granted:-

To the President and  
Members of the Senate,  
State of Oklahoma:

Edward G. Burke states that he is a resident of the State of Oklahoma and Oklahoma City; that he is 51 years of age and that he is Legislative Representative of the Brotherhood of Railroad Trainmen; that he is paid the sum of eleven dollars per day 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 interests of the organization he represents.

(Signed) EDWARD G. BURKE,  
2112 West 15th St.,  
Oklahoma City, Okla.

### COMMITTEE REPORTS

Senator Whitaker submitted the following Committee Report, which, upon his motion, was ordered received and the action of the Committee on Committees confirmed:

Mr. President: We, your Committee on Committees, beg leave to report the selection of the following Committees:

#### Committee on Appropriations:

MacDonald, Chairman,	Nance,
Curnutt, Vice Chairman,	Nichols,
Ballard,	Paul,
Briggs,	Ray,
Carmack,	Reed,
Chamberlin,	Ritzhaupt,
Commons,	Rutherford,
Dixon,	Stacey,
Fidler,	Stewart,
Howard,	Taylor,
Jennings,	Wilbanks,
Lester,	Whitaker,
Logan,	Powers.
Memminger,	

#### Committee on Public Printing:

Carlile, Chairman,	Stewart,
Garvin, Vice Chairman,	Briggs,
Howard,	Clark,
Nance,	

#### Committee on Roads and Highways:

Briggs, Chairman,	Ritzhaupt,
Carmack, Vice Chairman,	Carlile,
MacDonald,	Ballard,



Stewart,  
Whitaker,  
Morrison,  
Garvin,  
Lester,  
Commons,  
Fischl,  
Fidler,

Ray,  
Thomas,  
Howard,  
Chamberlin,  
Rutherford,  
Hutchinson,  
Rizley.

Respectfully submitted,

JOE M. WHITAKER, Chairman,

The President directed that members of the Senate conform to Sub-division C, of Rule 4, of the Senate Rules, regarding the introduction of bills and resolutions.

#### FIRST READING

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

SENATE BILL NO. 14—By LOGAN.—An Act repealing Sections 12081 to 12083, inclusive, Oklahoma Statutes, 1931, relating to the Soldiers' Memorial Commission, and declaring an emergency.

SENATE BILL NO. 15—By LOGAN.—An Act repealing Chapter 315, Oklahoma Session Laws, 1919, relating to the Oklahoma Americanization Commission, and declaring an emergency.

SENATE BILL NO. 16—By LOGAN.—An Act amending Section 10872, Compiled Oklahoma Statutes, 1921, providing that six hours shall constitute a day's work for persons employed by and on behalf of the State of Oklahoma or by counties, cities, townships and other municipalities of Oklahoma, except in cases of extraordinary emergency as defined in Act, and declaring an emergency.

SENATE BILL NO. 17—By LOGAN.—An Act repealing Sections 8690 to 8697, inclusive, Oklahoma Statutes, 1931, relating to the Free Oklahoma State Fair at Muskogee, and declaring an emergency.

SENATE BILL NO. 18—By LOGAN.—An Act re-

pealing Sections 5147 to 5153, Oklahoma Statutes, 1931, relating to a State board of managers for certain eleemosynary institutions, and declaring an emergency.

SENATE BILL NO. 19—By LOGAN.—An Act repealing Sections 6756 to 6758, inclusive, Oklahoma Statutes, 1931, relating to the State Co-ordinating Board for State Schools, and declaring an emergency.

SENATE BILL NO. 20—By LOGAN.—An Act repealing Sections 4731 to 4748, inclusive, Oklahoma Statutes, 1931, abolishing the Bureau of Criminal Identification and Investigation, providing for the transfer of its property and records, and declaring an emergency.

SENATE BILL NO. 21—By LOGAN.—An Act repealing Sections 7169 to 7183, inclusive, Oklahoma Statutes, 1931, relating to the Oklahoma State Teachers Retirement and Disability Fund, and declaring an emergency.

SENATE BILL NO. 22.—By LOGAN.—An Act repealing Chapter 129, Oklahoma Session Laws, 1925, relating to the Real Estate Commission, and declaring an emergency.

SENATE BILL NO. 23—By LOGAN.—An Act amending Section 7643, C. O. S. 1931, relating to the nomination and election of County Commissioners, and declaring an emergency.

SENATE BILL NO. 24—By STACEY.—An Act declaring that the practice of law shall include certain defined activities and providing additional remedies for the prevention of the practice of law, without license and authority.

SENATE BILL NO. 25—By STACEY.—An Act amending Sections 5 and 25 of Chapter 173, Oklahoma Session Laws of 1923, relating to the adoption of the resolution of necessity for paving by the governing body of any city or town, and relating to the payment of assessments levied for such paving, and declaring an emergency.

SENATE BILL NO. 26—By STACEY.—An Act making it a felony for any officer or employee of the State, or of any county, township, school district, city or town, or of any publicly operated institution, to embezzle, steal or misappropriate any of the moneys, funds, credits, securities or other property thereof, fixing the punishment therefor, providing the time in which prosecution must be commenced, repealing conflicting Acts, and declaring an emergency.

SENATE BILL NO. 27—By LIGGETT.—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 year ending June 30, 1934, and June 30, 1935, by functions of each department in accordance with the budget classifications adopted by the Governor.

SENATE BILL NO. 28—By NICHOLS, WILLIS, RAY, WHITAKER and RIZLEY.—An Act to provide for relief of the people who are unable to work and have not the means of supporting themselves, by furnishing them free garden seed, food, clothing, and fuel; making an appropriation in the aggregate sum of six hundred thousand (\$600,000.00) dollars; providing for the method of distribution of the seed, food supplies, or cash to such persons in need; fixing criminal penalty for wrongful use of such seed and supplies; determining the method of distribution, and declaring an emergency.

SENATE BILL NO. 29—By JENNINGS.—An Act amending Section 6, Compiled Oklahoma Statutes, 1921, relating to the employment of counsel by the Governor to protect the rights or interests of the State in any action or proceedings, civil or criminal, which has been or is about to be commenced where the Attorney General shall refuse to appear and represent the State or be disqualified so to act.

SENATE CONCURRENT RESOLUTION NO. 3  
—By NANCE.—A RESOLUTION memorializing the



National Congress to enact a law authorizing and empowering the several states to levy and collect license franchise gross revenue, registration or other forms of taxes upon or measured by capital represented by property and business employed in Interstate Commerce.

SENATE JOINT RESOLUTION NO. 3—By LOGAN.—A Joint Resolution providing for the submission of a proposed amendment to the Constitution to the people for their approval or rejection, said proposed amendment being an amendment to Section 9, Article 10, of the Constitution of the State of Oklahoma.

#### SECOND READING

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

SENATE BILL NO. 1—By CARLILLE.—Referred to the Committee on Roads and Highways.

SENATE BILL NO. 2—By NICHOLS.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 3—By FIDLER.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 4—By FIDLER.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 5—By LOGAN.—Referred to the Committee on Appropriations.

SENATE BILL NO. 6—By STEWART: Senator Stewart asked unanimous consent, which was granted, to place Senate Bill No. 6, by Stewart, upon the calendar without reference to a Committee.

SENATE BILL NO. 7—By BALLARD.—Referred to the Committee on Revenue and Taxation.

SENATE BILL NO. 8—By CURNUTT.—Referred to the Committee on Revenue and Taxation.

SENATE BILL NO. 9—By STACEY—Referred to the Committee on Roads and Highways.

SENATE BILL NO. 10—By CHAMBERLIN, COMMONS, RAY, PAUL and SOWARDS.—Referred to the Committee on Revenue and Taxation.

SENATE BILL NO. 11—By NICHOLS, CLARK and CURNUTT.—Referred to the Committee on Roads and Highways.

SENATE BILL NO. 12—By STACEY.—Referred to the Committee on Banks and Banking.

SENATE BILL NO. 13—By STACEY.—Referred to the Committee on Roads and Highways.

SENATE JOINT RESOLUTION NO. 1 — By NICHOLS.—Referred to the Committee on Constitution and Constitutional Amendments.

SENATE JOINT RESOLUTION NO. 2—By STACEY.—Referred to the Committee on Revenue and Taxation.

#### GENERAL ORDER

SENATE CONCURRENT RESOLUTION NO. 1, by Nichols, was taken up for consideration and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 1—By NICHOLS.

CONCURRENT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

WHEREAS, both Houses of the Seventy-second Congress of the United States, by a constitutional majority of two-thirds thereof made the following proposition to amend the Constitution of the United States, in the following words, to-wit:

#### “JOINT RESOLUTION

“Proposing an amendment to the Constitution of the United States, fixing the commencement of the terms of President and Vice President, and Members of Congress and fixing the time of the assembling of Congress.

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of each House concurring therein, that the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of said Constitution when ratified by the Legislatures of the several States as provided in the Constitution.

“ARTICLE —

“SECTION 1. The terms of the President and Vice President shall end at noon on the 24th day of January, and the terms of Senators and Representatives at noon on the 4th day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

“SECTION 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 4th day of January, unless they shall by law appoint a different day.

“SECTION 3. If the President-elect dies, then the Vice President-elect shall become President. If a President is not chosen before the time fixed for the beginning of his term, or if the President-elect fails to qualify, then the Vice President-elect shall act as President until a President has qualified; and the Congress may by law provide for the case where neither a President-elect nor a Vice President-elect has qualified, declaring who shall then act as President, or the manner in which a qualified person shall be selected, and such person shall act accordingly until a President or Vice President has qualified.

“Section 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice devolves upon them, and for the case of the death of any of the persons from whom



the Senate may choose a Vice President whenever the right of choice devolves upon them.

"Section 5. Sections 1 and 2 shall take effect on the 30th day of November of the year following the year in which this article is ratified."

**THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF OKLAHOMA:**

**SECTION 1**

That the said proposed amendment to the Constitution of the United States of America be and the same is hereby ratified by the Legislature of Oklahoma.

**SECTION 2**

That certified copies of the preamble and joint resolution be forwarded by the Governor of this State to the Secretary of State at Washington, to the presiding officer of the United States Senate and to the Speaker of the House of Representatives of the United States.

Senator Nichols moved that Senate Concurrent Resolution No. 1 be adopted, as read, which motion prevailed upon a roll call as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Fischl. Total, 1.

Senate Concurrent Resolution No. 1 was referred for engrossment.

President Pro Tempore Stewart presiding.

**SENATE CONCURRENT RESOLUTION NO. 2**, by Nichols, was taken up for consideration.

Senator Ballard asked unanimous consent, which was granted, that consideration of Senate Concurrent

Resolution No. 2 be deferred, permitting the resolution to be printed.

Upon motion of Senator Commons, in the matter of the correction of daily Senate Journals, it was ordered that, unless corrections are offered, the Journals will stand approved and the daily reading of them dispensed with.

### COMMITTEE REPORT

Senator Thomas asked unanimous consent, which was granted, to submit the following Committee Report: To the Honorable Senate:

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

Reading Clerk: J. Wm. Cordell (without salary).

Assistant to J. Wm. Cordell, Reading Clerk: A. E. Bowen.

Calendar Clerk: Jerra Wilcox.

Journal Clerk: W. E. Shipley.

Assistant Secretary to the Senate: J. K. Henry.

Secretary to the President Pro Tempore: Raymond Denny.

Secretary to the President of the Senate: Beulah Copeland.

Auditor: Giles Kelly.

Clerk for the Committee on Appropriations: Cleo Dodson.

Enrolling and Engrossing Clerk: Dave Boyer.

Assistants: Paul Cook, Garland Ethridge, Eleanor Colley, Lorene Henson, Nora Thomas.

Stenographers: Maudelle McIlvain, Gladys Southard, Betty Cobbs, Helen Welch, Olive V. Pratt, Mayfair Kendall, Genevieve Braley, Bessie Lavigne, Mrs. Wessie Burney Ray, Mrs. Dorothy Young, Helen Roberts, Mrs. G. Owens, Almyra Cruce.

Property Custodian: Jessie Barnes.

Assistant Sergeants-at-Arm: Pat Canterbury, A. J. McCutcheon, J. H. McCurley.

Chaplain: Herbert E. Gatti.

Cloak Room Attendant: Arch Robinson.

Telephone Operator: Thelma Hasse.

Assistant Operator: Esther Dial.

Postmistress: Mrs. John R. Williams.

Night Watchman: Walter Bailey.

Messenger: Bertie M. McDaniel.

Doorkeepers: W. R. Welty, Frank Dennis, O. R. Johnson, Ernest Fink, Jim King, Howard Norman.

Chief Page: J. Paul Jennings.

Page: Wanna Howe.

Assistants: Richard Trent, Earl Walker, I. C. Sprague, James Griffin, Jess McDonald, Wesley Isaacs.

Three Caretakers: Sam Wilson, T. E. Richmond, Tom Morton.

Very respectfully submitted,  
GROVER THOMAS, Chairman,  
J. W. DIXON,  
LOUIS H. RITZHAUPT,  
D. H. POWERS,  
DON WILBANKS.

Senator Thomas moved that the Report of the Employment Committee be adopted.

Senator Nance, as a substitute, moved to amend the report of the Employment Committee, by reducing the total cost of clerical hire and other services required by the Senate by thirty per cent.

Senator Moon raised a point of order against the Nance motion, which was sustained by the Chair, stating the report of the Employment Committee does not deal with the compensation of employees.

Senator Nance, as a substitute, moved that the report of the Committee on Employment be re-committed



to the Committee, with instructions to reduce the total clerical hire by thirty per cent.

Senator Dixon moved that the Nance motion be tabled.

Senator Johnston asked unanimous consent, which was granted, to read Section 49, of Article 5, of the Oklahoma Constitution, relating to Legislative employees and emoluments therefor.

Senator Moon raised a point of order, which was sustained, stating motion to table is not debatable.

The vote occurred on the Dixon motion, which was declared adopted, upon a roll call, as follows:

Ayes: Ballard, Briggs, Clark, Coppock, Curnutt, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Logan, MacDonald, Memminger, Moon, Morrison, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Whitaker, Wilbanks. Total, 25.

Nays: Carlile, Carmack, Chamberlin, Commons, Daugherty, Johnston, Lester, Liggett, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Waldrep, Willis. Total, 18.

Excused: Fischl. Total, 1.

Senator Pugh moved that the report of the Committee on Employment be re-referred to the Committee, with instructions to reduce the number of employees 40 per cent.

Senator Ballard, as a substitute, moved the adoption of the previous question, which motion prevailed.

The vote being ordered on the adoption of the Thomas motion, it was declared adopted upon a roll call, as follows:

Ayes: Ballard, Briggs, Clark, Coppock, Curnutt, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Logan, MacDonald, Moon, Morrison, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Whitaker, Wilbanks. Total, 24.

Nays: Carlile, Carmack, Chamberlin, Commons, Daugherty, Johnston, Lester, Liggett, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Waldrep, Willis. Total, 19.

Excused: Fischl. Total, 1.

Senator Thomas asked unanimous consent, which was granted, to introduced a bill, relating to salaries of Senate employees.

Senator Nance asked unanimous consent, to which Senator Moon objected, to consider the Thomas bill immediately.

The Chair ruled the reading of the title of the Thomas bill was in order, which follows:

SENATE BILL NO. 30, By Thomas and Members of the Employment Committee.—An Act amending Section 2, Chapter 38, Session Laws, 1931, in part, and declaring an emergency.

Following discussion, Senator Thomas asked unanimous consent, which was granted, to amend Senate Bill No. 30, to read:

SENATE RESOLUTION NO. 1—By Thomas and Members of the Employment Committee.—An Act amending Section 2, Chapter 38, Session Laws, 1931, in part, and declaring an emergency.

Senator Logan moved that the Senate adjourn, to meet under the rules, which motion prevailed.

### THIRD LEGISLATIVE DAY

Thursday, January 5, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., with its President presiding.

Upon a roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 40.

Excused: Commons, Coppock, Fischl, Morrison. Total, 4.

The President announced a quorum present.

Prayer was offered by the Chaplain, Rev. Herbert E. Gatti.

Senator Chamberlin asked unanimous consent, which was granted, that the record show Senator Commons "excused" until Monday, January 9.

Senator Lester submitted the following petition, and, upon his motion, permit was granted:

To the President and  
Members of the Senate,  
State of Oklahoma:

A. B. Camp states he is a resident of the State of Oklahoma and Haileyville; that he is 59 years of age and that he is Legislative Representative of the 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 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 interests of the organization he represents.

A. B. CAMP,  
Haileyville, Okla.

### FIRST READING

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

SENATE BILL NO. 30—By CHAMBERLIN (Senate), and PHILLIPS (House).—This is an Act making an appropriation to pay the mileage of the Oklahoma Presidential electors, who convened at the capitol of the State of Oklahoma on the 4th day of January, 1933, in Oklahoma City, in obedience to the Act of Congress approved May 29, 1928; and declaring an emergency.

SENATE BILL NO. 31—By MacDONALD.—An Act amending Sections 5423 and 5424, Oklahoma Statutes, 1931, relating to funds in the official depository of the State of Oklahoma, repealing all laws in conflict therewith, and declaring an emergency.

SENATE BILL NO. 32—By BALLARD.—An Act requiring the State Highway Commission of Oklahoma to construct a free bridge over the South Canadian River at a point between Lexington, Oklahoma, and Purcell, Oklahoma; making an appropriation of three hundred and fifty thousand (\$350,000.00) dollars out of any funds in the State Highway Department Construction and Maintenance Funds for the purpose of paying for the same; preventing the State Highway Commission from purchasing the present toll bridge at said point; providing for the institution of a suit to remove the members of the Highway Commission for failure to construct said bridge; and for other purposes, and declaring an emergency.

SENATE BILL NO. 33—By PUGH.—A Bill entitled an Act consolidating the offices of Court Clerk and County Assessor with the office of County Clerk in cer-



tain counties within this State and imposing upon the County Clerk, in addition to the powers and duties now imposed upon the said County Clerk by law, the powers and duties now imposed upon the Court Clerk and County Assessor, and repealing all laws and parts of laws in conflict therewith.

SENATE BILL NO. 34—By RITZHAUPT.—An Act relating to the purchase of field and garden seed by the State Board of Agriculture, the distribution thereof to farmers and private gardeners who are financially unable to purchase the same; making an appropriation of one hundred thousand (\$100,000.00) dollars for the fiscal year ending June 30, 1933, and one hundred thousand (\$100,000.00) dollars for the fiscal year beginning July 1, 1933, to purchase field and garden seed; providing penalties for violation of the provisions hereof, and declaring an emergency.

SENATE BILL NO. 35—By RITZHAUPT and RIZLEY.—An Act making an appropriation to pay the salary and expenses of, and the office supplies for the State Dairy Commissioner from January 1, 1933, to June 30, 1933, and declaring an emergency.

SENATE BILL NO. 36—By MORRISON, LOGAN and HUTCHINSON—An Act repealing Section 4752, Oklahoma Statutes, 1931, and Section 13241, Oklahoma Statutes, 1931, and imposing upon and delegating to the State Game and Fish Commission certain powers and duties, and declaring an emergency.

SENATE BILL NO. 37—By LOGAN.—An Act repealing Sections 12019 to 12031, Oklahoma Statutes, 1931, abolishing the Union Soldiers' Home, providing for the establishment of an Orphans' Home thereat, placing the management and control thereof under the State Board of Public Affairs, and fixing effective date of Act.

SENATE BILL NO. 38—By LOGAN.—An Act repealing Sections 12032 to 12039, Oklahoma Statutes,

1931, abolishing the Oklahoma Confederate Home at Ardmore, Oklahoma, providing for the establishment of an Orphans' Home thereat, placing the management and control thereof under the State Board of Public Affairs, and fixing effective date of Act.

SENATE BILL NO. 39—By LOGAN.—An Act amending Section 12040, Oklahoma Statutes, 1931, relating to the granting of pensions to Confederate Veterans and their widows, and declaring an emergency.

SENATE BILL NO. 40—By LOGAN.—An Act abolishing the East Central State Teachers' College at Ada, Oklahoma, providing for the disposition of the property belonging to or used by said institution, and repealing all laws relating thereto.

SENATE BILL NO. 41—By LOGAN.—An Act abolishing the Central State Teachers' College at Edmond, Oklahoma, providing for the disposition of the property belonging to or used by said institution, and repealing all laws relating thereto.

SENATE BILL NO. 42—BY LOGAN.—An Act abolishing the Eastern Oklahoma College at Wilburton, Cameron State School of Agriculture at Lawton, Connors State Agricultural College at Warner, the Murray State School of Agriculture at Tishomingo, the Northeastern Oklahoma Junior College at Miami, the Oklahoma Military Academy at Claremore, and the University Preparatory School and Junior College at Tonkawa; providing for the disposition of the property belonging to or used by said institutions, and repealing all laws relating thereto.

SENATE BILL NO. 43—By WALDREP.—An Act amending Section 8733 of the Compiled Oklahoma Statutes of 1921 relating to the qualifications of a registered pharmacist, making other provisions with reference thereto, and declaring an emergency.

SENATE BILL NO. 44—By WALDREP.—An Act providing that any holder of a certified municipal or com-

mercial accountancy certificate as authorized by Article I of Chapter 24, Oklahoma Statutes, 1931, shall be entitled to a certificate as a public accountant, and providing other and further details with reference to certification, and declaring an emergency.

SENATE BILL NO. 45—By TAYLOR.—An Act repealing Sections 4659 to 4672, inclusive, Oklahoma Statutes, 1931, relating to the State Board of Optometry, and declaring an emergency.

SENATE BILL NO. 46—By NANCE, LESTER and LOGAN.—An Act classifying homestead property for the purpose of taxation, prescribing and levying a tax upon homestead property, providing for the collection and distribution of said tax, defining homesteads, and repealing all laws in conflict therewith.

SENATE RESOLUTION NO. 2.—By DIXON.—A Resolution authorizing and directing the President of the Senate to appoint a committee to investigate the supervision of the Oil industry by the Militia of the State of Oklahoma and other matters, subpoena witnesses and requiring said Special Committee to report its findings to the Senate of the State of Oklahoma for action thereon.

SENATE CONCURRENT RESOLUTION NO. 4—By DIXON.—A Resolution authorizing the appointment of a joint Committee of five members of the Senate and five members of the House of Representatives to investigate the activity and work of the State Highway Commission of the State of Oklahoma for the past two years; authorizing the President of the Senate to appoint said Senate Committee and the Speaker of the House to appoint said House Committee; empowering said joint Committee to perform its duties; providing for the payment of the expense of such investigation and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 5.—By REED, CARMACK.—A Resolution requesting Hon-

orable Franklin D. Roosevelt, President Elect of the United States, to appoint the Honorable John A. Simpson, as Secretary of the Department of Agriculture.

### SECOND READING

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

SENATE BILL NO. 14—By LOGAN.—Referred to the Committee on State and County Affairs.

SENATE BILL NO. 15—By LOGAN.—Referred to the Committee on Commerce and labor.

SENATE BILL NO. 16—By LOGAN.—Referred to the Committee on Commerce and labor.

SENATE BILL NO. 17—By LOGAN.—Referred to the Committee on State and County Affairs.

SENATE BILL NO. 18—By LOGAN.—Referred to the Committee on State and County Affairs.

SENATE BILL NO. 19—By LOGAN.—Referred to the Committee on Education.

SENATE BILL NO. 20—By LOGAN.—Referred to the Committee on State and County Affairs.

Senator Paul asked unanimous consent, which was granted, to have his name added as a joint author of Senate Bill No. 20.

SENATE BILL NO. 21—By LOGAN.—Referred to the Committee on State and County Affairs.

SENATE BILL NO. 22—By LOGAN.—Referred to the Committee on State and County Affairs.

SENATE BILL NO. 23—By LOGAN.—Referred to the Committee on State and County Affairs.

SENATE BILL NO. 24—By STACEY.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 25—By STACEY.—Referred to the Committee on Municipal Corporations.

SENATE BILL NO. 26—By STACEY.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 27—By LIGGETT.—Referred to the Committee on Appropriations.



SENATE BILL NO. 28—By NICHOLS, WILLIS, RAY, WHITAKER and RIZLEY:

Senator MacDonald moved that Senate Bill No. 28 be placed upon the calendar without reference to a committee and set for special order at 3:00 o'clock today.

Senator Curnutt moved that the MacDonald motion be tabled, which motion failed of adoption, upon a roll call as follows:

Ayes: Ballard, Clark, Curnutt, Fidler, Garvin, Howard, Jennings, Logan, Moon, Powers, Ritzhaupt, Rutherford, Stacey, Thomas, Wilbanks. Total, 15.

Nays: Briggs, Carlile, Carmack, Chamberlin, Daugherty, Dixon, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Rizley, Sowards, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 25.

Excused: Commons, Coppock, Fischl, Morrison. Total, 4.

Senator Curnutt raised a point of order against the MacDonald motion, which was not sustained, stating his motion would require a suspension of the rules.

The vote occurring on the MacDonald motion, it was declared adopted.

SENATE BILL NO. 29—By JENNINGS.—Referred to Judiciary Committee No. 1.

SENATE JOINT RESOLUTION NO. 3.—By LOGAN.—Referred to the Committee on Revenue and Taxation.

#### GENERAL ORDER

SENATE BILL NO. 6, by Stewart, was taken up for consideration.

Section 1 was read.

Senator Nance submitted the following amendment:

Mr. President: I hereby offer the following substitute for Senate Bill No. 6, by Stewart:

AN ACT ABOLISHING THE OFFICE OF DISTRICT JUDGE IN JUDICIAL DISTRICT

NO. 27, NOMINATING POSITION NO. 2; AND THE OFFICE OF DISTRICT JUDGE IN JUDICIAL DISTRICT NO. 2; AND THE OFFICE OF DISTRICT JUDGE IN JUDICIAL DISTRICT NO. 7; AND THE OFFICE OF DISTRICT JUDGE IN JUDICIAL DISTRICT NO. 21, NOMINATING POSITION NO. 2, TULSA COUNTY; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

Section 1. The office of District Judge, in Judicial District No. 2, and the office of District Judge in Judicial District No. 27, nominating position No. 2, and the office of District Judge in Judicial District No. 7, and the office of District Judge in Judicial District No. 21, Tulsa County, nominating position No. 2, are hereby abolished.

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 and effect from and after its passage and approval.

NANCE.

Senator Nance moved the adoption of his amendment.

Senator Nichols, as a substitute, moved that Senate Bill No. 6 be referred to one of the judiciary committees for the purpose of redrafting.

Senator Dixon, as a substitute for all pending motions, moved that Senate Bill No. 6 be committed to Judiciary Committee No. 1.

Following discussion, Senator Nance raised a point of order, which was sustained, stating a motion to commit is not debatable.

The vote occurring on the Dixon motion, it was declared adopted.

SENATE CONCURRENT RESOLUTION NO. 2—

By Nichols, was taken up for consideration, and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 2—By NICHOLS.

A RESOLUTION EXPRESSING THE SENTIMENT OF THE OKLAHOMA STATE LEGISLATURE CONCERNING THE REDUCTION OF THE BUDGET AND APPROPRIATIONS FOR THE DEPARTMENTS AND INSTITUTIONS OF THE STATE OF OKLAHOMA, PROVIDING FOR THE CONDUCTING OF JOINT OPEN HEARINGS BY THE COMMITTEES ON APPROPRIATIONS OF THE RESPECTIVE HOUSES, AND EXPRESSING THE DESIRE OF THE LEGISLATURE TO REDUCE ALL APPROPRIATIONS AT LEAST TWENTY-FIVE PER CENT.

WHEREAS, appropriations for the State of Oklahoma have increased at an abnormal rate since Statehood, as evidenced by the following official figures as furnished by the State Budget Officer:

Legislative Session	Appropriation for Fiscal Years	Total Special Funds Other Than Gen. Rev.	Total From Gen. Revenue for Biennium
First ----	1908-1909	\$1,991,310.00	\$2,862,450.12
Second --	1910-1911	1,935,320.67	5,264,387.90
Third ----	1912-1913	1,938,640.33	5,860,008.93
Fourth ---	1914-1915	1,794,233.63	7,646,033.22
Fifth -----	1916-1917	2,307,274.81	7,983,575.76
Sixth ----	1918-1919	1,898,702.34	13,404,904.62
Seventh --	1920-1921	1,660,825.60	17,086,192.90
Eighth ---	1922-1923	1,715,291.21	18,101,212.95
Ninth ----	1924-1925	3,006,844.50	25,741,292.12
Tenth ----	1926-1927	2,110,184.58	23,499,753.69
Eleventh _	1928-1929	6,225,146.22	25,236,264.66
Twelfth --	1930-1931	5,981,936.50	29,020,174.21
Thirteenth	1932-1933	8,276,722.44	27,576,870.28

WHEREAS, the time has now come in the State of Oklahoma when appropriations can be and must be reduced; and

WHEREAS, in the past it has been the practice of the Legislature to withhold the introduction of appropriation bills until near the end of the session; and

WHEREAS, this has resulted in the failure and the opportunity of the various members of the Legislature to properly study and analyze the appropriation bills; and

WHEREAS, the committees on appropriation of the respective Houses have never conducted public hearings upon appropriation bills, but on the contrary appropriation bills have been hurriedly passed through both Houses near the closing days of the Legislature; and

WHEREAS, we desire to go on record as being opposed to this practice and as favoring a change in the manner of the introduction and the passing of appropriation bills; and

WHEREAS, we are now in the midst of an unparalleled panic in the history of the nation and that for the next two years conditions are not expected to change for the better; and

WHEREAS, in the past various departments of State Government have exhibited an unwillingness to voluntarily reduce the expenses of their various departments.

NOW, THEREFORE, be it resolved by the Senate and the House of Representatives of the State of Oklahoma that we call upon and demand of all the State departments, institutions and various branches of State government to co-operate with the Legislature and the appropriation committees of both Houses to the end that the cost of State Government be reduced for the next biennium.

BE IT FURTHER RESOLVED, that it is the sense of the Legislature that all appropriation bills shall be in-



troduced in the early days of the session in order that members of the Legislature and the people of the State shall have an opportunity to study and thoroughly consider and analyze said appropriation bills before their passage, and

BE IT FURTHER RESOLVED that it is the sense of the Legislature that the committees on appropriations of the respective houses set aside the forenoons of Tuesday and Friday of each week for public hearings upon all appropriation bills and that at such public hearings any taxpayer, any taxpayer's organization or association or any and all persons that might be interested in said appropriation bills be permitted to be present before said appropriation committees and to offer and produce argument for or against any item or items contained in said appropriation bills to the end that the information regarding the expenditures of the State's money may be disseminated to the public in general.

BE IT FURTHER RESOLVED, that it is the sense of the Legislature that the appropriation bills for the biennium for the years nineteen thirty-three and thirty-four be reduced as a whole in an amount equal to twenty-five per cent less than the appropriations for the Thirteenth Legislature and that by the passage and the adoption of this Resolution we, as members of the Fourteenth Legislature, commit ourselves not to cast any vote for the appropriation bills as a whole until and unless said appropriation bills as a whole shall carry with them a twenty-five per cent reduction, as aforesaid.

BE IT FURTHER RESOLVED, that this Resolution in so far as it applies to the twenty-five per cent reduction shall apply also to the appropriations made for the use and benefit of the Fourteenth Legislature, now in session.

Senator MacDonald submitted the following amendment:

Mr. President: I move to amend Senate Concurrent Resolution No. 2, page 3, by striking lines 10, 11, 12, 13 and 14, and by renumbering the remaining lines.

MacDONALD.

Senator Jennings, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Concurrent Resolution No. 2, by substituting therefor the following: SENATE CONCURRENT RESOLUTION NO. 2—By JENNINGS.

A RESOLUTION EXPRESSING THE SENTIMENT OF THE OKLAHOMA STATE LEGISLATURE CONCERNING THE REDUCTION OF THE BUDGET AND APPROPRIATIONS FOR THE DEPARTMENTS AND INSTITUTIONS OF THE STATE OF OKLAHOMA, PROVIDING FOR THE CONDUCTING OF JOINT OPEN HEARINGS BY THE COMMITTEES ON APPROPRIATIONS OF THE RESPECTIVE HOUSES, AND EXPRESSING THE DESIRE OF THE LEGISLATURE TO REDUCE ALL APPROPRIATIONS TO THE GREATEST POSSIBLE EXTENT.

WHEREAS, it has been the practice in previous sessions of the Legislature to withhold the introduction of appropriation bills until near the end of the session; and

WHEREAS, this has resulted in the failure and the opportunity of the various members of the Legislature to properly study and analyze the appropriation bills; and

WHEREAS, the committees on appropriation of the respective Houses have never conducted public hearings upon appropriation bills, but on the contrary appropriation bills have been hurriedly passed through

both Houses near the closing days of the Legislature; and

WHEREAS, we desire to go on record as being opposed to this practice and as favoring a change in the manner of the introduction and the passing of appropriation bills,

NOW, THEREFORE, be it resolved by the Senate and the House of Representatives of the State of Oklahoma that we request all the State departments, institutions and various branches of the State government to cooperate with the Legislature and the appropriation committees of both Houses to the end that the cost of State Government be reduced for the next biennium to the greatest possible extent.

BE IT FURTHER RESOLVED, that it is the consensus of opinion of the membership of the Legislature that all appropriation bills shall be introduced in the early days of the session in order that members of the Legislature and the people of the State shall have an opportunity to study and thoroughly consider and analyze said appropriation bills before their passage, and

BE IT FURTHER RESOLVED, that it is the consensus of opinion of the membership of the Legislature that the committees on appropriations of the respective Houses provide adequate times and opportunities for public hearings upon all appropriation bills and that at such public hearings any taxpayer, any taxpayer's organization or association or any and all persons that might be interested in said appropriation bills be permitted to be present before said appropriation committees and to offer and produce argument for or against any item or items contained in said appropriation bills to the end that the information regarding the expenditures of the State's money may be disseminated to the public in general.

BE IT FURTHER RESOLVED, that it is the de-

sire of those comprising the membership of the Legislature that the appropriation bills for the fiscal year beginning July 1, 1933 and ending June 30, 1934, and for the fiscal year beginning July 1, 1934 and ending June 30, 1935, include no appropriation for any department, bureau or commission which is not absolutely essential and necessary to the conduct of the affairs of the State Government, and by the passage and the adoption of this Resolution we, as members of the Fourteenth Legislature, commit ourselves to render every possible assistance to the appropriations committee of each House of the Legislature in their effort to accomplish such result.

JENNINGS.

Senator Paul submitted the following as an amendment to the Jennings amendment:

Mr. President: I move to amend Senate Concurrent Resolution No. 2, by adding the following: **BE IT FURTHER RESOLVED**, that this Resolution, in so far as it applies to the 25 per cent reduction, shall apply also to appropriations made for use and benefit of the Fourteenth Legislature, now in session.

PAUL.

Senator Paul asked unanimous consent, which was granted, to withdraw his amendment to the Jennings amendment.

Senator Ray, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Concurrent Resolution No. 2, by adding after the word, "Government," and before the word, "and," the words: "and make no appropriation for any State employee's expense account while transacting business in Oklahoma City, Oklahoma."

RAY.

Senator MacDonald, as a substitute for all pending motions, moved that further consideration of Senate



Concurrent Resolution No. 2 be indefinitely postponed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Curnutt, Fidler, Garvin, Howard, Hutchinson, Jennings, Logan, MacDonald, Memminger, Moon, Ritzhaupt, Stacey, Stewart, Thomas, Whitaker, Wilbanks. Total, 19.

Nays: Carmack, Chamberlin, Clark, Daugherty, Dixon, Johnston, Lester, Liggett, Nance, Nichols, Paul, Pugh, Ray, Reed, Rizley, Sowards, Taylor, Waldrep, Willis. Total, 19.

Excused: Commons, Coppock, Fischl, Morrison. Total, 4.

Not Voting: Powers, Rutherford. Total, 2

The result of the roll call being 19 ayes and 19 nays, the President voted "aye," declaring the MacDonald motion adopted

The hour of 3:00 o'clock p. m., having arrived, Senator Nichols asked unanimous consent, which was granted, to defer special consideration of SENATE BILL NO. 28, by Nichols, Willis, Ray, Whitaker, and Rizley, until 3:00 o'clock p. m., Friday, January 6th.

Senator Logan moved that the Auditor be directed to purchase postage in the amount of \$15.00 for the use of the property custodian, in complying with requests from over the State for copies of Senate Journals.

Senator Reed moved to table the Logan motion, which motion prevailed.

Senator Thomas moved that SENATE RESOLUTION NO. 1, by Thomas and Committee on Employment, be recommitted to the Committee on Employment for the purpose of redrafting.

Senator Nance, as an amendment to the Thomas motion, submitted the following:

Mr. President: I move to amend the Thomas motion by adding "that the Employment Committee be directed to reduce cost of the clerical hire of the Senate by 30 per cent over the schedule of cost prevailing in the

Senate two years ago."

NANCE.

Senator Pugh, as a substitute for the Nance amendment, submitted the following amendment:

Mr. President: I move to amend the Thomas motion by adding, "with instructions that the number of employees be cut 30 per cent."

PUGH.

Senator Briggs moved to table the Pugh amendment, which motion prevailed upon roll call, as follows:

Ayes: Ballard, Briggs, Carmack, Clark, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Logan, MacDonald, Memminger, Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Wilbanks. Total, 21.

Nays: Carlile, Chamberlin, Johnston, Lester, Liggett, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Willis. Total, 14.

Not Voting:- Moon, Rutherford, Waldrep, Whitaker. Total, 4.

Excused: Commons, Coppock, Fischl, Morrison, Powers. Total, 5.

Senator Ballard raised a point of order against further discussion of the Nance amendment, which was sustained by the chair, stating a motion to commit with instructions is not debatable.

Senator Briggs moved to table the Nance amendment, which motion prevailed.

The vote occurring on the Thomas motion to recommend the report of the Employment Committee to the Committee on Employment was declared adopted.

#### 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:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 2—By WRIGHT, WILMOT, O'NEAL, ALLEN and ULMARK (House), and RIZLEY, POWERS, CLARK, HUTCHINSON and COPPOCK (Senate); 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,

R. M. McCOOL, Chief Clerk.

Senator Rizley asked unanimous consent, which was granted, to take up for immediate consideration, Engrossed House Concurrent Resolution No. 2, by Wright et al., the resolution being read, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 2—By WRIGHT, WILMOT, O'NEAL, ALLEN and ULMARK (House), and RIZLEY, POWERS, CLARK, HUTCHINSON and COPPOCK (Senate).

A RESOLUTION TO EXPRESS THE REGRETS OF THE PEOPLE OF OKLAHOMA AND THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA AT THE DEATH OF CALVIN COOLIDGE, FORMERLY A PRESIDENT OF THE UNITED STATES; AND TO CONVEY TO MRS. CALVIN COOLIDGE THE SYMPATHIES OF THE LEGISLATURE OF THE STATE OF OKLAHOMA.

WHEREAS, it is with profound regret that the people of the State of Oklahoma and their representatives in the Fourteenth Legislature of the State of Oklahoma have learned of the death of Calvin Coolidge, formerly a President of the United States of America; and

WHEREAS, it is fitting that this body should express its regrets at the passing of a man who has rendered such distinguished service to the people of the United States of America,

NOW, THEREFORE, BE IT RESOLVED BY

THE HOUSE OF REPRESENTATIVES OF THE  
STATE OF OKLAHOMA, THE SENATE OF THE  
STATE OF OKLAHOMA CONCURRING THEREIN:

That the Legislature of the State of Oklahoma express its regrets at the death of Calvin Coolidge, formerly a President of the United States, and a man who has labored unstintingly in the interests of the people of America.

BE IT FURTHER RESOLVED:

That the Legislature of the State of Oklahoma convey to Mrs. Calvin Coolidge its sympathies in this hour of bereavement.

BE IT FURTHER RESOLVED:

That copies of this resolution be transmitted to the Secretary of State of the United States and to Mrs. Calvin Coolidge.

Senator Fidler submitted the following amendment, which was adopted:

Mr. President: I move to amend House Concurrent Resolution No. 2, by adding as joint authors all members of the Senate.

FIDLER.

Upon motion of Senator Rizley, House Concurrent Resolution No. 2, as amended, was adopted.

House Concurrent Resolution No. 2, as amended, was referred for engrossment.

Senator Liggett submitted the following committee report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolution No. 1 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 1, and ordered it transmitted to the Honorable House.

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



## FOURTH LEGISLATIVE DAY

Friday, January 6, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Daugherty, Dixon, Fidler, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Soward, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 38.

Absent: Powers, Ray. Total, 2.

Excused: Commons, Coppock, Fischl, Howard. Total, 4.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### COMMITTEE REPORTS

Senator Carmack presented the following Joint Committee report:

To the Honorable President of the Senate  
and the Speaker of the House of Representatives  
and to the Members of the Fourteenth Legislature  
of the State of Oklahoma.

Gentlemen:

We, the undersigned members of the joint committee appointed under Joint Resolution No. 96, by the Thirteenth Legislative Session of the State of Oklahoma, for the purpose of making a trip to Chicago to confer with the officials of the Century of Progress Exposition or Chicago World's Fair of that city, beg leave to submit the following report:

That we jointly visited the city of Chicago and

called upon said officials during the early part of the month of August, 1931. We were most cordially received and furnished full information as to the plans, scope and purpose of said exposition. We were much impressed with the magnitude of the plan of the exposition as outlined by said officials in carrying out its purpose during the year 1933. It is our opinion that our State should be fittingly represented at said exposition, and we so recommend. As to the amount to be appropriated by the Legislature, we make no recommendation but leave that question to be determined entirely by the membership of your Honorable Body.

We, the Committee, further report that Honorable Horace J. Smith, World's Fair Commissioner for the State of Oklahoma, of Pawhuska, Okla., has been designated as a Special Commissioner by the Honorable Governor of this State to canvass the sentiment and to represent the State in ascertaining the wishes of leading citizens and organizations of our State as to the extent to which the State should participate at said Century of Progress or World's Fair. Mr. Smith has very extensively canvassed the situation and will be able to render valuable assistance and information in connection with this matter. We are advised by Mr. Smith that he has the assurance from certain industrial interests of our State that it is their desire to participate in said Century of Progress or World's Fair and join with the State of Oklahoma in such participation.

We, therefore, recommend that a Special Committee be immediately appointed for the purpose of going into this matter fully and making such recommendations as to the extent to which the State shall participate in said Century of Progress or World's Fair, as they may see fit.

Respectfully submitted,

WEAVER, Chairman,  
STREET,

WILLIAMS  
STIGLER,

MARTIN,

House Committee.

EWING,

Senate Committee.

Senator Briggs moved that a committee of three be appointed to confer with a like committee from the Honorable House, with reference to the recommendations contained in the Committee Report, which motion prevailed.

Appointment of committee was deferred.

Senator Thomas submitted the following Committee Report:

Mr. President: We, your Committee on Employment, report the following substitute and amended resolution:

SENATE RESOLUTION NO. 1—By THE EMPLOYMENT COMMITTEE.

A RESOLUTION REDUCING AND FIXING THE SALARIES OF THE SENATE OFFICERS AND EMPLOYEES FOR THE FOURTEENTH SESSION OF THE LEGISLATURE.

BE IT RESOLVED, by the Senate of the State of Oklahoma that the salaries of the officers and employees of the Senate of the Fourteenth Legislature be reduced and fixed as follows:

One Chief Enrolling and Engrossing Clerk from eight (\$8.00) dollars to six (\$6.00) dollars per day.

Five assistant Enrolling and Engrossing Clerks from (\$5.00) dollars to four (\$4.00) dollars per day.

One Sergeant-at-Arms from seven (\$7.00) dollars to six (\$6.00) dollars per day.

Three assistant Sergeant-at-Arms from six (\$6.00) dollars to five (\$5.00) dollars per day.

One Calendar Clerk from eight (\$8.00) dollars to six (\$6.00) dollars per day.

One Journal Clerk from ten (\$10.00) dollars to eight (\$8.00) dollars per day.

One Postmistress from five (\$5.00) dollars to four (\$4.00) dollars per day.

One Secretary to the President of the Senate from six (\$6.00) dollars to five (\$5.00) dollars per day.

One Secretary to the President Pro Tempore from six (\$6.00) dollars to five (\$5.00) dollars per day.

One Chaplain from five (\$5.00) dollars to four (\$4.00) dollars per day.

Six Doorkeepers from five (\$5.00) dollars to four (\$4.00) dollars per day.

One Property Custodian from six (\$6.00) dollars to four (\$4.00) dollars per day.

One Cloak Room Attendant from five (\$5.00) dollars to four (\$4.00) dollars per day.

One Telephone Attendant from six (\$6.00) dollars to four (\$4.00) dollars per day.

One Assistant Telephone Attendant, unchanged, four (\$4.00) dollars per day.

One Chief Page from five (\$5.00) dollars to four (\$4.00) dollars per day.

Seven Assistant Pages from four (\$4.00) dollars to three (\$3.00) dollars per day.

One messenger, four (\$4.00) dollars per day.

One Chief Janitor, four (\$4.00) dollars per day.

Two Assistant Janitors, four (\$4.00) dollars per day.

One Clerk of the Appropriations Committee from seven (\$7.00) dollars to five (\$5.00) dollars per day.

One Chief Stenographer, six (\$6.00) dollars per day.

Twelve Stenographers from six (\$6.00) dollars to five (\$5.00) dollars per day.

One Assistant Secretary to the Secretary of the Senate from six (\$6.00) dollars to five (\$5.00) dollars per day.

One Night Watchman from five (\$5.00) dollars to four (\$4.00) dollars per day.



One Senate Auditor from six (\$6.00) dollars to five (\$5.00) dollars per day.

Senator Thomas moved the adoption of the Committee Report.

Senator Nance raised a point of order against the adoption of the Thomas motion, stating the resolution should take the same course as a bill and be placed upon the calendar, which point of order was not sustained by the chair.

The vote occurring on the Thomas motion, it was declared adopted.

Senator Johnston had read a petition, pertaining to reasonable appropriation of State funds for tuberculosis eradication in cattle, poultry, and other farm animals, on the County Area Plan, signed by a number of Pawnee County citizens.

#### FIRST READING

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

SENATE BILL NO. 47—By MORRISON, CHAMBERLIN, SOWARDS and LOGAN.—An Act setting aside to the State Game and Fish Commission certain property in Canadian County owned by the State for use by said Commission as a propagating farm, and declaring an emergency.

SENATE BILL NO. 48—By PAUL.—An Act amending Section 28, Chapter 173 of the Sessions Laws, 1923, relating to the collection of paving assessments of cities and towns, and declaring an emergency.

SENATE BILL NO. 49—By NICHOLS.—An Act providing for a cash deposit by any party to a civil action before a trial court where the court fund may become exhausted or depleted, and making it the duty of the judge of such court to cause such jury to be drawn and impanelled, and fixing the number of such jurors and their per diem; providing such expenditures shall be

added to the costs of the action, and declaring an emergency.

SENATE BILL NO. 50—By NICHOLS.—An Act amending Section 1, Chapter 39 of the Session Laws of 1927, the same being Section 1424 of the Oklahoma Statutes, 1931, providing for the qualification of guardians as to residence, and declaring an emergency.

SENATE BILL NO. 51—By PUGH.—An Act fixing the salaries of all county officers on a population basis according to the Federal Census of 1930.

SENATE BILL NO. 52—By JENNINGS.—An Act repealing Sections 10172, 10174, 10175, 10176, 10177, 10178, 10179, 10180, 10181, 10182, 10183, 10184, and 10185 of the Oklahoma Statutes, 1931, relating to the performance of road duties by male citizens of the State of Oklahoma, and declaring an emergency.

SENATE BILL NO. 53—By STACEY.—An Act to prohibit Boards of County Commissioners, governing bodies of cities and towns, and townships, from entering into any contract of employment or for any other purpose requiring the expenditure of money before an appropriation for the purpose is made by the County Excise Board, creating a cause of action against officers entering into illegal contracts, repealing conflicting laws, and declaring an emergency.

SENATE BILL NO. 54—By MORRISON, BRIGGS and RIZLEY (Senate), and GRAY, STRICKLAND (Pontotoc), BABB, MARSHALL and GRISSO (House).—An Act amending Section 4697, Oklahoma Statutes, 1931, relating to the Board of Pharmacy and the licensing of drug stores; declaring certain acts to be unlawful, and fixing penalties therefor; and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 6—By BALLARD (Senate), and HART (House).—A Resolution authorizing the appointment of a joint committee

of three (3) members of the Senate and three (3) members of the House to conduct a general investigation into all departments, boards, bureaus, commissions, offices, and employees of the State and of the county with a view to a general reduction in the number of boards, bureaus, offices, commissions, and to effect an intelligent consolidation or abolishment of said boards, bureaus, offices, etc.; authorizing the President of the Senate to appoint said Senate committee and the Speaker of the House to appoint said House committee; empowering said joint committee to perform its duties; providing for the payment of such expense of such investigation, and for other purposes, and declaring an emergency.

### SECOND READING

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

SENATE BILL NO. 30—By CHAMBERLIN (Senate), and PHILLIPS (House).—Referred to the Committee on Appropriations.

Senator Chamberlin asked unanimous consent, which was granted, to add the name of Senator MacDonald as a joint author of Senate Bill No. 30.

SENATE BILL NO. 31—By MacDONALD.—Referred to the Committee on State and County Affairs.

SENATE BILL NO. 32—By BALLARD.—Referred to the Committee on Roads and Highways.

SENATE BILL NO. 33—By PUGH.—Referred to the Committee on State and County Affairs.

SENATE BILL NO. 34—By RITZHAUPT.—Referred to the Committee on Appropriations.

SENATE BILL NO. 35—By RITZHAUPT and RIZLEY.—Referred to the Committee on Appropriations.

SENATE BILL NO. 36—By MORRISON, LOGAN and HUTCHINSON.—Referred to the Committee on Fish and Game.

SENATE BILL NO. 37—By LOGAN.—Referred to the Committee on State and County Affairs.

SENATE BILL NO. 38—By LOGAN.—Referred to the Committee on State and County Affairs.

SENATE BILL NO. 39—By LOGAN.—Referred to the Committee on Military Affairs.

SENATE BILL NO. 40—By LOGAN.—Referred to the Committee on Education.

SENATE BILL NO. 41—By LOGAN.—Referred to the Committee on Education.

Senator Nance moved that further consideration of Senate Bill No. 41 be indefinitely postponed.

Senator Briggs raised a point of order against the Nance motion, which was sustained, stating the rules provide bills on second reading shall go to proper committees.

SENATE BILL NO. 42—By LOGAN: Senator Nance moved that Senate Bill No. 42 be placed upon the calendar without reference to a committee.

Senator Moon raised a point of order against the Nance motion, which was sustained, stating such a motion would require a suspension of the rules.

Senate Bill No. 42 was ordered referred to the Committee on Education.

SENATE BILL NO. 43—By WALDREP.—Referred to the Committee on Drugs and Pure Food.

SENATE BILL NO. 44—By WALDREP.—Referred to the Committee on Commerce and Labor.

SENATE BILL NO. 45—By TAYLOR.—Referred to the Committee on Revenue and Taxation.

SENATE BILL NO. 46—By NANCE, LESTER and LOGAN.—Referred to the Committee on Revenue and Taxation.

#### SPECIAL ORDER

President Pro Tempore Stewart presiding.

SENATE BILL NO. 28, by Nichols, Willis, Ray,



Whitaker and Rizley, having been made a special order for 3:00 o'clock p. m., this day, Senator MacDonald moved that consideration of the bill be set for 2:00 o'clock instead.

Senator Curnutt, as a substitute, moved that Senate Bill No. 28 be referred to the Committee on Appropriations, which motion was tabled, upon motion of Senator MacDonald.

The vote occurring on the MacDonald motion, it was declared adopted.

Section 1 was read.

Senator Chamberlin submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 28, line 15, page 2, by inserting after the word, "medicines," and before the word, "fuel," the following: "treatment and care by physicians and surgeons."

CHAMBERLIN.

Senator Fischl asked to be recorded "present," stating that the official oath had been administered to him by Justice Riley of the Supreme Court. The President ordered the record to so show.

Senator Whitaker asked unanimous consent, which was granted, to submit the following Committee Report, which was adopted:

Mr. President: We, your Committee on Committees, beg leave to report the selection of the following Committee:

Committee on Enrolled and Engrossed Bills:

Liggett, Chairman,	Nance,
Coppock,	Carlile.
Willis,	

Respectfully submitted

WHITAKER, Chairman.

Senator Liggett submitted the following Committee Report:

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

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendment to and Engrossed House Concurrent Resolution No. 2, as amended, and ordered it returned to the Honorable House.

Referring further to SENATE BILL NO. 28:

Senator Chamberlin, as a substitute for his former amendment, submitted the following, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 28, line 15, page 2, by inserting after the word, "medicines," and before the word, "fuel," the following: "actual cost of treatment and care by physicians and surgeons, upon order and approval of the County Committee."

CHAMBERLIN.

Senator Ritzhaupt submitted the following amendment, which was tabled, upon motion of Senator Curnutt:

Mr. President: I move to amend Senate Bill No. 28, line 18, page 2, by substituting, "three hundred thousand (\$300,000.00) dollars," in place of "two hundred thousand (\$200,000.00) dollars."

RITZHAUPT.

Senator Thomas submitted the following amendment, which was tabled upon motion of Senator MacDonald:

Mr. President: I move to amend Senate Bill No. 28, line 5, page 2, by striking after the word, "dollars," and before the word, "not," in line 12, page 2.

THOMAS.

Senator Ballard submitted the following amendment, which was tabled, upon motion of Senator MacDonald:

Mr. President: I move to amend Senate Bill No.

28, line 10, page 3, by adding after the word, "affairs," the following: "and distribution by the members of the House of Representatives and the Senate of the Fourteenth Legislature, said seed to be divided equally among them and they to account to the Governor, under oath, as to the distribution of the seed, said members of the Legislature to receive no additional compensation for their services," and striking the balance of the paragraph.

BALLARD.

Senator Ritzhaupt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 28, line 10, page 3, by adding after the word, "affairs," and before the word, "and," the words, "on approval of the seed testing laboratory of the State Board of Agriculture, providing the seed shall be purchased after bids being advertised and sealed bids received."

RITZHAUPT.

Senator Jennings, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 28, by striking lines 10 to 18, both inclusive, page 3, and lines 1, 2 and 3, page 4, and inserting in lieu thereof the following: "President of the State Board of Agriculture, and distributed through the respective County Agents of the several counties of the State; provided, that in any county or counties where a vacancy exists in the position of County Agent, such seed shall be distributed through some other suitable person or persons, a resident of such county as shall be designated by the President of the State Board of Agriculture. And provided further, that such seed shall be distributed as equally among the several counties of the State as the population of each respective county bears to the State at large."

JENNINGS.

Senator Dixon, in lieu of all pending amendments, submitted the following:

Mr. President: I move to amend Senate Bill No. 28, line 14, page 3, by striking after the word, "the," all the rest of line 14 and all of line 15 up to the word, "as," and inserting the following: "Board of County Commissioners of the respective counties."

DIXON

Senator Dixon asked unanimous consent, which was granted, to withdraw his substitute amendment.

Senator Briggs, in lieu of all pending motions, moved that Senate Bill No. 28 be referred to the Committee on Appropriations, which motion prevailed.

President Burns 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 transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 28—By MARTIN, entitled:

An Act making appropriation to pay the mileage and per diem of the Senate and House of Representatives of the Fourteenth Legislature, salaries of officers and the employees and contingent expenses 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,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 28.



GENERAL ORDER -

Senator Nance requested that consideration of SENATE CONCURRENT RESOLUTION NO. 3 be deferred for this legislative day, which request was granted.

Senator Moon moved that the Senate adjourn to meet under the rules on Monday, January 9.

Senator Dixon, as a substitute, moved that the Senate take up for consideration SENATE RESOLUTION NO. 2, by Dixon.

Senator Morrison raised a point of order against the Dixon motion, which was sustained, stating a motion to adjourn takes precedence.

The vote occurring on the Moon motion, it was declared adopted.

## FIFTH LEGISLATIVE DAY

Monday, January 9, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, **Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis.**  
Total, 41.

Absent: Powers. Total, 1.

Excused: Commons, Pugh. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplin.

### RESOLUTIONS

The following Resolutions were introduced:

#### SENATE CONCURRENT RESOLUTION NO. 7—

By STEWART.—A Concurrent Resolution commending the Honorable Elmer Thomas and the Honorable Thomas P. Gore, members of the United States Senate from the State of Oklahoma, for their untiring services in the United States Congress in behalf of the Citizens of Oklahoma.

Senator Stewart moved that the rules of the Senate be suspended for the purpose of immediately considering Senate Concurrent Resolution No. 7, by Stewart, which motion prevailed.

Senate Concurrent Resolution No. 7 was read at length, as follows:

#### SENATE CONCURRENT RESOLUTION No.

7—By STEWART.—A Concurrent Resolution com-

mending the Honorable Elmer Thomas and the Honorable Thomas P. Gore, members of the United States Senate from the State of Oklahoma, for their untiring services in the United States Congress in behalf of the Citizens of Oklahoma.

WHEREAS, the Honorable Elmer Thomas and the Honorable Thomas P. Gore, members of the United States Senate from the State of Oklahoma, have, since their induction into office, faithfully served the citizens of the State of Oklahoma in the United States Congress and by their untiring efforts and great ability brought honor and credit not only on themselves but to the sovereign State of Oklahoma which they so ably represent,

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

SECTION 1. That the thanks and appreciation of the Legislature of the State of Oklahoma be extended to the Honorable Elmer Thomas and to the Honorable Thomas P. Gore, United States Senators from the State of Oklahoma, for their splendid services for and in behalf of the people of the State of Oklahoma.

SECTION 2. That copies of this resolution be transmitted to the Honorable Elmer Thomas and to the Honorable T. P. Gore at Washington, D. C., and that a copy thereof be filed in the office of the Secretary of State.

Upon motion of Senator Morrison Senate Concurrent Resolution No. 7 was adopted, as read.

Senate Concurrent Resolution No. 7 was ordered referred for engrossment.

SENATE CONCURRENT RESOLUTION NO. 8—By CURNUTT and THOMAS of the Senate, and JOHNSON, of the House.—A Resolution memorializing Congress to repeal the law levying an excise tax

of one cent (1c) per gallon of gasoline for federal purposes.

### FIRST READING

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

SENATE BILL NO. 55—By BRIGGS and CARMACK.—An Act creating a department of highways under supervision and control of a commission to be known and designated as the State Highway Commission of the State of Oklahoma, to be composed of five members; prescribing the manner and method of appointment, fixing tenure of office and salary of each member thereof; prescribing powers and duties of said commission and members thereof; providing for and authorizing employment by said Commission and certain members thereof, of assistants, clerical help, laborers and other employees and for the payment of salaries and wages therefor and method and manner of payment of same; repealing Sections 10072, 10073, 10074, 10075, 10076, 10077, 10078 and 10079, Oklahoma Statutes, 1931, and all other Acts or parts of Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 56—By FIDLER.—An act making it unlawful for State officials to solicit or request, directly or indirectly, the contribution of money, labor or anything of value from other officials or employees of the State, for any purpose whatsoever; providing a penalty for violation thereof, and declaring an emergency.

SENATE BILL NO. 57—By PAUL.—An Act providing for the transfer of children from one school district to another, providing for the transfer of a pro rata part of all local school revenues, providing for the payment by the State of a part of the transfer fees when necessary, repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 58—By NANCE (Senate).



and MOONEY (House).—An Act requiring the County Treasurer to collect from the successful bidder at any tax resale held in the State of Oklahoma, in addition to the amount bid upon the property, an amount sufficient to defray all costs of preparing, listing and advertising the lot, parcel or tract of real estate purchased by said successful bidder at said sale and providing for the distribution of the proceeds of said tax resale; providing for the distribution of the proceeds from the sale of real estate made by the County Commissioners, after title is acquired by the county at the sale of said property at resale and providing that all real estate acquired by the county at the annual resale, and remaining unsold, shall be sold by the County Commissioners at public sale on or before the expiration of a period of one year; providing for the distribution of the proceeds of said sales and providing for the redemption of property by the former owner; providing for the payment of all expenses incurred by the county in the conduct of an annual resale, or any sale of property by the county; and providing for the management of any real estate acquired by the county, by the Board of County Commissioners.

SENATE BILL NO. 59—By RIZLEY (Senate), and COX (House).—An Act authorizing and directing the State Board of Medical Examiners to issue a license to Mrs. E. E. Bundy, of Boise City, Oklahoma, to practice medicine, and declaring an emergency.

SENATE BILL NO. 60.—By CURNUTT and WALDREP.—An Act making an appropriation to pay the salary of the Supreme Court Referees provided for by Section 3792, Oklahoma Statutes, 1931, for the fiscal year ending June 30, 1933, and declaring an emergency.

SENATE BILL NO. 61—By CURNUTT (Senate), and JOHNSON (House).—An Act amending Section 1, Chapter 278, Session Laws, 1929, or Section 12527, Oklahoma Statutes, 1931, relating to the levying of an excise tax on gasoline, reducing said levy; and amending

Section 3, Chapter 278, Session Laws, 1929, or Section 12536, Oklahoma Statutes, 1931, relating to distribution of said excise tax, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 62—By CURNUTT.—An Act relating to the assistants furnished the Attorney General, the salaries to be paid the same; also the clerks, secretaries and stenographers to be furnished said department, and the salaries to be paid to said clerks, secretaries and stenographers; providing certain qualifications of the assistants to the Attorney General, establishing the office of Attorney to the Governor, and fixing his salary; prohibiting the employment of attorneys by any commission, bureau or department of the State, except by the Governor of the State of Oklahoma, providing for the impeachment and removal of any person violating the provisions of this Act; repealing all Acts which provide for special attorneys to any department, commission or bureau of the State Government of Oklahoma, providing that the Governor may appoint special attorneys, repealing all laws in conflict therewith.

SENATE BILL NO. 63—By MacDONALD.—An Act making appropriation to pay claims against deficiency certificates, numbers 24 to 30, inclusive, for fiscal year ending June 30, 1931; numbers 1 to 6, inclusive, for fiscal year ending June 30, 1932; numbers 1 to 4, inclusive, for fiscal year ending June 30, 1933; as approved and certified to by the Governor under authority of Chapter 231 of Session Laws of Oklahoma, 1915, as amended by Chapter 229 of the Session Laws of Oklahoma, 1919.

### SECOND READING

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

SENATE BILL NO. 47—By MORRISON, CHAMBERLIN, SOWARDS AND LOGAN: Upon motion of Senator Morrison, the rules of the Senate were suspended

and Senate Bill No. 47, was ordered placed upon the calendar, without reference to a committee.

SENATE BILL NO. 48—By PAUL.—Referred to the Committee on Revenue and Taxation.

SENATE BILL NO. 49—By NICHOLS.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 50—By NICHOLS.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 51—By PUGH.—Referred to the committee on State and County Affairs.

SENATE BILL NO. 52—By JENNINGS.—Referred to the Committee on Roads and Highways.

SENATE BILL NO. 53—By STACEY.—Referred to the Committee on State and County Affairs.

SENATE BILL NO. 54—By MORRISON, BRIGGS and RIZLEY (Senate), and GRAY, STRICKLAND (Pontotoc), BABB, MARSHALL and GRISSO (House).—Referred to the Committee on Drugs and Pure Food.

ENGROSSED HOUSE BILL NO. 28—By MARTIN: Senator Logan asked unanimous consent, to which Senator MacDonald objected, to have Engrossed House Bill No. 28, by Martin, placed upon the calendar, without reference to a Committee.

Engrossed House Bill No. 28 was ordered referred to the Committee on Appropriations.

Senator MacDonald moved that 100 copies of SENATE BILL NO. 27, by Liggett, be ordered printed.

Senator Stewart, as a substitute, moved that 150 copies of Senate bill No. 27, by Liggett, be ordered printed, which motion prevailed.

Senator Liggett asked unanimous consent, which was granted, to withdraw his name as author of Senate Bill No. 27, and substitute the name of Senator MacDonald.

## MESSAGE

The following Message from the Governor was received and read:

To the Honorable, the State Senate:

Herewith attached is a copy of the persons whom I have appointed, together with the salaries of each, directing in the county the employment of the unemployed in the Federal Relief Work.

These men were selected with reference: first, to their dependability and faithfulness to a trust; second as to their qualifications, with little reference to "political pull." Indeed, in the selection of these men, I consulted very few members of the House or Senate; and, in fact, refused to appoint two or three because the Party Committee became too active in their behalf, and selected others equally as good that would not show Party dictation, feeling this essential under the direction of the Federal Bureau.

The question might be asked, What rule did I follow in making these selections as to dependability? My answer to that is: Their course in the past, and whether they were friends to me, since I have found very few enemies I could trust and many friends I could not trust. A few on the list are Republicans, particularly, the members in Haskell and in Blaine counties

The salaries here given include all of their expenses, including the trips when they come to the Capitol to bring the pay rolls and to get the checks, and were determined upon local assistance given them and the probable travel they would have to do. In other words, whatever expense they are out is included within the salary given, thus to save clerical work in the office here and with them; and, to be sure that excessive charges for gasoline and other expenses would not be made, each of them furnishes his own car.



Respectfully submitted, on this the 9th day of  
January, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: WM. H. MURRAY  
SALARY OF COUNTY SUPERINTENDENTS

County	Superintendent and Address	Salary
Adair	John A. Goodall, Stilwell	\$250.00
Alfalfa	S. E. Kammerzell, Cherokee	250.00
Atoka	J. T. Toney, Atoka	225.00
Beaver	C. H. V. Earl, Beaver	150.00
Beckham	J. R. Mikles, Elk City	250.00
Blaine	Geo. F. Dusbabek, Okeene	200.00
Bryan	E. A. Gilder, Durant	250.00
Caddo	C. C. Fisher, Anadarko	300.00
Canadian	Sidney E. Clute, El Reno	200.00
Carter	J. E. McCarty, Ardmore	200.00
Cherokee	W. W. Miller, Tahlequah	200.00
Choctaw	T. W. Tyler, Hugo	200.00
Cimarron	T. H. Smith, Boise City	150.00
Cleveland	C. W. Shannon, Norman	175.00
Coal	T. G. Ramsey, Coalgate	200.00
Comanche	J. Hale Edwards, Lawton	200.00
Cotton	Wm. Osborne Moore, Walters	200.00
Craig	James M. Martin, Vinita	275.00
Creek	D. A. McDougal, Sapulpa	250.00
Custer	L. E. Rader, Clinton	175.00
	R. E. McArthur, Weatherford	100.00
Delaware	G. W. Hogan, Jay	250.00
Dewey	J. W. Wilcox, Seiling	200.00
Ellis	R. M. Hubbert, Fargo	200.00
Garfield	M. E. Worden, Enid	275.00
Garvin	G. P. Rollow, Wynnewood	200.00
Grady	E. E. Alkire, Chickasha	200.00
Grant	L. P. Scott, Wakita	175.00
Greer	B. F. Van Dyke, Mangum	275.00
Harmon	J. J. Savage, Hollis	200.00

County	Superintendent and Address	Salary
Harper	George Pauls, Buffalo	50.00
Haskell	George W. Scott, Stigler	200.00
Hughes	M. E. Gilbert, Holdenville	225.00
Jackson	S. E. Sessions, Altus	200.00
Jefferson	Earl McCraw, Waurika	200.00
Johnston	W. M. Lucas, Tishomingo	200.00
Kay	Chas. McMullen, Blackwell	300.00
Kingfisher	H. J. Miller, Kingfisher	200.00
Kiowa	J. J. Hunter, Hobart	250.00
Latimer	Carlton Weaver, Wilburton	225.00
LeFlore	Jess Harper, Poteau	300.00
Lincoln	F. D. Thompson, Wellston	250.00
Logan	Chas. Schoonover, Guthrie	225.00
Love	John R. Martin, Marietta	200.00
Major	C. J. Major, Orienta	125.00
Marshall	John Landrum, Madill	200.00
Mayes	H. S. Sitz, Pryor	200.00
Murray	C. B. Pullen, Sulphur	200.00
Muskogee	P. B. Bostick, Muskogee	300.00
McClain	P. R. Spain, Purcell	200.00
McCurtain	T. J. Carr, Idabel	300.00
McIntosh	Chas. Whitaker, Eufaula	200.00
Noble	Richard N. Allen, Perry	250.00
Nowata	A. D. Young, Nowata	275.00
Okfuskee	C. R. Diehl, Okemah	200.00
• Oklahoma	Chas. W. Johnson, (Okla. Co.)	225.00
	Chas. Evans, Okla. City	275.00
Okmulgee	T. P. Paxton	Expense of County
Osage	J. B. Weaver, Hominy	200.00
	Roy Berry, Pawhuska	200.00
Ottawa	L. D. James, Miami	275.00
Pawnee	A. L. Bilyeu, Pawnee	250.00
Payne	Al Crenshaw, Cushing	250.00
Pittsburg	W. N. Redwine, McAlester	275.00
Pontotoc	C. L. Gibson, Ada	250.00

County	Superintendent and Address	Salary
Pottawatomie	A. W. Gore, Tecumseh	300.00
Pushmataha	J. T. Quaid, Antlers	250.00
Roger Mills	Albert J. Burnham, Cheyenne	200.00
Rogers	W. P. Johnston, Claremore	200.00
Seminole	Charles Hottenstein, Wewoka	225.00
Sequoyah	W. O. Bruton, Sallisaw	200.00
Stephens	J. M. Brooks and helper, Duncan	360.00
Texas	H. O. Black, Guymon	175.00
Tillman	Grover Hope, Frederick	200 00
Tulsa	E. B. Howard, Tulsa	300.00
Wagoner	Ben Lumpkin, Coweta	275.00
Washington	John Horseley, Ramona	275.00
Washita	Hugh Ferree, Cordell	250.00
Woods	Roy McCormick, Alva	200.00
Woodward	J. A. Ennis, Woodward	150.00
		<hr/> 17,610.00

Senator MacDonald presiding.

#### GENERAL ORDER

Senator Chamberlin presiding.

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

SENATE CONCURRENT RESOLUTION NO. 3—By NANCE.

A RESOLUTION MEMORIALIZING THE NATIONAL CONGRESS TO ENACT A LAW AUTHORIZING AND EMPOWERING THE SEVERAL STATES TO LEVY AND COLLECT LICENSE, FRANCHISE, GROSS REVENUE, REGISTRATION OR OTHER FORMS OF TAXES UPON OR MEASURED BY CAPITAL REPRESENTED BY PROPERTY AND BUSINESS EMPLOYED IN INTERSTATE COMMERCE.

WHEREAS, interstate commerce has expanded to the extent that it covers every business enterprise in which internal commerce is engaged; and

WHEREAS, such commerce has become so intermingled with the internal commerce of the several states, commonly referred to as intrastate commerce; and

WHEREAS, the Congress of the United States is vested with supreme legislative power over commerce among states; and

WHEREAS, interstate commerce, through a single company or corporation in many instances extends into all of the states of the Union, and the business of such company or corporation is so intermingled with internal or state commerce that the same is practicably inseparable; and

WHEREAS, the courts of last resort have ruled that in case of a state tax, other than the ordinary ad valorem tax, which substantially affects interstate commerce, or where interstate commerce is so connected and intermingled with internal commerce as to be practicably inseparable, the state has no power to levy any form of special tax upon the property or business engaged in either inter or intra state commerce; and

WHEREAS, the revenues of the several states are reduced and the exercise of power of taxation of property within the several states is thereby seriously impaired; and

WHEREAS, pursuant to the program of modern state taxation it is the purpose to reduce ad valorem property taxation to a minimum, by the application of other forms of taxation;

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

That the Congress of the United States be, and it



is hereby requested to enact a law at the next session thereof, authorizing and empowering the several states to levy and collect license, franchise, gross revenue, registration or other forms of taxes upon or measured by capital represented by property and business employed in interstate commerce, in the same manner that such taxes may be imposed upon like property and business under the constitution and laws of the taxing state; provided, however, that the total rates of such taxes shall not exceed the rate of taxes levied by any state upon property and business employed in internal commerce; and, provided further, that such property and business be apportioned so as to include only that part of the property located and business conducted within the taxing state, and that no two states shall tax the same capital so employed, thereby avoiding double taxation.

BE IT FURTHER RESOLVED, that a copy of this Resolution be mailed to each Member of Congress from the State of Oklahoma, to the President of the United States, to the Vice President, to the Chairman of the Committee on Finance of the Senate, and to the Chairman of the Committee on Ways and Means of the House of Representatives.

Senator Logan submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Concurrent Resolution No. 3, lines 12 and 13, page 4, by striking the words, "from the State of Oklahoma."

LOGAN.

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

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

SENATE CONCURRENT RESOLUTION NO. 4,  
by Dixon: Senator Dixon asked unanimous consent,

which was granted, to defer consideration of Senate Concurrent Resolution No. 4, by Dixon, until 2:00 p. m., on the next legislative day.

SENATE CONCURRENT RESOLUTION NO. 5, by Reed, Carmack and Johnston, was taken up for consideration and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 5—By REED, CARMACK and JOHNSTON.

A RESOLUTION REQUESTING HONORABLE FRANKLIN D. ROOSEVELT, PRESIDENT-ELECT OF THE UNITED STATES TO APPOINT THE HONORABLE JOHN A. SIMPSON, AS SECRETARY OF THE DEPARTMENT OF AGRICULTURE.

WHEREAS, the Honorable John A. Simpson, National President of the Farmers Union of the United States, has long been interested in the promotion of the interests of the farmers of the United States and has rendered beneficial service to those interested in agriculture, and has been honored by those interested therein by being elected as President of the National Association; and

WHEREAS, prior to his election as President of the National Association he served for many years as the President of the State Organization, and rendered aid and advice to those engaged in agriculture; and

WHEREAS, the said John A. Simpson is well acquainted with the burdens of the farmers of the United States, and is well equipped by experience and qualifications to render excellent service as Secretary of the Department of Agriculture of the United States:

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

That Honorable Franklin D. Roosevelt, President-

Elect of the United States be, and he is, hereby requested to appoint the Honorable John A. Simpson to the office of Secretary of the Department of Agriculture of the United States; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the President-Elect and to each member of the Oklahoma Delegation in Congress.

Upon motion of Senator Reed, Senate Concurrent Resolution No. 5 was adopted, as read.

Senate Concurrent Resolution No. 5 was ordered referred for engrossment.

President Burns presiding.

SENATE RESOLUTION NO. 2, by Dixon: Senator Dixon asked unanimous consent, which was granted, to defer consideration of Senate Resolution No. 2, by Dixon, until 3:00 p. m., on the next legislative day.

SENATE CONCURRENT RESOLUTION NO. 6, by Ballard, of the Senate, and Hart, of the House, was taken up for consideration.

The preamble to Senate Concurrent Resolution No. 6 was read.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Concurrent Resolution No. 6, line 18, page 2, by striking after the word, "made," the word, "its," and inserting in lieu the word, "no."

BALLARD.

Upon motion of Senator Ballard, the preamble, as amended, was adopted.

Section 1 was read.

Senator MacDonald moved that Senate Concurrent Resolution No. 6 be amended to permit the appointment of committees by the Appropriations Committees of the Senate and House of Representatives, to work

in conjunction with the Appropriations Committees.

Senator Nance, as a substitute, moved that Senate Concurrent Resolution No. 6 be referred to the proposed Committee on Retrenchment and Reform, with instructions that such Committee proceed to gather such information, concerning retrenchment and reform, as may be valuable to the Senate of the State of Oklahoma, and make report.

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

Senator Logan, as a substitute, moved the adoption of the following amendment:

Mr. President: I move to amend Senate Concurrent Resolution No. 6, page 9, by inserting a new section, numbered 8, and renumbering the emergency section as Section 9, said Section 8 to read as follows: "Section 8. Said joint committee shall be a sub-committee of the Appropriations Committees and shall cooperate at all times with the full membership of the Appropriations Committees."

LOGAN.

Senator Nance, in lieu of all pending motions, moved that Senate Concurrent Resolution No. 6 be committed to the Appropriations Committee, with instructions to draft a Senate Resolution, covering the subject of retrenchment and reform.

Senator MacDonald asked unanimous consent, which was granted, to amend the Nance motion by substituting the following, "that the resolution be referred to the Committee on Retrenchment and Reform, with instructions to re-draft and report."

Senator Dixon moved to table the Nance motion, as amended by Senator MacDonald, which motion failed of adoption.

The vote occurring on the Nance motion, as amended, it was declared adopted.



Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolution No. 7 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 7 and ordered it transmitted to the Honorable House.

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

The Senate reassembled, with the President presiding.

Senator Whitaker asked unanimous consent, which was granted, to submit the following report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Committees beg leave to report the selection of the following Committees and recommend their election by the Honorable Senate:

Committee on Agriculture:

Carmack, Chairman,	Willis,
Coppock, Vice Chairman,	Pugh,
Carlile,	Reed,
Garvin,	Thomas,
Johnston,	Sowards,
Liggett,	Taylor.
Paul,	Clark,
MacDonald,	Rizley.

Committee on Banks and Banking:

Memminger, Chairman,	Nichols,
Powers, Vice Chairman,	Pugh,
Briggs,	Ray,
Chamberlin,	Rutherford.
Commons,	Sowards,
Daugherty,	Waldrep,

Johnston,	Willis,
Nance,	Rizley.
Committee on Code Revision:	
Johnston, Chairman,	Morrison,
Moon, Vice Chairman,	Nance,
Carlile,	Waldrep.
Chamberlin,	
Committee on Commerce and Labor:	
Reed, Chairman,	Nance,
Fischl, Vice Chairman,	Waldrep,
Commons,	Paul,
Jennings,	Morrison,
Logan,	Hutchinson,
Memminger,	Sowards,
Committee on Constitution and Constitutional Amendments:	
Moon, Chairman,	Thomas,
Nichols, Vice Chairman,	Hutchinson,
Carlile,	Rizley,
Johnston,	Clark,
Logan,	Sowards.
Committee on Congressional and Legislative Redistricting:	
Waldrep, Chairman,	Fischl,
Chamberlin, Vice Chairman,	Johnston,
man,	Logan,
Carlile,	MacDonald,
Commons,	Sowards,
Nance,	Stewart,
Paul,	Taylor,
Ray,	Whitaker,
Ritzhaupt.	Willis,
Rutherford,	Rizley.
Curnutt,	
Committee on Drugs and Pure Foods:	
Sowards, Chairman,	Ray,

Rizley, Vice Chairman,	Thomas,
Howard,	Wilbanks,
Lester,	Willis,
Liggett,	Coppock.
Nichols,	

Committee on Education:

Ritzhaupt, Chairman,	Morrison,
Taylor, Vice Chairman,	Pugh,
Briggs,	Reed,
Carlile,	Stacey,
Garvin,	Stewart,
Jennings,	Thomas,
Johnston,	Waldrep,
Logan,	Whitaker,
MacDonald,	Clark,
Memminger,	Coppock,
Chamberlin,	Hutchinson.

Committee on Fees and Salaries:

Pugh, Chairman,	Stacey,
Liggett, Vice Chairman,	Stewart,
Ballard,	Willis.
Briggs,	Clark,
Carlile,	Coppock.
Morrison,	

Committee on Federal Relations:

Taylor, Chairman,	Fidler,
Nance, Vice Chairman,	Nichols,
Ballard,	Reed,
Daugherty,	Clark.

Committee on Fish and Game:

Howard, Chairman,	Pugh,
Rutherford, Vice Chair-	
man,	Ray,
Carlile	Reed,
Fischl,	Stewart,
Johnston,	Whitaker.

Lester,	Coppock.
Logan,	Rizley.
Morrison,	

## Committee on Hospitals and Charities:

Powers, Chairman,	Howard,
Jennings, Vice Chairman,	Johnston,
Ballard,	Ritzhaupt,
Fidler,	Taylor.

## Committee on Indian Affairs:

Fischl, Chairman,	Memminger,
Johnston, Vice Chairman,	Paul,
Carlile,	Pugh,
Curnutt,	Ray,
Howard,	Stewart.
Logan,	

## Committee on Insurance:

Fidler, Chairman,	Memminger,
Sowards, Vice Chairman,	Moon,
Chamberlin,	Ray,
Dixon,	Stewart,
Garvin,	Waldrep,
MacDonald,	Powers.

## Committee on Irrigation, Drainage and Geological Survey:

Paul, Chairman,	Sowards,
Daugherty, Vice Chair-	
man,	Wilbanks,
Moon,	Clark.

## Senate Judiciary Committee, Division No. 1:

Curnutt, Chairman,	Lester,
Clark, Vice Chairman,	Moon,
Ballard,	Pugh,
Carlile,	Rutherford,
Daugherty,	Coppock,
Jennings,	Hatchinson.
Johnston,	



Senate Judiciary Committee, Division No. 2:

Chamberlin, Chairman,	Memminger,
Stacey, Vice Chairman,	Morrison,
Commons,	Nichols,
Dixon,	Waldrep,
Fischl,	Whitaker,
MacDonald,	Rizley.

Committee on Judicial Redistricting:

Wilbanks, Chairman,	Johnston,
Reed, Vice Chairman,	Moon,
Carmack,	Nichols.
Commons,	Rutherford,
Daugherty,	Hutchinson.
Garvin,	

Committee on Legal Advisory:

Rutherford, Chairman,	Reed,
Commons, Vice Chairman,	Stacey,
Dixon,	Waldrep,
Johnston,	Hutchinson.
Nichols,	

Committee on Military Affairs:

Hutchinson, Chairman,	Logan,
Memminger, Vice Chair-	
man,	MacDonald,
Dixon,	Sowards,
Howard,	Powers

Committee on Mines and Manufacturing:

Jennings, Chairman,	Fidler.
Logan, Vice Chairman,	Howard,
Carlile,	Lester,
Commons,	MacDonald,
Daugherty,	Memminger,

Committee on Municipal Corporations:

Nance, Chairman,	Liggett,
Dixon, Vice Chairman,	Morrison,
Daugherty,	Paul.

Fischl,	Ritzhaupt,
Jennings.	Stacey.
Committee on Oil and Gas:	
Garvin, Chairman,	Paul,
Logan, Vice Chairman,	Reed,
Curnutt,	Ritzhaupt,
Daugherty,	Rutherford,
Fidler,	Sowards,
Fischl,	Stewart.
Jennings,	Wilbanks,
MacDonald,	Ceppock,
Moon,	Powers.
✓ Nichols,	
Committee on Penal Institutions:	
Lester, Chairman,	Liggett,
Waldrep, Vice Chairman,	Reed.
Carnaack,	
Committee on Private Corporations:	
Daugherty, Chairman,	Ray,
Thomas, Vice Chairman,	Sowards,
Liggett,	Ceppock,
Committee on Privileges and Elections:	
Ballard, Chairman,	Pugh,
Willis, Vice Chairman,	Reed,
Fischl,	Rutherford.
Jennings	Powers.
✓ Nichols,	
Committee on Prohibition Enforcement:	
Clark, Chairman,	Stacey,
Pugh, Vice Chairman,	Thomas.
Memminger,	
Committee on Public Health:	
Thomas, Chairman,	Ritzhaupt,
MacDonald, Vice Chair-	
man,	Taylor,
Fischl,	Willis,

- |   |             |
|---|-------------|
| Pugh,                                     | Coppock.    |
| Committee on Public Buildings:            |             |
| Stacey, Chairman,                         | Liggett.    |
| Ballard, Vice Chairman,                   | Sowards,    |
| Curnutt,                                  | Taylor,     |
| Fidler,                                   | Willis.     |
| Fischl                                    |             |
| Committee on Public Service Corporations: |             |
| Morrison, Chairman,                       | Rutherford, |
| Lester, Vice Chairman,                    | Stacey.     |
| Briggs,                                   | Stewart,    |
| Carmack,                                  | Thomas.     |
| MacDonald,                                | Powers.     |
| Moon,                                     |             |
| Committee on Revenue and Taxation:        |             |
| Whitaker, Chairman,                       | MacDonald,  |
| Garvin, Vice Chairman,                    | Memminger.  |
| Ballard,                                  | Moon,       |
| Briggs,                                   | Nance,      |
| Chamberlin,                               | Nichols,    |
| Curnutt,                                  | Paul,       |
| Fidler,                                   | Rutherford, |
| Fischl,                                   | Stacey,     |
| Jennings,                                 | Hutchinson, |
| Johnston,                                 | Powers.     |
| Liggett,                                  | Rizley.     |
| Logan,                                    |             |
| Committee on Retrenchment and Reform:     |             |
| Nichols, Chairman,                        | Logan.      |
| Stewart, Vice Chairman,                   | Morrison,   |
| Briggs,                                   | Rutherford, |
| Carmack,                                  | Whitaker,   |
| Chamberlin,                               | Wilbanks,   |
| Garvin,                                   | Rizley,     |
| Howard,                                   | Carmack.    |

## Committee on School Lands:

Rizley, Chairman,	Nichols,
Carlile, Vice Chairman,	Ray,
Ballard,	Sowards,
Curnutt,	Taylor,
Dixon,	Wilbanks,
Garvin,	Hutchinson,
Johnston	Powers.
Liggett,	

## Committee on Senate and Legislative Affairs:

Willis, Chairman,	Ray,
Wilbanks, Vice Chairman,	Rutherford,
Daugherty,	Stewart,
Dixon,	Hutchinson.
Fidler,	

## Committee on State and County Affairs:

Logan, Chairman,	Wilbanks,
Waldrep, Vice Chairman,	Carlile,
Curnutt,	Carmack,
Fischl,	Ray,
Lester,	Ritzhaupt,
Moon,	Sowards,
Nichols,	Stacey,
Paul,	Clark.

## Committee on Ways and Means:

Dixon, Chairman,	Lester,
Ray, Vice Chairman,	Stacey,
Fischl,	Taylor.
Howard,	

## Committee on Livestock and Tenant Farming:

Coppock, Chairman,	Reed,
Paul, Vice Chairman,	Taylor,
Ballard,	Thomas.

## Committee on Soldiers' Relief:

Ray, Chairman,	Logan.
Hutchinson, Vice Chair-	



man,  
Chamberlin,  
Commons.  
Curnutt,  
Daugherty,  
Dixon,  
Howard,

MacDonald.  
Memminger,  
Morrison,  
Ritzhaupt,  
Ratherford,  
Whitaker.

And that the name of Senator Garvin be added to the Committee on Appropriations.

And that Senator Howard be made Vice Chairman of the Committee on Enrolled and Engrossed Bills, Senator Coppock retaining a place in such Committee.

Respectfully submitted,  
WHITAKER, Chairman.

Senator Paul asked unanimous consent, which was granted, to withdraw SENATE BILL NO. 48, by Paul, from the Committee on Revenue and Taxation and refer it to the Committee on Municipal Corporations.

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

## SIXTH LEGISLATIVE DAY

Tuesday, January 10, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carble, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 39.

Absent: Carmack. Total, 1.

Excused: Commons, Morrison, Ray, Willis. Total, 4.

The President 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, unless otherwise indicated:

Mr. President: We, your Committee on Appropriations, to whom was referred Engrossed House Bill No. 28, by Martin, entitled:

An Act making appropriation to pay the mileage and per diem of the Senate and House of Representatives of the Fourteenth Legislature, salaries of officers and the employees and contingent expenses, and declaring an emergency;  
beg leave to report that we had the same under con-

sideration and herewith return the same with the recommendation that it do pass.

MacDONALD, Chairman.

Senator MacDonald moved that the rules of the Senate be suspended and House Bill No. 28 be ordered placed upon the calendar, under general order, for consideration today, which motion prevailed.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolutions Nos. 3 and 5 correctly engrossed.

LIGGETT, Chairman.

The President, in open session signed Engrossed Senate Concurrent Resolutions Nos. 3 and 5 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. 64—By REED (Senate), and GRAY (House).—An Act providing for uniform regulations for all common carriers for the protection of Oklahoma agriculture, horticulture, live stock and poultry; defining all common carriers as same relate to the transportation of agricultural and horticultural commodities, live stock and poultry; providing punishment for violation of established quarantines, and declaring an emergency.

SENATE BILL NO. 65—By LESTER, DIXON and NANCE.—An Act authorizing the State Highway Commission of Oklahoma to take over, improve, maintain and construct any street in any city of the first class for highway purposes where state highways are located thereon, and declaring an emergency.

SENATE BILL NO. 66—By BALLARD.—An Act

requiring assistants and employees of the Secretary of State to pay fees received as service agents for foreign corporations to the State of Oklahoma; providing for the allocation thereof, and declaring an emergency.

SENATE BILL NO. 67—By BALLARD.—An Act repealing all of Chapter 43, Session Laws of 1925, Sections 10294, 10295, 10296, 10297, 10298, 10299, 10300, 10301, 10302, 10303, 10304, 10305, 10306, 10307, 10308, 10309, 10310, 10311, and 10312, of the Compiled Oklahoma Statutes of 1931, and other purposes, and declaring an emergency.

SENATE BILL NO. 68—By MORRISON (Senate), and BOYER and BEARD (House).—An Act making an appropriation of thirty-seven hundred dollars out of any moneys in the State Treasury not otherwise appropriated, for the fiscal year ending June 30, 1933, for the construction of a program clock and bell system at and for the C. A. & N. University at Langston, Oklahoma, and declaring an emergency.

SENATE BILL NO. 69—By WALDREP.—An Act amending Section 6239, Oklahoma Statutes, 1931, providing that the general ad valorem taxes may be paid without the payment of special or paving taxes requiring the County Treasurer to accept the general taxes without the special taxes, and declaring an emergency.

SENATE BILL NO. 70—By BRIGGS.—An Act giving the United States Forest Service authority to establish game refuges in the United States forests.

SENATE JOINT RESOLUTION NO. 4—By NICHOLS.—A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma relating to Article XVII thereof, concerning counties by adding a section providing for the consolidation of counties in said State, and the procedure to be followed therein.

SENATE JOINT RESOLUTION NO. 5—By BAL-



LARD.—A Resolution authorizing an extension of time in which 1933 automobile license tags may be secured, and other purposes, and declaring an emergency.

SECOND READING

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

SENATE BILL NO. 55—By BRIGGS and CARMACK.—Referred to the Committee on Roads and Highways.

SENATE BILL NO. 56—By FIDLER.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 57—By PAUL.—Referred to the Committee on Education.

SENATE BILL NO. 58—By NANCE (Senate), and MOONEY (House).—Referred to the Committee on Revenue and Taxation.

SENATE BILL NO. 59—By RIZLEY (Senate), and COX (House).—Referred to the Committee on Public Health.

SENATE BILL NO. 60—By CURNUTT and WALDREP.—Referred to the Committee on Appropriations.

SENATE BILL NO. 61—By CURNUTT (Senate), and JOHNSON (House).—Referred to the Committee on Revenue and Taxation.

SENATE BILL NO. 62—By CURNUTT.—Referred to the Committee on State and County Affairs.

SENATE BILL NO. 63—By MacDONALD.—Referred to the Committee on Appropriations.

GENERAL ORDER

SENATE BILL NO. 47, by Morrison, Chamberlin, Sowards and Logan, was considered.

Section 1 was read and, upon motion of Senator Logan, adopted.

Upon motion of Senator Nance, Senate Bill No. 47 was advanced to engrossment and third reading.

SENATE CONCURRENT RESOLUTION NO. 8, by Curnutt and Thomas, of the Senate, and Johnson, of the House, was taken up for consideration and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 8—By CURNUTT and THOMAS of the Senate, and JOHNSON of the House.

A RESOLUTION MEMORIALIZING CONGRESS TO REPEAL THE LAW LEVYING AN EXCISE TAX OF ONE CENT (1c) PER GALLON ON GASOLINE FOR FEDERAL PURPOSES.

WHEREAS, the recent session of the United States Congress enacted a law establishing an excise tax of one cent (1c) per gallon on gasoline sold in the United States for the purpose of raising revenue for the expenses of the federal government; and

WHEREAS, in this State and many other states of the United States there exist laws levying an excise tax on gasoline from one cent (1c) to five cents (5c) per gallon; and

WHEREAS, such taxes are out of all proportion in comparison with other forms of taxes on other commodities; and

WHEREAS, the same should be by the Federal Congress repealed:

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

That the Congress of the United States is hereby memorialized to repeal the Act which levies an excise tax of one cent (1c) per gallon on gasoline sold in the United States as it is believed the same is an undue burden on said commodity and upon the citizens of the United States; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to each Representative and Senator from the State of Oklahoma in the National Congress calling their attention to the desire of the people of Oklahoma as herein expressed.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Concurrent Resolution No. 8, by adding the following: "BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to the Secretary of State in each State in the United States, to be transmitted to the Legislatures of their respective States."

CURNUTT.

Senator Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Concurrent Resolution No. 8, to include the reduction of first class letter postage to two cents.

JOHNSTON.

Senator Curnutt moved that the Engrossing Department be instructed to amend the title of Senate Concurrent Resolution No. 8 to conform with adopted amendments, which motion prevailed.

Senator Curnutt moved that Senate Concurrent Resolution No. 8, as amended, be adopted.

Upon motion of Senator MacDonald, the previous question was ordered.

The vote occurring on the Curnutt motion, it was declared adopted.

Senate Concurrent Resolution No. 8, as amended, was referred for engrossment.

HOUSE BILL NO. 28, by Martin, was taken up for consideration.

Sections 1 and 2 were read and adopted, upon motions of Senator MacDonald

Upon motion of Senator MacDonald, House Bill No. 28 was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and House Bill No. 28 was considered engrossed and placed upon third reading and final passage.

HOUSE 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 37.

Not Voting: Fischl, Reed. Total, 2.

Absent: Carmack. Total, 1.

Excused: Commons, Morrison, Ray, Willis. 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 37.

Not Voting: Fischl, Waldrep. Total, 2.

Absent: Carmack. Total, 1.



Excused: Commons, Morrison, Ray, Willis. 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, in open session, signed the engrossed copy of House Bill No. 28, 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:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 1, by Graham and Roberts, entitled:

A Concurrent Resolution ratifying a proposed amendment to the Constitution of the United States of America;

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,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolution No. 1 was ordered printed and placed upon the calendar.

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 CONCURRENT RESOLU-

TION NO. 2, by Wright. Wilmot, O'Neal, Allen, and Ulmark, of the House, and Rizley, Powers, Clark, Hutchinson, Coppock, Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Wadrep, Whitaker, Wilbanks and Willis, of the Senate, entitled:

A Resolution to express the regrets of the people of Oklahoma and the Fourteenth Legislature of the State of Oklahoma at the death of Calvin Coolidge and expressing the sympathies of the Legislature of the State of Oklahoma;  
and the same has been adopted by the House of Representatives, as amended.

Yours very truly,

R. M. McCOOL, Chief Clerk.

#### SPECIAL ORDER

Senator Dixon asked unanimous consent to defer consideration of SENATE CONCURRENT RESOLUTION NO. 4, by Dixon, until later in the day, when he would submit a Senate Resolution as a substitute therefor.

Senator Nance requested that the substitute resolution be printed, prior to consideration.

Senator Dixon asked unanimous consent, which was granted, to defer consideration of Senate Concurrent Resolution No. 4 until 2 o'clock p. m., on the next legislative day.

SENATE RESOLUTION NO. 2, by Dixon, was taken up for consideration and read at length, as follows:

SENATE RESOLUTION NO. 2—B; DIXON.

A RESOLUTION AUTHORIZING AND DI-

RECTING THE PRESIDENT OF THE SENATE TO APPOINT A COMMITTEE TO INVESTIGATE THE SUPERVISION OF THE OIL INDUSTRY BY THE MILITIA OF THE STATE OF OKLAHOMA, AND OTHER MATTERS, SUBPONEA WITNESSES AND REQUIRING SAID SPECIAL COMMITTEE TO REPORT ITS FINDINGS TO THE SENATE OF THE STATE OF OKLAHOMA FOR ACTION THEREON.

WHEREAS, it appears from various rumors that charges have been made that those in command of the militia of the State of Oklahoma and supervision of the oil industry in said State have been guilty of various crimes consisting of petty misdemeanors and felonies in connection therewith; and

WHEREAS, it has been charged that the commanding officers of said military control have received fees and moneys for permitting certain favored operators in the Oklahoma City and other oil fields in the State to violate the rules and regulations promulgated by the Corporation Commission of the State of Oklahoma relative to proration in the oil industry; and

WHEREAS, such charges have been given such publicity that it is commonly believed by the public that there has been fraud and corruption practiced in the military control of proration; and

WHEREAS, in order that the public may know and be informed and proper official action be taken in connection therewith with the view of prosecuting any violation of the law in connection with this subject matter the same should be fully investigated,

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

SECTION 1. The President of the Senate is hereby authorized and directed to appoint a special investi-

gation committee consisting of five (5) members of the Senate with power and authority vested in said committee to conduct hearings and to issue all necessary processes to compel the attendance of witnesses and produce all books and records before said committee for its examination and consideration and said committee is specifically authorized and empowered to administer oaths to witnesses and to employ such stenographic, clerical and other help as may be deemed necessary to carry out the provisions of this Resolution.

SECTION 2. Said committee is hereby directed to make a thorough and complete investigation of all matters pertaining to the charges of irregularities and transactions involved in the administration of the proration laws of the State of Oklahoma by the military branch thereof and when such hearings have been completed to make a detailed report thereof to the Senate.

SECTION 3. The said committee, may, upon direction of the Senate, proceed to hear evidence pertaining to other matters connected with the administration of the proration laws as to the oil industry by any person representing the State of Oklahoma in connection therewith and said committee is hereby ordered and directed to make, organize and proceed with said investigation immediately following its appointment and to continue from day to day until said investigation is completed.

Senator Stewart submitted the following substitute for Senate Resolution No. 2:

SUBSTITUTE FOR SENATE RESOLUTION NO. 2,

By DIXON.—By STEWART.

A RESOLUTION AUTHORIZING AND DIRECTING THE PRESIDENT OF THE SENATE TO APPOINT A COMMITTEE TO INVESTIGATE THE ADMINISTRATION OF



THE PRORATION LAWS OF THE STATE OF OKLAHOMA, AND ALL OFFICERS AND DEPARTMENTS RESPONSIBLE FOR AND INTERESTED IN THE ADMINISTRATION THEREOF, INCLUDING THE CORPORATION COMMISSION, THE VARIOUS PRORATION COMMITTEES, UMPIRES, AND THE USE AND THE ACTIONS OF THE STATE MILITIA IN CONNECTION THEREWITH, AND ALL PERSONS AND INDIVIDUALS IN ANY WAY PARTICIPATING THEREIN; AUTHORIZING THE SUBPOENAING OF WITNESSES AND THE EMPLOYMENT OF NECESSARY AID, AND REQUIRING SAID SPECIAL COMMITTEE TO REPORT ITS FINDINGS TO THE SENATE OF THE STATE OF OKLAHOMA FOR ACTION THEREON.

WHEREAS, it appears from numerous reports that criticism and complaint has been made against the manner of administering the proration laws of the State of Oklahoma by the authorities of said State; and

WHEREAS, it is further rumored that numerous individuals, corporations and associations have charged and vigorously contended that wide-spread discrimination has resulted from the manner in which these laws have been administered, and that some have been favored, some have been discriminated against and general injustice has resulted; and

WHEREAS, it is made to appear by these complaints, reports and rumors that many of the oil fields of the State have been allowed to produce to their full capacity while other fields have been permitted to produce only a small portion of the capacity of its wells; and

WHEREAS, it has been further rumored and much

complaint has been made that the common carriers and common purchasers, usually called pipe-lines, have failed and refused to accord equal facilities to individuals and corporations producing oil in this State in the same fields and under same conditions, for the marketing and transporting of their oil, and that many small oil producers have been unable to secure any market whatever or transportation of oil from their wells, resulting in injury and injustice; and

WHEREAS, it has been charged, reported and complained of that committees representing certain large oil companies have gotten in charge of and have controlled completely the administration of the proration laws in some fields, and especially the Seminole field and the Oklahoma City field, the actions of which committees resulted in great injury and irreparable loss to independent and small producers, and wide spread corruption is alleged to have resulted; and

WHEREAS, it is complained of, reported and rumored that the State Militia has been used in the enforcement of proration in a manner that has resulted in discrimination and great injustice in many instances, and that the officers of said Militia and persons in charge of its activity have been guilty of various violations of laws in connection therewith, and have been guilty of receiving and collecting fees not authorized by law, and of permitting said large oil companies or operators in said fields, especially in the Oklahoma City field, to operate in violation of the Statutes and rules and regulations promulgated for the enforcement of proration; and

WHEREAS, much publicity has resulted from the aforesaid conditions and many people believe that there has been fraud, corruption, extortion and oppression perpetrated by said officers; and

WHEREAS, the public welfare requires that the

people be informed concerning the official actions in this matter and whether or not there has been wrong done, and if so, that the same be corrected by proper and legal proceedings and prosecutions; and

WHEREAS, the entire principle involved in the conservation and proration of oil must necessarily be based upon a fair and equitable statute, providing ratable taking and marketing thereof, and the enforcement of the same in order that the welfare of the industry might be properly safeguarded and the interest of the public and the respective owners be preserved

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

SECTION 1. The President of the Senate is hereby authorized and directed to appoint a special investigating committee consisting of seven (7) members of the Senate with power and authority vested in said committee to conduct hearings and to issue all necessary process to compel the attendance of witnesses and produce all books and records of any person, persons or corporations ordered before said committee for its examination and consideration, and said committee is specifically authorized and empowered to administer oaths to witnesses and to employ such stenographic, clerical and other help as may be deemed necessary to carry out the provisions of this Resolution.

SECTION 2. Said committee is hereby directed to make a thorough and complete investigation of all matters pertaining to the charges of irregularities and transactions involved in the administration of the proration laws of the State of Oklahoma, all officers and persons charged with the duty of administering said laws, and especially the Corporation Commission, umpires, proration committees and the use and activity of the State Militia, and when such hearings have been completed, to make a detailed report thereof to the Senate.

SECTION 3. That said committee is hereby ordered and directed to make, organize and proceed with said investigation promptly following its appointment, and to continue same until said investigation is completed.

Senator Dixon asked unanimous consent, to which Senator Stewart objected, to have the Stewart substitute submitted as an amendment to the original Senate Resolution No. 2.

Senator Stewart moved that substitute for Senate Resolution No. 2 be adopted.

Following discussion, Senator MacDonald moved the adoption of the previous question, which was the order.

The vote occurring on the Stewart motion, it was declared adopted.

Senate Resolution No. 2 was referred for engrossment.

The President announced the appointment of the Committee, under Senate Resolution No. 2, would be deferred for this legislative day.

Senator Johnston moved that, for each member of the Senate, three copies of Senate Resolution No. 2, as adopted, be ordered printed, which motion prevailed.

Senator Ballard asked unanimous consent, which was granted, to add the names of Senators Paul, Ritzhaupt, Clark, Johnston, Fischl and Dixon, as joint authors of SENATE BILL NO. 32, by Ballard.

#### COMMITTEE REPORT

Senator MacDonald asked unanimous consent, which was granted, to submit the following Committee Report, which was adopted, upon his motion:

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 28, by Nichols, Willis, Ray, Whitaker and Rizley, entitled:

An Act to provide for relief of the people who are



unable to work and have not the means of supporting themselves, by furnishing them free garden seed, food, clothing, and fuel; making an appropriation in the aggregate sum of six hundred thousand (\$600,000.00) dollars; providing for the method of distribution of the seed, food supplies, or cash to such persons in need: fixing criminal penalty for wrongful use of such seed and supplies; determining the method of distribution 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.

MacDONALD, Chairman.

Senator MacDonald moved that the rules of the Senate be suspended and Senate Bill No. 28 be ordered placed upon the calendar, under general order, for immediate consideration.

Senator MacDonald, as a substitute, moved that Senate Bill No. 28 be printed and placed upon the calendar, which motion prevailed.

### THIRD READING

Senator Chamberlin moved that the rules of the Senate be suspended and SENATE BILL NO. 47, by Morrison, Chamberlin, Sowards and Logan, be considered engrossed and placed upon third reading and final passage, which motion prevailed.

SENATE BILL NO. 47 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fidler, Fischl, Howard, Johnston, Lester, Liggett, Logan, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Reed, Rizley, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 31.

Nays: Garvin. Total, 1.

Not voting: Dixon, Hutchinson, Jennings, MacDonald, Ritzhaupt, Rutherford, Stewart. Total, 7.

Absent: Carmack. Total, 1.

Excused: Commons, Morrison, Ray, Willis. 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Reed, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 34.

Nays: Garvin. Total, 1.

Not Voting: Jennings, MacDonald, Ritzhaupt, Rutherford. Total, 4.

Absent: Carmack. Total, 1.

Excused: Commons, Morrison, Ray, Willis. 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.

Senate Bill No. 47 was referred for engrossment.

Senator Pugh asked unanimous consent, which was granted, to withdraw SENATE BILL NO. 51, by Pugh, from the Committee on State and County Affairs and refer it to the Committee on Fees and Salaries.

#### 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. 33—By SMALLEY and GLEN, entitled:

An Act repealing House Joint Resolution No. 53, Chapter 66, Article 19, Oklahoma Session Laws, 1931, relating to the office of delinquent personal tax collector in Pottawatomie County, 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,

R. M. McCOOL, Chief Clerk.

The presiding officer announced First Reading of Engrossed House Bill No. 33.

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

## SEVENTH LEGISLATIVE DAY

Wednesday, January 11, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Commons. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The President announced the appointment of the following Special Committee, under Senate Resolution No. 2, by Stewart: Senators Stewart, Dixon, Fidler, MacDonald, Logan, Rutherford and Rizley.

### COMMITTEE REPORTS

Senator Carlile submitted the following Committee Report, which was read:

Mr. President: We, your Committee on Public Printing, beg leave to report that we have had under consideration the Senate printing for the Fourteenth Legislative Session, and report that many of the bids filed are so incomplete that it is impossible for us to determine which bidder has submitted the lowest bid.

We, therefore, request that all parties desiring to bid on this work file new bids with the Secretary of the Senate by 10 o'clock Thursday morning, January 12,



1933. A copy of the specifications may be obtained at the office of the Secretary of the Senate.

CARLILE, Chairman.

Senator Thomas submitted the following Committee Report, which was read and, upon his motion, adopted:

Mr. President: We, your Committee on Employment, beg leave to submit the following supplemental recommendation and report:

A. E. BOWEN, Senate Reading Clerk, \$5.00 per day.

THOMAS, Chairman.

Senator Dixon asked unanimous consent of the Senate to permit the withdrawal of his name, as a member of the Committee appointed by the President, under SENATE RESOLUTION NO. 2, by Stewart.

Upon motion of Senator Nance, the request of Senator Dixon was granted.

The President announced he would defer the appointment of a Vice Chairman of the Committee until later.

President Pro Tempore Stewart 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 CONCURRENT RESOLUTION NO. 3—By ABERNETHY, TURNER and PAXTON (House), and CARMACK, NANCE and CHAMBERLIN (Senate), entitled:

A Resolution requesting Honorable Franklin D. Roosevelt, President-elect of the United States to appoint the Honorable John A. Simpson as Secretary of the Department of Agriculture;

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.

Yours very truly,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolution No. 3 was ordered printed and placed upon the calendar.

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. 28—By MARTIN, entitled:

An Act making appropriation to pay the mileage and per diem of the Senate and House of Representatives of the Fourteenth Legislature, salaries of officers and the employees and contingent expenses, 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,

R. M. McCOOL, Chief Clerk.

House Bill No. 28 was read at length for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

#### RESOLUTIONS AND NOTICES

The following Resolution was introduced:

SENATE CONCURRENT RESOLUTION NO. 9.

By NICHOLS, FIDLER and MacDONALD, of the Senate, and GRISSO and DUKE, of the House.—A Resolution urging upon the Honorable Elmer Thomas

and the Honorable Thomas P. Gore, United States Senators from Oklahoma, the necessity for immediate expansion of the currency.

Senator MacDonald moved that the rules of the Senate be suspended for the purpose of immediately considering Senate Concurrent Resolution No. 9, which motion prevailed.

Senate Concurrent Resolution No. 9 was read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 9—By NICHOLS, FIDLER and MacDonald, of the Senate, and GRISSO and DUKE, of the House.

A RESOLUTION URGING UPON THE HONORABLE ELMER THOMAS AND THE HONORABLE THOMAS P. GORE, UNITED STATES SENATORS FROM OKLAHOMA, THE NECESSITY FOR IMMEDIATE EXPANSION OF THE CURRENCY.

WHEREAS, The deplorable condition of the financial structure of the Nation calls for drastic action; and

WHEREAS, Currency is the life-blood of commerce and is now so cornered, depleted and withdrawn from circulation as to withdraw all the life-blood from the body of commerce:

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

That this Body do urge upon the Honorable Elmer Thomas and the Honorable Thomas P. Gore, United States Senators from the State of Oklahoma, the necessity for immediate expansion of the currency.

BE IT FURTHER RESOLVED: That copies of this Resolution be sent immediately by telegraph to both of the above-mentioned United States Senators from the State of Oklahoma.

Upon motion of Senator MacDonald, Senate Concurrent Resolution No. 9 was adopted.

Senate Concurrent Resolution No. 9 was referred for engrossment.

#### FIRST READING

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

SENATE BILL NO. 71—By STEWART.—An Act regulating procedure relating to the foreclosure of mortgages and other liens upon real estate, designating the time for filing answer in foreclosure suits, and for the hearing and determination of such actions, and declaring an emergency.

SENATE BILL NO. 72—By STEWART.—An Act amending Section 2, Chapter 282, Oklahoma Session Laws, 1929, relating to the homesteading of certain farm lands acquired by counties of Oklahoma at tax resales; providing the procedure therefor, and declaring an emergency.

SENATE BILL NO. 73—By RAY.—An Act authorizing the County Excise Board of a county, at the request of the Board of County Commissioners, to transfer and re-appropriate, in whole or in part, any unexpended portion of the county's share of the motor vehicle license tax and the county's share of the gasoline excise tax to one or more items of appropriation for the current expenses of the county, and declaring an emergency.

SENATE BILL NO. 74—By BALLARD and WILBANKS.—An Act repealing Sections 3672, 3673 and 11602, relating to the appointment of gasoline inspectors, their duty, fees, etc., of the Compiled Oklahoma Statutes of 1931, and all other Acts and parts of Acts in conflict herewith, and their purposes, and declaring an emergency.

SENATE BILL NO. 75—By FIDLER.—An Act



amending Section 5, Chapter 173 of the Session Laws of 1923, providing for actual notice to property owners by registered mail for a proposed improvement district in cities and towns, and declaring an emergency.

SENATE BILL NO. 76—By NICHOLS, NANCE and LESTER.—An Act regulating procedure relating to the foreclosure of mortgages and other liens upon real estate; designating the time for filing answer in foreclosure suits; and for the hearing and determination of such actions; and declaring an emergency.

SENATE BILL NO. 77—By APPROPRIATIONS COMMITTEE.—A Bill to be entitled an Act making appropriations from the public building fund for additional buildings at the State Hospital for Negro Insane at Taft, and for repairs and equipment of certain other institutions; and directing the State Board of Public Affairs to proceed immediately to let contract for such building and equipment where the institution comes under their jurisdiction; and declaring an emergency.

SENATE BILL NO. 78—By CHAMBERLIN, MEMMINGER, PUGH, MacDONALD and RIZLEY (Senate), and ABERNATHY (Harmon), (House).—An Act amending Sections 8 and 9 of Chapter 28 of Session Laws of 1925, authorizing building and loan associations of this State to borrow money; to become members of any corporation or agency established by the United States Government or by the State of Oklahoma; to buy and own shares of stock and or the bonds of and deposit money in and borrow money from such agencies; also to pledge their assets to secure the payment of any money so borrowed; and declaring an emergency.

SENATE BILL NO. 79—By CLARK (Senate), and BRAZELL (House).—An Act repealing Chapter 155 of the Session Laws of the State of Oklahoma,

1927, the same being paragraph 8023 of the Oklahoma Statutes of 1931, relating to the office of County Attorney of Grant County, Oklahoma, and declaring an emergency.

SENATE BILL NO. 80—By CARLILE, MacDONALD and PUGH (Senate), and HENDERSON, SPEAR and BUSHYHEAD (House).—An Act creating a landlord's lien for supplies and money furnished tenants and employees, providing for the enforcement of such lien, and declaring an emergency.

SENATE BILL NO. 81—By FISCHL.—An Act repealing Sections 3676, 3677, 3678, 3679, 3681, 3682, Oklahoma Statutes, 1931, being those sections of said Statute declaring gins to be public utilities and placing them under the jurisdiction of the Corporation Commission, 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. 64—By REED (Senate), and GRAY (House).—Referred to the Committee on Public Service Corporations.

SENATE BILL NO. 65—By LESTER, DIXON and NANCE.—Referred to the Committee on Roads and Highways.

SENATE BILL NO. 66—By BALLARD.—Referred to the Committee on Fees and Salaries.

SENATE BILL NO. 67—By BALLARD.—Referred to the Committee on Roads and Highways.

SENATE BILL NO. 68—By MORRISON (Senate), and BOYER and BEARD (House).—Referred to the Committee on Appropriations.

SENATE BILL NO. 69—By WALDREP.—Referred to the Committee on Revenue and Taxation.

SENATE BILL NO. 70—By BRIGGS.—Referred

to the Committee on Fish and Game.

SENATE JOINT RESOLUTION NO. 4—By NICHOLS.—Referred to the Committee on Constitution and Constitutional Amendments.

SENATE JOINT RESOLUTION NO. 5—By BALLARD.—Referred to the Committee on Roads and Highways.

ENGROSSED HOUSE BILL NO. 33—By SMALLEY and GLEN.—Referred to the Committee on Revenue and Taxation.

#### SPECIAL ORDER

SENATE CONCURRENT RESOLUTION NO. 4, by Dixon, being on Special Order, it was upon the request of Senator Ballard that consideration was deferred, until the author is present.

#### GENERAL ORDER

SENATE BILL NO. 28, by Nichols, Willis, Ray, Whitaker and Rizley, was taken up for consideration. Section 1 was read.

Senator Curnutt submitted the following amendment, which was tabled, upon motion of Senator Paul:

Mr. President: I move to amend Senate Bill No. 28, line 2, page 1, by inserting after the word, "old," and before the word, "and," the words, "of more than 50 years of age."

CURNUTT.

Upon motion of Senator MacDonald, Section 1 was adopted, as read.

Section 2 was read.

Senator Stacey submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 28, line 2, page 7, by adding after the word, "authority," the following, "provided, all money appropriated by this Act for any purpose, not expended by April 15, 1934, shall revert to the State Treasury."

STACEY.

Senator Ray moved to table the Stacey amendment, which motion, by unanimous consent, he withdrew.

Senator Ray moved that the Stacey amendment be tabled, which motion prevailed, upon a roll call, as follows:

Ayes: Carlile, Carmack, Chamberlin, Daugherty, Fischl, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Waldrep, Whitaker, Willis. Total, 21.

Nays: Ballard, Clark, Coppock, Curnutt, Garvin, Howard, Hutchinson, Jennings, Logan, Memminger, Moon, Powers, Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Wilbanks. Total, 18.

Not voting: Briggs, Dixon, Fidler, Rutherford. Total, 4.

Excused: Commons. Total, 1.

Senator Taylor submitted the following amendment, which was tabled, upon motion of Senator MacDonald:

Mr. President: I move to amend Senate Bill No. 28, line 11, page 4, by striking after the word, "supplies," the words, "or by direct cash payment."

TAYLOR.

Upon motion of Senator Paul, Section 2 was adopted.

Sections 3 and 4 were read and adopted, upon motions of Senator MacDonald.

Section 5 was read.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 28, line 10, page 8, by inserting after the word, "months," and before the word, "and," the words, "or by both such fine and imprisonment."

CURNUTT.



Senator Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 28, lines 6, 7 and 8, page 9, by striking after the word, "action," in line 6, and all of lines 7 and 8, and inserting the following: "or be punished by imprisonment not exceeding thirty days in the county jail."

JOHNSTON.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 28, line 10, page 8, by adding after the period, the words, "and any public official so diverting said funds shall forfeit his office and be removed from office as now provided by law."

CURNUTT.

Upon motion of Senator MacDonald, Section 5, as amended, was adopted.

Upon motion of Senator MacDonald, Senate Bill No. 28 was advanced to engrossment and third reading.

Senator MacDonald moved that the rules of the Senate be suspended and Senate Bill No. 28 be considered engrossed, placed upon third reading and final passage, which motion prevailed.

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: Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Daugherty, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Ballard, Coppock, Hutchinson, Moon, Stacey, Thomas. Total, 6.

Not voting: Dixon, Fidler, Howard, Powers, Rutherford. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Daugherty, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Ballard, Coppock, Moon, Stacey. Thomas, Total, 5.

Not voting: Dixon, Fidler, Howard, Powers, Rutherford. 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.

Senate Bill No. 28 was referred for engrossment.

Senator Stacey sent up the following explanation of his vote on Senate Bill No. 28:

Mr. President: The purpose of Senate Bill No. 28, through the manner provided for distribution of the funds, seems to be a bill to provide employment for faithful political henchmen. I cannot support such use of the money of the distressed taxpayers, even though camouflaged with the sacred name of charity.

STACEY

Senator Thomas sent up the following explanation of his vote:

Mr. President: I would vote for Senate Bill No. 28, if the clause relating to free seed were eliminated, but I consider this a waste and doing something for the people which they can do for themselves. The farmers have an abundance of seed and I do not feel that I represent retrenchment and economy for the taxpayers in voting for a bill that carries \$200,000.00 appropriation to be distributed for free seed.

THOMAS.

Senator Curnutt moved that the vote be reconsidered by which SENATE CONCURRENT RESOLUTION NO. 8, by Curnutt and Thomas, of the Senate, and Johnson, of the House, was adopted.

The President Pro Tempore ruled the Curnutt motion out of order, citing sub-division "b," of Senate Rule 10.

Senator Curnutt asked unanimous consent, to which objections were voiced, to reconsider the vote by which Senate Concurrent Resolution No. 8, by Curnutt and Thomas, of the Senate, and Johnson, of the House, was adopted.

Senator Curnutt served notice that he would, on some future legislative day, move to reconsider the vote by which Senate Concurrent Resolution No. 8 was adopted.

Senator Fidler requested that he be "excused," for the remainder of this legislative day, which was the order.

HOUSE CONCURRENT RESOLUTION NO. 1, by Graham and Roberts, was taken up for consideration and read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 1.—By GRAHAM and ROBERTS.

CONCURRENT RESOLUTION RATIFYING A  
PROPOSED AMENDMENT TO THE CON-

STITUTION OF THE UNITED STATES  
OF AMERICA.

WHEREAS, both Houses of the Seventy-second Congress of the United States, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States, in the following words, to-wit:

## “CONCURRENT RESOLUTION

“Proposing an amendment to the Constitution of the United States, fixing the commencement of the terms of President and Vice President, and Members of Congress and fixing the time of the assembling of Congress.

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of each House concurring therein, that the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of said Constitution when ratified by the Legislatures of the several states as provided in the Constitution.

## “ARTICLE —

“Section 1. The terms of the President and Vice-President shall end at noon on the 24th day of January, and the terms of Senators and Representatives at noon on the 4th day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

“Section 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 4th day of January, unless they shall by law appoint a different day.

“Section 3. If the President-elect dies, then the Vice President-Elect shall become President. If a President is not chosen before the time fixed for the



beginning of his term, or if the President-Elect fails to qualify, then the Vice President-Elect shall act as President until a President has qualified; and the Congress may by law provide for the case where neither a President-Elect nor a Vice President-Elect has qualified, declaring who shall then act as President or the manner in which a qualified person shall be selected, and such person shall act accordingly until a President or Vice President has qualified.

“Section 4. Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice devolves upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice devolves upon them.

“Section 5. Sections 1 and 2 shall take effect on the 30th day of November of the year following the year in which this article is ratified.”

**THEREFORE. BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF OKLAHOMA:**

**SECTION 1.** That the said proposed amendment to the Constitution of the United States of America be and the same is hereby ratified by the Legislature of Oklahoma.

**SECTION 2.** That certified copies of the preamble and concurrent resolution be forwarded by the Governor of this State to the Secretary of State at Washington, to the presiding officer of the United States Senate and to the Speaker of the House of Representatives of the United States.

Senator Nichols submitted the following as a substitute for House Concurrent Resolution No. 1, which, upon his motion, was adopted:

**HOUSE CONCURRENT RESOLUTION NO. 1—By GRAHAM and ROBERTS.**

**PROPOSING AN AMENDMENT TO THE CON-**

STITUTION OF THE UNITED STATES  
FIXING THE COMMENCEMENT OF THE  
TERMS OF PRESIDENT AND VICE-PRES-  
IDENT AND MEMBERS OF CONGRESS  
AND FIXING THE TIME OF THE ASSEM-  
BLING OF CONGRESS.

RESOLVED BY THE SENATE AND HOUSE  
OF REPRESENTATIVES OF THE UNITED  
STATES OF AMERICA IN CONGRESS ASSEM-  
BLED (two-thirds of each House concurring therein):

That the following amendment to the Constitution  
be, and hereby is, proposed to the States, to become  
valid as a part of said Constitution when ratified by  
the Legislatures of the several States, as provided in  
the Constitution:

“ARTICLE —.

“Section 1. The terms of the President and Vice-President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the year in which such terms would have ended if this Article had not been ratified; and the term of their successors shall then begin.

“Section 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

“Section 3. If, at the time fixed for the beginning of the term of the President, the President-elect shall have died, the Vice-President-elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President-elect shall have failed to qualify, then the Vice-President-elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President-elect nor a Vice-President-elect shall have quali-

fied, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice-President shall have qualified.

"Section 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice-President whenever the right of choice shall have devolved upon them.

"Section 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this Article.

"Section 6. This Article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within seven years from the date of its submission."

Senator Nichols asked unanimous consent, which was granted, to add his name as a joint author of House Concurrent Resolution No. 1.

Senator Nichols moved that House Concurrent Resolution No. 1, as amended, be adopted, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Not Voting: Liggett, Ray, Rutherford, Sowards, Thomas. Total, 5.

Excused: Commons, Fidler. Total, 2.

Senator Curnutt moved that, when the Senate ad-

journals today, it adjourn to meet at 10:00 a. m., tomorrow, which motion, by unanimous consent, he withdrew.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Resolutions Nos. 1 and 2, Senate Concurrent Resolution No. 9 and Senate Bill No. 47 correctly engrossed.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Resolutions Nos. 1 and 2 and ordered each referred for enrollment, and signed Engrossed Senate Concurrent Resolution No. 9 and Engrossed Senate Bill No. 47, both in open session, and ordered each transmitted to the Honorable House for consideration.

#### SPECIAL ORDER

Upon the request of Senator Dixon, consideration of SENATE CONCURRENT RESOLUTION NO. 4, by Dixon, was deferred until 2:00 p. m., on the next legislative day.

President Burns presiding.

The President announced the appointment of the following members of the Senate, under the Joint Committee report, submitted January 6th, 1933, concerning the Century of Progress Exposition, to be held in Chicago: Senators Morrison, Carmack and Fischl.

#### COMMITTEE REPORT

Senator Thomas asked unanimous consent, which was granted, to submit the following Committee Report, which, upon his motion, was adopted:

We, your Committee on Employment, submit the following correction:

Senate Journal, Wednesday, January 4, 1933.  
The messenger's name is G. F. Paxton instead of Bertie M. McDaniel.

THOMAS, Chairman.



MESSAGE

The following Message from the Governor was received and read:

To the Honorable, the Senate of the

Fourteenth Legislature of the State of Oklahoma:

I herewith submit to you the following Reports of the State Departments and Institutions:

SECRETARY OF STATE

Report, Fiscal Year, June 30, 1931.

Report, Fiscal Year, June 30, 1932.

ATTORNEY GENERAL

Fiscal Year Report, June 30, 1931.

STATE TREASURER

Report, January 11, 1931 to June 30, 1931.

SUPERINTENDENT OF PUBLIC INSTRUCTION

Report, June 30, 1931 to June 30, 1931.

COMMISSIONER OF LABOR

Fiscal Year ending June 30, 1932.

COMMISSIONERS OF CHARITIES AND

CORRECTIONS

Fiscal Year Report ending June 30, 1931.

Fiscal Year Report ending June 30, 1932.

STATE BOARD OF AGRICULTURE

Report, January 12, 1931 to June 30, 1931.

Report, Annual Report Fiscal Year ending June 30, 1932.

REVIEW AND REVISION OF CONSTITUTIONAL  
FUND

Report, November 1, 1932.

INSURANCE COMMISSIONER

Report, December 1, 1930, to October 31, 1931.

Financial Report, June 30, 1931 to June 30, 1932.

CLERK OF SUPREME COURT

Report, Fiscal Year ending June 30, 1931.

STATE INSURANCE BOARD

Report, January 1, 1911 to October 31, 1931.

## STATE INDUSTRIAL COMMISSION

Report, January 1, 1931 to January 1, 1932.

## ADJUTANT GENERAL

Report, Fiscal Year, ending June 30, 1931.

Report, Fiscal Year, ending June 30, 1932.

## DEPARTMENTS OF HIGHWAYS

## STATE GAME &amp; FISH DEPARTMENT

## STATE ELECTION BOARD

Report, July 1, 1931 to June 30, 1932.

Report, Expenses, July 1, 1930 to June 1, 1931.

## STATE BOARD OF EDUCATION

Report, July 1, 1930 to June 30, 1931.

July 1, 1931 to June 30, 1932.

## BUREAU OF VOCATIONAL EDUCATION

Report, July 1, 1930 to June 30, 1931.

## OKLAHOMA SECURITIES COMMISSION

## OKLAHOMA LIBRARY COMMISSION

Report, July 1, 1930 to June 30, 1931.

Report, July 1, 1931 to July 1, 1932.

## SOLDIERS' RELIEF COMMISSION

Report, July 1, 1931 to March 10, 1932.

Report, Fiscal Year ending June 30, 1932.

## STATE COMMISSION OF PUBLIC HEALTH

Biennial Report, Fiscal Year, July 1, 1930 to June 30, 1931, and July 1, 1931 to June 30, 1932, and July 1, 1932 to November 30, 1932.

## COMMISSIONERS OF PENSIONS

Report, January 1, 1931 to November 30, 1932.

## OKLAHOMA HISTORICAL SOCIETY

Fiscal Year Report ending June 30, 1932.

## STATE BANK COMMISSIONER

Report, July 1, 1931 to July 1, 1932.

## STATE FIRE MARSHAL

Report, June 30, 1911 to June 8, 1932.

## STATE MINING BOARD

## STATE LIBRARY

Report, July 1, 1930 to June 30, 1931.

Report, July 1, 1931 to June 30, 1932.

Financial Report, July 1931-1932.

BUILDING & LOAN

STATE BAR OF OKLAHOMA

COMMISSION OF ADULT BLIND

OKLAHOMA FOREST COMMISSION

CONSERVATION COMMISSION

STATE BOARD OF MEDICAL EXAMINERS

BIENNIAL REPORT

BOARD OF BARBER EXAMINERS

BOARD OF CHIROPRACTIC EXAMINERS

STATE BOARD OF PHARMACY

BOARD OF OPTOMETRY

(1 Report)

PETROLEUM EXPERIMENT STATION

U. S. BUREAU OF MINES

Report, July 1, 1919 to June 30, 1931.

Report, June 1, 1932 to June 30, 1932.

Financial Report of 1932.

OKLAHOMA CONFEDERATE HOME

(Ardmore)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932

UNION SOLDIERS' HOME

(Oklahoma City)

Report, January 1, 1931 to June 30, 1931.

EASTERN OKLAHOMA COLLEGE

(Wilburton)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

Report, June 30, 1931 to June 30, 1932.

NORTHEASTERN OKLAHOMA JUNIOR COLLEGE

(Miami)

Report, July 1, 1931 to December 31, 1931.

## OKLAHOMA MILITARY COLLEGE

(Claremore)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

## UNIVERSITY PREPARATORY SCHOOL &amp; JR.

COLLEGE

(Tonkawa)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

Report, Financial Statement ending June 30, 1932.

## AGRICULTURAL &amp; NORMAL UNIVERSITY

(Colored)

(Langston)

Report, August 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

Annual Report, January 1, 1931 to July 1, 1931.

## UNIVERSITY OF OKLAHOMA

(Norman)

Report, Financial, 1931-32.

## Oklahoma Geological Survey:

Report, January 1, 1931 to June 30, 1931.

## Infirmary Sinking Fund:

Report, January 1, 1931 to June 30, 1931.

Report, January 1, 1932 to June 30, 1932.

## Dormitory Sinking Fund:

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to July 1, 1932.

## OKLAHOMA COLLEGE FOR WOMEN

(Chickasha)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Yearly Report ending 1930-32.

## SOUTHEASTERN STATE TEACHERS' COLLEGE

(Durant)

Report, January 1, 1931 to June 30, 1931.



Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

Report, Financial, ending June 30, 1932.

EAST CENTRAL STATE TEACHERS' COLLEGE

(Ada)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

Report, Fiscal Year ending June 30, 1932.

CENTRAL STATE TEACHERS' COLLEGE

(Edmond)

Report, January 1, 1931 to May 23, 1931.

Report, May 24, 1931 to July 31, 1931.

Report, January 1, 1932 to June 30, 1932.

Report, Fiscal Year, 1931-32.

SOUTHWESTERN STATE TEACHERS' COLLEGE

(Weatherford)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to April 1, 1932.

Report: "No dates."

NORTHWESTERN STATE TEACHERS' COLLEGE

(Alva)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

Financial Report, June 30, 1932.

Financial Report, July 1, 1931 to June 30, 1932.

NORTHEASTERN STATE TEACHERS' COLLEGE

(Tahlequah)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

OKLAHOMA SCHOOL FOR THE BLIND

(Muskogee)

Report, July 1, 1931 to December 31, 1931.

Report ending June 30, 1932.

January 1, 1931 to June 30, 1931.

January 1, 1932 to June 30, 1932.

July 1, 1932 to December 31, 1932.

**SCHOOL FOR DEAF**

(Sulphur)

Report, January 1, 1931 to June 30, 1931

Report, July 1, 1931 to December 31, 1931.

January 1, 1932 to June 30, 1932.

**A. & M. COLLEGE**

(Stillwater)

**Dormitory Sinking Fund:**

Report, January 1, 1931 to June 30, 1931.

Report, January 1, 1932 to June 30, 1932.

Financial Report, 1931-32.

**Livestock:**

Report, July 1, 1931 to June 30, 1932.

Fiscal Year Report, 1931-32.

**CONNERS STATE AGRICULTURAL SCHOOL**

(Warner)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

Financial Report, July 1, 1931 to June 30, 1932.

**MURRAY STATE SCHOOL OF AGRICULTURE**

(Tishomingo)

Report, July 1, 1931 to December 31, 1931.

Fiscal year ending June 30, 1932.

**CAMERON STATE SCHOOL OF AGRICULTURE**

(Lawton)

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

**PANHANDLE AGRICULTURAL COLLEGE**

(Goodwell)

Report, January 1, 1931 to June 30, 1931.

Report, January 1, 1932 to June 30, 1932.

WHITAKER STATE HOME FOR WHITE  
CHILDREN

(Pryor)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

WEST OKLAHOMA STATE HOME FOR  
WHITE CHILDREN

(Helena)

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

Report, July 1, 1930 to June 30, 1931.

INSTITUTE FOR FEEBLE MINDED

(Enid)

Report, July 1, 1929 to January 31, 1931.

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Fiscal year July 1, 1931 to July 1, 1932.

DEAF, BLIND & ORPHANS' HOME FOR COLORED  
CHILDREN

(Taft)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Annual Report, 1931-32.

Semi-Annual Report, January 1, 1932 to June  
30, 1932.

STATE TRAINING SCHOOL FOR NEGRO GIRLS  
(Taft)

STATE INDUSTRIAL SCHOOL FOR GIRLS  
(Tecumseh)

Report, July 1, 1930 to April 30, 1931.

Report, May 1, 1931 to June 30, 1931.

Report, January 1, 1931 to June 30, 1932.

Annual Report, November 1, 1931 to November 1,  
1932.

Annual Report ending June 30, 1932.

## STATE TRAINING SCHOOL FOR NEGRO BOYS

(Boley)

Report, January 1, 1931 to June 30, 1931.

Report, January 1, 1932 to June 30, 1932.

## WESTERN TUBERCULAR SANITARIUM

(Clinton)

Report, July 1, 1929 to January 31, 1931.

Report, February 1, 1931 to June 30, 1931.

Cash Report, May 1, 1931 to June 30, 1932.

EASTERN OKLAHOMA TUBERCULAR  
SANITARIUM

(Talihina)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1932.

Report, January 1, 1932 to June 30, 1932.

OKLAHOMA SOLDIERS' TUBERCULAR  
SANITARIUM

(Sulphur)

Fiscal year ending June 30, 1932, Report of Appropriations.

January 1, 1931 to June 30, 1931.

July 1, 1931 to March 10, 1932.

March 10, 1931 to June 30, 1932.

OKLAHOMA STATE UNIVERSITY MEDICAL  
SCHOOLUNIVERSITY HOSPITAL AND CRIPPLED  
CHILDREN'S HOSPITAL

(Oklahoma City)

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

Annual Report of 1932.

CENTRAL OKLAHOMA STATE HOSPITAL  
(Norman)

January 1, 1931 to June 30, 1931.

Annual Report ending June 30, 1932.



**EASTERN OKLAHOMA HOSPITAL**  
(Vinita)

Report, January 1, 1931 to June 30, 1931.

Financial Report, July 1, 1931 to June 30, 1932.

**WESTERN OKLAHOMA HOSPITAL**  
(Supply)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to May 31, 1932.

Report, June 1, 1932 to June 30, 1932.

Annual report Fiscal year ending June 30, 1932.

**STATE REFORMATORY**  
(Granite)

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

**STATE PENITENTIARY**  
(McAlester)

Report, January 1, 1931 to March 31, 1931.

Report, April 1, 1931 to June 30, 1931.

Report, July 1, 1931 to December 31, 1931.

Report, January 1, 1932 to June 30, 1932.

Fiscal Report ending June 30, 1932.

Money received and money paid out,

**STATE TRAINING SCHOOL FOR WHITE BOYS**

Report, January 1, 1931 to June 30, 1931.

Report, July 1, 1931 to September 30, 1931.

Report, November 1, 1931 to November 1, 1932.

Report, January 1, 1932, to March 31, 1932.

Report, April 1, 1931 to June 30, 1932.

Report, July 1, 1932 to October 31, 1932.

**STATE EMERGENCY RELIEF**

Report, March 1, 1931 to July 15, 1931.

Financial Report years 1931 and 1932.

**CUSTODIAN OF BUILDING**

Report for 1931 and 1932.

**OKLAHOMA TAX COMMISSION**

Report from creation of Oklahoma Tax Commis-

sion on January 19, 1931 to June 30, 1931; and for the Fiscal year, ending June 30, 1932.

STATE EXAMINER & INSPECTOR

Report year ending June 30, 1932.

Dated, at Oklahoma City, Oklahoma, on this the 5th day of January, A. D. 1932.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. Murray.

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

## EIGHTH LEGISLATIVE DAY

Thursday, January 12, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Excused: Carlile, Commons, Powers. Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The President announced the re-appointment of Senator Dixon, as Vice-Chairman of the Special Committee, appointed under SENATE RESOLUTION NO. 2, by Stewart.

### 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 Municipal Corporations, to whom was referred Senate Bill No. 25, by Stacey, entitled:

An Act amending Sections 5 and 25 of Chapter 173, Oklahoma Session Laws of 1923, relating to the adoption of the resolution of necessity for paving by the governing body of any city or town, and relating to the payment of assessments levied for such paving, 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.

NANCE, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 45, by Taylor, entitled:

An Act repealing Sections 4659 to 4672 inclusive, Oklahoma Statutes, 1931, relating to the State Board of Optometry, 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.

WHITAKER, Chairman.

Upon motion of Senator Whitaker, the adverse Committee Report on Senate Bill No. 45 was adopted.

Mr. President: We, your committee on Municipal Corporations, to whom was referred Senate Bill No. 48, by Paul, entitled:

An Act amending Section 28, Chapter 173 of the Oklahoma Session Laws, 1923, relating to the collection of paving assessments of cities and towns, 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.

NANCE, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Concurrent Resolution No. 1 and Senate Bill No. 28 correctly engrossed.

LIGGETT, Chairman.

Engrossed House Concurrent Resolution No. 1 was ordered re-referred to the Committee on Engrossed and Enrolled Bills for correction.



The President, in open session, signed Engrossed Senate Bill No. 28 and ordered it transmitted to the Honorable House, for consideration.

Senator Fidler asked unanimous consent, which was granted, to have the record show, had he been present at the time of final passage of Senate Bill No. 28, he would have voted "Aye."

**FIRST READING**

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

**SENATE BILL NO. 82—By JOHNSTON.**—An Act providing pensions for aged persons; constituting commissions for the administration of due benefits thereof; establishing procedure; defining violations thereof and prescribing penalties.

By unanimous consent, the following named were added as joint authors of Senate Bill No. 82: Senators Nance, Logan, Daugherty and Taylor.

**SENATE BILL NO. 83—By JOHNSTON.**—An Act providing for the repeal of all laws pertaining to the holding of county court outside of the county seat of each county and especially repealing Sections 3981 to 4130, inclusive, of the Oklahoma Statutes of 1931.

**SENATE BILL NO. 84—By JOHNSTON.**—An Act constituting and defining exemptions to heads of families.

**SENATE BILL NO. 85—By JOHNSTON (Senate) and CAVITT (House).**—A Bill providing for assumption by the State of Oklahoma, of obligations incurred in holding special elections to fill vacancy caused by death of a member of the House of Representatives of the Fourteenth Legislature of the State of Oklahoma, and declaring an emergency.

**SENATE BILL NO. 86—By BRIGGS and RIZLEY.**—An Act authorizing and empowering governing bodies of counties, cities, towns and school districts

to contract for the employment of attorneys for special purposes, and making provision for the payment for services rendered, repealing all Acts or parts of Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 87—By RUTHERFORD (Senate), and KIRKPATRICK and ELLIS (House).—An Act abolishing the office or employment of Tag Agents; providing that motor vehicle license tags shall be issued and sold in the various counties of the State by the County Treasurer, his regular salaried deputies and special deputies appointed under provisions of this Act; fixing the fees for the services thereof, including acknowledgment of applications at ten cents for each license issued; providing for the payment of all motor vehicle license fees collected by the County Treasurer to the Oklahoma Tax Commission, and declaring an emergency.

SENATE BILL NO. 88—By BALLARD.—An Act relating to public livestock yards; the marketing of livestock thereon, and all business, operations, and employments carried on by persons dealing on said markets, including the issuance of permits to transact business and carry on operations on the said livestock yards, providing for the regulation thereof, and fixing of reasonable charges for such services to the public, providing penalties for the enforcement of this Act; repealing all Acts or parts of Acts in conflict herewith, and other purposes, and declaring an emergency.

SENATE BILL NO. 89—By COPPOCK and FISCHL (Senate), and STEWART and MASSEY (House).—An Act amending Section 2, Chapter 45, Session Laws of Oklahoma of 1925, and amending Section 2, Chapter 27, Session Laws of Oklahoma of 1929, relating to Fish and Game Commission, fixing salaries of Commissioners and providing for no salaries for Commissioners, and declaring an emergency.

SENATE BILL NO. 90—By FISCHL and RAY.

—An Act amending Sections 10072, 10073 and 10074, Oklahoma Statutes, 1931, relating to the State Highway Commission; its membership, tenure and salaries; and declaring an emergency.

SENATE BILL NO. 91—By FISCHL.—An Act creating a Department of Government of the State of Oklahoma to be known as “The Department of Higher Education of the State of Oklahoma;” placing under said department the management and control of all State schools; providing the number, qualifications and manner of appointment, tenure and removal of members of said department; prescribing the duties and powers of the members of said department; providing for the levying of a tuition fee; repealing all laws in conflict and declaring an emergency.

SENATE BILL NO. 92—By HUTCHINSON, RIZLEY, PAUL, JENNINGS, BALLARD and WILBANKS (Senate), and WRIGHT, WILMOT and WILLIAMS (House).—An Act amending Sections 10268, 10269, and 10288, Oklahoma Statutes, 1931, relating to motor vehicle registration, and providing that County Treasurers shall register all motor vehicles in their respective counties, providing for distribution of all funds collected, and repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 93—By JENNINGS.—An Act repealing Section 3769, Oklahoma Statutes, 1931, same being Section 3030, Compiled Oklahoma Statutes, 1921, prohibiting a Justice of the Supreme Court, during the term for which he may be elected or appointed from becoming a candidate for office other than for a judicial position.

SENATE JOINT RESOLUTION NO. 6—By MOON and NICHOLS.—A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma relating to the incurring of indebtedness by counties, municipalities,

townships and school districts, and amending Section 26 of Article 10 of the Constitution of the State of Oklahoma.

SENATE JOINT RESOLUTION NO. 7—By RIZLEY.—Extending time of payment of all indebtedness due and owing on certificates of purchase heretofore issued by the Commissioners of the Land Office of the State of Oklahoma, cancelling all penalties, and declaring an emergency.

#### 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 return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 9—By NICHOLS, FIDLER and MacDonald (Senate), and GRISSO and DUKE (House), entitled:

A Resolution urging upon the Honorable Elmer Thomas and the Honorable Thomas P. Gore, United States Senators from Oklahoma, the necessity for immediate expansion of the currency; 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,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 9 was ordered referred for enrollment.

A Message from the Governor, directed to the Senate Appropriations Committee, was received and, upon motion of Senator MacDonald, was read, as follows:



To the Chairman and Committee on Appropriations of the Senate and House of Representatives:

I hope you gentlemen will not consider any special appropriation bills until I can collect them and get the evidence of the justice of the claims and send them to your respective Houses.

There are a number of claims that should be paid. In a few days, I hope to have them ready, and forward them to you for your consideration.

Respectfully submitted, this January 12, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. Murray.

The Governor's message was ordered referred to the Committee on appropriations.

#### SECOND READING

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

SENATE BILL NO. 71—By STEWART.— Referred to Judiciary Committee No. 1.

SENATE BILL NO. 72—By STEWART.— Referred to the Committee on Retrenchment and Reform.

SENATE BILL NO. 73—By RAY.—Referred to the Committee on Revenue and Taxation.

SENATE BILL NO. 74—By BALLARD and WILBANKS.—Referred to the Committee on Fees and Salaries.

SENATE BILL NO. 75—By FIDLER.— Referred to the Committee on Municipal Corporations.

SENATE BILL NO. 76—By NICHOLS, NANCE and LESTER.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 77—By APPROPRIATIONS COMMITTEE.—Referred to the Committee on Appropriations.

SENATE BILL NO. 78—By CHAMBERLIN, MEMMINGER, PUGH, MacDONALD and RIZLEY (Senate), and ABERNATHY (Harmon) (House).—

Referred to the Committee on Banks and Banking.

SENATE BILL NO. 79—By CLARK (Senate), and BRAZELL (House).—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 80—By CARLILE, MacDONALD and PUGH (Senate), and HENDERSON, SPEAR and BUSHYHEAD (House).—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 81—By FISCHL.—Referred to the Committee on Commerce and Labor.

President Pro Tempore Stewart presiding.

#### SPECIAL ORDER

SENATE CONCURRENT RESOLUTION NO. 4, by Dixon, being a Special Order for 2:00 o'clock, p. m., was taken up for consideration, and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 4—By DIXON.

A RESOLUTION AUTHORIZING THE APPOINTMENT OF A JOINT COMMITTEE OF FIVE MEMBERS OF THE SENATE AND FIVE MEMBERS OF THE HOUSE OF REPRESENTATIVES TO INVESTIGATE THE ACTIVITY AND WORK OF THE STATE HIGHWAY COMMISSION OF THE STATE OF OKLAHOMA FOR THE PAST TWO YEARS; AUTHORIZING THE PRESIDENT OF THE SENATE TO APPOINT SAID SENATE COMMITTEE AND THE SPEAKER OF THE HOUSE TO APPOINT SAID HOUSE COMMITTEE; EMPOWERING SAID JOINT COMMITTEE TO PERFORM ITS DUTIES; PROVIDING FOR THE PAYMENT OF THE EXPENSE OF SUCH INVESTIGATION, AND DECLARING AN EMERGENCY.

WHEREAS, it having been determined that activ-

ity and work of the State Highway Department of the State of Oklahoma for the past two years should be thoroughly investigated and report of such investigation made to the Legislature of the State of Oklahoma; and

WHEREAS, it appearing said investigation should be conducted by a committee from both the Senate and the House of Representatives of the Fourteenth Legislature, and that the said joint committee be authorized, empowered and directed to do any and all things necessary to make thorough investigation of said Department, to subpoena and swear witnesses and have testimony reduced to writing, and make written reports of the findings of said committee to the Legislature;

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

SECTION 1. The Presiding Officer of the Senate is hereby authorized and directed to appoint forthwith a committee of five members of the Senate, and the Speaker of the House is authorized and directed to appoint forthwith a committee of five members of the House, which body shall immediately convene and sit as a joint committee for the purpose of making immediately full and complete investigation of the activity and work of the State Highway Department, and the State Highway Commission, covering the existence of said Commission and said Department for the past two years.

SECTION 2. Said joint committee shall organize by selecting a Chairman and Vice Chairman, and a majority thereof shall constitute a quorum for the transaction of any and all business coming before it. Provided, that all investigations conducted by said

joint committee shall be before an open session of said committee.

SECTION 3. Said joint committee, hereby authorized, shall forthwith proceed to investigate and examine into the records, activity and work of the State Highway Commission for the past two years and to that end is empowered to issue all process known to courts of record to produce evidence and bring before the committee such witnesses and such records as may be desired, or necessary, for a full and complete investigation of the activities of such Highway Commission and Highway Department. Such process shall be issued under the hand of Chairman or Vice Chairman of the 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, and in his absence, the vice chairman, is hereby authorized and empowered to administer oaths, to-wit: (Sic.)

SECTION 4. Such joint committee is hereby authorized to have all testimonies taken and transcribed by competent court reporters.

SECTION 5. In the 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 questions propounded to him, the chairman of the committee herein provided, or in his absence, the vice chairman, shall immediately report such action, together with any of the witnesses and the nature of his refusal to the Senate and to the House of Representatives, in open session, so that such witness shall be dealt with as may be deemed just and proper.

SECTION 6. When investigation shall have been completed or from time to time, as it so desires, the committee shall make full report of its action and findings to the Senate and to the House of Represen-



tatives, together with recommendations, if any, which said committee may desire to make as to charges, if any, affecting any person connected with the State Highway Department by such findings, together with a summary of the evidence upon which such findings are based.

SECTION 7. Said joint committee is hereby authorized and directed to employ all necessary clerical, stenographic and other help to carry out the purposes of this Resolution and to pay just and reasonable salaries and per diem (sic) for such services and to purchase necessary supplies needed in performance of this Resolution and such salaries, per diem and expenses shall be equally divided and paid out of the regular appropriations heretofore made for the purpose of paying the expenses of the Senate and of the House of Representatives for the Fourteenth Session of the Legislature. Provided, however, that for the purpose of service of all process the Sergeant-at-Arms of the Senate and the Sergeant-at-Arms of the House are hereby designated as service officers to serve without additional compensation.

SECTION 8. 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 Dixon asked unanimous consent, which was granted, to submit the following as a substitute for Senate Concurrent Resolution No. 4:

SENATE RESOLUTION NO. 3—By DIXON.

A RESOLUTION AUTHORIZING AND DIRECTING THE PRESIDENT OF THE SENATE TO APPOINT A COMMITTEE TO INVESTIGATE THE ACTIVITY AND WORK OF THE STATE HIGHWAY COMMISSION OF THE STATE OF OKLAHOMA FOR THE

PAST TWO YEARS; AUTHORIZING THE PRESIDENT OF THE SENATE TO APPOINT SAID COMMITTEE, EMPOWERING SAID COMMITTEE TO PERFORM ITS DUTY, PROVIDING FOR THE PAYMENT OF THE EXPENSE OF SUCH INVESTIGATION AND REQUIRING SAID COMMITTEE TO REPORT ITS FINDINGS TO THE SENATE OF THE STATE OF OKLAHOMA FOR ACTION THEREON.

WHEREAS, it appears from various rumors that the State Highway Department has in the past spent millions of dollars building roads in certain localities with a specific view of electing or defeating certain candidates for office; and

WHEREAS, further attention has been called to the fact that certain State Highway Division Headquarters have been built at Clinton, Ada, and Perry, Oklahoma, and other points in this State without a lawful appropriation or need therefor; and

WHEREAS, it further appears and has come to be common and public talk that before employees are permitted to work for the said Highway Department that they are forced directly, or indirectly, to make contribution to certain campaign funds and said Highway employees have further been assigned for long periods to campaign in their respective districts of the State of Oklahoma, are drawing a salary from the State of Oklahoma; and

WHEREAS, attention has also been called to the fact that thousands of dollars have been spent by the said Highway Department building useless roads that paralleled already existing and established highways,

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

SECTION 1. The president of the Senate is hereby authorized and directed to appoint a special investi-

gating committee, consisting of seven (7) members of the Senate, with power and authority vested in said committee to conduct hearings and to issue all necessary processes to compel the attendance of witnesses and produce all books and records before said committee for its examination and consideration and said committee is specifically authorized and empowered to administer oaths to witnesses and to employ such stenographic, clerical and other help as may be deemed necessary to carry out the provisions of this resolution.

SECTION 2. Said committee is hereby directed to make a thorough and complete investigation of all matters pertaining to the charges of the irregularities and transactions involved, as above outlined, by the said Highway Department and when such hearings have been completed to make a detailed report thereof to the Senate.

SECTION 3. The said committee may, upon direction of the Senate, proceed and hear evidence pertaining to other matters connected with the administration of the highway laws of the State of Oklahoma, and the said Highway Department and the said committee is hereby ordered and directed to make, organize and proceed with said investigation immediately following its appointment and to continue from day to day until said investigation is completed.

Upon motion of Senator Dixon, consideration of Senate Resolution No. 3 was made a Special Order for 2:00 o'clock, p. m., on the next legislative day.

#### GENERAL ORDER

HOUSE CONCURRENT RESOLUTION NO. 3, by Abernethy, Turner and Paxton, of the House, and Carmack, Nance and Chamberlin, of the Senate, was taken up for consideration and read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 3—By ABERNETHY, TURNER and

PAXTON of the House and CARMACK, NANCE, and CHAMBERLIN of the Senate.

A RESOLUTION REQUESTING HONORABLE FRANKLIN D. ROOSEVELT, PRESIDENT-ELECT OF THE UNITED STATES, TO APPOINT THE HONORABLE JOHN A. SIMPSON AS SECRETARY OF THE DEPARTMENT OF AGRICULTURE.

WHEREAS, the Honorable John A. Simpson, National President of the Farmers Union of the United States, has long been interested in the promotion of the interests of the farmers of the United States and has rendered beneficial service to those interested in agriculture, and has been honored by those interested therein by being elected as President of the National Association; and

WHEREAS, prior to his election as President of the National Association, he served for many years as the President of the State Organization, and rendered aid and advice to those engaged in agriculture; and

WHEREAS, the said John A. Simpson is well acquainted with the burdens of the farmers of the United States, and is well equipped by experience and qualifications to render excellent service as Secretary of the Department of Agriculture of the United States;

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

That Honorable Franklin D. Roosevelt, President-elect of the United States be, and he is, hereby requested to appoint the Honorable John A. Simpson to the office of Secretary of the Department of Agriculture of the United States; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the President-



elect and to each member of the Oklahoma delegation in Congress.

Upon motion of Senator Chamberlin, House Concurrent Resolution No. 3 was adopted, as read.

The President Pro Tempore, in open session, signed Engrossed House Concurrent Resolution No. 3 and ordered it returned to the Honorable House.

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

## NINTH LEGISLATIVE DAY

Friday, January 13, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Excused: Commons, Powers. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Rizley introduced Burton Howell, of near Guymon, Oklahoma, President of the National Future Farmers of the United States, who addressed the Senate, and who, upon motion of Senator Nance, was extended a vote of congratulations.

### COMMITTEE REPORTS

The following Committee Report was submitted, the bill ordered printed and placed upon the calendar, unless otherwise indicated:

Mr. President: We, your Judiciary Committee, Division No. 1, to whom was referred Senate Bill No. 79, by Clark (Senate), and Brazell (House), entitled:

An Act repealing Chapter 155 of the Session Laws of the State of Oklahoma, 1927, the same being paragraph 8023 of the Oklahoma Statutes of 1931, relating to the office of County Attorney of Grant County, Oklahoma, and declaring an emergency;

beg leave to report that we had the same under con-

sideration and herewith return the same with the recommendation that it do pass.

CURNUTT, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills beg leave to report House Concurrent Resolution No. 1 correctly engrossed; Senate Resolutions Nos. 1 and 2 and Senate Concurrent Resolution No. 9 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendment to and Engrossed House Concurrent Resolution No. 1, as amended, and ordered it returned to the Honorable House; signed in open session Enrolled Senate Resolutions Nos. 1 and 2 and ordered each transmitted to the Secretary of State; signed in open session Enrolled Senate Concurrent Resolution No. 9 and ordered it transmitted to the Honorable House, for consideration.

Senator Carlile submitted the following Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Public Printing, beg leave to report that we have had under consideration the Senate printing for the Fourteenth Legislative Session and that we have awarded the printing of the daily bills, resolutions, calendars, journals tabular and leader work, additional; eight point composition, additional; extra copies and the permanent journal, to the Harlow Publishing Company of Oklahoma City, Oklahoma, the bid of said company being the lowest and best bid.

The prices to be paid said Harlow Publishing Company are as follows:

200 copies bills and resolutions, each day, per  
printed page -----\$ .50

200 copies calendars, each day, per printed page -----	.50
200 copies journals, each day, per printed page -----	.80
Tabular and leader work, additional, per printed page -----	.30
Pages containing 8-point composition, additional, per printed page -----	.40
Extra copies of any of the above (100 basis), per printed page -----	.10
Permanent Journal, 100 copies to be bound in half leather and 150 copies in paper, per printed page -----	.90
All type and stock to be approved by Committee.	

CARLILE, Chairman.

Senator Ray served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which the report of the Committee on Printing was declared adopted.

#### MESSAGES

The following Message from the Governor was received and read:

To the Honorable, The Senate and House of Representatives of the State of Oklahoma:  
Gentlemen: I have this day signed:

ENROLLED HOUSE BILL NO. 28, by MARTIN, entitled:

An Act making appropriation to pay the mileage and per diem of the Senate and House of Representatives of the Fourteenth Legislature, salaries of officers and the employees and contingent expenses, and declaring an emergency;

and said bill has been filed with the Secretary of State on this, the 12th day of January, A. D. 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. Murray.

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. 20, by MARTIN, entitled:

An Act making appropriations from the General Revenue Fund of the State of Oklahoma for all State educational, eleemosynary and penal institutions, and from the Revolving Funds of certain institutions; providing for the appropriation and distribution of the New College Funds in accordance with Section 5626, Oklahoma Statutes, 1931, to the institutions entitled to the same, and providing for the appropriation and distribution of Section 13 Funds as provided in Section 5464, Oklahoma Statutes, 1931, to the institutions entitled to the same and appropriating the Public Building Fund to certain institutions herein specified; 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,

R. M. McCOOL, Chief Clerk.

The presiding officer announced First Reading of Engrossed House Bill No. 20.

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. 2—By WRIGHT, WILMOT, O'NEAL, ALLEN and ULMARK (House), and RIZLEY, POWERS, CLARK, HUTCHINSON, COPPOCK, BALLARD, BRIGGS, CARLILE, CARMACK, CHAMBERLIN, COMMONS, CURNUTT, DAUGHERTY, DIXON, FIDLER, FISCHL, GARVIN, HOWARD, JENNINGS,

JOHNSTON, LESTER, LIGGETT, LOGAN, MacDONALD, MEMMINGER, MOON, MORRISON, NANCE, NICHOLS, PAUL, PUGH, RAY, REED, RITZHAUPT, RUTHERFORD, SOWARDS, STACEY, STEWART, TAYLOR, THOMAS, WALDREP, WHITAKER, WILBANKS and WILLIS (Senate), entitled:

A Resolution to express the regrets of the people of Oklahoma and the Fourteenth Legislature of the State of Oklahoma at the death of Calvin Coolidge, formerly a President of the United States; and to convey to Mrs. Calvin Coolidge the sympathies of the Legislature of the State of Oklahoma;

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,

R. M. McCOOL, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolution No. 2 and ordered it 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 CONCURRENT RESOLUTION NO. 3—By ABERNATHY, TURNER and PAXTON (House), and CARMACK, NANCE and CHAMBERLIN (Senate), entitled:

A Resolution requesting Honorable Franklin D. Roosevelt, President-elect of the United States, to appoint the Honorable John A. Simpson as Secretary of the Department of Agriculture;

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,

R. M. McCOOL, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolution No. 3 and ordered it returned to the Honorable House.

### FIRST READING

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

SENATE BILL NO. 94—By BALLARD.—An Act providing that the county court shall have exclusive jurisdiction of all appeals hereinafter taken from the justice court or from the police court; repealing all Acts or parts of Acts in conflict herewith and other purposes, and declaring an emergency.

SENATE BILL NO. 95—By BRIGGS (Senate), and GARLAND (House).—An Act authorizing and empowering county treasurers, treasurers of cities, towns, townships and boards of education to enforce obligations evidenced by bonds, warrants or other evidence of indebtedness held by such treasurer as sinking fund investment, authorizing said treasurer to bring and maintain suits thereon, validating judgments heretofore rendered, and declaring an emergency.

SENATE BILL NO. 96—By NANCE, REED and CHAMBERLIN (Senate), and JONES, PATTON and DUKE (House).—An Act limiting the amount that can be expended on highways, with certain exceptions; providing penalties for the violation of this Act; repealing all Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 97—By REED and RAY.—An Act relating to the practice of law, repealing Sections 4210 to 4258, inclusive, Oklahoma Statutes, 1931, and declaring an emergency.

SENATE BILL NO. 98—By CURNUTT.—An Act providing for the funding of the outstanding warrant indebtedness of the State of Oklahoma and the issuance and sale of bonds therefor; setting out the form and maturity of said bonds; providing that said bonds

shall be exempt from taxation; authorizing the investment in said bonds by the Commissioner of the Land Office; authorizing the interest coupons to be receivable in payment of taxes due the State; providing the type of warrants that shall be paid; setting out the manner in which the principal and interest shall be paid; repealing all Acts or parts of Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 99.—By PAUL.—An Act amending Section 3481, Oklahoma Statutes, 1931, fixing the salaries of elective State officers of the State of Oklahoma, and declaring an emergency.

SENATE BILL NO. 100.—By HUTCHINSON and RIZLEY.—An Act providing for the issuance of Oklahoma relief certificates and relief certificate stamps by the State Treasurer for the relief of the unemployed and of certain aged, infirm and poverty-stricken citizens of this State; prescribing the method of distribution and sale of same; providing for the maturity and redemption of said certificates; making county clerks the agents of the State Treasurer in selling stamps and providing for sub-agents; making an appropriation to be placed in a separate fund designated "The Relief Certificate Redemption Fund"; providing that a portion of such fund shall be deposited in one or more banks in each county of the State; providing such banks shall redeem matured certificates under certain conditions; providing for the payment of the cost of issuance and deposit of said certificates and stamps; providing for the allocation by the Governor of said relief certificates to the several counties and for the distribution of such certificates by the County Commissioners; fixing a time limit for the redemption of matured certificates; providing for the transfer of surplus funds from the Relief Certificate Redemption Fund to the General Fund, and for final transfer of all such funds to the General Fund, and for barring



all claims against the State after a certain date; fixing penalties for the wrongful diversion of such Oklahoma relief certificates and relief certificate stamps, or for counterfeiting, conspiring, or attempting to counterfeit such certificates and stamps, or to negotiate counterfeit certificates or stamps; and declaring an emergency.

SENATE BILL NO. 101—By WHITAKER.—An Act amending Section 12719, Oklahoma Statutes of 1931, relating to the payment and delinquency of ad valorem taxes.

SENATE BILL NO. 102—By RITZHAUPT.—An Act prohibiting the payment to constables and justices of the peace of fees resulting in cases involving violation of traffic and highway laws of the State of Oklahoma, and declaring an emergency.

SENATE BILL NO. 103—By WHITAKER.—An Act amending Section 12678, Oklahoma Statutes, 1931, relating to county and municipal subdivision budgets, computation of appropriation, deduction of surplus balances of revenue or levy and probable income from sources other than tax, making levies, requiring addition to appropriations of a per cent thereof to be determined for delinquent tax, certification of budgets and levies, inhibiting use of appropriations for any year or purpose other than for which made, forbidding issuance of warrants or indebtedness in excess of appropriation, requiring any surplus to be used in reducing appropriations and levies for succeeding year, and declaring an emergency.

SENATE BILL NO. 104—By PAUL.—An Act prohibiting court clerks of the State of Oklahoma from assessing costs against the State of Oklahoma on relation of the Commissioners of the Land Office in actions filed by or to be filed by the State of Oklahoma on relation of the Commissioners of the Land Office, except for sheriff's mileage fees and publishers' pub-

lication fees; and fixing the penalty for failure to conform with the provisions of this Act at the forfeiture of the office; 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. 82—By JOHNSTON, NANCY E. TAYLOR, DAUGHERTY, LOGAN and LESTER.—Referred to the Committee on Hospitals and Charities.

SENATE BILL NO. 83—By JOHNSTON.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 84—By JOHNSTON.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 85—By JOHNSTON (Senate), and CAVITT (House).—Referred to the Committee on Privileges and Elections.

SENATE BILL NO. 86—By BRIGGS and RIZLEY.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 87—By RUTHERFORD (Senate), and KIRKPATRICK and ELLIS (House).—Referred to the Committee on Roads and Highways.

SENATE BILL NO. 88—By BALLARD.—Referred to the Committee on Livestock and Tenant Farming.

SENATE BILL NO. 89—By COPPOCK and FISCHL (Senate), and STEWART and MASSEY (House).—Referred to the Committee on Fish and Game.

SENATE BILL NO. 90—By FISCHL and RAY.—Referred to the Committee on Roads and Highways.

SENATE BILL NO. 91—By FISCHL.—Referred to the Committee on Education.

SENATE BILL NO. 92—By HUTCHINSON, RIZLEY, PAUL, JENNINGS, BALLARD and WILBANKS (Senate), and WRIGHT, WILMOT and WIL-

LIAMS (House).—Referred to the Committee on Roads and Highways.

SENATE BILL NO. 93—By JENNINGS.—Referred to the Committee on Privileges and Elections.

SENATE JOINT RESOLUTION NO. 6—By MOON and NICHOLS.—Referred to the Committee on Constitution and Constitutional Amendments.

SENATE JOINT RESOLUTION NO. 7—By RIZLEY.—Referred to the Committee on School Lands.

President Pro Tempore Stewart presiding.

Senator Nance asked unanimous consent, which was granted, to have 200 copies printed of SENATE BILL NO. 82, by Johnston, Nance, Taylor, Daugherty, Logan and Lester.

Senator Curnutt moved that SENATE CONCURRENT RESOLUTION NO. 8, by Curnutt and Thomas of the Senate, and Johnson, of the House, be withdrawn from the Committee on Engrossed and Enrolled Bills, for the purpose of correction, which motion prevailed.

Senator Curnutt moved that the vote be reconsidered by which the Johnston amendment to Senate Concurrent Resolution No. 8 shown in the Senate Journal, for January 10, was adopted.

Senator Nance, as a substitute, moved that Senate Concurrent Resolution No. 8 be referred to the Committee on Retrenchment and Reform.

Senator Fischl, as a substitute for all pending motions, moved that further consideration of Senate Concurrent Resolution No. 8 be indefinitely postponed.

Following discussion, Senator Wilbanks moved the adoption of the previous question, which motion prevailed.

The vote occurring on the Fischl motion, it was declared failed of adoption.

Senator Fischl, as a substitute for all pending motions, moved that Senate Concurrent Resolution No.

8 be referred to the Committee on Federal Relations, which motion was tabled, upon motion of Senator Currutt.

Senator Briggs, as a substitute for all pending motions, moved that Senate Concurrent Resolution No. 8 be placed upon the calendar, under general order, for further consideration, which motion prevailed.

#### SPECIAL ORDER

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

SENATE RESOLUTION NO. 3—BY DIXON.

A RESOLUTION AUTHORIZING AND DIRECTING THE PRESIDENT OF THE SENATE TO APPOINT A COMMITTEE TO INVESTIGATE THE ACTIVITY AND WORK OF THE STATE HIGHWAY COMMISSION OF THE STATE OF OKLAHOMA FOR THE PAST TWO YEARS; AUTHORIZING THE PRESIDENT OF THE SENATE TO APPOINT SAID COMMITTEE, EMPOWERING SAID COMMITTEE TO PERFORM ITS DUTY, PROVIDING FOR THE PAYMENT OF THE EXPENSE OF SUCH INVESTIGATION AND REQUIRING SAID COMMITTEE TO REPORT ITS FINDINGS TO THE SENATE OF THE STATE OF OKLAHOMA FOR ACTION THEREON.

WHEREAS, it appears from various rumors that the State Highway Department has in the past spent millions of dollars building roads in certain localities with a specific view of electing or defeating certain candidates for office; and

WHEREAS, further attention has been called to the fact that certain State Highway Division Headquarters have been built at Clinton, Ada, and Perry,



Oklahoma, and other points in this State without a lawful appropriation or need therefor; and

WHEREAS, it further appears and has come to be common and public talk that before employees are permitted to work for the said Highway Department that they are forced directly, or indirectly, to make contribution to certain campaign funds and said Highway employees have further been assigned for long periods to campaign in their respective districts of the State of Oklahoma, are drawing a salary from the State of Oklahoma; and

WHEREAS, attention has also been called to the fact that thousands of dollars have been spent by the said Highway Department building useless roads that paralleled already existing and established highways,

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

SECTION 1. The president of the Senate is hereby authorized and directed to appoint a special investigating committee, consisting of seven (7) members of the Senate, with power and authority vested in said committee to conduct hearings and to issue all necessary processes to compel the attendance of witnesses and produce all books and records before said committee for its examination and consideration and said committee is specifically authorized and empowered to administer oaths to witnesses and to employ such stenographic, clerical and other help as may be deemed necessary to carry out the provisions of this resolution.

SECTION 2. Said committee is hereby directed to make a thorough and complete investigation of all matters pertaining to the charges of the irregularities and transactions involved, as above outlined, by the said Highway Department and when such hearings have been completed to make a detailed report thereof to the Senate.

SECTION 3. The said committee may, upon di-

rection of the Senate, proceed and hear evidence pertaining to other matters connected with the administration of the highway laws of the State of Oklahoma, and the said Highway Department and the said committee is hereby ordered and directed to make, organize and proceed with said investigation immediately following its appointment and to continue from day to day until said investigation is completed.

Senator Dixon moved the adoption of Senate Resolution No. 3.

President Burns presiding.

Senator Waldrep, as a substitute, moved that Senate Resolution No. 3 be referred to the Committee on Roads and Highways.

Senator Chamberlin, as a substitute for all pending motions, moved the adoption of the following amendment:

Mr. President: I move to amend Senate Resolution No. 3, by striking lines 4, 5, and 6, the word, "Senate," in line 7, page 3, and substitute in lieu thereof the following: "The Senate Committee on Roads and Highways is hereby authorized and directed to select from its membership a special investigating committee, consisting of seven of its members."

CHAMBERLIN.

Following discussion, Senator MacDonald moved the adoption of the previous question, which motion prevailed.

The vote occurring on the Chamberlin amendment, it was declared adopted.

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

Senate Resolution No. 3 was referred for engrossment.

Senator Briggs asked unanimous consent, which was granted, to be recorded "excused" for the remainder of this legislative day.

Senator MacDonald moved that, when the Senate adjourns today, it adjourn to meet under the rules, Monday, January 16, 1933, which motion prevailed.

Senator Fischl moved that the Senate Committee on Privileges and Elections be instructed to investigate the membership, contributors to and political activities of the Citizens' League of Oklahoma, and especially its activities in attempting to elect certain persons as members of the 14th Legislature, and report its findings to the Senate.

Senator Moon raised a point of order, which was overruled, stating the Senate has no authority or power to investigate anything outside of a legal organization under the State's laws.

Senator Fidler submitted the following as an amendment of the Fischl motion, which was adopted:

Mr. President: I move to amend the Fischl motion, by adding after the figures and word, "14th Legislature," the words, "all State Departments and Institutions."

FIDLER.

Upon motion of Senator Fischl, his motion, as amended, was declared adopted.

Senator Chamberlin asked unanimous consent, which was granted, to be recorded "excused," for the remainder of this legislative day.

#### GENERAL ORDER

SENATE BILL NO. 48, by Paul, was taken up for consideration.

Section 1 was read.

Senator Fidler asked unanimous consent, which was granted, to defer further consideration of Senate Bill No. 48 for 10 minutes.

SENATE BILL NO. 25, by Stacey, was taken up for consideration.

Section 1 was read.

Senator Pugh submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 25, line 3, page 3, by adding after the word, "town," and before the word, "such," the following, "and by mailing notice by registered mail to the last known address of parties interested."

PUGH.

Senator Pugh submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 25, line 14, page 4, by adding after the word, "land," and before the word, "liable," the words, "or mortgage on said land."

PUGH.

Upon motion of Senator Morrison, further consideration of Senate Bill No. 25 was deferred until the next legislative day, being made a Special Order for 2:00 o'clock, p. m., Monday, January 16th, 1933.

SENATE BILL NO. 48, by Paul, was considered further.

Upon motion of Senator Paul, Section 1 was adopted, as read.

Upon motion of Senator Paul, Senate Bill No. 48 was advanced to engrossment and third reading.

Upon motion of Senator Paul, the rules of the Senate were suspended and Senate Bill No. 48 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 48 was read for the third time at length.

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

Ayes: Carlile, Carmack, Clark, Curnutt, Daugherty, Fidler, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, Logan, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.



Not Voting: Ballard, Coppock, Dixon, Howard, Jennings, MacDonald, Moon, Rutherford, Sowards, Stewart, Taylor, Thomas. Total, 12.

Excused: Briggs, Chamberlin, Commons, Powers. 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: Carlile, Carmack, Clark, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not Voting: Ballard, Coppock, Howard, MacDonald, Moon, Rutherford, Sowards, Thomas. Total, 8.

Excused: Briggs, Chamberlin, Commons, Powers, 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 question being, "Shall the title of the bill become the title of the Act?" Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 48 by adding as joint authors thereof, Senators Waldrep and Nichols.

PAUL.

Senate Bill No 48 was referred for engrossment.

Upon motion of Senator Morrison, the Senate adjourned to meet under the rules, on Monday, January 16, 1933.

## TENTH LEGISLATIVE DAY

Monday, January 16, 1933

Pursuant to adjournment, the Senate convened at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Carmack, Chamberlin, Clark, Commons, Coppeck, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Excused: Briggs, Carlile, Howard. Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The President, in announcing the death of ex-Governor Lee Cruce, declared the Senate at ease for 15 minutes, out of respect to the memory of Governor Cruce.

The Senate reassembled, with the President presiding.

Senator Fischl asked unanimous consent, which was granted, to introduce the following resolution, which was read at length:

SENATE CONCURRENT RESOLUTION NO. 10—By FISCHL and DIXON, of the Senate, and GRUNERT, CAVINS and BATSON, of the House.

A RESOLUTION EXPRESSING REGRET AT THE DEATH OF THE HONORABLE LEE CRUCE, SECOND GOVERNOR OF OKLAHOMA; COMMENDING HIM AND HIS PATRIOTIC, UNSELFISH SERVICE TO THE PEOPLE OF THE STATE OF OKLAHOMA;

EXTENDING THE SYMPATHY OF THE MEMBERS OF THE FOURTEENTH LEGISLATURE AND THE PEOPLE OF THE STATE OF OKLAHOMA TO THE BE-REAVED FAMILY; AUTHORIZING THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO APPOINT A COMMITTEE OF FIVE MEMBERS OF THE SENATE AND FIVE MEMBERS OF THE HOUSE TO ATTEND THE FUNERAL AND DIRECTING THE SENATE AUDITOR AND CHIEF CLERK OF THE HOUSE TO ARRANGE FOR A SUITABLE FLORAL OFFERING.

WHEREAS, information has been received that the Honorable Lee Cruce, the second Governor of the State of Oklahoma, has departed this life at the home of his daughter in Los Angeles, California; and

WHEREAS, it is the desire of both Houses of the Fourteenth Legislature of the State of Oklahoma, now in session, to do appropriate honor to his memory on account of his unselfish, patriotic and everlasting services to the people and the State of Oklahoma; and

WHEREAS, the said Lee Cruce over a period of more than a quarter of a century rendered to the State of Oklahoma and to her people that kind and character of public service which springs from the mind and heart of a man of honor and integrity and a man who is imbued with the ideals of worth-while public service; and

WHEREAS, the life and character of Lee Cruce have been an inspiration to many men and women who have striven forward in the field of public service in Oklahoma; and

WHEREAS, in the passing of the said Lee Cruce the State of Oklahoma and the nation as a whole has suffered a distinct and irreparable loss;

NOW, THEREFORE, BE IT RESOLVED, by the Senate and the House of Representatives:

That in the death of the said Honorable Lee Cruce, the family has lost a devoted father and the people of the State have lost a patriotic, unselfish, lovable public servant.

BE IT FURTHER RESOLVED, that the Fourteenth Legislature extends to his family the sympathy of its membership and of the people of the State as a whole, and the President of the Senate and the Speaker of the House are directed to appoint a committee of five from each the Senate and the House to attend the funeral of the said Lee Cruce.

BE IT FURTHER RESOLVED, that a copy of these Resolutions be forwarded to the family of the deceased and furnished the Press.

BE IT FURTHER RESOLVED, that the Senate Auditor and the Chief Clerk of the House are directed to arrange for suitable floral offerings for the Senate and the House of Representatives.

Senator Fischl submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Concurrent Resolution No. 10, by adding as joint authors the entire membership of the Senate.

FISCHL.

Upon motion of Senator Fischl, Senate Concurrent Resolution No. 10, as amended, was adopted.

Senate Concurrent Resolution No. 10 was referred for engrossment.

The Senate adopted the suggestion of Senator Johnston, that each member of the Senate contribute one flower, as a Senate floral offering for the funeral of the Honorable Lee Cruce.

The President appointed as the Special Committee, under Senate Concurrent Resolution No. 10, Senators Fischl, Dixon, Stewart, Garvin and Johnston.



Senator Chamberlin asked unanimous consent, which was granted, that the Committee on Engrossed and Enrolled Bills be instructed to amend the title of SENATE RESOLUTION NO. 3, by Dixon, to conform with adopted amendments.

President Pro Tempore Stewart presiding.

Senator Ray, having served notice that he would, moved that the vote be reconsidered by which the report of the Senate Printing Committee was adopted, on the last legislative day.

On account of the absence of the Chairman of the Senate Printing Committee, it was upon the request of Senator Nance that further consideration of the report of the Senate Printing Committee was deferred until the Chairman of said committee is present.

#### COMMITTEE REPORTS

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 48 correctly engrossed.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Bill No. 48 and ordered it transmitted to the Honorable House for consideration.

#### 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 return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 9—By NICHOLS, FIDLER and MacDONALD (Senate), and GRISSO and DUKE (House), entitled:

A Resolution urging upon the Honorable Elmer Thomas and the Honorable Thomas P. Gore, United States Senators from Oklahoma, the necessity for immediate expansion of the currency; and to advise you, and through you, the Honorable Senate, that the same has been signed by the Speaker of the House of Representatives in open session.

Yours very truly,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 9 was ordered referred to the Secretary of State.

#### FIRST READING

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

SENATE BILL NO. 105—By RAY.—An Act amending Section 5727, C. O. S. 1921, as amended by Section 1, Chapter 327, Session Laws of Oklahoma, 1929, as further amended by Section 1, Article 4, Chapter 35, Session Laws, 1931, relating to the depositing of county funds in banks and giving security therefor. repealing all Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 106—By GARVIN and WILBANKS.—An Act amending Section 11568, Oklahoma Statutes, 1931, being Section 7957, Compiled Oklahoma Statutes, 1921, being Section 4 of Chapter 25, Session Laws, 1915, relating to prevention of waste of crude oil or petroleum; authorizing and empowering the Corporation Commission to make certain rules and regulations relating to petroleum production in the State of Oklahoma; repealing Acts in conflict, and declaring an emergency.

SENATE BILL NO. 107—By STEWART.—An Act to provide for the control and destruction of predatory animals; making an appropriation therefor, and prescribing the manner of its expenditure in co-opera-

tion with the Fish and Game Commission; repealing Sections 4865 to 4868, inclusive, Oklahoma Statutes, 1931, and declaring an emergency.

SENATE BILL NO. 108—By COPPOCK.—An Act amending Section 8775, Oklahoma Statutes, 1931, relating to appropriations by County Commissioners for the purpose of co-operating with the United States Department of Agriculture in farmers' demonstration work and home economics in their respective counties, and declaring an emergency.

SENATE BILL NO. 109—By NICHOLS.—An Act amending Section 1443, Compiled Oklahoma Statutes, 1921, relating to guardian bond, providing that in all guardianship cases where the amount involved is more than \$750.00 that no guardian shall be appointed unless he can make and furnish a surety bond in some surety company authorized to do business in Oklahoma; providing that any County Judge permitting a guardian to serve without a surety bond in such cases shall be removed from office, and declaring an emergency.

SENATE BILL NO. 110—By NICHOLS.—An Act amending Section 1773, Compiled Oklahoma Statutes, 1921, relating to the punishment for maiming, and declaring an emergency.

SENATE BILL NO. 111—By NICHOLS.—An Act amending Section 1798, Compiled Oklahoma Statutes, 1921, relating to the crime of kidnapping, fixing the punishment therefor, and declaring an emergency.

SENATE RESOLUTION NO. 4—By STEWART.—A Resolution endorsing, approving, and encouraging the Honorable Elmer Thomas in his efforts to defeat in the Senate of the United States the Branch Bank Bill and requesting Senator Gore, and the other members of Congress from this State to go the limit in their assistance.

Senator Commons moved that the rules of the Sen-

ate be suspended and Senate Resolution No. 4 be taken up for immediate consideration, which motion prevailed.

Senate Resolution No. 4 was read at length, as follows:

SENATE RESOLUTION NO. 4—By STEWART.

A RESOLUTION ENDORSING, APPROVING, AND ENCOURAGING THE HONORABLE ELMER THOMAS IN HIS EFFORTS TO DEFEAT IN THE SENATE OF THE UNITED STATES THE BRANCH BANK BILL, AND REQUESTING SENATOR GORE AND THE OTHER MEMBERS OF CONGRESS FROM THIS STATE TO GO THE LIMIT IN THEIR ASSISTANCE.

WHEREAS, Senator Elmer Thomas has appealed to the people of this State for aid in his fight against the nefarious Branch Bank Bill, that instrument of tyranny now pending in the United States Senate, his appeal appearing on page 2, column 6, The Daily Oklahoman, January 12, 1933.

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

SECTION 1. That we endorse his actions, commend him therefor and encourage him to go the limit in his efforts to defeat the Branch Bank Bill, that instrument of tyranny; save American civilization, humanity and enroll himself and associates among the immortals who stood a hundred years ago with that prince of all great men, Andrew Jackson.

Upon motion of Senator Commons, Senate Resolution No. 4 was adopted.

Senate Resolution No. 4 was referred for engrossment.

Senator Chamberlin presiding.

SENATE RESOLUTION NO. 5—By STACEY.

—A Resolution requesting the State Board of Af-



fairs to furnish information to the Senate of all its actions and doings under Chapter 26 of the Session Laws of 1931, regarding the manufacture of farm implements at the State Penitentiary.

Senator Stacey moved that the rules of the Senate be suspended and Senate Resolution No. 5 be taken up for immediate consideration.

Senator Waldrep moved that Senate Resolution No. 5 be tabled.

Senator Morrison raised a point of order against the Waldrep motion, which was sustained, state motion before the Senate was on suspension of the rules.

The vote occurring on the Stacey motion, it was declared failed of adoption.

SENATE CONCURRENT RESOLUTION NO. 11  
—By JOHNSTON and CURNUTT.—A Resolution memorializing the Congress of the United States to enact a law reducing first class postage to two cents (2c) base vote.

### SECOND READING

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

SENATE BILL NO. 94—By BALLARD.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 95—By BRIGGS (Senate), and GARLAND (House).—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 96—By NANCE, REED and CHAMBERLIN (Senate), and JONES, PAXTON and DUKE (House).—Referred to the Committee on Retrenchment and Reform.

SENATE BILL NO. 97—By REED and RAY: Upon motion of Senator Nichols, Senate Bill No. 97 was referred to the Committee on Retrenchment and Reform.

SENATE BILL NO. 98—By CURNUTT.—Re-

ferred to the Committee on State and County Affairs.

SENATE BILL NO. 99—By PAUL.—Referred to the Committee on Fees and Salaries.

SENATE BILL NO. 100—By HUTCHINSON and RIZLEY.—Referred to the Committee on Revenue and Taxation.

SENATE BILL NO. 101—By WHITAKER.—Referred to the Committee on Revenue and Taxation.

SENATE BILL NO. 102—By RITZHAUPT.—Referred to Fees and Salaries.

SENATE BILL NO. 103—By WHITAKER.—Referred to the Committee on Revenue and Taxation.

SENATE BILL NO. 104—By PAUL.—Referred to the Committee on School Lands.

ENGROSSED HOUSE BILL NO. 20—By MARTIN.—Referred to the Committee on Appropriations.

Upon motion of Senator MacDonald, 250 copies of Engrossed House Bill No. 20, by Martin, were ordered printed.

President Burns presiding.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolution No. 10 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 10 and ordered it transmitted to the Honorable House for consideration.

Senator Chamberlin presiding.

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

ELEVENTH LEGISLATIVE DAY  
Tuesday, January 17, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Powers. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

A communication, addressed to the President of the Senate, from the American Legislatures' Association, calling a meeting for Friday, February 3d, 1933, to discuss problems of conflicting taxation and considering means for co-operation between the States in dealing with each other and with the Federal Government, in respect thereto, was read and, by the President, referred to the Committee on Revenue and Taxation, with the request that reply be made to the Association as soon as possible.

The following memorandum from the Honorable Fred Hansen, Assistant Attorney General, addressed to both branches of the Legislature, was read, and referred to the Committee on Revenue and Taxation:

Inasmuch as a number of bills have been introduced amending Section 12719, Oklahoma Statutes, 1931, relating to the payment of ad valorem taxes and as certain

language is omitted from said section, we deem it advisable to call said omissions to the attention of the Legislature, so that members thereof in drafting bills amending said section would take into consideration the omitted language. In this connection, you are advised that in the fourteenth line of said section, after the words "the receipt of," the word "or" should be stricken and the following words inserted: "the amount due, at said date, by reason of the inability of the County Treasurer."

And in the nineteenth line where the word "(sic)" appears, the word should be stricken and the following language inserted: "the manner provided by law. Provided, however, that."

The first omission above referred to was omitted through error in the publication of the Oklahoma Statutes, 1931, while the second omission was omitted in the passage of Section 1, Chapter 53, Oklahoma Session Laws 1929, and which section appears as Section 12719, Oklahoma Statutes, 1931.

FRED HANSEN, Assistant Attorney General.

The following telegram from United States Senator Elmer Thomas was read:

Washington, D. C., 11:23 A Jan. 17, 1933.

HON. ROBERT BURNS,

Pres., State Senate, State Capitol.

I have your message embodying Senate Concurrent Resolution No. Nine and will read same into Congressional Record in connection with my speech favoring expansion of currency stop Economic situation throughout entire country is most acute stop The President is suggesting easy bankruptcy as a way out stop Many bills pending proposing Federal loans to people to meet debts pay interest and taxes such proposed remedies being only temporary stop No permanent relief possible save adoption of some plan to re-



duce value of dollar either by expansion of currency or going off gold standard or reducing gold content of present dollar stop Believe unnecessary to reduce gold content or go off gold standard hence am standing for expansion of currency in circulation and if financial power is unwilling to accept this policy then inevitable that we must go off gold standard and eventually follow course of Italy, France, Great Britain and other European countries by revaluing the dollar by reducing gold content thereof stop Appreciate resolution and thank you for your contribution to my fight here.

ELMER THOMAS.

U. S. SENATE, OKLA.

#### 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 School Lands, to whom was referred Senate Joint Resolution No. 7, by Rizley, entitled:

Extending time of payment of all indebtedness due and owing on Certificates of Purchase heretofore issued by the Commissioners of the Land Office of the State of Oklahoma, cancelling all penalties, 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.

RIZLEY, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 2, by Nichols, entitled:

An Act providing for the waiving and releasing of interest, penalties, and costs of delinquent ad valorem taxes on real property due the State, county, school district, township, or any other subdivision of the

State upon payment of the principal amount, 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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 66, by Ballard and Wilbanks, entitled:

An Act requiring assistants and employes of the Secretary of State to pay fees received as service agents for foreign corporations to the State of Oklahoma; providing for the allocation 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.

PUGH, Chairman.

Mr. President: We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 78, by Chamberlin, Memminger, MacDonald, Pugh and Rizley, of the Senate, and Abernathy (Harmon), of the House, entitled:

An Act amending Sections 8 and 9 of Chapter 28 of Session Laws 1925; authorizing building and loan associations of this State to borrow money; to become members of any corporation or agency established by the United States Government or by the State of Oklahoma; to buy and own shares of stock and/or the bonds of and deposit money in and borrow money from such agencies; also to pledge their assets to secure the payment of any money so borrowed; 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:

MEMMINGER, Chairman.

Mr. President: We, your Committee on Privileges and Elections, to whom was referred Senate Bill No. 85, by Johnston, of the Senate, and Cavitt, of the House, entitled:

A Bill providing for assumption by the State of Oklahoma, of obligations incurred in holding special elections to fill vacancy caused by death of a member of the House of Representatives of the Fourteenth Legislature of the 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.

BALLARD, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 102, by Ritzhaupt, entitled:

An Act prohibiting the payment to constables and justices of the peace of fees resulting in cases involving violation of traffic and highway laws of the 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.

PUGH, Chairman.

Mr. President: We, your Committee on School Lands, to whom was referred Senate Bill No. 104, by Paul, entitled:

An Act prohibiting Court Clerks of the State of Oklahoma from assessing costs against the State of Oklahoma on relation of the Commissioners of the Land Office in actions filed by or to be filed by the State of Oklahoma on relation of the Commissioners of the Land Office, except for sheriffs' mileage fees and publishers' publication fees; and fixing the penalty for failure to conform with the provisions of this Act at

the forfeiture of the 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.

RIZLEY, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Resolutions Nos. 3 and 4 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Resolutions Nos. 3 and 4 and ordered each referred for enrollment.

Senator Whitaker submitted the following Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Committees, beg leave to report that the name of Senator Carmack be added to the Committee on School Lands; that the names of Senators Paul, Carlile, Wilbanks and Carmack be added to the Committee on Revenue and Taxation; and that the name of Senator Curmutt be added to the Committee on Congressional Redistricting.

WHITAKER, Chairman.

#### RESOLUTIONS AND NOTICES

Senator Nichols introduced the following Resolution:

SENATE RESOLUTION NO. 6, by NICHOLS and STEWART.—A Resolution creating a committee to investigate and ascertain the status and character of lands owned and held by the State of Oklahoma, to make a survey of the resources of the State and to inquire into and determine whether or not it is advisable and desirable to undertake the improvement of said lands, subdivided into small tracts, to



the end and for the purpose of tenanting the same with unemployed families now dependent in whole or in part upon public charity or made work for a livelihood; all for the purpose of conserving our citizenship.

Serator Carlile asked unanimous consent, which was granted, to present the following motion:

Mr. President: I move that Senators A. L. Commons and Jim Nance be added as members of the Investigating Committee, authorized by Senate Resolution No. 2, to investigate the administration of oil proration and conservation.

CARLILE.

Senator Rizley raised a point of order against the Carlile motion, which was sustained by the President, stating Senate Resolution No. 2 has been heretofore adopted by the Senate and Committee, provided for thereunder, appointed.

Senator Carlile appealed from the decision of the Chair and, upon a roll call, as follows, the decision of the Chair was overruled:

Ayes: Ballard, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Logan, Moon, Ritzhaupt, Rizley, Rutherford, Stacey, Wilbanks. Total, 18.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Fischl, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 24.

Not Voting: Thomas. Total, 1.

Excused: Powers. Total, 1.

Senator Memminger moved the adoption of the previous question.

Senator Dixon, as a substitute, moved the adoption of the following amendment:

Mr. President: I move to amend the Carlile mo-

tion, by adding the names of Senators Nance, Commons, Ballard and Jennings.

DIXON.

Senator Chamberlin raised a point of order against the Dixon motion, which was sustained, stating motion for adoption of previous question takes precedence.

The vote occurring on the Menninger motion, it was declared adopted.

The vote occurring on the Carlile motion, it was declared adopted.

#### PETITIONS AND MEMORIALS

Senator Fidler sent up the following requests for permits to appear before Senate Committees, and, upon his motion, were granted:

To the Honorable President and Members of the Senate of the State of Oklahoma:

Joe C. Campbell states that he is a resident of the State of Oklahoma; that he is the President and Legislative Representative of the Oklahoma State Federation of Labor, and that he is paid the sum of six dollars per day 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) JOE C. CAMPBELL.

To the Honorable President and Members of the Senate of the State of Oklahoma:

Victor S. Purdy states that he is a resident of the State of Oklahoma; that he is 44 years of age, and that he is the Secretary-Treasurer and Legislative Representative of Oklahoma State Federation of Labor, and that he is paid the sum of six dollars per day 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) VICTOR S. PURDY.

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. 7—By STEWART, entitled:

A Concurrent Resolution commending the Honorable Elmer Thomas and the Honorable Thomas P. Gore, members of the United States Senate from the State of Oklahoma, for their untiring services in the United States Congress in behalf of the citizens of Oklahoma;

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,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 7 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. 10.—By FISCHL, DIXON, BALLARD, BRIGGS, CARLILE, CARMACK, CHAMBERLIN, CLARK, COMMONS, COPPOCK, CURNUTT, DAUGHERTY, FIDLER, GARVIN, HOWARD, HUTCHINSON, JENNINGS, JOHNSTON, LESTER, LIG-

GET, LOGAN, McDONALD, MEMMINGER, MOON, MORRISON, NANCE, NICHOLS, PAUL, POWERS, PUGH, RAY, REED, RITZHAUPT, RUTHERFORD, SOWARDS, STACEY, STEWART, TAYLOR, THOMAS, WALDREP, WHITAKER, WILBANKS, WILKIS, of the Senate and GRUNERT, CAVINS and BATSON of the House, entitled:

A Resolution expressing regret at the death of the Honorable Lee Cruce, second Governor of Oklahoma; commending him and his patriotic unselfish service to the people of the State of Oklahoma; extending the sympathy of the members of the Fourteenth Legislature and the people of the State of Oklahoma to the bereaved family; authorizing the President of the Senate and the Speaker of the House to appoint a committee of five members of the Senate and five members of the House to attend the funeral and directing the Senate Auditor and Chief Clerk of the House to arrange for a suitable floral offering, 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,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Concurrent 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 BILL NO. 39—By CLOYD, entitled:

An Act declaring that the practice of law shall include certain defined activities, and providing additional remedies for the prevention of the practice of law, without license and authority;



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,

R. M. McCOOL, Chief Clerk.

The presiding officer announced First Reading of Engrossed House Bill No. 39.

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. 1—By GRAHAM and ROBERTS of the House and NICHOLS of the Senate, entitled:

Concurrent Resolution ratifying a proposed amendment to the Constitution of the United States of America,

and to advise you, and through you, the Honorable Senate, that the same has been signed by the Speaker in open session.

Your very truly,

R. M. McCOOL, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolution No. 1 and ordered it returned to the Honorable House.

#### FIRST READING

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

SENATE BILL NO. 112—By FIDLER (Senate), and CONNOR (House).—An Act amending Section 10967, Oklahoma Statutes, 1931, being Section 8796, Compiled Oklahoma Statutes, 1921, giving apartment house owners liens on baggage and property, repealing all conflicting laws, and declaring an emergency.

SENATE BILL NO. 113—By RUTHERFORD.—An Act amending Section 2 of Chapter 79 of Session

Laws, 1927, and Section 4 of Chapter 79 of Session Laws of 1927; making provision for the number of members of Boards of Education of independent districts; providing for the time and manner of their election; providing for the length of their term of office; and providing for the number, time and manner of electing, and the length of the term of office of members of Boards of Education in independent districts having within them a charter city; and declaring an emergency.

SENATE BILL NO. 114—By WALDREP.—An Act defining and prohibiting waste of crude oil or petroleum and providing for equitable taking of the same from the ground and conferring authority on the Corporation Commission for the regulation of the same, including control of pipe lines and common carriers of the same; providing a tax on oil produced to defray expenses; repealing Chapter 25, House Bill 168, approved February 11, 1915, now consisting of Section 7954 to 7963, inclusive, of the Compiled Statutes of Oklahoma, 1921; prescribing the penalties for violation of Corporation Commission orders, and declaring an emergency.

SENATE BILL NO. 115—By NANCE, PAUL, REED and NICHOLS.—An Act repealing Section 8873, Oklahoma Statutes, 1931, abolishing the State Plant Board, providing that the duties now performed by said Board shall hereafter be performed by the State Board of Agriculture, and declaring an emergency.

SENATE BILL NO. 116—By NANCE, PAUL, REED and NICHOLS.—An Act repealing Section 8753, Oklahoma Statutes, 1931, abolishing the State Market Commission, providing that the duties now performed by said Commission shall hereafter be performed by the State Board of Agriculture, and declaring an emergency.

SENATE BILL NO. 117—By CHAMBERLIN

(Senate), and WORTHINGTON, SPECK and SUTHERLAND (House).—An Act requiring certain State boards now authorized by law to collect application fees, examination fees and annual license or membership fees to pay 10 per cent of gross collections into the general revenue funds of the State Treasury; fixing the time and manner of such payment; providing that the authority of such boards to issue certificates license may be revoked for non-payment; and declaring an emergency.

SENATE BILL NO. 118—By COMMONS.—An Act amending Section 10519, Oklahoma Statutes, 1931 (Section 6728, C. O. S. 1921), and declaring an emergency.

SENATE BILL NO. 119—By CARMACK and CHAMBERLIN.—An Act providing that this Act may be indexed and cited as "The Co-operative Marketing Association Act," authorizing the formation of non-profit, co-operative associations, with or without capital stock, for the purpose of encouraging the orderly marketing of agricultural products through co-operation; defining the various terms used therein; stating who may organize such an association; enumerating the purposes and powers of such an association; providing for articles of incorporation, declaring what they shall contain, manner of executing and filing, method of amending same; providing fees for filing same and amendments thereto; providing for by-laws and what they may contain; prescribing the rights and privileges of membership; providing for the issuance of membership certificates and stock, both common and preferred and interest payments thereon and the establishment of reserves and surpluses and the payment of patronage dividends; providing the method of calling general and special meetings; providing for removal of officers and directors; providing for a contract between the association and its members; and pre-

scribing remedies for breach of contract, including liquidated damages, fees and all costs; authorizing injunction and general equitable remedies in the event of breach of contract; providing for the filing of contracts and the effects thereof, and the termination of contract; providing for annual reports; providing that associations heretofore organized may adopt the provisions of this Act; limiting the use of the word cooperative, making it a misdemeanor to induce a member to breach his contract with the association, or spread false reports about it and prescribing a fine for each offense, making such offender liable to the association for a prescribed penalty therefor in civil suit; providing liability to the association in a penal sum in certain cases for any person, firm or corporation who knowingly encourages or permits delivery of products in violation of contracts; authorizing an injunction against such person, firm or corporation; and providing for payment of all fees and costs; and setting out the reasons for such provisions, providing that no such association shall be deemed a conspiracy or an illegal combination or monopoly or in violation of any law of this State, and providing that marketing contracts shall not be considered illegal; providing for the acquiring, exchanging, interpreting and disseminating of certain information and the giving to members of advice regarding current and prospective production of agricultural commodities; providing that the general corporation laws of this State shall apply to such associations, except where inconsistent with express provisions hereof; providing that if any part of this Act shall be held unconstitutional the remainder shall be not affected thereby; providing for quo warranto to test validity of incorporation; providing the terms and conditions under which foreign associations shall be allowed to carry on business in this State, providing for a license authorizing the transaction of business



in this State, providing repeal of Acts and parts of Acts in conflict with provisions of this Act but that all rights and remedies given in this Act shall be in addition to those already existing; and declaring an emergency to exist.

SENATE BILL NO. 120—By WILBANKS.—An Act repealing Section 4898, Oklahoma Statutes, 1931, abolishing the Oklahoma Securities Commission, providing that the duties now performed by said Commission shall be hereafter performed by the State Bank Commissioner, and declaring an emergency.

SENATE BILL NO. 121—By MacDONALD.—An Act amending Sections 10091 and 10095, Oklahoma Statutes, 1931, relating to the construction and maintenance of the State Highway System and to contracts let for the construction thereof; and declaring an emergency.

SENATE BILL NO. 122—By MacDONALD, MEMMINGER, STEWART, COMMONS, CHAMBERLIN, GARVIN, CARLILE, NICHOLS, PUGH, RAY, REED, TAYLOR, FISCHL, and CLARK.—An Act authorizing and directing the State Board of Public Affairs to establish, construct, equip and maintain and operate a substation of the Oklahoma State Penitentiary in Atoka County, Oklahoma, the initial structure thereof to be on lands near Stringtown, Oklahoma, owned by the State of Oklahoma and validating the purchase of the said lands and the payment therefor out of the twine plant revolving fund of the Oklahoma State Penitentiary, such substation to be used for prisoners sentenced to the Oklahoma State Penitentiary at McAlester before the coming into effect of this Act and prisoners sentenced to the said Penitentiary after the coming into effect of this Act whom the said Board shall believe should not be confined in the said Penitentiary at McAlester because of their respective types or because of their respective

general conditions especially those in tubercular conditions or having other contagious diseases, and such other prisoners as the said Board shall deem it expedient to have cared for in the said substation; especially authorizing said Board to use the labor of the prisoners in constructing and equipping and in maintaining and operating the said substation; appropriating money from the Oklahoma State Penitentiary revolving fund and from said Penitentiary twine plant revolving fund for use in establishing, constructing, equipping and in maintaining and operating said substation; repealing the parts of House Bill No. 240 enacted by the Thirteenth Legislature which appropriated \$115,000.00 out of the general revolving fund and \$115,000.00 out of the twine plant revolving fund of the Oklahoma State Penitentiary for use for construction of additional cell houses or additions to cell houses or for the establishing of substations and camps wherever prisoners may be most profitably used; and declaring an emergency.

SENATE BILL NO. 123—By WALDREP—An Act amending Sections 2384 and 2385, Oklahoma Statutes, 1931, relating to nepotism, making other and further provisions with reference thereto, and prescribing a penalty therefor; and declaring an emergency.

#### SECOND READING

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

SENATE BILL NO. 105—By RAY.—Referred to the Committee on State and County Affairs.

SENATE BILL NO. 106—By GARVIN and WILBANKS.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 107—By STEWART and COPPOCK.—Referred to the Committee on Fish and Game.

SENATE BILL NO. 108—By COPPOCK.—Referred to the Committee on Agriculture.

SENATE BILL NO. 109—By NICHOLS.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 110—By NICHOLS.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 111—By NICHOLS.—Referred to Judiciary Committee No. 2.

#### SPECIAL ORDER

Consideration of SENATE BILL NO. 25, by Stacey, was deferred for this legislative day.

Senator Fischl made the following announcement, concerning the tentative funeral arrangements of ex-Governor Lee Cruce:

The body of the deceased will arrive at 4:40 p. m., Friday, January 20th, will lie in State Saturday morning and be taken to Ardmore on Saturday afternoon and funeral held on Sunday afternoon.

Senator Fischl asked unanimous consent, to which Senator Curnutt objected, to place SENATE BILL NO. 2, by Nichols, upon the calendar, under Special Order for 2:00 o'clock p. m., on the next legislative day.

Upon motion of Senator Nance, the rules of the Senate were suspended for the purpose of permitting Senator Fischl to make his motion, concerning Senate Bill No. 2.

Upon motion of Senator Fischl, consideration of SENATE BILL NO. 2, by Nichols, was made a Special Order for 2:00 o'clock, p. m., tomorrow.

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

## TWELFTH LEGISLATIVE DAY

Wednesday, January 18, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Ligett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Powers. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

At the request of Senator Paul, a class in Problems of Democracy, from Stratford, was extended the courtesy of the Senate floor, to observe legislative procedure.

### 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. 14 by Logan, entitled:

An Act repealing Sections 12081 to 12083, inclusive, Oklahoma Statutes, 1931, relating to the Soldiers' Memorial Commission and declaring an emergency;

beg leave to report that we had the same under con-



sideration and herewith return the same with the recommendation that it do pass.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 17, by Logan, entitled:

An Act repealing Sections 8690 to 8697, inclusive, Oklahoma Statutes, 1931, relating to the Free Oklahoma State Fair at Muskogee, 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.

LOGAN, Chairman.

Upon motion of Senator Logan, the adverse report of the Committee was adopted.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 20, by Logan and Paul, entitled:

An Act repealing Sections 4731 to 4748, inclusive, Oklahoma Statutes, 1931, abolishing the Bureau of Criminal Identification and Investigation, providing for the transfer of its property and records 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.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 21, by Logan, entitled:

An Act repealing Sections 7169 to 7183, inclusive, Oklahoma Statutes, 1931, relating to the Oklahoma State Teachers Retirement and Disability Fund, and declaring an emergency;

beg leave to report that we had the same under con-

sideration and herewith return the same with the recommendation that it do pass.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 22, by Logan, entitled:

An Act repealing Chapter 129, Oklahoma Session Laws, 1925, relating to the Real Estate Commission, 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.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 33, by Pugh, entitled:

A Bill entitled an Act consolidating the offices of Court Clerk and County Assessor with the office of County Clerk in certain Counties within this State and imposing upon the County Clerk in addition to the powers and duties now imposed upon the said County Clerk, 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.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 37, by Logan, entitled:

An Act repealing Sections 12019 to 12031, Oklahoma Statutes 1931, abolishing the Union Soldiers' Home, providing for the establishment of an Orphans' Home thereat, placing the management and control thereof under the State Board of Public Affairs, etc.;  
beg leave to report that we had the same under con-

sideration and herewith return the same with the recommendation that it do pass, as amended.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 38, by Logan, entitled:

An Act repealing Sections 12032 to 12039, Oklahoma Statutes 1931, abolishing the Oklahoma Confederate Home at Ardmore, Oklahoma, providing for the establishment of an Orphans' Home thereat, placing the management and control thereof under the State Board of Public Affairs, 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.

LOGAN, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 51, by Pugh, entitled:

An Act fixing the salaries of all county officers on a population basis according to the Federal Census of 1930;

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

PUGH, Chairman.

The following Majority Committee Report on Senate Bill No. 55, was submitted:

Mr. President: We, your Committee on Roads and Highways, to whom was referred Senate Bill No. 55, by Briggs and Carmack, entitled:

An Act creating a Department of Highways under supervision and control of a Commission to be known and designated as The State Highway Commission of the State of Oklahoma, to be composed of five members; prescribing the manner and method of appoint-

ment, fixing tenure of office and salary of each member thereof; prescribing the powers and duties of said Commission and members thereof; providing for and authorizing employment by said Commission and certain members thereof, of assistants, clerical help, laborers and other employees and for the payment of salaries and wages therefor and method and manner of payment of same; repealing Sections 10072, 10073, 10074, 10075, 10076, 10078 and 10079, Oklahoma Statutes, 1931, and all other 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.

BRIGGS, Chairman.

The following Minority Committee Report on Senate Bill No. 55 was submitted:

Mr. President: We, your Committee on Roads and Highways, to whom was referred Senate Bill No. 55, by Briggs and Carmack, entitled:

An Act creating a Department of Highways under supervision and control of a Commission to be known and designated as The State Highway Commission of the State of Oklahoma, to be composed of five members; prescribing the manner and method of appointment, fixing tenure of office and salary of each member thereof; prescribing the powers and duties of said Commission and members thereof; providing for and authorizing employment by said Commission and certain members thereof, of assistants, clerical help, laborers and other employees and for the payment of salaries and wages therefor and method and manner of payment of same; repealing Sections 10072, 10073, 10074, 10075, 10076, 10077, 10078 and 10079, Oklahoma Statutes, 1931, and all other 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 minority recommendation that it do not pass for the reason that under the provisions of Senate Resolution No. 3 which was adopted by the Senate on January 12, 1933, the Roads and Highways Committee was authorized and directed to select a sub-committee and to proceed immediately with a thorough investigation of all matters pertaining to the Highway Department, which investigation if made may reasonably be expected to make available information vitally effecting the provisions of Committee Substitute for Senate Bill No. 55 and it is our opinion that such Bill can not be most fairly and intelligently considered prior to such investigation.

GEO. A. HUTCHINSON,  
ROSS RIZLEY,  
W. C. FIDLER,  
BALLARD.

Senator Briggs moved the adoption of the Majority Committee Report on Senate Bill No. 55.

Senator Rizley, as a substitute, moved the adoption of the Minority Committee Report on Senate Bill No. 55, which motion was tabled, upon motion of Senator Briggs.

The vote occurring on the Briggs motion, it was declared adopted.

Senator Thomas submitted the following supplemental Committee Report, which, upon his motion was adopted:

Mr. President: We, your Committee on Employment of the State Senate of the 14th Legislature, beg leave to make the following report:

We recommend Mrs. Lorraine Wulff, as Chief Page instead of J. Paul Jennings.

THOMAS, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Resolutions Nos. 3 and 4, Senate Concurrent Resolutions Nos. 7 and 10 all correctly enrolled; and Senate Concurrent Resolution No. 8 returned herewith.

LIGGETT, Chairman.

The President, in open session, signed Enrolled Senate Resolutions Nos. 3 and 4 and ordered each transmitted to the Secretary of State; signed, in open session, Enrolled Senate Concurrent Resolutions Nos. 7 and 10 and ordered each transmitted to the Honorable House.

#### FIRST READING

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

SENATE BILL NO. 124—By STACEY.—An Act limiting the attorney fees that may be taxed as costs in cases of foreclosure of mortgages, deeds of trusts, or liens, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

SENATE BILL NO. 125—By THOMAS.—An Act providing that it shall be unlawful for any state department or employee thereof to purchase or trade for any new or second hand automobile for use of said state for a period of two years; fixing penalty for violation of this said Act and declaring an emergency.

SENATE BILL NO. 126—By DAUGHERTY, FISCHL and JOHNSTON.—A Bill to be entitled: An Act relating to the State School Land Department and to the duties and powers of the Commissioners of the Land Office, of the Secretary to the Commissioners, fixing the salary of the Secretary, providing for the sale of certain lands of the state, amending Sections

5455, 5448, 5495, 5508, 5522, 5527, 5630 and 5642, Oklahoma Statutes, 1931, repealing Sections 5497, 5498, 5499, 5504, 5505, 5506, 5507, 5508, 5512, 5520, 5521, 5530, 5531, 5532, 5534, to 5549 inclusive, 5551 to 5556, inclusive, 5561, 5562, 5565, 5566, 5567, 5572, 5573, 5574, 5576, 5577, 5580, to 5586 inclusive, 5593, 5597, to 5602 inclusive, 5605, 5629, and 5631 to 5641 inclusive, Oklahoma Statutes, 1931, and declaring an emergency.

SENATE BILL NO. 127—By BRIGGS.—An Act amending Section 1 of Article 6, Chapter 35, Session Laws 1931, being Section 7735, Oklahoma Statutes, 1931, repealing all Acts in conflict herewith and declaring an emergency.

SENATE BILL NO. 128—By THOMAS.—An Act providing that the salary of the President or Principal of each of the six State Teachers Colleges of Oklahoma and Oklahoma College for Women, Chickasha, shall not exceed the sum of three thousand (\$3,000.00) dollars per annum, in addition to the usual and customary home; limiting the salary of all other instructors, teachers and employees of said colleges and declaring an emergency.

SENATE BILL NO. 129—By JENNINGS.—An Act providing a method of contesting alleged illegal ad valorem tax levies; requiring the County Excise Board to file all appropriations and levies made with the County Clerk; fixing the time and method of filing a protest; conferring jurisdiction upon the District Court of the respective counties of the State to hear and determine such protest; providing a method of appeal therefrom to the Supreme Court; providing for refund of illegal taxes that may be collected; eliminating the contracting of debts and issuing of warrants pending the determination of legality of tax levies; repealing Sections 12,305, 12,307, 12,308, 12,309, 12,310, 12,311, 12,312, 12,313, 12,314, and 12,315 Okla-

homa Statutes 1931, and all Acts and parts of Acts in conflict herewith; providing for the transfer of cases pending before the Court of Tax Review to the District Court of the county involved in such protest; and declaring an emergency.

SENATE JOINT RESOLUTION NO. 8—By BALLARD.—A Joint Resolution providing for the submission to the people of the State of Oklahoma of a proposed law amending Sections 10072, 10073, 10074, Oklahoma Statutes 1931, and relating to the State Highway Commission; its membership, tenure and salaries.

#### SECOND READING

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

SENATE BILL NO. 112—By FIDLER of the Senate and CONNER of the House.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 113—By RUTHERFORD.—Referred to Committee on Education.

SENATE BILL NO. 114—By WALDREP.—Referred to Committee on Oil and Gas.

SENATE BILL NO. 115—By NANCE, PAUL, REED and NICHOLS.—Referred to Committee on Retrenchment and Reform.

SENATE BILL NO. 116—By NANCE, PAUL, REED and NICHOLS.—Referred to Committee on Retrenchment and Reform.

SENATE BILL NO. 117—By CHAMBERLIN of the Senate and WORTHINGTON, SPECK and SUTHERLAND of the House.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 118—By COMMONS.—Referred to Committee on Insurance.

SENATE BILL NO. 119—By CARMACK and CHAMBERLIN.—Referred to Committee on Agriculture.



SENATE BILL NO. 120—By WILBANKS.—Referred to Committee on Banks and Banking.

SENATE BILL NO. 121—By MacDONALD.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 122—By MacDONALD. MEMMINGER, STEWART, COMMONS, CHAMBERLIN, GARVIN, CARLILE, NICHOLS, PUGH, RAY, REED, TAYLOR, FISCHL, and CLARK.—Referred to Committee on Retrenchment and Reform.

SENATE BILL NO. 123—By WALDREP.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 39—By CLOYD.—Referred to Judiciary Committee No. 1.

Upon motion of Senator Rizley, Senate Bill No. 120, by Wilbanks, was withdrawn from the Committee on Banks and Banking and referred to the Committee on Retrenchment and Reform.

President Pro Tempore Stewart presiding.

#### SPECIAL ORDER

SENATE BILL NO. 25, by Stacey, was taken up for further consideration.

The Pugh amendment, submitted on January 13th, was re-read, and its adoption moved by Senator Pugh.

Senator Paul, as a substitute, moved that Senate Bill No. 25 be referred to Judiciary Committee No. 2, for further consideration, which motion prevailed.

By unanimous consent, amendments were sent up by Senators Daugherty, Moon and Waldrep, to be considered by Judiciary Committee No. 2, in connection with Senate Bill No. 25.

SENATE BILL NO. 2, by Nichols, was considered, under Special Order.

Senator Chamberlin asked unanimous consent, which was granted, to defer further consideration of Senate Bill No. 2 until the next legislative day, without the bill losing its place on the calendar.

## GENERAL ORDER

SENATE BILL NO. 79, by Clark, of the Senate, and Brazell, of the House, was taken up for consideration.

Sections 1 and 2 were read and adopted, upon motions of Senator Clark.

Upon motion of Senator Clark, Senate Bill No. 79 was advanced to engrossment and third reading.

Upon motion of Senator Clark, the rules of the Senate were suspended and Senate Bill No. 79 was considered engrossed, and placed upon third reading and final passage.

SENATE BILL NO. 79 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, Memminger, Moon, Nichols. Paul, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not Voting: Ballard, Garvin, Howard, MacDonald, Morrison, Nance, Pugh, Reed, Rutherford, Sowards, Taylor. Total, 11.

Excused: Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, Logan, Memminger, Moon, Nichols,

Paul, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not Voting: Howard, Hutchinson, MacDonald, Morrison, Nance, Pugh, Reed, Sowards, Taylor. Total, 9.

Excused: Powers. 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. 79 was referred for engrossment.

SENATE CONCURRENT RESOLUTION NO. 8, by Curnutt and Thomas, of the Senate, and Johnson, of the House, was taken up for consideration, and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 8—  
By CURNUTT and THOMAS of the Senate and JOHNSON of the House.

A Resolution memorializing Congress to repeal the law levying an excise tax of one cent (1¢) per gallon of gasoline for federal purposes.

WHEREAS, the recent session of the United States Congress enacted a law establishing an excise tax of one cent (1¢) per gallon on gasoline sold in the United States for the purpose of raising revenue for the expenses of the federal government; and

WHEREAS, in this state and many other states of the United States there exist laws levying an excise tax on gasoline from one cent (1¢) to five cents (5¢) per gallon; and

WHEREAS, such taxes are out of all proportion in comparison with other forms of taxes on other commodities; and

WHEREAS, the same should be by the Federal Congress repealed:

THEREFORE, BE IT RESOLVED BY THE

SENATE OF THE STATE OF OKLAHOMA. THE  
HOUSE OF REPRESENTATIVES OF THE STATE  
OF OKLAHOMA CONCURRING THEREIN.

That the Congress of the United States is hereby memorialized to repeal the Act which levies an excise tax of one cent (1¢) per gallon on gasoline sold in the United States as it is believed the same is an undue burden on said commodity and upon the citizens of the United States; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to each Representative and Senator from the State of Oklahoma in the National Congress calling their attention to the desire of the people of Oklahoma as herein expressed.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Concurrent Resolution No. 8, line 8, page 1, by striking the words and figures, "five cents (5c)," and inserting the words and figures, "seven cents (7c)."

CURNUTT.

Senator Johnston asked unanimous consent, which was granted, to withdraw his amendment to Senate Concurrent Resolution No. 8, submitted on January 10th.

Upon motion of Senator Curnutt, Senate Concurrent Resolution No. 8, as amended, was adopted.

Senate Concurrent Resolution No. 8 was referred for engrossment.

SENATE RESOLUTION NO. 5, by Stacey, was taken up for consideration and read at length, as follows:

SENATE RESOLUTION NO. 5—By STACEY.

A RESOLUTION REQUESTING THE STATE  
BOARD OF AFFAIRS TO FURNISH IN-



FORMATION TO THE SENATE OF ALL ITS ACTIONS AND DOINGS UNDER CHAPTER 26 OF THE SESSION LAWS OF 1931, REGARDING THE MANUFACTURE OF FARM IMPLEMENTS AT THE STATE PENITENTIARY.

WHEREAS, Chapter 26, Article 1, of the Session Laws of 1931, authorized and directed the State Board of Public Affairs to establish at the Oklahoma State Penitentiary at McAlester, Oklahoma, a factory to manufacture farm wagons and farm implements and sell the same to *bona fide* farmer residents of this State at actual cost, under such rules and regulations and provisions for payment as may be prescribed by said Board of Affairs; and

WHEREAS, the sum of \$25,000 was appropriated for said purpose and a special revolving fund created to be known as the "Farm Wagon and Implement Revolving Fund", and

WHEREAS, it was represented to the said Thirteenth Legislature that said Articles could be manufactured at the State Penitentiary and furnished to the farmers of the State at a cost approximately one-fourth of the extortionate prices demanded by the rapacious farm implement manufacturing trust,

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

That the State Board of Affairs be and it is hereby requested and directed forthwith to make a detailed report to the Senate of all its actions and doings under and by virtue of said Chapter 26, of Article 1, of said Acts of 1931, and especially to furnish the following details:

(a) The number of each kind of wagons and farm implements manufactured to date.

(b) The method established for distribution of said articles.

(c) The price charged the farmers for each of said implements.

(d) The number of each of said articles now on hand and ready for sale to the farmers.

(e) What system has been established to inform the farmers as to where they can obtain said implements and the price required to be paid therefor.

(f) The terms of payment on which these implements are sold to the farmers.

(g) The amount of funds still available in said Revolving Fund, together with a recommendation as to the amount of an appropriation, if any, necessary to continue this beneficent work on behalf of the best and most oppressed of our citizenship. Senator Waldrep submitted the following amendment, which was tabled, upon motion of Senator Ballard:

Mr. President: I move to amend Senate Resolution No. 5, line 15, page 2, by striking the word, "Senate," and inserting the words, "Senator Stacey."

WALDREP.

Senator Stacey moved that Senate Resolution No. 5 be adopted.

Senator Waldrep, as a substitute, moved that further consideration of Senate Resolution No. 5 be indefinitely postponed.

Following discussion, Senator Paul moved the adoption of the previous question, which motion prevailed.

The vote occurring on the Waldrep motion, it was declared failed of adoption.

Senator Whitaker asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Reso-

lution No. 5, by adding, "and in the event no action has been taken, under said act, that the reasons be given."

WHITAKER.

The vote occurring on the Stacey motion, for the adoption of Senate Resolution No. 5, it was declared adopted.

Senate Resolution No. 5 was referred for engrossment.

SENATE CONCURRENT RESOLUTION NO. 11, by Johnston and Curnutt, was taken up for consideration and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 11—

By JOHNSTON and CURNUTT.

A RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT A LAW REDUCING FIRST CLASS POSTAGE TO TWO CENTS (2c) BASE VOTE.

WHEREAS, for revenue raising purposes only a recent session of our United States Congress caused an increase in first class postage to three cents (3c) domestic, and

WHEREAS, such increase in the postage rate is an added burden to the classes of people unable to carry it, and was not an incident to meeting the cost of or improvement in the postal service,

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

That the Congress of the United States is hereby memorialized to enact a law reducing the first class postage rate from three cents (3c) to two cents (2c) and,

BE IT FURTHER RESOLVED, that copies of

this Resolution be forwarded to each Representative and Senator from the State of Oklahoma in our National Congress calling their attention to the desires of the people of Oklahoma as herein expressed.

Upon motion of Senator Curnutt, Senate Concurrent Resolution No. 11 was adopted, as read.

Senate Concurrent Resolution No. 11 was referred for engrossment.

SENATE BILL NO. 66, by Ballard and Wilbanks, was considered.

Section 1 was read.

Senator Ballard submitted the following amendment and moved its adoption:

Mr. President: I move to amend Senate Bill No. 66, lines 2 and 3, page 1, by striking the words, "Assistants and," in line 2, and the words, "in the office of the Secretary of State," in lines 2 and 3.

BALLARD.

Senator Jennings as a substitute, moved that further consideration of Senate Bill No. 66 be indefinitely postponed, which motion was tabled upon motion of Senator Curnutt.

Senator Logan presiding.

Senator Moon, as a substitute, moved that Senate Bill No. 66 be recommitted to Judiciary Committee No. 1, for the purpose of preparing a substitute bill, which motion prevailed.

SENATE BILL NO. 78, by Chamberlin, et al, being next on General Order, it was upon motion of Senator Chamberlin that consideration was deferred for this legislative day without the bill losing its place on calendar and the bill ordered properly printed, as amended by the Committee on Banks and Banking.

SENATE BILL NO. 85, by Johnston, of the Senate, and Cavitt, of the House, was considered.



Section 1 was read and adopted, by unanimous consent.

Senator Stewart submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 85, by adding a new section, to be numbered Section 2, as follows:

“SECTION 2. The Secretary of the State Election Board is hereby authorized and directed to pay the expense of holding the 1932 Primary Elections and the General Election in Pushmataha County, Oklahoma, from any unexpended funds in the appropriation for the fiscal year ending June 30, 1933, of the State Election Board designated ‘unallocated funds of the State Election Board’ upon the presentation of sworn claims therefor and which claims have been approved by the Secretary of the State Election Board of said County and by the Board of County Commissioners thereof as legal expenses of such elections.”

Senator Johnston asked unanimous consent, which was granted, to amend Senate Bill No. 85, by renumbering Section 2 of the original bill as “Section 3.”

Upon motion of Senator Johnston, Senate Bill No. 85 was advanced to engrossment and third reading.

Upon motion of Senator Johnston, the rules of the Senate were suspended and Senate Bill No. 85 was considered engrossed and placed upon third reading and final passage.

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: Briggs, Carlile, Carmack, Clark, Curnutt, Fischl, Howard, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt,

Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 24.

Nays: Chamberlin, Commons, Coppock, Garvin, Hutchinson, Jennings, Liggett, Logan, Morrison, Rizley, Rutherford. Total, 11.

Not Voting: Ballard, Daugherty, Dixon, Fidler, Moon, Ray, Sowards, Waldrep. Total, 8.

Excused: Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Dixon, Fischl, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Coppock, Jennings. Total, 2.

Not Voting: Curnutt, Daugherty, Fidler, Garvin, MacDonald, Moon, Sowards. Total, 7.

Excused: Powers. 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 question being, "Shall the title of the bill become the title of the Act?" Senator Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 85, by adding after the word, "Oklahoma," in line 8 of the title, and before the word, "and," the following, "also to assume the expense of primaries and general election in 1932 in Pushmataha

County," and by adding the name of "Stewart," as a joint author.

JOHNSTON.

Senate Bill No. 85 was referred for engrossment. President Pro Tempore Stewart presiding.

SENATE JOINT RESOLUTION NO. 7, by Rizley, was taken up for consideration.

The preamble to Senate Joint Resolution No. 7 was read.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 7, line 2, page 2, by inserting after the word, "purchase," and before the word, "heretofore," the following, "and preference lease right owners."

CHAMBERLIN.

Upon motion of Senator Chamberlin, the preamble, as amended, was adopted.

Section 1 was read.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 7, line 11, page 2, by inserting after the word, "purchase," and before the word, "and," the following, "and preference lease right owners."

CHAMBERLIN.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 7, line 14, page 2, by striking the figures, "1935," and inserting the following, "1934; provided, however, the Governor may, by executive order, issued for that purpose, extend the time herein provided not farther than the 15th day of July, 1935."

CHAMBERLIN.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 7, line 2, page 3, by striking the figures, "1935," and inserting the following, "1934, or such further date as may be fixed by the Governor, in accordance with the provision hereof."

CHAMBERLIN.

Senator Ritzhaupt submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Joint Resolution No. 7, line 8, page 2, by adding after the word, "penalties," the word, "rents."

RITZHAUPT.

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

Upon motion of Senator Chamberlin, Senate Joint Resolution No. 7 was advanced to engrossment and third reading.

Upon motion of Senator Chamberlin, the rules of the Senate were suspended and Senate Joint Resolution No. 7 was considered engrossed and placed upon third reading and final passage.

SENATE JOINT RESOLUTION NO. 7 was read for the third time at length.

Senator Ballard presiding.

Senator Waldrep asked unanimous consent, to which Senator Rizley objected, to submit an amendment to Senate Joint Resolution No. 7.

Senator Nance moved that the rules of the Senate be suspended for the purpose of permitting the Waldrep amendment to be submitted, which motion prevailed.

Senator Waldrep submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Joint Resolution No. 7, line 13, page 2, by striking the words,



“be and the same is hereby,” and inserting the words, “may be by said Commission.”

WALDREP.

The question being, “Shall Senate Joint Resolution No. 7 pass?” the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Daugherty, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Ligett, MacDonald, Memminger, Morrison, Nance, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Carmack, Moon. Total, 2.

Not Voting: Coppock, Curnutt, Dixon, Fidler, Howard, Logan, Nichols, Ray, Stewart. Total, 9.

Excused: Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Ligett, MacDonald, Memminger, Nance, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Moon. Total, 1.

Not Voting: Coppock, Curnutt, Dixon, Fidler, Howard, Logan, Morrison, Nichols, Ray, Stewart. Total, 10.

Excused: Powers. 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 question being, "Shall the title of Senate Joint Resolution No. 7 become the title of the Act?" Senator Rizley submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Joint Resolution No. 7 to conform to adopted amendments, and by adding as joint authors the names of Senators Chamberlin, Reed and Clark.

RIZLEY.

Senate Joint Resolution No. 7 was referred for engrossment.

Senator Nance moved that the vote be reconsidered by which the report of the Printing Committee, submitted January 13th, was adopted.

Senator Briggs moved that the Nance motion be tabled, which motion prevailed.

#### MESSAGES

The following Message from the Governor was received and read:

January 18th, 1933

To the Honorable,

The Senate and the House of Representatives,  
Of the Fourteenth Legislature,  
Gentlemen:

I have the honor to advise you that I have this day signed House Concurrent Resolution No. 1, by Graham and Roberts of the House and Nichols of the Senate, namely,

Concurrent Resolution Ratifying A  
Proposed Amendment To the Consti-  
tution of The United States of  
America.

known as the LAME DUCK amendment to the Constitution.

I advise further that, complying with Section 2 of said Resolution, I have forwarded by Registered Mail certified copies of the Preamble and Concurrent

Resolution, one to the Secretary of State at Washington, one to the Presiding Officer of the United States Senate and one to the Speaker of the House of Representatives of the United States.

In testimony whereof, witness my hand, at the seat of government in Oklahoma City, Oklahoma, on this, the 18th day of January, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

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

To the President of the Senate,  
Building  
SIR:

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

ENROLLED SENATE CONCURRENT RESOLUTION NO. 7—By STEWART.

A Concurrent Resolution commending the Honorable Elmer Thomas and the Honorable Thomas P. Gore, members of the United States Senate from the State of Oklahoma, for their untiring services in the United States Congress in behalf of the citizens of Oklahoma, and

ENROLLED SENATE CONCURRENT RESOLUTION NO. 10—By FISCHL, DIXON, BALLARD, BRIGGS, CARLILE, CARMACK, CHAMBERLIN, CLARK, COMMONS, COPPOCK, CURNUTT, DAUGHERTY, FIDLER, GARVIN, HOWARD, HUTCHINSON, JENNINGS, JOHNSTON, LESTER, LIGGETT, LOGAN, MacDONALD, MEMMINGER, MOON, MORRISON, NANCE, NICHOLS, PAUL, POWERS, PUGH, RAY, REED, RITZHAUPT, RIZLEY, RUTHERFORD, SOWARDS, STACEY, STEWART, TAYLOR, THOMAS, WALDREP, WHITAKER, WILBANKS and WILLIS of the Sen-

ate, and, GRUNERT, CAVINS and BATSON of the HOUSE.

A Resolution expressing regret at the death of the Honorable Lee Cruce, second governor of Oklahoma: Commending him and his patriotic unselfish service to the people of the State of Oklahoma: Extending the sympathy of the members of the Fourteenth Legislature and the people of the State of Oklahoma to the bereaved family: Authorizing the President of the Senate and Speaker of the House to appoint a committee of five members of the Senate and five members of the House to attend the funeral and directing the Senate Auditor and Chief Clerk of the House to arrange for a suitable floral offering and to advise you, and through you, the Honorable Senate, that the same have been signed by the Speaker of the House of Representatives in open session.

Yours very truly,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Concurrent Resolutions Nos. 7 and 10 were ordered referred to the Secretary of State.

Senator Fischl made the following announcement:

“The Masonic Scottish Bodies will hold midnight funeral services for Governor Cruce at the First Presbyterian Church, in Oklahoma City, Friday night, January 20th. The Legislature and public invited to attend.”

#### RESOLUTIONS

Senator Jennings asked unanimous consent, which was granted, to introduce the following Senate Resolution:

SENATE RESOLUTION NO. 7—By JENNINGS.  
—A Resolution memorializing the Senate of the United States commending its efforts in work thus far done to reveal oil scandals and requesting the appointment of a committee to be composed of its members



to conduct an investigation into all phases of the oil industry in the State of Oklahoma, including especially production, transportation, proration and the revenues due both to the State and the federal government as a result of such proration and transportation.

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

## THIRTEENTH LEGISLATIVE DAY

Thursday, January 19, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Powers. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### COMMITTEE REPORTS

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 5, Senate Concurrent Resolutions Nos. 8 and 11, Senate Joint Resolution No. 7 and Senate Bills Nos. 79 and 85 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Resolution No. 5 and ordered it referred for enrollment; signed, in open session, Engrossed Senate Concurrent Resolutions Nos. 8 and 11, Engrossed Senate Joint Resolution No. 7 and Engrossed Senate Bills Nos. 79 and 85 and ordered each transmitted to the Honorable House for consideration.

The following Committee Reports were submitted,

the bills ordered printed and placed upon the calendar, unless otherwise indicated:

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 19 by Logan, entitled:

An Act repealing Sections 6756 to 6758, inclusive, Oklahoma Statutes, 1931, relating to the State Co-ordinating Board for State Schools, 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.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 30, by MacDonald and Chamberlin of Senate; Phillips of the House, entitled:

This is an Act making an appropriation to pay the mileage of the Oklahoma Presidential electors, who convened at the capital of State of Oklahoma on the 4th day of January, 1933, 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.

MacDONALD, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 57, by Paul, entitled:

An Act providing for the transfer of children from one school district to another, providing for the transfer of a pro rata part of all local school revenues, providing for the payment by the State of a part of the transfer fees when necessary, repealing all Laws in conflict herewith, and declaring an emergency;

beg leave to report that we had the same under consid-

eration and herewith return the same with the recommendation that it do pass.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Public Health, to whom was referred Senate Bill No. 59 by Rizley of the Senate, and Cox of the House, entitled:

An Act authorizing and directing the State Board of Medical Examiners to issue a license to Mrs. E. E. Bundy, of Boise City, Oklahoma, to practice medicine, 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.

THOMAS, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 113, by Rutherford, entitled:

An Act amending Section 2 of Chapter 79 of Session Laws 1927, and Section 4 of Chapter 79 of Session Laws of 1927; making provision for the number of members of boards of education of independent districts; providing for the time and manner of their election; providing for the length of their term of office; and providing for the number, time and manner of electing, and the length of the term of office of members of boards of education in independent districts having within them a Charter, etc.;

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

RITZHAUPT, Chairman.

Senator Ballard asked unanimous consent, to which objections were voiced, to have printed in the Senate Journal a statement relative to the report of the Senate Printing Committee.

Senator Ballard moved that the prepared statement, relative to the Printing Committee's report be



made a part of the permanent record of the Senate.

A roll call was requested and the request sustained by the Presiding Officer.

Prior to the announcement of the result of the roll call, Senator Briggs raised a point of order against the announcement of the results of said roll call, which was sustained by the President, stating the roll call had been interrupted.

The President declared the roll call on the Ballard motion a nullity.

Senator MacDonald moved to amend the Ballard motion, by adding to the statement, a copy of the printing contract, recently adopted by the Honorable House, which amendment was accepted by Senator Ballard.

Following discussion, Senator Nichols moved the adoption of the previous question, which was the order.

The vote occurring on the Ballard motion, as amended by Senator MacDonald, it was declared failed of adoption, upon a roll call, as follows:

Ayes: Ballard, Briggs, Coppock, Daugherty, Dixon, Howard, Hutchinson, Jennings, Lester, Ligett, MacDonald, Nichols, Paul, Rizley, Rutherford, Stacey, Wilbanks. Total, 17.

Nays: Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Garvin, Johnston, Logan, Memminger, Moon, Morrison, Nance, Pugh, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 22.

Not Voting: Fidler, Fischl, Ray, Waldrep. Total, 4.

Excused: Powers. Total, 1.

Senator Chamberlin presiding.

Senator Ballard offered an explanation of his vote, which was ruled out of order by the presiding officer, upon a point of order raised by Senator Briggs, who cited Senate Rule 9.

#### SPECIAL ORDER

The hour of 2:00 o'clock, p. m., having arrived,

SENATE BILL NO. 2, by Committee on Revenue and Taxation, was considered.

Section 1 was read.

Senator Whitaker submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 2, line 6, page 2, by striking the word, "December," and inserting the word, "June," and by adding after the figures, "1933," line 6, page 2, the following, "Provided that the Governor, by executive order, issued for that purpose, may extend the time herein fixed to a date not later than February 1, 1934."

WHITAKER.

Senator Nichols submitted the following amendment, which was accepted by Senator Whitaker:

Mr. President: I move to amend the Whitaker amendment, by striking the word and figures, "February 1, 1934," and inserting the word and figures, "December 1, 1933."

NICHOLS.

The vote occurring on the Whitaker amendment, as amended, it was declared failed of adoption.

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 2, line 8, page 2, by adding after the word, "existing," and before the word, "tax," the word, "valid."

COMMONS.

Senator Waldrep submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 2, line 9, page 2, by adding after the word, "purchasers," the following: "Provided that on all taxes paid within 90 days, there shall be allowed a 2 per cent deduction thereon."

WALDREP.

Senator Waldrep asked unanimous consent, to

which objections were voiced, to amend his pending amendment, by striking the figures and word, "90 days," and inserting in lieu thereof the figures and word, "30 days."

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend the Waldrep amendment, by striking the figures, "90," and inserting the figures, "30."

CURNUTT.

Following discussion, it was upon motion of Senator MacDonald that the previous question was ordered.

The vote occurring on the Curnutt amendment to the Waldrep amendment, it was declared failed of adoption.

Upon motion of Senator MacDonald, the previous question was ordered.

The vote occurring on the Waldrep amendment, it was declared failed of adoption.

Senator Carmack submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 2, line 6, by striking the word, "December," and inserting the word, "March," and by adding after the figures, "1933," line 6, page 2, the following: "Provided that the Governor, by executive order, issued for that purpose, may extend the time herein fixed to a date not later than December 1st, 1933."

CARMACK.

Senator Curnutt raised a point of order, which was overruled by the Presiding Officer, stating subject matter of the Carmack amendment had previously been disposed of by the Senate.

Upon motion of Senator MacDonald, the previous question was ordered.

The vote occurring on the Carmack amendment, it was declared failed of adoption.

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

Section 2 was read.

Senator Liggett submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 2, line 7, page 3, by striking the word, "and," and placing a comma instead, and adding after the word, "cost," the words, "and including all redemption fees."

LIGGETT.

Upon motion of Senator Whitaker, Section 2, as amended, was adopted.

Section 3 was read.

Senator Stacey submitted the following amendment, which was tabled, upon motion of Senator MacDonald:

Mr. President: I move to amend Senate Bill No. 2, page 3, by striking Section 3.

STACEY.

Upon motion of Senator Whitaker, Section 3 was adopted, as read.

Senator Whitaker moved that the vote be reconsidered by which Section 1 was adopted, which motion prevailed.

Senator Whitaker submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 2, line 9, page 2, by changing the period after the word, "purchasers," to a semicolon, and adding the following: "Provided further that where real estate has been purchased by the county under the provisions of existing law, relating to the tax resale of property, and the county still holds the title, the last record owner thereof, previous to such tax sale or resale, or any person having legal or equitable interest therein, may redeem the same under the provisions hereof, and within the time herein provided, by paying or tendering the amount required hereunder for the years during which such property was



assessed for taxation, and by paying in addition thereto, for each year during which the title of such property was held by the county and not assessed for taxation, an amount equal to the principal assessment thereon for the last year that the same was duly assessed."

WHITAKER.

Senator Morrison, as a substitute, submitted the following amendment, which was tabled, upon motion of Senator Reed:

Mr. President: I move to amend Senate Bill No. 2, by inserting a new section two and re-numbering the following sections, said new section 2 being as follows: "Section 2. Provided further that the owner or his successor shall be permitted to redeem any real estate, now held by the county commissioners of any county, by virtue of any tax sale or re-sale, by paying the amount of the taxes due on said real estate, less any penalties, provided said redemption is made before one year from the date of the passage and approval of this Act."

MORRISON.

Upon motion of Senator Morrison, the Whitaker amendment was tabled.

Senator Whitaker moved that Section 1 be adopted.

Upon motion of Senator Ballard, the previous question was ordered.

The vote occurring on the Whitaker motion, it was declared adopted.

Section 4 was read and adopted, upon motion of Senator Whitaker.

Section 5 was read.

Senator Hutchinson submitted the following amendment, which was tabled, upon motion of Senator Nichols:

Mr. President: I move to amend Senate Bill No. 2, lines 2 to 8, inclusive, page 4, by striking Section 5 and re-numbering Sections 6 and 7 as Sections 5 and 6.

HUTCHINSON.

Upon motion of Senator Whitaker, Section 5 was adopted.

Sections 6 and 7 were read and adopted, upon motions of Senator Whitaker.

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

Upon motion of Senator Whitaker, the rules of the Senate were suspended and Senate Bill No. 2 was considered engrossed and placed upon third reading and final passage.

SENATE 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 40.

Nays: Waldrep. Total, 1.

Not Voting: Ray, Stewart. Total, 2.

Excused: Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul,

Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 40.

Nays: Waldrep. Total, 1.

Not Voting: Ray, Stewart. Total, 2.

Excused: Powers. 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 question being, "Shall the title of the bill become the title of the Act?" Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 2, by adding as joint authors thereof the names of Senators Lester, Paul and Reed.

WHITAKER.

Senate Bill No. 2 was referred for engrossment.

The Presiding Officer announced the regular order of business would be taken up.

### FIRST READING

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

SENATE BILL NO. 130—By BALLARD and FIDLER.—An Act amending Section 10983, Oklahoma Statutes, 1931, relating to bonds to be taken on public works, and declaring an emergency.

SENATE BILL NO. 131—By MORRISON.—An Act amending Section 1, Chapter 129, Session Laws, 1923-1924, relating to the assessment of real estate for taxes; and declaring an emergency.

SENATE BILL NO. 132—By JOHNSTON.—An Act providing exemptions for persons not the head of a family.

SENATE BILL NO. 133—By NICHOLS.—An Act regulating expenditures by candidates in Primary Elections, providing for filing reports of expenditures, prescribing penalties, both civil and criminal, for violations

of the Act, and repealing all Acts and parts of Acts in conflict herewith.

SENATE BILL NO. 134—By THOMAS.—An Act providing that the salary of the President of each of the eleven secondary schools of Oklahoma shall not exceed the sum of Two Thousand (\$2,000.00) Dollars per annum and the usual residence; limiting the salary of any other instructors, teachers or employees of said Colleges and declaring an emergency.

SENATE BILL NO. 135—By THOMAS.—An Act amending Section 7250, Oklahoma Statutes, 1931, fixing the President's salary of the Oklahoma Agricultural and Mechanical College; limiting the salary of any and all instructors, teachers and employees thereof, and declaring an emergency.

SENATE RESOLUTION NO. 8—By THOMAS, WILLIS and COPPOCK.—A Resolution asking the different institutions of the State to assist the State Senate in making an intelligent appropriation in the various institutions of the State by submitting a more complete and detailed, or itemized, statement of their various budgets to the State Senate.

#### SECOND READING

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

SENATE BILL NO. 124—By STACEY.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 125—By THOMAS.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 126—By DAUGHERTY, FISCHL and JOHNSTON.—Referred to Committee on School Lands.

SENATE BILL NO. 127—By BRIGGS.—Referred to Committee on Ways and Means.

SENATE BILL NO. 128—By THOMAS.—Referred to Committee on Appropriations.

SENATE BILL NO. 129—By JENNINGS.—Re-



ferred to Committee on Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 8—By BALLARD.—Referred to Committee on Privileges and Elections.

### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED SENATE BILL NO. 47—By MORRISON, CHAMBERLIN, SOWARDS, LOGAN, entitled:

An Act setting aside to the State Game and Fish Commission certain property in Canadian County owned by the State for use by said Commission as a propagating farm, and declaring an emergency.  
and to inform you, and through you, the members of the Honorable Senate, that the same has been passed as amended by the House of Representatives, and signed by the Speaker of the House in open session.

Yours very truly,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 47 was read as follows:

ENGROSSED HOUSE AMENDMENT NO. 1. That the names of Palmer, Wingo, Babb and Daniel, of the House of Representatives, be added as joint authors.

Upon motion of Senator MacDonald, the Senate concurred in Engrossed House Amendment to Engrossed Senate Bill No. 47,

Engrossed Senate Bill No. 47, as amended, was referred for enrollment.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 7—By HOGG AND BEAMAN, entitled:

A Resolution requesting the Congress of the United States to enact legislation whereby a moratorium of foreclosures on homesteads may be declared, 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,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolution No. 7 was ordered printed and placed upon the calendar.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 74—By WATSON, entitled:

An Act amending Section 1, Chapter 39, of the Session Laws of 1927, the same being Section 1424 of the Oklahoma Statutes 1931, providing for the qualification of guardians as to residence

ENGROSSED HOUSE BILL NO. 116—By PHILLIPS (Atoka), BABB and COX, entitled:

An Act consolidating the office of County Assessor with that of County Treasurer, relating to the election and duties of the County Treasurer 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,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 74 and 116.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED HOUSE BILL NO. 96—By CLOYD,  
entitled:

An Act repealing Sections 1, 2, 3, 4, and 5, of Chapter 14, Article 18, Session Laws of Oklahoma 1909, the same being Sections 4010, 4011, 4012, 4013 and 4014, respectively, of Oklahoma Statutes 1931, relating to the holding of County Court at Lexington in Cleveland County, Oklahoma, and the procedure attendant thereto; and declaring an emergency

ENGROSSED HOUSE BILL NO. 42—By CLOYD,  
entitled:

An Act repealing Chapter 99, Session Laws of Oklahoma, 1929, the same being Section 7961, Oklahoma Statutes, 1931, relating to the office of Assistant County Superintendent of Cleveland County; 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,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of House Bills Nos. 42 and 96.

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

## FOURTEENTH LEGISLATIVE DAY

Friday, January 20, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present :

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Ligett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Powers. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Telegrams, addressed to the President of the Senate, and signed by Mrs. Abbie B. Hillerman, of Tulsa, Mrs. Alice M. David, of Oklahoma City, and others, were read, urging the defeat of HOUSE JOINT RESOLUTION NO. 13, which seeks to repeal the State Prohibition Law.

### 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 Engrossed House Bill No. 33, by Smalley and Glenn, entitled:

An Act repealing House Joint Resolution number 53, Chapter 66, Article 19, Oklahoma Session Laws, 1931, Relating to the office of Delinquent Personal Tax Collector in Pottawatomie County 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.

WHITAKER, Chairman

Mr. President: We, your Committee on Revenue and Taxation to whom was referred Senate Joint Resolution No. 2, by Stacey, entitled:

A Resolution authorizing the submission of a proposed amendment to Section One (1), Article Twelve (12), of the Constitution of the State of Oklahoma, to the people for their approval or rejection, for the purpose of amending the same by providing, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be returned to the Senate and referred to the Committee on Constitution and Constitutional Amendments.

WHITAKER, Chairman.

The President ordered Senate Joint Resolution No. 2 referred to the Committee on Constitution and Constitutional Amendments, for further consideration.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Joint Resolution No. 3, by Logan, entitled:

A Joint Resolution providing for the submission of a proposed amendment to the Constitution to the people for their approval or rejection, said proposed Amendment being an amendment to Section 9, Article 10, of the Constitution of the State of Oklahoma,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be returned to the Senate with the recommendation that it be referred to the Committee on Constitution and Constitutional Amendments.

WHITAKER, Chairman.

The President referred Senate Joint Resolution No. 3 to the Committee on Constitution and Constitutional

Amendments, for further consideration.

Mr. President: We, your Committee on Privileges & Election, to whom was referred Senate Joint Resolution No. 8, by Ballard, entitled:

Joint Resolution providing for the submission to the people of the State of Oklahoma of a proposed law amending Sections 10072, 10073, 10074, Oklahoma Statutes 1931, and relating to the State Highway Commission; its membership, tenure and salaries.

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

BALLARD, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 27, by MacDonald, 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 30, 1934, and June 30, 1935, by functions of each department in accordance with the budget classifications adopted by the Governor,

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.

MacDONALD, Cairman.

Mr. President: We, your Committee on Judiciary No. 2, to whom was referred Senate Bill No. 49, by Nichols, entitled:

An Act providing for a cash deposit by any party to a civil action before a trial court where the court fund may become exhausted or depleted, and making it the duty of the judge of such court to cause such jury to be drawn and impanelled and fixing the number of such jurors and their per diem; providing such expenditures shall be added to the, etc.;

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

STACEY, Vice-Chairman.

Mr. President: We, your Committee on Judiciary Number 2, to whom was referred Senate Bill No. 50, by Nichols, entitled:

An Act amending Section 1, Chapter 39, of the Session Laws of 1927, the same being Section 1424 of the Oklahoma Statutes, 1931, providing for the qualification of guardians as to residence, 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.

STACEY, Vice-Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 100, by Hutchinson and Rizley, entitled:

An Act providing for the issuance of Oklahoma Relief Certificates and Relief Certificates Stamps by the State Treasurer for the Relief of the Unemployed and of certain aged, infirm and poverty stricken citizens of this State, etc.,

beg leave to report that we had the same under consideration; beg leave to report progress on the same and recommend that the Senate print one hundred (100) copies of the Bill for study and consideration of members of the Senate.

WHITAKER, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 103, by Whitaker, entitled:

An Act amending Section 12678, Oklahoma Statutes 1931, relating to county and municipal subdivision budgets, computation of appropriations, deduction of sur-

~~plus~~ balance of revenue or levy and probable income from sources other than tax, making levies, 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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Fish and Game, to whom was referred Senate Bill No. 107, by Stewart and Coppock, entitled:

An Act to provide for the control and destruction of predatory animals; making an appropriation therefor, and prescribing the manner of its expenditure in cooperation with the Fish and Game Commission, repealing Sections 4865 to 4868, inclusive, Oklahoma Statutes 1931, 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.

HOWARD, Chairman.

The President referred Senate Bill No. 107 to the Committee on Appropriations.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 117, by Chamberlin of the Senate and Worthington, Speck and Sutherland of the House, entitled:

An Act requiring certain boards now authorized by law to collect application fees, examination fees and annual license or membership fees to pay ten per cent of gross collections into the general revenue funds of the State Treasury; fixing the time, 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.

WHITAKER, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and



Enrolled bills begs leave to report Senate Resolution No. 5 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Enrolled Senate Resolution No. 5 and ordered it transmitted to the Secretary of State.

Senator Whitaker submitted the following Special Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Revenue and Taxation, to whom you referred the Proclamation issued by the American Legislators' Association, together with their invitation to the Senate of the State of Oklahoma to send one of its members as a delegate to the first Interstate Conference of Legislators to convene in Washington, D. C., February 3, 1933, beg leave to report that we have duly considered the same and return the same to the Senate with the recommendation that, due to the present stringent financial condition and the policy of economy desired by this Legislature, no Member of the Senate be sent at the expense of the Senate; and that the said Association be so informed.

WHITAKER, Chairman.

Senator Thomas submitted the following supplemental Committee Report, which, upon his motion, was adopted:

Mr. President. We, your Committee on Employment beg leave to submit the following report:

We wish to recommend the employment of E. J. Fuller to take the place of that of Howard Norman, who resigned as doorman.

THOMAS, Chairman.

#### RESOLUTIONS AND NOTICES

Senator Fischl introduced the following Resolution, which, upon unanimous consent, was taken up for immediate consideration and read at length:

SENATE CONCURRENT RESOLUTION NO. 12.

—By FISCHL, DIXON, STEWART, GARVIN and JOHNSTON of the Senate and ANGLIN, GRUNERT, CAVINS, LEECRAFT, LINDSEY and BATSON of the House.

A Resolution providing for the adjournment of the Fourteenth Legislature from Four Thirty P. M., Friday, January 20, 1933 until One Thirty P. M. Monday, January 23, 1933, out of respect to the memory and in honor of the late Lee Cruce, second Governor of Oklahoma.

WHEREAS, the Honorable Lee Cruce, second governor of Oklahoma, departed this life on the 16th day of January, 1933, and

WHEREAS, the body of said Lee Cruce will reach Oklahoma City at 4:40 P. M. on this, the 20th day of January, 1933, and will lie in state at the State Capitol on the 21st day of January,

THEREFORE, BE IT RESOLVED BY THE SENATE OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN,

THAT the Fourteenth Legislature of the State of Oklahoma stand adjourned when the hour of four thirty arrives on this the 20th day of January, 1933, and that such adjournment continue until the hour of one thirty P. M. on the 23rd day of January, 1933, out of respect and the memory and in honor of the said Lee Cruce and in recognition of the services which he rendered to the State of Oklahoma.

Upon motion of Senator Fischl, Senate Concurrent Resolution No. 12 was adopted.

Senate Concurrent Resolution No. 12 was referred for engrossment.

#### FIRST READING

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

SENATE BILL NO. 136 — By GARVIN and

CHAMBERLIN.—An Act amending Section 10474, Compiled Oklahoma Statutes, 1931, requiring certain deposits to be made by foreign casualty companies doing business in Oklahoma; and declaring an emergency.

SENATE BILL NO. 137—By CHAMBERLIN, RAY, CARMACK and COMMONS.—An Act repealing Sections 4830 to 4833 inclusive, Oklahoma Statutes 1931, amending Section 4835, Oklahoma Statutes 1931, abolishing the State Game and Fish Commission, providing for appointment of a State Game Warden who shall hereafter perform the duties of the State Game and Fish Commissioner, fixing his compensation, providing for additional employees and their compensation, and declaring an emergency.

SENATE BILL NO. 138—By RITZHAUPT.—An Act making it unlawful to plant, cultivate, protect, harvest, cure, prepare, barter, sell, give away or use, or offer to sell, furnish or give away, or to have possession of marihuana, or any drug or preparation made from any species or variety of the botanical genus cannabis, or any compound derivative or preparation thereof; providing penalties for violation of this Act; and declaring an emergency.

SENATE BILL NO. 139—By MORRISON and RIZLEY of the Senate and GRAY, OTTO STRICKLAND and MARSHALL of the House.—An Act authorizing the issuance of certificates of registration as registered pharmacist under certain conditions, to persons having certain qualifications: providing for examinations and the fee therefor: limiting the time during which such certificates may be issued; and declaring an emergency.

SENATE BILL NO. 140—By CARMACK.—An Act amending Section 8525 Oklahoma Statutes, 1931, providing that members of the Board of Agriculture other than the President thereof, shall receive six dollars per diem for the time actually engaged in the per-

formance of their duties, and in addition thereto, their actual traveling expenses, and declaring an emergency.

### SECOND READING

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

SENATE BILL NO. 130—By BALLARD and FIDLER.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 131—By MORRISON.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 132—By JOHNSTON.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 133—By NICHOLS.—Referred to Committee on Privileges and Elections.

SENATE BILL NO. 134—By THOMAS.—Referred to Committee on Education.

SENATE BILL NO. 135—By THOMAS.—Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 42—By CLOYD.—Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 74—By WATSON.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 96—By CLOYD.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 116—By PHILIPS (Atoka), BABB and COX.—Referred to Committee on State and County Affairs.

### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 92—By MARTIN.—entitled:

A Bill to be entitled an Act making appropriations



from the public building fund for additional buildings at the State Hospital for Negro Insane at Taft, and directing the State Board of Public Affairs to proceed immediately to let contract for such building 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,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of House Bill No. 92.

President Pro Tempore Stewart presiding.

#### GENERAL ORDER

Senator MacDonald asked unanimous consent, to which Senator Ballard objected, to defer consideration of SENATE BILL NO. 78, by Chamberlin, MacDonald, et al, until Monday, January 23d, without the bill losing its place on the calendar.

Senator MacDonald moved that consideration of Senate Bill No. 78 be deferred and made a Special Order for 2:00 o'clock, p. m., Monday, January 23d, which motion prevailed.

Upon motion of Senator Ritzhaupt, consideration of SENATE BILL NO. 102, by Ritzhaupt, was deferred and made a Special Order for 2:00 o'clock, p. m., Monday, January 23d, immediately following special consideration of Senate Bill No. 78.

SENATE BILL NO. 104, by Paul, was taken up for consideration.

Section 1 was read.

Senator Briggs asked unanimous consent, which was granted, to submit the following motion:

Mr. President: I move that consideration of SENATE BILL No. 55, by Briggs, be made a Special Order for 2:20 p. m., this day.

BRIGGS.

Senator Ballard, as a substitute, moved that SENATE JOINT RESOLUTION NO. 8, by Ballard, be made a Special Order for 2:19 p. m., this day.

Senator Briggs raised a point of order against the Ballard motion, which was overruled, stating the Ballard motion would require a suspension of the rules.

Senator Briggs moved that the Ballard motion be tabled, which motion was adopted, upon a roll call, as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Sowards, Stewart, Thomas, Waldrep, Whitaker. Total, 22.

Nays: Ballard, Clark, Coppock, Curnutt, Fidler, Hutchinson, Jennings, Logan, Ritzhaupt, Rizley, Ruth-erford, Stacey, Wilbanks, Willis. Total, 14.

Not Voting: Daugherty, Dixon, Ligett, Moon, Morrison, Reed, Taylor. Total, 7.

Excused: Powers. Total, 1.

Senator Paul raised a point of order against further consideration of the Briggs motion, stating Section 1 of Senate Bill No. 104, by Paul, was under consideration. The Chair overruled the point of order.

The vote occurring on the Briggs motion, it was declared adopted.

Senator Ballard raised a point of order against the declared results on the Briggs motion, stating it would require a majority of the members elected to the Senate, to set a measure for Special Order.

Senator Briggs raised a point of order against the Ballard point of order, which was sustained, stating there was no record vote taken.

Senator Nichols moved that the Senate work under a call of the House, which motion prevailed and the roll of the Senate was ordered called, resulting as follows:

Present: Ballard, Briggs, Carlile, Carmack, Cham-

berlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Ligett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Powers. Total, 1.

Senator Fidler raised a point of order against further consideration by the Senate, of any matters, as a result of the call of the House being ordered.

The Presiding Officer over-ruled the point of order, citing sub-division "D," of Senate Rule 5.

Senator Jennings moved that the vote be reconsidered by which Senate Bill No. 55, by Briggs, was placed on Special Order, for 2:00 o'clock, p. m., this day.

Senator Nance raised a point of order against the Jennings motion, which was sustained, quoting sub-division "B," of Senate Rule 10.

Senator Rizley moved, out of respect to the late Lee Cruce, ex-Governor of Oklahoma, that the Senate adjourn, to meet under the rules, on Monday, January 23rd, which motion failed of adoption.

The hour of 2:00 o'clock, p. m., having arrived, it was upon motion of Senator Briggs that the Senate proceeded to the consideration of Senate Bill No. 55, by Briggs.

Section 1 was read.

Senator Rutherford moved that further consideration of Senate Bill No. 55 be indefinitely postponed.

Senator Briggs moved to table the Rutherford motion.

Upon motion of Senator MacDonald, the previous question was ordered.

Senator Hutchinson raised a point of order against the Briggs motion, stating "when a previous question has been ordered on a question which is debatable, the

mover of the main question is given 15 minutes for discussion," which point of order was overruled by the Chair.

The vote occurring on the Briggs motion, it was declared adopted.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Concurrent Resolution No. 12 correctly engrossed.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Concurrent Resolution No. 12 and ordered it transmitted to the Honorable House.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, page 2, by striking the enabling clause.

BALLARD

Senator Briggs raised a point of order against the Ballard amendment, which was not sustained, stating the effect was to kill Senate Bill No. 55, and not to amend it.

Senator Briggs moved to table the Ballard amendment, which motion prevailed.

Senator Moon submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 2, page 3, by inserting after the word, "engineer," and before the word, "no," the additional sentence, as follows: "Not more than three members of said Commission shall be of the same political party."

MOON.

Senator Nichols moved to table the Moon amendment, which motion prevailed, upon a roll call, as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Fischl, Howard, Johnston, Lester, Ligett, Mac-



Donald, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stewart, Thomas, Waldrep, Whitaker, Wilbanks. Total, 24.

Nays: Ballard, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Hutchinson, Jennings, Logan, Memminger, Moon, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Willis. Total, 19.

Excused: Powers. Total, 1.

Senator Hutchinson submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 2, page 3, by inserting after the word, "engineer," the following: "Provided the first four members of said Commission shall be appointed by the Governor prior to the adjournment of the 14th Legislature and the Governor shall submit to the Senate, for confirmation prior to such adjournment, the names of the members so appointed, provided, further, no duties, power or authority shall be vested in such Commission or the members thereof unless and until the above provisions have been complied with, and any person so appointed as a member of said State Highway Commission, especially in compliance with this provision, shall not be entitled to receive any pay, emoluments or expenses for the performance for any or all of the duties of a Highway Commissioner."

HUTCHINSON.

Senator Nance as a substitute, submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 55, from line 3, page 3, by striking the words, "for a longer period than six months."

NANCE.

Senator Jennings submitted the following amendment:

Mr. President. I move to amend Senate Bill No. 55,

line 10, page 2, by striking after the word, "of," all the remaining portion of Section 1 and inserting the following: "the Governor, Secretary of State, State Auditor, and President of the Board of Agriculture, and the Governor shall be Chairman of said Board and said Board shall, by majority vote, appoint a chief engineer."

JENNINGS.

Senator Nichols moved to table the Jennings amendment, which motion prevailed, upon a roll call as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Ballard, Clark, Coppock, Dixon, Fidler, Garvin, Hutchinson, Jennings, Moon, Rizley, Rutherford, Stacey. Total, 12.

Not Voting: Curnutt, Logan. Total, 2.

Excused: Powers. Total, 1.

Senator Ballard moved that Senate Bill No. 55 be stricken from the calendar, which motion was tabled, upon motion of Senator Nichols, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Logan, Moon, Rizley, Rutherford, Stacey. Total, 13.

Excused: Powers. Total, 1.

Senator Nichols moved that the rules of the Senato

be suspended for the purpose of reading and advancing Senate Bill No. 55 to engrossment and third reading.

Senator MacDonald moved that the Senate adjourn, to meet under the rules, which motion, by unanimous consent, he withdrew.

Senator Ballard moved that the Senate adjourn, to meet under the rules.

Senator Memminger, as an amendment to the Ballard motion, moved that the Senate adjourn to meet at 10:00 o'clock, a. m., Monday, January 23d, which amendment was accepted by Senator Ballard.

The vote occurring on the Ballard motion, it was declared failed of adoption, upon a roll call as follows:

Ayes: Ballard, Clark, Coppock, Dixon, Fidler, Hutchinson, Jennings, Logan, Moon, Rizley, Rutherford, Stacey. Total, 12.

Nayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Garvin, Howard, Johnston, Lester, Ligett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Fischl. Total, 1.

Excused. Powers, Total, 1.

Senator Moon raised a point of order against the Nichols motion, declaring no opportunity would be given to amend Senate Bill No. 55.

Senator Briggs raised a point of order against the Moon point of order, which was sustained, stating a motion to suspend the rules, permits the purpose of the Nichols motion.

Senator Memminger presiding.

President Pro Tempore Stewart presiding.

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

Senator Dixon submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 7, page 3, by striking after the word, "of," the words, "four years," and inserting the word, "two years," and, in line 8, page 3, by striking the words, "six years," and inserting the words, "two years."

DIXON.

Senator Nichols moved that the Senate adjourn, to meet under the rules.

Senator Briggs, as a substitute, moved that when the Senate adjourns today, it adjourn to meet at 10:00 o'clock, a. m., Monday, January 23d, at which time Senate Bill No. 55 be taken up under Special Order.

Senator Jennings raised a point of order, which was sustained, stating the Briggs motion was "double barreled."

Senator Chamberlin moved that further consideration of Senate Bill No. 55 be postponed until 10:00 o'clock, a. m., Monday, January 23d, under Special Order, which motion prevailed.

Upon motion of Senator Chamberlin, the Senate adjourned, to meet at 10:00 o'clock, a. m., Monday, January 23d.



## FIFTEENTH LEGISLATIVE DAY

Monday, January 23d, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 44.

The President 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, Senate Judiciary, Division No. 2, to whom was referred Senate Bill No. 26, by Stacey, entitled:

An Act making it a felony for any officer or employee of the state, or of any county, township, school district, city or town or of any publicly operated institution, to embezzle, steal or misappropriate any of the moneys, funds, credits, securities or other property thereof, fixing the punishment therefor, providing the time in which prosecution must be commenced, repealing conflicting Acts, 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee, Senate Judiciary, Division No. 2, to whom was referred Senate Bill No. 95, by Briggs of the Senate and Garland of the House, entitled:

An Act authorizing and empowering County Treasurers, treasurers of cities, towns, townships and boards of education to enforce obligations evidenced by bonds, warrants or other evidence of indebtedness held by such treasurer as sinking fund investment, authorizing said treasurer to bring and maintain suits thereon, validating judgments heretofore rendered 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Senate Judiciary, Division No. 2, to whom was referred Senate Bill No. 110, by Nichols, entitled:

An Act amending Section 1773, Compiled Oklahoma Statutes, 1921, relating to the punishment for maiming 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Senate Judiciary, Division No. 2, to whom was referred Senate Bill No. 111, by Nichols, entitled:

An Act amending Section 1798, Compiled Oklahoma Statutes 1921, relating to the crime of kidnapping, fixing the punishment 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 as amended.

CHAMBERLIN, Chairman.

Senator Thomas submitted the following supplemental Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Employment, beg leave to submit the following Supplemental Report and Recommendation:

According to previous agreement, the twenty (20) day period has expired for the Chaplain.

We therefore recommend R. R. Hildebrand to take the place of Rev. Gaddi, as Senate Chaplain.

THOMAS, Chairman.

Senator Ritzhaupt sent up the following motion:

Mr. President: I move the adoption of the following special rules for the purpose of guiding and limiting debate on all questions before the Senate, until the adoption of the permanent rules:

1. Debate shall be limited to 5 minutes by any member of the Senate upon any one motion, point or subject, except by unanimous consent for further time; and no Senator shall speak more than once upon any question, except the proposer of a motion or amendment, who shall have the right to open and close.

2. A bill shall not be subject to debate on the question to engross and advance to third reading, but, on the final passage of the bill, the whole subject shall be open to debate, which shall be limited to 30 minutes to the side, and divided by and between the members desiring to speak for and against the bill.

3. Remarks made during the consideration of any question before the Senate shall be appropriate, relative and germane to the immediate question or matter being considered.

RITZHAUPT.

President Pro Tempore Stewart presiding.

Senator Ritzhaupt moved the adoption of his motion.

Following discussion, it was upon motion of Senator Briggs that the previous question was ordered.

The vote occurring on the Ritzhaupt motion, it was declared adopted, upon a roll call as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Ballard, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Logan, Moon, Powers, Rizley, Rutherford, Stacey. Total, 13.

Not Voting: Clark, Lester, MacDonald. Total, 3.

Senator Rutherford moved that the Senate recess, to meet at 1:30 p. m., which motion failed of adoption.

Senator Hutchinson submitted the following motion, which, upon motion of Senator Briggs, was tabled:

Mr. President: I move that, pending the adoption of permanent rules for the Senate, the following rule shall prevail: Except with unanimous consent, no bill shall be advanced to engrossment and final passage until it shall have been read, section by section, and an opportunity offered to amend each section.

#### HUTCHINSON.

Senator Nance moved that the Senate proceed with the consideration of SENATE BILL NO. 55, by Briggs Senator Commons presiding.

Senator Paul, as a substitute, moved that the Senate recess, to meet at 1:30 p. m., which motion prevailed.

#### AFTERNOON SESSION

The Senate reassembled, at 1:30 p. m., and was called to order by President Pro Tempore Stewart.

SENATE BILL NO. 55, by Briggs, was taken up for consideration.

Section 1 was read.



Senator Curnutt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, by striking after the word, "members," line 11, and before the word, "each," line 12, page 2, and after the word, "Senate," line 1, page 3, and before the word, "shall," line 1, page 3, and inserting the following: "shall elect one of the members as Chairman, one as Vice Chairman, and one shall be appointed and confirmed as Secretary and said Commission," and in lines 5 to 12, inclusive, page 3, strike from the word, "the," line 5, to the end of line 12, inclusive, and insert the clause, "one of the appointees named by the Governor shall be confirmed by the Senate, to serve for a term of 2 years; one for a term of 4 years and one for a term of 6 years, provided the Secretary appointed shall serve only for a term of 2 years and, upon the expiration of the terms of each, except the Secretary, their successors."

CURNUTT.

Senator Ballard, as an amendment to the Curnutt amendment, submitted the following:

Mr. President: I move to amend Senate Bill No. 55, line 10, page 2, by striking after the word "of," the word, "four," and substituting the word, "three"; and by striking the words, "and a Secretary," in line 12, and changing the word, "four," in line 14, to read "three," and by adding the words, "and a Secretary," after the period in line 2, page 3.

BALLARD.

Senator Jennings, as a substitute for all pending amendments, submitted the following:

Mr. President: I move to amend Senate Bill No. 55, line 6, page 2, by striking after the word, "highway," the remaining portion of Section 1 and by inserting in lieu thereof the following: "Commissioner

to be elected by the people of the State of Oklahoma at the time and in the manner provided by law for the election of other state officials."

JENNINGS.

Senator Nance presiding.

Senator Nichols moved that the Jennings amendment be tabled, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Ballard, Clark, Coppock, Dixon, Fidler, Hutchinson, Jennings, Logan, Moon, Powers, Ritzhaupt, Rizley, Rutherford, Stacey. Total, 14.

Not Voting: Morrison. Total, 1.

Senator Briggs moved that the Ballard amendment be tabled, which motion prevailed.

The vote occurring on the Curnutt amendment, it was declared adopted.

Senator Fidler submitted the following amendment, which was tabled, upon motion of Senator Nichols:

Mr. President: I move to amend Senate Bill No. 55, line 12, page 2, by striking the word, "Secretary."

FIDLER.

Senator Fidler submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 6, page 3, by striking the word, "two," and inserting the word, "four."

FIDLER.

Senator Briggs raised a point of order against the Fidler amendment, which was sustained, stating the amendment not germane to the section, as already amended.

Senator Rutherford moved that Senate Bill No. 55 be recommitted to the Committee on Roads and Highways, for further amendment, said bill not to be reported out until the investigation of the State Highway Department, heretofore authorized, has been completed.

The Presiding Officer ruled the Rutherford motion out of order, for the reason that the rules provide that a bill being considered, as is Senate Bill No. 55, shall be read at length and considered section by section; and stating further that such a motion would be in order at the conclusion of the perfection of the bill.

Senator Dixon submitted the following amendment, which was ruled out of order, on a point of order raised by Senator Briggs, who stated the amendment not germane to the act as it has been amended:

Mr. President: I move to amend Senate Bill No. 55, line 7, page 3, by striking after the word, "of," the words, "four years," and inserting in lieu thereof the words, "two years"; and in line 8, page 3, by striking the words, "Six years," and inserting the words, "two years."

DIXON.

Senator Johnston submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 18, page 3, by inserting after the word, "office," and before the word, "by," the following, "by the Governor for any cause by him deemed sufficient and also"

JOHNSTON.

Senator Nichols moved to table the Johnston amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Garvin, Howard, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Ray,

Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 24.

Nays: Ballard, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Hutchinson, Jennings, Johnston, Powers, Rizley, Rutherford, Stacey, Willis. Total, 16.

Not Voting: Moon, Paul, Pugh, Waldrep. Total, 4.

Senator Nichols moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call of the Senate being ordered by the Chair, all members were present, except Senator Thomas.

The Sergeant-at-Arms was instructed to inform the absent member of the Senate's proceedings.

Senator Stacey submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 4, page 4, by changing the period after the word, "office," to a comma and adding the following: "Provided none of the present Commissioners shall be eligible for reappointment within a period of two years after the passage and approval of this Act."

STACEY.

Senator Thomas was recorded present.

Senator Nichols moved that the Stacey amendment be tabled, which motion prevailed, upon a roll call as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fischl, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Ballard, Clark, Coppock, Dixon, Fidler, Garvin, Hutchinson, Jennings, Moon, Powers, Ray, Ritzhaupt, Rizley, Rutherford, Stacey. Total, 15.

Senator Fidler submitted the following amendment, which was tabled, upon motion of Senator Nichols:



Mr. President: I move to amend Senate Bill No. 55, line 7, page 2, by adding after the word, "with," and before the word, "offices," the word, "all"

FIDLER.

Senator Jennings submitted the following amendment, which was ruled out of order by the Chair, for the reason the subject matter had been previously disposed of:

Mr. President: I move to amend Senate Bill No. 55, line 4, page 4, by adding after the word, "office," the following, "Provided that no member of the present highway commission shall be eligible for appointment to the Commission hereby created."

JENNINGS.

Senator Hutchinson submitted the following amendment, which was ruled out of order, as relating to Section 3, not under discussion:

Mr. President: I move to amend Senate Bill No. 55, lines 13, 14 and 15, page 5, by striking after the word, "be," in line 13, and before the word, "filed," in line 15, the words, "executed by the official with surety to be approved by the Governor and when approved shall be"

HUTCHINSON.

Senator Fidler submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 4, page 4, by adding after the word, "office," the following: "No relative of a member of the legislature shall be employed by the above created Commission in any department under its supervision."

FIDLER.

Senator Morrison, as an amendment to the Fidler amendment, submitted the following, which was accepted by Senator Fidler:

Mr. President: I move to amend the Fidler amendment, by inserting after the word, "relative," and be-

fore the word, "of," the words, "within the third degree by blood or marriage."

MORRISON.

Senator Briggs moved to table the Morrison amendment, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Howard, Johnston, Lester, Liggett, MacDonald, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 21.

Nays: Ballard, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Hutchinson, Jennings, Logan, Memminger, Moon, Morrison, Paul, Powers, Rizley, Rutherford, Stacey, Waldrep, Willis. Total, 22.

Not Voting: Fischl. Total, 1.

The vote occurring on the Fidler amendment, as amended, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Logan, Memminger, Moon, Morrison, Paul, Powers, Rizley, Rutherford, Stacey, Waldrep. Total, 21.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Howard, Johnston, Lester, Liggett, MacDonald, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 23.

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

Section 2 was read.

Senator Hutchinson submitted the following amendment, which, by unanimous consent, was adopted:

Mr. President: I move to amend Senate Bill No. 55, line 13, page 4, by striking the words, "immediately upon," and inserting the words "within five days after"

HUTCHINSON.

Senator Curnutt submitted the following amendment, which, by unanimous consent, was adopted:

Mr. President: I move to amend Senate Bill No. 55, lines 7 and 8, page 4, by striking after the word, "office," the words, "of chairman, vice chairman, member or secretary of"

CURNUTT.

Upon motion of Senator Paul, Section 2, as amended, was adopted:

Section 3 was read.

Senator Hutchinson submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 9, page 5, by inserting after the word, "Oklahoma," and before the word, "conditioned," the words, "which bond shall be furnished by a surety company authorized to do business within the State of Oklahoma and shall be"

HUTCHINSON.

Senator Garvin, as a substitute, submitted the following amendment, which was tabled, upon motion of Senator Ballard:

Mr. President: I move to amend Senate Bill No. 55, line 8, page 5, by adding after the word, "a," and before the word, "bond," the word, "personal"; and on line 11, page 5, after the word, "than," and before the word, "and," by striking the figures, "\$25,000.00," and inserting the figures, "\$100,000.00."

GARVIN.

Senator Hutchinson, as a substitute for all pending amendments, submitted the following, which was adopted:

Mr. President: I move to amend the former Hutchinson amendment, by inserting after the word, "Oklahoma," and before the word, "conditioned," the words, "which bond shall be furnished by a surety com-

pany authorized to do business within the State of Oklahoma and to insure funds."

HUTCHINSON.

Senator Hutchinson submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 55, line 18, page 5, by inserting after the word, "be," and before the word, "approved," the following, "furnished by a surety company authorized to do business within the State of Oklahoma, able to insure funds on behalf of the United States Government."

HUTCHINSON.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 55, line 6, page 5, by inserting after the word "commissioners," and before the word, "after," the words, "and engineer"

CURNUTT.

Senator Briggs submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 11, page 5, by inserting after the figures, "\$25,000.00," and before the word, "and," the following, "or may deposit with the State Treasurer securities to be approved by the Governor of equal value."

BRIGGS.

Senator Ballard moved to table the Briggs amendment, which motion failed of adoption.

Senator Ray, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 8, page 5, by adding after the word, "a," and before the word, "bond," the word, "personal"; and on line 11, page 5, after the word, "than," and before



the word, "and," by striking the figures "\$25,000.00," and inserting the figures, "\$50,000.00."

RAY.

Senator Briggs raised a point of order, against the Ray amendment, which was sustained, stating the subject matter had been previously disposed of in the Hutchinson amendment.

The vote occurring on the Briggs amendment, it was declared failed of adoption.

Senator Hutchinson submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 55, lines 13, 14, and 15, page 5, by striking after the word, "be," in line 13, all of the words in lines 13, 14, and 15, before the word, "filed," in line 15.

HUTCHINSON.

Upon motion of Senator Briggs, Section 3, as amended, was adopted.

Section 4 was read.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 4, page 6, by striking after the word, "of," the figures, "\$4800.00," and inserting the figures, "\$3600.00."

JENNINGS.

Senator Garvin, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 4, page 6, by striking after the word, "of," and before the word, "per," line 5, the figures, "\$4800.00," and inserting the figures, "\$4200.00"; and on line 11, page 6, after the word, "exceed," and before the word, "per," by striking the figures, "\$4800.00," and inserting the figures, "\$4000.00."

GARVIN.

Senator Jennings raised a point of order against

the Garvin amendment, stating a portion of it related to Section 5, not under discussion.

The Chair ruled that that portion relating to Section 5 was out of order.

Upon motion of Senator Morrison, the Garvin amendment was tabled.

Upon motion of Senator Morrison, the Jennings amendment was tabled.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 7, page 6, by striking after the word, "office," the remaining portion of Section 4.

JENNINGS.

Senator Hutchinson, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, lines 7 and 8, page 6, by striking after the word, "from," line 7, the remainder of the section and inserting the following, "Oklahoma City, which expenses shall not exceed the sum of \$4.00 per day."

HUTCHINSON.

Senator Chamberlin presiding.

Senator MacDonald, as a substitute for all pending amendments, submitted the following, which was adopted:

Mr. President: I move to amend Senate Bill No. 55, line 7, page 6, by striking the word, "or" after the word, "office," and inserting the word, "and."

MacDONALD.

Senator Nance presiding.

Upon motion of Senator Briggs, Section 4, as amended, was adopted.

Section 5 was read.

Senator Briggs submitted the following amendment, which, by unanimous consent, was adopted:

Mr. President: I move to amend Senate Bill No.

55, line 13, page 6, by striking after the word, "office," and before the word, "place," the word, "or," and inserting the word, "and."

BRIGGS.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Briggs:

Mr. President: I move to amend Senate Bill No. 55, line 11, page 6, by striking after the word, "exceed," and before the word, "per," and inserting the figures, "\$3600.00."

JENNINGS.

Senator Hutchinson submitted the following amendment, which was tabled, upon motion of Senator Briggs:

Mr. President: I move to amend Senate Bill No. 55, lines 13 and 14, page 6, by striking after the word, "from," in line 13, and before the word, "the," the words, "his office or place of residence," and inserting the following, "Oklahoma City, which expenses shall not exceed \$4.00 per day for lodging and subsistence."

HUTCHINSON.

Senator Hutchinson submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 55, lines 1 to 8, page 7, by striking after the word, "engineering," all the rest of Section 5.

HUTCHINSON.

Upon the motion of Senator Briggs, Section 5, as amended, was adopted.

Section 6 was read.

Senator Ballard submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend Senate Bill No. 55, line 4, page 8, by striking the paragraph, "b," and renumbering the following paragraphs.

BALLARD.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 4, page 9, by adding after the word, "moneys," the following, "Provided, however, that no member of the legislature shall, during the term for which he shall have been elected, or within 2 years thereafter, be interested, directly or indirectly, in any contract made by said department, or charge or receive, directly or indirectly, any fee, compensation, money or property for appearing before, recommending or suggesting any action to be taken by any officer or employee of said department."

#### JENNINGS.

Senator Briggs moved to table the Jennings amendment, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Curnutt, Howard, Johnston, Lester, MacDonald, Morrison, Nance, Nichols, Pugh, Ray, Reed, Sowards, Stewart, Taylor, Thomas, Whitaker. Total, 19.

Nays: Ballard, Chamberlin, Clark, Commons, Coppock, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Liggett, Logan, Memminger, Moon, Paul, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Waldrep, Wilbanks, Willis. Total, 25.

The vote occurring on the Jennings amendment, it was declared failed of adoption, upon a roll call as follows:

Ayes: Ballard, Clark, Coppock, Daugherty, Dixon, Fidler, Garvin, Hutchinson, Jennings, Liggett, Logan, Memminger, Moon, Paul, Powers, Ray, Rizley, Rutherford, Stacey, Waldrep, Willis. Total, 21.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Howard, Johnston, Lester, MacDonald, Morrison, Nance, Nichols, Pugh, Reed, Ritz-



haupt, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 23.

Senator Rutherford submitted the following amendment, which was tabled, upon motion of Senator Briggs:

Mr. President: I move to amend Senate Bill No. 55, by striking subdivision, "f," in whole, on page 9, Section 6.

RUTHERFORD.

Senator Ballard submitted the following amendment, which was tabled, upon motion of Senator Nichols:

Mr. President: I move to amend Senate Bill No. 55, line 5, page 9, by striking the subdivisions, "f" and "g" and renumbering the following subsections.

BALLARD.

Senator Ritzhaupt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 12, page 9, by adding after the period, the following, "Salaries and wages to be in accord with those in other Departments of State."

RITZHAUPT.

Senator Briggs, as an amendment to the Ritzhaupt amendment submitted the following, which was adopted:

Mr. President: I move to amend the Ritzhaupt amendment to Senate Bill No. 55, by adding the words, "for like character of service."

BRIGGS.

The vote occurring on the Ritzhaupt amendment, as amended, it was declared adopted.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Nichols:

Mr. President: I move to amend Senate Bill No. 55, line 12, page 9, by adding after the word, "determine," the following, "Provided that no member of the legislature shall, during the term for which he shall have been elected, propose, suggest or recommend the appointment

or employment of any person by any officer or employee of said department."

JENNINGS.

Senator Ballard submitted the following amendment, which was tabled, upon motion of Senator Briggs:

Mr. President: I move to amend Senate Bill No. 55, line 18, page 10, by striking after the word, "engineer," the balance of said paragraph.

BALLARD.

Upon motion of Senator Briggs, Section 6, as amended, was adopted.

Section 7 was read.

Senator Rizley submitted the following amendment, which was tabled, upon motion of Senator Nichols:

Mr. President: I move to amend Senate Bill No. 55, lines 17 and 18, page 11, by striking after the word, "Commission," all of the remainder of said lines and by striking on page 12, all of lines 1, 2, 3, 4, 5, 6, 7 and 8.

RIZLEY.

Senator Hutchinson submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, lines 8 and 9, page 12, by changing the figures, "\$900.00," to "\$700.00."

HUTCHINSON.

Senator Briggs moved to table the Hutchinson amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Reed, Sowards, Stewart, Waldrep, Whitaker, Willis. Total, 25.

Nays: Ballard, Clark, Coppock, Dixon, Fidler, Fischl, Hutchinson, Jennings, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Wilbanks. Total: 19.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Nichols:

Mr. President: I move to amend Senate Bill No. 55, line 5, page 12, by striking the word, "vehicle," and substituting the word, "truck," and by striking after the word, "employees," in line 7, the remaining portion of Section 7.

JENNINGS.

Senator Ballard moved that the Senate adjourn, to meet under the rules, which motion failed of adoption.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Nichols:

Mr. President: I move to amend Senate Bill No. 55, line 15, page 11, by adding after the word, "duties," and before the word, "which," the following, "within the State of Oklahoma."

JENNINGS.

Senator Fidler submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, line 14, page 11, by adding the following: "when each item is attested by person receiving the money and when amount is in excess of \$5.00, affidavit must accompany the item."

FIDLER.

Senator Nichols moved to table the Fidler amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Pugh, Ray, Reed, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 28.

Nays: Ballard, Clark, Coppock, Dixon, Fidler, Fischl, Hutchinson, Jennings, Moon, Paul, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Wilbanks. Total, 16.

Senator Jennings submitted the following amend-

ment, which was ruled out of order by the Chair, who stated the subject matter was covered by the general law:

Mr. President: I move to amend Senate Bill No. 55, line 18, page 11, by adding after the word, "Commission," and before the semicolon, the following, "Provided that no money shall be paid for expenses incurred by any officer or employee of this department, outside the State of Oklahoma, without the written consent of the Governor."

JENNINGS.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Briggs:

Mr. President: I move to amend Senate Bill No. 55, line 12, page 12, by adding after the figures, "\$900.00," the following: "Provided that no vehicle, belonging to such department, shall be driven or operated outside the State of Oklahoma without the written consent of the Governor."

JENNINGS.

Senator Rizley submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 55, Section 7, by adding after the figures, "\$900.00," the following: "Provided it shall be unlawful and grounds for removal from office to use any cars so purchased for any purpose other than provided for herein."

RIZLEY.

The Chair ruled the Rizley amendment out of order, for the reason the present statutes cover the said amendment.

Senator Rizley appealed from the decision of the Chair.

The question being, "Shall the Chair be sustained?" the roll was called, resulting as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard,



Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Ballard, Clark, Coppock, Fidler, Hutchinson, Jennings, Powers, Rizley, Rutherford, Stacey. Total, 10.

Not Voting: Dixon, Thomas. Total, 2.

The decision of the Chair was declared sustained.

Upon motion of Senator Briggs, Section 7 was declared adopted.

By unanimous consent, Sections 9 and 10 were corrected to read "Sections 8 and 9."

Section 8 was read and adopted, upon motion of Senator Briggs.

Senator Jennings moved that the Senate adjourn, to meet under the rules, which motion failed of adoption.

Senator Chamberlin moved that Senate Bill No. 55, as amended, be advanced to engrossment and third reading, which motion prevailed.

Senator Briggs asked unanimous consent, which was granted, to amend the title of Senate Bill No. 55, by striking the word, "or," after the word, "engineer," and before the words, "clerical help," and inserting the word, "of."

Senator Briggs moved that the rules of the Senate be suspended for the purpose of considering Senate Bill No. 55 engrossed and placed upon third reading and final passage.

Senator Rutherford asked to present a substitute motion, for the Briggs motion, the right to do which was refused by the Chair, who said, "a substitute cannot be entertained for one to suspend the rules."

The vote occurring on the Briggs motion, it was declared adopted, upon a roll call as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Logan, MacDonald, Mem-

mingier, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Coppock, Dixon, Fidler, Hutchinson, Jennings, Liggett, Moon, Powers, Rizley, Rutherford, Stacey. Total, 11.

Senator Jennings moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., tomorrow, which motion failed of adoption.

Senator Rutherford moved that Senate Bill No. 55 be re-committed to the Committee on Roads and Highways for further amendment and that said bill be not reported out until the investigation of said Highway Department, heretofore authorized, has been completed.

Senator Fischl raised a point of order against the Rutherford motion, stating the motion would require a suspension of the rules.

The Chair, in sustaining the Fischl point of order, stated the rules of the Senate require standing committees to report a bill back to the Senate within 10 days and the Rutherford motion attempts to do something contrary to the rules.

Senator Waldrep suggested the Chair was in error, in sustaining the Fischl point of order.

The Chair withdrew his ruling on the Fischl point of order.

Senator Briggs moved to table the Rutherford motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 27.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Liggett, Logan, Moon,

Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Willis.  
Total, 17.

Senator Briggs moved that when the Senate adjourns today it adjourn to meet at 10:00 o'clock, a. m., and that Senate Bill No. 55 be taken up under Special Order at 10:30 a. m., the bill to be printed, as amended, in the meantime, which motion prevailed.

Senator Moon moved that the call of the House be lifted, which motion prevailed.

The Chair announced the regular order of business would be taken up.

#### MESSAGE

The following Message from the Governor was received and read:

To the Honorable,

The Senate of the 14th Legislature  
of the State of Oklahoma:

Gentlemen:

I herewith transmit to you Report of the Secretary to The Commissioners of the Land Office, as submitted to me, on this the 23d day of January, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
COMMITTEE REPORT

Senator Chamberlin asked unanimous consent, which was granted, to withdraw Committee Report on SENATE, BILL NO. 95, previously submitted, and submit the following, which was adopted and the bill ordered printed and placed upon the calendar:

Mr. President: We, your Committee on Senate Judiciary, Division Two to whom was referred Senate Bill No. 95 by Briggs of the Senate and Garland of the House entitled:

An Act authorizing and empowering County Treasurers, Treasurers of cities, towns, townships and Boards of Education to enforce obligations evidenced by bonds, warrants or other evidence of indebtedness held by such

treasurer as sinking fund investment, authorizing said treasurer to bring and maintain suits thereon, validating judgments heretofore rendered 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 Committee Substitute herewith submitted do pass.

CHAMBERLIN, Chairman.

#### FIRST READING

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

SENATE BILL NO. 141—By MEMMINGER.—An Act relating to the conduct of the regular and run-off state-wide primary elections and the regular state-wide general election, providing that the state shall pay for the printing of all ballots except county ballots and shall pay all other expenses of conducting said elections, restricting the number of voting precincts of the state and providing that a list thereof shall be given to the State Election Board, and declaring an emergency.

SENATE BILL NO. 142—By STEWART and NANCE, CHAMBERLIN, RITZHAUPT, CURNUTT, BRIGGS, TAYLOR, PUGH, HOWARD, LESTER, COMMONS of the SENATE and CHILDERS, BLOCKER and MASSEY of the HOUSE.—An Act relating to the conduct of the regular and run-off state-wide primary elections and the regular state-wide general election, providing that the state shall pay for the printing of all ballots except county ballots and shall pay all other expenses of conducting said elections, making appropriations therefor, and declaring an emergency.

SENATE BILL NO. 143—By CURNUTT of the SENATE and STURGILL and JOHNSON of the HOUSE.—An Act creating the office of delinquent personal tax collector in all counties of the State of Oklahoma, providing the terms, duties and compensation,



providing for the discovery of omitted property and the placing of same on the tax rolls, the compensation for the collection of the taxes on said omitted property; amending Sections 12727, 12730, and 12731, Compiled Oklahoma Statutes of 1931; providing for the collection of delinquent taxes on personal property; repealing Section 12729 Compiled Oklahoma Statutes of 1931; and all other Acts in conflict herewith and declaring an emergency.

SENATE BILL NO. 144—By FISCHL.—An Act amending Section 456 Oklahoma Statutes 1931 relating to the confirmation of sale of real property under mortgage foreclosure, repealing all Acts in conflict and declaring an emergency.

SENATE BILL NO. 145—By LOGAN.—An Act amending Section 7846, Oklahoma Statutes 1931, providing for the boarding of prisoners in county jails by the sheriff at actual cost and at not to exceed stipulated amounts; and declaring an emergency.

SENATE BILL NO. 146—By WHITAKER (By Request).—An Act to amend Section 2578 of 1931 Statutes of Oklahoma relating to trespass and unlawful intrusion upon land.

SENATE BILL NO. 147—By WHITAKER, WILBANKS and CHAMBERLIN.—An Act relating to the payment of ad valorem taxes and redemption of tax sale certificates; providing that partial payments may be made to apply thereon and declaring an emergency.

SENATE BILL NO. 148—By WHITAKER.—An Act relating to a State Printing Plant at the State Penitentiary at McAlester; providing an appropriation therefor; creating a special revolving fund to be used in connection therewith and declaring an emergency.

SENATE BILL NO. 149—By BRIGGS.—An Act to enable and authorize counties, cities, towns, townships, boards of education, school districts and all other municipalities in Oklahoma to refund their outstanding

bonded indebtedness, and declaring an emergency.

SENATE BILL NO. 150—By BRIGGS.—An Act amending Section 8571, Compiled Oklahoma Statutes, 1921, relating to levy of taxes for the sinking fund of municipalities.

### SECOND READING

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

SENATE BILL NO. 136—By GARVIN and CHAMBERLIN.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 137—By CHAMBERLIN, RAY, CARMACK and COMMONS.—Referred to Committee on Fish and Game.

SENATE BILL NO. 138—By RITZHAUPT.—Referred to Committee on Drugs and Pure Food.

SENATE BILL NO. 139—By MORRISON and RIZLEY of the Senate and GRAY, OTTO STRICKLAND and MARSHALL of the House.—Referred to Committee on Drugs and Pure Food.

SENATE BILL NO. 140—By CARMACK.—Referred to Committee on Agriculture.

ENGROSSED HOUSE BILL NO. 92— By MARTIN.—Referred to Committee on Appropriations.

Senator Ballard asked unanimous consent, which was granted, to have the record show him “excused,” for the next two legislative days.

Senator Ballard asked unanimous consent, which was granted to have the record show, were he present at the time of third reading and final passage of SENATE BILL NO. 55, he would vote “NO,” on the Bill and emergency.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 o'clock, a. m., Tuesday, January 24th, 1933.

## SIXTEENTH LEGISLATIVE DAY

Tuesday, January 24, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the President announced a quorum of the Senate was not present.

The Senate was declared at ease for 15 minutes.

The Senate reassembled, with the President presiding.

Upon roll call, the following members were present:

Present: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Ballard. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### COMMITTEE REPORTS

Senator Thomas submitted the following supplemental Committee Report, which, upon his motion was adopted:

Mr. President: We, your Committee on Employment, beg leave to make the following supplementary report or correction: The name E. J. Fuller should be and is R. Ziler.

THOMAS, Chairman.

The following Committee report was submitted, the bill 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. 86, by Briggs and Rizley, entitled:

An Act authorizing and empowering governing boards of counties, cities, towns, and school districts to contract for the employment of attorneys for special purposes, and making provision for the payment for services rendered; 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.

STACEY, Vice-Chairman.

#### FIRST READING

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

SENATE BILL NO. 151—By DAUGHERTY and FISCHL.—An Act to supplement Chapter 72 Oklahoma Statutes 1931, known as the "Workmen's Compensation Law," by the enactment of supplemental Article 2 to said Chapter 72 containing Sections 1 to 23 inclusive, creating a fund to be known as "The State Insurance Fund" to be used for the payment of losses sustained on account of insurance and for assuring to the persons entitled thereto compensation as provided by said Chapter 72, and providing for the manner of raising said fund, its custody, and disbursement, necessary employees, making an appropriation therefor, and providing for the repayment of the same to the state.

SENATE BILL NO. 152—By HOWARD of the Senate and WAGNER of the House.—An Act amending Section 9038 Oklahoma Statutes, 1931, relating to restraining domestic animals, and declaring an emergency.

SENATE BILL NO 153—By COPPOCK and FISCHL of the Senate and STEWART and MASEY of the House.—An Act establishing a system of civil service for all officers and employees of the State



Game and Fish Department, except the Commissioners, and providing for classification of such officers and employees, for the conducting of examinations, the making of appointments and promotions, and method for discharge of officers and employees, authorizing the State Fish and Game Commission to carry out the terms of the Act, and to make necessary and proper rules and regulations therefor, prohibiting political and religious activities, making violations of the provisions of the Act misdemeanors, repealing conflicting Laws, and declaring an emergency.

SENATE BILL NO. 154—By FISCHL.—An Act prohibiting the use of certain kinds of firearms in hunting quail, dove and duck in the State of Oklahoma; providing a penalty for the violation hereof; providing for the payment of one-half of the fine assessed upon conviction of any violator to the informer.

SENATE BILL NO. 155—By RAY.—An Act providing that the County Treasurer shall receive county warrants the same as cash in payment of ad valorem taxes except the warrants must not exceed the amount of taxes and penalties to be paid; and declaring an emergency.

SENATE JOINT RESOLUTION NO. 9.—By STACEY.—Directing the Governor to proclaim October 11th of each year "General Pulaski's Memorial Day" for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

SENATE CONCURRENT RESOLUTION NO. 13.—By STEWART of the Senate.—Concurrent Resolution memorializing Congress that it is the sense of the members of the Oklahoma Legislature that the Government of the United States should perform its solemn promise and place American agriculture on the basis of equality with other industries by providing an adequate

system of credit, and that adequate legislation to that end should be adopted at the earliest possible date.

## SECOND READING

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

SENATE BILL NO. 141—By MEMMINGER.—Referred to Committee on Privileges and Elections.

SENATE BILL NO. 142—By STEWART and NANCE, CHAMBERLIN, RITZHAUPT, CURNUTT, BRIGGS, TAYLOR, PUGH, HOWARD, LESTER, COMMONS of the Senate and CHILDERS, BLOCKER and MASSEY of the House.—Referred to Committee on Privileges and Elections.

SENATE BILL NO. 143—By CURNUTT of the Senate and STURGILL and JOHNSON of the House.—Referred to Committee on Retrenchment and Reform.

SENATE BILL NO. 144—By FISCHL.

Senator Fischl asked unanimous consent, to which objections were voiced, to place Senate Bill No. 144, by Fischl, upon the calendar, without reference to a Committee.

Senator Fischl moved that the rules of the Senate be suspended and Senate Bill No. 144 be placed upon the Calendar without reference to a Committee.

Senator Fischl asked unanimous consent, which was granted, to withdraw his motion and have Senate Bill No. 144 referred to the Committee on Indian Affairs.

SENATE BILL NO. 145—By LOGAN.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 146.—By WHITAKER (By Request).—Referred to Committee on Judiciary No. 2.

SENATE BILL NO. 147.—By WHITAKER, WILBANKS and CHAMBERLIN.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 148—By WHITAKER.

Senator Stewart moved that Senate Bill No. 148, by Whitaker, be referred to the Committee on Public Printing.

Senator Rizley moved to table the Stewart motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Hutchinson, Jennings, Lester, Liggett, MacDonald, Memminger, Nichols, Powers, Ray, Reed, Rizley, Rutherford, Taylor, Whitaker, Wilbanks. Total, 22.

Nays: Briggs, Carlile, Carmack, Clark, Daugherty, Johnston, Logan, Morrison, Nance, Pugh, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Willis. Total, 17.

Not Voting: Howard, Moon, Paul. Total, 3.

Excused From Voting: Fidler. Total, 1.

Excused: Ballard. Total, 1.

Senator Fidler, after being "excused from voting" on the Rizley motion, sent up the following explanation:

Mr. President: Inasmuch as I own stock in a School book Publishing Company, which stock I have owned since prior to 1900, I ask to be excused from participating in any such legislation.

FIDLER.

The President ordered Senate Bill No. 148 referred to the Committee on Retrenchment and Reform, after which it is to be referred to the Committee on Appropriations.

SENATE BILL NO. 149.—By BRIGGS.—Referred to Committee on Retrenchment and Reform.

SENATE BILL NO. 150.—By BRIGGS.—Referred to Committee on Retrenchment and Reform.

Senator Whitaker moved that HOUSE BILL NO. 33, by Smalley and Glen, be withdrawn from the calen-

dar and referred to the Committee on Revenue and Taxation, which motion prevailed.

Senator Nichols moved that the Senate work under a call of the House, which motion prevailed.

The President ordered the roll of the Senate called, resulting as follows:

Absent: Moon, Taylor. Total, 2.

The Sergeant-at-Arms was directed to notify the absent members of the proceedings.

Senators Moon and Taylor asked to be recorded present, which was the order.

The President announced all members of the Senate present, except Senator Ballard, who was excused, on the last legislative day.

#### SPECIAL ORDER

##### Third Reading

SENATE BILL NO. 55 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 30.

Nays: Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Powers, Rizley, Rutherford, Stacey, Willis. Total, 13.

Excused: Ballard. 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: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Clark, Coppock, Dixon, Fidler, Hutchinson, Jennings, Powers, Rizley, Rutherford, Stacey. Total, 10.

Excused: Ballard. 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. 55 was referred for engrossment.

Senator Briggs moved that the vote be reconsidered by which Senate Bill No. 55 was passed.

Senator Jennings raised a point of order against the Briggs motion, which was not sustained, stating motion to reconsider cannot be disposed of on the same legislative day as the bill has passed.

Senator MacDonald moved to table the Briggs motion, which motion prevailed.

Upon motion of Senator Briggs, the Senate recessed to meet at 1:30 p. m.

#### AFTERNOON SESSION

The Senate reassembled, at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Excused: Ballard, Daugherty. Total, 2.

Absent: Rutherford. Total, 1.

The President announced a quorum present.

Senator Jennings asked unanimous consent to revert back to the order of "Resolutions and Notices" for the purpose of introducing the following motion, which request was granted.

Senator Jennings submitted the following motion, which was tabled upon motion of Senator Commons:

Mr. President: I move that the proceedings, deliberations, and debates on questions before the Senate be governed by the rules of the Senate, adopted in the regular 1931 session of the Senate, until the adoption of the permanent rules of this session.

JENNINGS.

Senator MacDonald asked unanimous consent, which was granted, to set SENATE BILL NO. 27, by MacDonald, for special order at 2:00 p. m. on the next legislative day.

#### MESSAGE

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 126 — By KIGHT, FRALEY and WOOTEN, entitled:

An Act amending Sections 3700 and 3704 of the Oklahoma Statutes of 1931 with reference to motor vehicles, repealing all laws in conflict, 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,  
R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of House Bill No. 126.

The President announced, on account of his own illness, the designation of Senator Chamberlin to preside over the Senate for the remainder of their legislative day.

#### COMMITTEE REPORT

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bills Nos. 2 and 55, correctly engrossed, and Senate Bill No. 47, correctly enrolled.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Bill No. 2, and ordered it transmitted to the Honorable House.

Senator Briggs presiding.

The Presiding Officer in open session signed Engrossed Senate Bill No. 55, and ordered it transmitted to the Honorable House.

Senator Chamberlin presiding.

Senate Bill No. 47, 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.

#### SPECIAL ORDER

SENATE BILL NO. 78, by Chamberlin, Memminger, Pugh, MacDonald, and Rizley, of the Senate, and Abernathy (Harmon) of the House, was considered.

Section 1 was read and adopted, upon motion of Senator Memminger.

Section 2 was read and adopted, upon motion of Senator Fidler.

Upon motion of Senator Memminger, Senate Bill No. 78 was advanced to engrossment and third reading.

Upon motion of Senator Memminger, the rules of the Senate were suspended and Senate Bill No. 78 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 78 was read for the third time at length.

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

Ayes: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 38.

Not Voting: Carlile, Logan, Moon. Total, 3.

Absent: Rutherford. Total, 1.

Excused: Ballard, Daugherty. 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: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 38.

Not Voting: Carlile, Logan, Moon. Total, 3.



Absent: Rutherford. Total, 1.

Excused: Ballard, Daugherty. 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. 78 was referred for engrossment.

Upon motion of Senator Curnutt, the call of the house was lifted.

SENATE BILL NO. 102, by Ritzhaupt, was considered.

Section I was read. •

Senator Stacey submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 102, line 2, page 1, by adding after the word "constables" and before the word "or," the following: "or to the city or town marshals or to any special officer appointed by cities and towns."

STACEY.

Senator Commons, as an amendment to the Stacey amendment, submitted the following, which was adopted:

Mr. President: I move to amend Senate Bill No. 102, line 2, page 1, by adding after the word "constables," and before the word "or" a comma, and the following words: "special deputy sheriffs and special enforcement officers or patrolmen."

COMMONS.

Senator Johnston, as an amendment to the Stacey amendment, submitted the following, which was accepted by Senator Stacey:

Mr. President: I move to amend the Stacey amendment, by adding the words "or by any other officer or person."

JOHNSTON.

The vote occurring on the Stacey amendment, as amended, it was declared adopted.

Senator Waldrep submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 102, line 8, page 1, by adding after the word "actions" the following: "unless the complaint has been approved by the County Attorney."

WALDREP.

Senator Garvin moved that Senate Bill No. 102 be recommitted to the Committee on Roads and Highways for the purpose of perfecting the bill, which motion was tabled upon motion of Senator Wilbanks.

Senator Carlile asked unanimous consent to have the records show him "excused" for the remainder of this legislative day.

Senator Commons moved that Senate Bill No. 102 be referred to Judiciary Committee No. 2, for redrafting and submission to the Senate, Thursday, January 26, which motion prevailed.

#### GENERAL ORDER

SENATE BILL NO. 104, by Paul, was considered.  
Section 1 was read.

Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 104, lines 5 and 6, page 1, by striking the words "on relation of the Commissioners of the Land Office," and inserting the words "or by direction of any department of the State of Oklahoma."

PAUL.

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

Section 2 was read.

Senator Paul submitted the following amendment:

Mr. President: I move to amend Senate Bill No.

104, lines 1 and 2, page 2, By striking the words "or relation of the Commissioners of the Land Office," and inserting the words "or any department of the State of Oklahoma."

PAUL.

Senator Taylor asked unanimous consent, which was granted, for the record to show him "excused" for the remainder of the legislative day.

Upon motion of Senator Paul, the vote was reconsidered by which Section 1, as amended, was adopted.

Upon motion of Senator Paul, the vote was reconsidered by which the Paul amendment to Section 1, was adopted.

Upon motion of Senator Paul his amendment to Section 1 was tabled.

Upon motion of Senator Paul, Section 1 was adopted.

Senator Paul asked unanimous consent, which was granted, to withdraw his amendment submitted to Section 2.

Upon motion of Senator Paul, Section 2 was adopted.

Upon motion of Senator Paul, Senate Bill No. 104 was advanced to engrossment and third reading.

Senator Paul moved that the rules of the Senate be suspended and Senate Bill No. 104, be considered engrossed and placed upon third reading and final passage, which motion prevailed.

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: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritz-

haupt, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Jennings. Total, 1.

Not Voting: Curnutt, Dixon, Fidler, Hutchinson, Moon, Rizley, Rutherford, Sowards. Total, 8.

Excused: Ballard, Carlile, Daugherty, Taylor. 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: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not Voting: Curnutt, Dixon, Fidler, Hutchinson, Moon, Rizley, Rutherford, Sowards. Total, 8.

Excused: Ballard, Carlile, Daugherty, Taylor. 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.

Senate Bill No. 104 was referred for engrossment.

Senator Briggs moved that SENATE BILL NO. 127, by Briggs, be withdrawn from the Committee on Ways and Means and placed upon the calendar, which motion prevailed.

Senator Ray asked unanimous consent, which was granted, that SENATE BILL NO. 105 by Ray, be withdrawn from the Committee on State and County Affairs and placed upon the calendar.

Senator Briggs asked unanimous consent, to which



objections were voiced, that Senate Bill No. 127, by Briggs, be taken up for immediate consideration.

Senator Nichols asked unanimous consent, which was granted, to defer consideration of SENATE RESOLUTION NO. 6, by Nichols and Stewart, without the resolution losing its place on the calendar.

Senator Stewart asked unanimous consent, to which objections were voiced, to withdraw SENATE BILL NO. 6, by Stewart, from the Committee on Judiciary No. 1, and place same on the calendar.

Senator Stewart moved that Senate Bill No. 6 be withdrawn from the Committee on Judiciary No. 1, and placed upon the calendar, which motion was tabled, upon motion of Senator Memminger.

Senator Stewart moved that the Committee on Judiciary No. 1 be instructed to report Senate Bill No. 6, by Stewart, to the Senate on the next legislative day.

Senator Paul moved to table the Stewart motion, which motion failed of adoption.

The vote occurring on the Stewart motion, it was declared adopted.

Senator Briggs asked unanimous consent, to which objections were voiced, to take up for immediate consideration SENATE BILL NO. 127, by Briggs.

Senator Briggs moved that Senate Bill No. 127, be taken up for immediate consideration.

Senator Jennings as a substitute, moved that Senate Bill No. 127, be set for Special Order at 2:00 p. m. tomorrow, which motion prevailed.

Senator Curnutt asked unanimous consent, which was granted, to show, had he been present at the time of the third reading and final passage of SENATE BILL NO. 104, by Paul, he would have voted "aye."

SENATE BILL NO. 20, by Logan, was taken up for consideration.

Section 1 was read.

Senator Ray moved that Senate Bill No. 20, be stricken from the calendar.

Senator Jennings raised a point of order against the Ray motion, which was sustained, stating the motion followed discussion.

Senator Memminger moved further consideration of Senate Bill No. 20, be indefinitely postponed.

Senator Jennings raised the question of "no quorum."

The Presiding Officer ordered a roll call, which resulted, as follows:

Ayes: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Excused: Ballard, Carlile, Daugherty, Taylor. Total, 4.

Absent: Dixon, Moon, Reed, Rizley, Rutherford, Sowards, Stewart. Total, 7.

The Presiding Officer declared a quorum present.

Referring further to Senate Bill 20, by Logan:

Senator Coppock moved that the Memminger motion be tabled, which motion failed of adoption.

The vote occurring on the Memminger motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Carmack, Chamberlin, Commons, Fischl, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Pugh, Ray, Sowards, Stacey, Thomas, Waldrep, Willis. Total, 18.

Nays: Briggs, Clark, Coppock, Curnutt, Fidler, Howard, Hutchinson, Jennings, Logan, Moon, Morrison, Nichols, Paul, Powers, Ritzhaupt, Whitaker, Wilbanks. Total, 17.

Excused: Ballard, Carlile, Daugherty, Taylor.  
Total, 4.

Absent: Dixon. Total, 1.

Not voting: Reed, Rizley, Rutherford, Stewart.  
Total, 4.

Senator Jennings served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which the Memminger motion was adopted.

Senator Thomas raised a point of order against the Jennings notice, which was sustained, stating he did not vote with the majority.

Senator Nance moved to reconsider the vote by which Senate Bill No. 20, was indefinitely postponed, which motion was tabled upon motion of Senator MacDonald.

SENATE BILL NO. 22, by Logan, was taken up for consideration.

Senator Thomas asked unanimous consent, to which objections were voiced, to set SENATE RESOLUTION NO. 6, by Nichols, for Special Order on Thursday, January 26th, at 2:00 p. m.

Senator Thomas moved that Senate Resolution No. 6 be made a Special Order for 2:00 p. m., Thursday, January 26th.

Senator Moon raised a point of order against the Thomas motion, which was sustained, stating Senate Bill No. 22 is under consideration.

Section 1 of Senate Bill No. 22 was read and adopted, upon motion of Senator Logan.

Upon motion of Senator Logan, Senate Bill No. 22 was advanced to engrossment and third reading.

SENATE BILL NO. 21, by Logan, was taken up for consideration.

Senator Ray moved that the Senate adjourn, to meet under the rules, which motion failed of adoption.

Section 1 of Senate Bill No. 21 was read and adopted, upon motion of Senator Logan.

Upon motion of Senator Logan, Senate Bill No. 21 was advanced to engrossment and third reading.

Senator Clark asked unanimous consent, which was granted, to defer consideration of SENATE BILL NO. 33, by Pugh, without the bill losing its place on the calendar.

Senator Logan asked unanimous consent, which was granted, to defer consideration of SENATE BILL NO. 38, by Logan, without the bill losing its place on the calendar.

SENATE BILL NO. 14, by Logan, was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Logan.

Upon motion of Senator Logan, Senate Bill No. 14 was advanced to engrossment and third reading.

Senator Logan asked unanimous consent, which was granted, to defer consideration of SENATE BILL NO. 37, by Logan, without the bill losing its place on the calendar.

By unanimous consent, SENATE BILL NO. 19, by Logan, was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Logan.

Upon motion of Senator Logan, Senate Bill No. 19 was advanced to engrossment and third reading.

Senator Pugh asked unanimous consent, which was granted, to defer consideration of SENATE BILL NO. 51, by Pugh, without the bill losing its place on the calendar.

Senator Wilbanks presiding.

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



## SEVENTEENTH LEGISLATIVE DAY

Wednesday, January 25, 1933

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Pursuant to adjournment, the Senate 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Excused: Ballard, Rizley. Total, 2.

The President 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. 1, by Carlile, entitled:

An Act, amending Section 10072, Oklahoma Statutes, 1931, relating to the State Highway Commission, its offices, the appointment of its members by the Governor and their confirmation, their tenure of office and 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 not pass.

BRIGGS, Chairman.

Upon motion of Senator Briggs, the adverse Committee Report on Senate Bill No. 1 was adopted.

Mr. President: We, your Committee on Judiciary No. 1, to whom was referred Senate Bill No. 6, by Stewart, entitled:

An Act repealing Chapter 161, Session Laws, 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.

CURNUTT, Chairman.

Mr. President: We, your Committee on Judiciary No. 1, to whom was referred Senate Bill No. 29, by Jennings, entitled:

An Act amending Section 6, Compiled Oklahoma Statutes 1921 or Section 3527 Oklahoma Statutes 1931 relating to and authorizing the assignment of counsel by the Governor to protect the rights or interests of the state in any action or proceeding civil or criminal which has been or is about to be commenced where the Attorney General shall refuse to appear and represent the state or be disqualified so to act,  
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.

CURNUTT, Chairman.

Mr. President: We, your Committee on Drugs and Pure Foods, to whom was referred Senate Bill No. 54, by Morrison and others of the Senate, and Gray and others of the House, entitled:

An Act amending Section 4697, Oklahoma Statutes 1931, relating to the Board of Pharmacy and the licensing of drug stores; declaring certain Acts to be unlawful, and fixing penalties therefor; and declaring an emergency,  
beg leave to report that we had the same under consid-

eration and herewith return the same without recommendation.

SOWARDS, Chairman.

Upon motion of Senator Waldrep, Senate Bill No. 54 was ordered, rereferred to the Committee on Drugs and Pure Foods for further consideration.

Mr. President: We, your Committee on Judiciary No. 1, to whom was referred Senate Bill No. 56 by Fidler, entitled:

An Act making it unlawful for state officials to solicit or request, directly or indirectly the contribution of money, labor or anything of value from other officials or employees of the state, for any purpose whatsoever; providing a penalty 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.

CURNUTT, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred Senate Bill No. 90, by Fischl and Ray, entitled:

An Act amending Sections 10072, 10073 and 10074 Oklahoma Statutes 1931, relating to the State Highway Commission; its membership, tenure and 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 not pass.

BRIGGS, Chairman.

Upon motion of Senator Briggs, the adverse Committee Report on Senate Bill No. 90 was adopted.

Mr. President: We, your Committee on Judiciary No. 1, to whom was referred Senate Bill No. 94, by Ballard, entitled:

An Act providing that the County Court shall have

exclusive jurisdiction of all appeals hereinafter taken from the Justice Court or from the Police Court; repealing all Acts or parts of Acts in conflict herewith and other purposes, 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.

CURNUTT, Chairman.

Mr. President: We, your Committee on Judiciary No. 1, to whom was referred Senate Bill No. 106, by Garvin and Wilbanks, entitled:

An Act amending Sec. 11568, Oklahoma Statutes, 1931, being Sec. 7957, C. O. S. 1921, being Section 4, Chapter 25, S. L. 1915, relating to prevention of waste of crude oil or petroleum; authorizing and empowering the Corporation Commission to make certain rules and regulations, relating to petroleum, etc., 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 Oil and Gas and that portion of the Statute, which is amended be underlined.

CURNUTT, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred Senate Bill No. 121, by MacDonald, entitled:

An Act amending Sections 10091, and 10095, Oklahoma Statutes, 1931, relating to the construction and maintenance of the state highway system and to contracts for the construction 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 as amended.

BRIGGS, Chairman.



Mr. President: We, your Committee on Drugs and Pure Food, to whom was referred Senate Bill No. 139, by Morrison and Rizley of the Senate; and Gray, Otto Strickland and Bob Marshall of the House, entitled:

An Act authorizing the issuance of certificates of registration as registered pharmacist under certain conditions, to persons having certain qualifications: Providing for examinations and the fee therefor; limiting the time during which such certificates may be issued; 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.

SOWARDS, Chairman.

#### MESSAGES

The following message from the Governor was received and read:

SPECIAL MESSAGE TO THE FOURTEENTH  
LEGISLATURE  
TO THE HONORABLE, THE SENATE AND THE  
HOUSE OF REPRESENTATIVES OF THE  
FOURTEENTH LEGISLATURE, OF THE  
STATE OF OKLAHOMA:

Gentlemen:

Some time ago, word came to me that a certain justice of the peace in Caddo County has been collecting fees and fines from numerous citizens who happened to pass that way. I directed the Bureau of Criminal Identification to make an investigation, and they reported as follows:

“1/13/33

“Re—Conditions in Caddo County

“I left this city on January 10th to investigate the Highway Patrol in Caddo County. At Carter, I found that R. P. Smithey of the Ford Plant was arrested by Kenneth Crick and fined \$10.00 by Mr.

Bradley, a Justice of the Peace, of Hydro. A statement of Smithey is attached.

"On November 25th, J. O. Russell of Oklahoma City was arrested by Crick; taken before the Justice of the Peace, Mr. J. M. Gidewell, and fined \$4.00. This fine was not accounted for by the Justice of the Peace and no record made. Russell has the receipt signed by Gidewell as all the record made.

"Mr. R. A. Vose, of Oklahoma City, connected with the First National Bank, was stopped for speeding by Crick. This was sometime during the month of December, 1932, and was fined \$11.00 and paid this on the highway and the money is not accounted for.

"Father Hugo, Catholic Priest at Canute, was arrested by Crick and taken before the Justice of the Peace, Mr. J. P. Bradley, of Hydro, and fined \$15.00. Father Hugo stopped payment on the check and then was again arrested for giving a bogus check. He gave a check for \$50.00 and the check and letter from Mr. Bradley were returned to him. They are now in our possession.

"Mr. S. L. Bradley was elected Justice of the Peace and filed bond four years ago, the County Clerk stated. We were unable to find that bond and he did not show it to us. Since that time, he has had no opponent and has held over and has not qualified as a Justice of the Peace, and has not filed bond as required by law.

"Mr. Gidewell, Justice of the Peace, Hinton, was appointed by the County Commissioners; secured his bondsmen and bond was approved by the County Commissioners, but the bond was not notarized or sworn to by any one. I find that the minutes and acts of the County Commissioners of

Caddo County have been signed by the County Clerk of Caddo County on the typewriter and none of the entire acts have been signed legally.

"The Commission given to Crick by the County Commissioner reads as follows:

'TO WHOM IT MAY CONCERN:

'This is to certify that Kenneth Crick was duly appointed Highway Patrol on State highways in Caddo County and that his bond was approved and filed in the County Clerk's Office on the 21st day of Nov. 1932.

'Signed this the 21st day of November, 1932.

Russell Glass (Signed)

(Seal) County Clerk of Caddo County.'

"The officers of the Justice of the Peace have not filed a quarterly report as required by law, nor have they turned in any money to the State within the ten-day-period law as required.

"There is one check of \$34.00 paid during the month of December, 1932, to the County Treasurer of Caddo County from S. L. Bradley, Justice of the Peace of Hydro, but no report.

"Mr. Gidewell of Hinton rushed in on January 12th to try to pay off something like \$50.00. As there is no County Treasurer in Caddo Co. at this time, I do not know what was done, as I left while they were still wrangling.

"When Mr. Crick went to work, he arrested thirteen people, without a card index system, and took them before the Justice of the Peace, then started to giving cards on the roads and claims that he has issued sixty-one tickets on the road. The J. P. has not kept a record as required by law and there is no way of checking the people who have

been arrested except by the cards given by Crick, and about one-half of these are gone.

“The Commissioners of Caddo County are paying the clerks in the Treasurer’s Office and there is no Treasurer to appoint them. The County Treasurer was elected to the office of County Clerk and has taken this office while the elected treasurer who is to take office—does not go into office until July.”

From the foregoing, you will observe that some of these acts, if not all of them, border closely upon official oppression, which should be stopped by some heavy penalty.

In this connection, permit me to call your attention to an old statute found in the Mansfield’s Digest of the Arkansas Law, which was in force in the Indian Territory prior to Statehood. There was in this statute a penalty against such things, intended for arbitrary justices of the peace in Arkansas, and proved to be a very wholesome statute. Since the statute has been construed by the Arkansas Supreme Court, I would recommend that such a statute be adopted in Oklahoma for just such cases.

The citizens of a community or town having a public highway ought to understand that they will injure themselves and cause travel to cease to go their way to such an extent as to injure them more than their citizens get out of it, and these local citizens should have a care about these things; but, alas, they do not.

I trust that the Legislature will consider this matter and provide adequate statutes to prevent a repetition.

Respectfully submitted, this the 25th day of January, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: WM. H. MURRAY.



The communication from the Governor was ordered referred to Judiciary Committee No. 2, to be considered in connection with Senate Bill No. 102, by Ritzhaupt.

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 1—By BATSON, LEECRAFT and LANDINGHAM, entitled:

An Act providing for relief from ad valorem taxation by levying an annual normal tax and a surtax upon the net income of individuals, corporations, estates and trusts; by levying an annual tax on national banking associations, state banks and trust companies, according to or measured by their net incomes authorized by method four (4) of Section 5219, U. S. Revised Statutes, as amended, relating to national banking associations, and complying therewith; providing for the disposition of the revenues arising hereunder; prescribing the rates of such taxes herein levied and defining terms; providing for specific exemptions to individual taxpayers; exempting religious, charitable, eleemosynary, educational, benevolent, fraternal and other corporations or organizations not organized for profit; providing for the computation and collection of such taxes by the Oklahoma Tax Commission and empowering said Commission to enforce this Act and to prescribe and enforce rules and regulations in relation thereto; defining the powers of said Commission in the collection of additional and delinquent taxes and prescribing penalties for the violation of this Act; requiring returns by taxpayers and prescribing how the same shall be prepared and filed; making such taxes and penalties a lien

on taxpayers' property, and for the enforcement thereof; requiring persons paying income to individuals to report same to said Commission; providing in certain cases, for withholding such taxes at the source and providing method of payment; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable; repealing Sections 12370, 12371 and all of Articles 6 and 15 of Chapter 66, Oklahoma Statutes, 1931, and all other Laws in conflict herewith; and for other purposes 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,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 1.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 68—By WAGNER, entitled:

An Act repealing Sections 3413, 3414, 3415, 3416, 3417, 3418, and 3419 Oklahoma Statutes 1921, establishing a County Court town at Coweta, Oklahoma, providing for the disposition of records of said Court, 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,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of  
Engrossed House Bill No. 68.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED SENATE BILL NO. 79 — By  
CLARK, of the Senate, and BRAZELL of the House,  
entitled:

An Act repealing Chapter 155 of the Session Laws  
of the State of Oklahoma, 1927, the same being para-  
graph 8023 of the Oklahoma Statutes of 1931, relating to  
the office of County Attorney of Grant County, Okla-  
homa, and declaring an emergency,  
and to advise 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 very truly,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 79 was referred for en-  
rollment.

To the President of the Senate,  
Building

SIR:

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

ENROLLED SENATE BILL NO. 47—By MOR-  
RISON, CHAMBERLIN, SOWARDS, LOGAN of the  
Senate, and PALMER, WINGO, BABB and DANIEL  
of the House, entitled:

An Act setting aside to the State Game and Fish  
Commission certain property in Canadian County owned  
by the state for use by said Commission as a propa-  
gating farm, 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,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 47 was ordered referred to the Governor.

### RESOLUTIONS AND NOTICES

Senator Jennings moved that the proceedings, deliberations and debate on all questions before the Senate be governed by the rules of the Senate adopted in the regular 1931 session of the Senate until the adoption of the permanent rules on this session.

Upon motion of Senator Commons, the Jennings motion was tabled.

Senator Commons moved that the Senate Auditor be instructed to pay for flowers as shown by the statement below, and issue a warrant therefor, which motion prevailed:

Batten Floral Co., Oklahoma City

Wreath for funeral of Senator Patton's son	15.36
Wreath for funeral of Governor Murray's father	25.00
Wreath for funeral of Senator Morrison's father	25.00
Wreath for funeral of Governor Cruce	25.00

### FIRST READING

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

SENATE BILL NO. 156—By STACEY.—An Act amending Section Four (4) of Article Eleven (11) of Chapter Sixty-six (66) of the Session Laws of 1931, being Section 12650 of the Compiled Laws of 1931 relating to the number of days in which Boards of Equalization and Excise Boards may receive pay in any one year, and declaring an emergency.

SENATE BILL NO. 157—By LESTER and CHAMBERLIN, NANCE and NICHOLS.—An Act repealing Sections 3684, 3685, 3686, 3687, 3688, 3689, 3690



and 3691 Oklahoma Statutes, 1931, relating to the manufacture and distribution of ice; and declaring an emergency.

SENATE BILL NO. 158—By RITZHAUPT.—An Act extending time of payment of all rentals and penalties due and owing for land leased from the Commissioners of the Land Office of the State of Oklahoma; cancelling all penalties thereon; and declaring an emergency.

SENATE BILL NO. 159—By RITZHAUPT.—An Act combining the officers of Commissioner of Charity and Corrections and Commissioner of Health; providing that said officers shall be a duly licensed physician and surgeon; providing that such officers shall perform all the duties now enjoined upon the Commissioner of Charity and Corrections and the State Commissioner of Health; repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 160—By JENNINGS.—An Act repealing Sections 12,428, 12,429, 12,430, 12,431, 12,432, 12,433, 12,434, 12,435, 12,436, 12,437, 12,438, 12,439, 12,440, 12,441, 12,442, 12,443, 12,444, 12,445, 12,446, 12,447, 12,448 and 12,449, Oklahoma Statutes, 1931, providing for the levy and collection of gross production taxes on petroleum, natural gas or casing head gas; and providing that the provisions of this Act shall not become effective until the thirty-first day of December, 1933.

SENATE BILL NO. 161—By JENNINGS.—An Act amending Section 13,372, Oklahoma Statutes 1931 relating to exemption of claims under Workmen's Compensation Law from levy or other remedy for collection of debt; and providing that such claims shall not abate by the death of either employer or employee or both of them; providing for the revival thereof; and declaring an emergency.

SENATE BILL NO. 162—By JENNINGS.—An Act amending Section 13,354 Oklahoma Statutes 1931, relating to the furnishing of medical treatment and hospitalization to injured persons under the Workmen's Compensation Act; repealing all laws in conflict therewith; and declaring an emergency.

SENATE BILL NO. 163—By MOON.—An Act providing for the appointment of a marshal for the Corporation Commission of the State of Oklahoma, defining his powers and duties, fixing his compensation, and declaring an emergency.

SENATE BILL NO. 164—By CHAMBERLIN (By Request).—An Act creating a judicial council for the study of defects in the administration of justice; prescribing the qualifications of its members and the manner of their selection; conferring on said judicial council full power over all trial and appellate rules of pleading, practice and procedure, in all courts, civil and criminal, whether of record or not, subject to approval and adoption by the Supreme Court and conferring upon the Supreme Court the power to approve and adopt all actions of the judicial council in such matters; requiring reports by said council to the Governor; requiring court clerks to furnish information to said council; giving the council authority to employ an executive secretary and other clerical help and to fix their compensation; providing the compensation and expenses of members of the council; reserving to the Legislature the right to change, amend or abrogate any rule adopted by the council and the Supreme Court hereunder; and declaring an emergency.

SENATE BILL NO. 165—By GARVIN, NANCE and RAY.—An Act repealing Section 10,323, Oklahoma Statutes, 1931, relating to the maximum speed which motor vehicles may be driven in the State of Oklahoma; and declaring an emergency.

SENATE BILL NO. 166—By THOMAS (By Request).—An Act amending Section 455, Oklahoma Statutes, 1931, providing that the sale of lands and tenements sold under foreclosure proceedings shall be advertised at least two years before the date of sale, and declaring an emergency.

SENATE BILL NO. 167—By TAYLOR of the Senate and HART and PALMER of the House.—An Act relating to the licensing and operation of commercial teachers agencies, fixing the penalties for violation thereof, and declaring an emergency.

SENATE BILL NO. 168—By WILBANKS and NANCE.—An Act to redistrict the state for District Judges and courts by making the same co-extensive with the present nine Supreme Court Judicial Districts for nine District Court Judicial Districts; providing for the number of judges in each of said Districts; fixing their salaries and compensation; providing for the abolition of the District Judgeship in Judicial Districts numbers 2, 7 and one of the Judgeships in each of the present Judicial Districts for District Courts Nos. 21 and 27, and the present Judgeship in District No. 27; providing for the abolition of the Superior Court in Pottawatomie, Okmulgee and Garfield counties, and two of the Courts of Common Pleas in Tulsa County; providing for change of venue by the state, or prosecution; providing for the change of venue on the direction of the Governor by the Chief Justice in cases involving the prosecution of certain officials, and the interest of aliens; fixing the compensation of the Judges, and their reporters, or clerks; and making an appropriation for the present forty-three Judges remaining and not abolished by this Act until 1934; providing for rotation of the Judges in new Districts to hold court in all the counties of such Districts, and other purposes; and declaring an emergency.

SENATE BILL NO. 169—By TAYLOR.—An Act providing for merchandise and store keepers license and prescribing the fee therefor; procedure for collecting, and penalty for violating the provisions thereof.

SENATE BILL NO. 170—By NANCE of the Senate and JOHNSON of the House.—An Act making an appropriation of five thousand dollars to pay Mrs. C. C. Gray, of Cache, Oklahoma, for damages suffered by her by reason of the death of her husband, incurred in line of duty while in the employ of the State Highway Department, and declaring an emergency.

SENATE BILL NO. 171—By NANCE.—An Act amending Sections 5458 and 5630 Oklahoma Statutes, 1931, fixing the maximum rate of interest on farm loans made from the permanent school fund at three per cent per annum, relating to the investment of said fund in state, county and school district bonds and the method in which preference shall be given in making such investments, providing rules and regulations for the investment of public funds by the Commissioners of the Land Office in farm loans and declaring an emergency.

SENATE BILL NO. 172—By REED, NANCE, NICHOLS, and PAUL of the Senate, and REX STRICKLAND of the House.—An Act repealing Section 8873, Oklahoma Statutes 1931, abolishing the State Plant Board, providing that the duties now performed by said Board shall hereafter be performed by the State Board of Agriculture, 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. 151—By DAUGHERTY and FISCHL.—Referred to Committee on Labor and Insurance.



SENATE BILL NO. 152—By HOWARD of the Senate and WAGNER of the House.

Senator Howard asked unanimous consent, which was granted, that Senate Bill No. 152, by Howard of the Senate, and Wagner of the House, be placed upon the Calendar without reference to a committee.

SENATE BILL NO. 153—By COPPOCK and FISCHL of the Senate and STEWART and MASSEY of the House.—Referred to Committee on Fish and Game.

SENATE BILL NO. 154—By FISCHL.—Referred to Committee on Fish and Game.

SENATE BILL NO. 155—By RAY.—Referred to Committee on Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 9 — By STACEY.—Referred to Committee on Military Affairs.

ENGROSSED HOUSE BILL NO. 126 — By KIGHT, FRALEY and WOOTEN.—Referred to Committee on Roads and Highways.

Senator Commons presiding.

#### SPECIAL ORDER

The hour of 2:00 o'clock p. m., having arrived, SENATE BILL NO. 27, by MacDonald, was taken up for special consideration.

By unanimous consent, Senate Bill No. 27, was considered by subdivisions.

#### EXECUTIVE DEPARTMENT:

Senator Jennings submitted the following amendment, which was tabled upon motion of Senator MacDonald:

Mr. President: I move to amend Senate Bill No. 27, line 6, page 4, by striking the figures "\$1,500.00," each year, and inserting the figures, "\$2,100.00," each year.

#### JENNINGS.

Upon motion of Senator MacDonald, the subdi-

vision, EXECUTIVE DEPARTMENT, was adopted.

Upon motion of Senator MacDonald, the subdivision, LIEUTENANT GOVERNOR, was adopted as read.

**BUREAU OF CRIMINAL IDENTIFICATION:**

Senator Logan submitted the following amendment, which was tabled, upon motion of Senator MacDonald:

Mr. President: I move to amend Senate Bill No. 27, by striking lines, 3 to 17, inclusive, page 8.

LOGAN.

Upon motion of Senator MacDonald, the subdivision, BUREAU OF CRIMINAL IDENTIFICATION, was adopted.

Upon motion of Senator MacDonald, the subdivision, SECRETARY OF STATE, was adopted.

**STATE AUDITOR:**

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 27, line 1, page 11, by striking the figures, "1,320.00," in both columns, and inserting the figures "1,500.00" in both columns.

MacDONALD.

Senator Fidler submitted the following amendment, which was tabled upon motion of Senator MacDonald:

Mr. President: I move to amend Senate Bill No. 27, line 5, page 11, by striking the figures, "1,320.00," each year, and inserting the figures, "1,800.00," each year.

FIDLER.

Upon motion of Senator MacDonald, the subdivision STATE AUDITOR, as amended, was adopted.

There being no amendments offered, it was upon motions of Senator MacDonald that the subdivisions, BOARD OF EQUALIZATION, COURT OF TAX REVIEW, and STATE TREASURER, were adopted.

**ATTORNEY GENERAL:**

Senator MacDonald submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 27, line 1, page 17, by striking after the words, "Attorney General," the figures, "4,500.00," each year, and inserting the figures, "5,100.00," each year.

MacDONALD.

Upon motion of Senator MacDonald, the subdivision, ATTORNEY GENERAL, was adopted.

Upon motion of Senator MacDonald, the subdivision, CHARITIES AND CORRECTIONS, was adopted.

**CHIEF MINE INSPECTOR:**

Senator Logan submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 27, line 2, page 20, by striking the words, "for performing duties of."

LOGAN.

Upon motion of Senator MacDonald, the subdivision, CHIEF MINE INSPECTOR, as amended, was adopted.

**STATE BOARD OF AGRICULTURE:**

President Burns presiding.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 27, lines, 5 and 6, page 26, by striking the words, "Atoka County," and inserting the words, "Craterville, Oklahoma."

NANCE.

Upon motion of Senator MacDonald, the subdivision, STATE BOARD OF AGRICULTURE, as amended, was adopted.

There being no amendments offered, it was upon motion of Senator MacDonald that the subdivisions, STATE EXAMINER AND INSPECTOR, DEPARTMENT OF LABOR, STATE BOARD OF PUBLIC AF-

FAIRS, and MAINTENANCE OF CAPITOL BUILDING AND POWER HOUSE, were adopted.

**STATE FIRE MARSHAL:**

Senator Sowards submitted the following amendment, which was tabled, upon motion of Senator MacDonald:

Mr. President: I move to amend Senate Bill No. 27, line 15, page 34, by striking after the word, "Traveling," the figures "5,000.00" each year, and inserting the figures, "9,000.00," each year.

**SOWARDS.**

Upon motion of Senator MacDonald, the subdivision, STATE FIRE MARSHAL, was adopted.

**STATE INSURANCE COMMISSIONER:**

Senator Sowards submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 27, by inserting between lines, 16 and 17, page 36, the following:

**"STATE INSURANCE BOARD**

Secretary	2,500.00	2,500.00
Rate Expert	2,500.00	2,500.00
Stenographer	1,200.00	1,200.00
Extra Help	2,400.00	2,400.00
Contractual Services:		
General Repairs	50.00	50.00
Traveling	1,000.00	1,000.00
Communication	500.00	500.00
Printing other than office supplies	500.00	500.00
Supplies:		
Office Supplies	250.00	250.00
Equipment:		
Office Equipment	75.00	75.00
	<hr/>	<hr/>
	10,975.00	10,975.00

**SOWARDS.**



Upon motion of Senator MacDonald, the subdivision, STATE INSURANCE COMMISSIONER, was adopted.

There being no amendments offered, it was upon motion of Senator MacDonald that the subdivisions, ADJUTANT GENERAL, STATE CAPITOL CUSTODIAN, SUPERINTENDENT OF PUBLIC INSTRUCTION, STATE BOARD OF VOCATIONAL EDUCATION, STATE BOARD OF EDUCATION and STATE ELECTION BOARD, were adopted.

**SUPREME COURT:**

Senator Morrison submitted the following amendment, which was tabled, upon motion of Senator MacDonald.

Mr. President: I move to amend Senate Bill No. 27, line 18, page 43, by striking the figures, "2,400.00," and "21,600.00," each year, and substituting the figures, "3,600.00," and "32,400.00," each year.

**MORRISON.**

Upon motion of Senator MacDonald, the subdivision, SUPREME COURT, was adopted.

Upon motion of Senator MacDonald, the subdivision, CLERK OF THE SUPREME COURT, was adopted.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 27, line 13½, page 45, by inserting the following:

**"STATE BAR**

There is appropriated out of any monies in the State Treasury of the State of Oklahoma, to the credit of the State Bar Fund, not otherwise appropriated for the fiscal years ending June 30, 1934, and June 30, 1935, the following sums or so much thereof as may be necessary for the purposes herein mentioned and no other:

Personal Service	11,500.00	11,500.00
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## Contractual Service:

Traveling in State	3,500.00	3,500.00
Communication	1,600.00	1,600.00
Office Rent	1,800.00	1,800.00
Supplies:		
Office Supplies	600.00	600.00
Total	19,000.00	19,000.00"

JENNINGS.

Senator Wilbanks asked unanimous consent, which was granted, to have the records show him "excused" for the remainder of this legislative day.

Senator Reed moved to table the Jennings motion, which motion failed of adoption.

Senator Stewart, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 27, by inserting the following:

## "OKLAHOMA FOREST COMMISSION

For Salaries, Support and  
Maintenance of the Okla-  
homa Forest Commission,

Contingent Fund      10,000.00      10,000.00"

STEWART.

Senator Nance moved to table the Stewart amendment, which motion prevailed.

Senator Nance moved to table the Jennings amendment, which motion failed of adoption.

Senator Paul moved that the Jennings amendment be considered, "item by item."

Senator Moon moved to table the Paul motion, which failed of adoption.

The vote occurring on the Paul motion, it was declared adopted.

Senator Dixon presiding.

The following item in the Jennings amendment was considered:

“Personal Service                      11,500.00      11,500.00”

Senator Taylor submitted the following amendment, which was tabled, upon motion of Senator Memminger:

Mr. President: I move to amend the item, “Personal Service,” by striking the figures “11,000.00,” each year, and inserting the figures “1,000.00,” each year.

TAYLOR.

By unanimous consent, further consideration of Senate Bill No. 27, was deferred for this legislative day.

Senator Curnutt asked unanimous consent, which was granted, to withdraw Committee Report on Senate Bill No. 94, by Ballard, submitted and adopted today.

#### MESSAGE

The following message from the Governor was received and read:

To the Honorable, the Senate and the House of Representatives:

GENTLEMEN:

I have this day signed and approved:

SENATE BILL NO. 47—By MORRISON, CHAMBERLIN, SOWARDS, LOGAN, of the Senate and PALMER, WINGO, BABB and DANIEL of the House.

An Act setting aside to the State Game and Fish Commission certain property in Canadian County owned by the State for use by said Commission as a propagating farm and declaring an emergency.

Witness my hand this January 25th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: WM. H. MURRAY.

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

## EIGHTEENTH LEGISLATIVE DAY

Thursday, January 26, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m. and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Excused: MacDonald, Memminger. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Fidler asked unanimous consent, which was granted, to instruct the Secretary to wire congratulations and felicitations to Senator Memminger.

Senator Carlile asked unanimous consent, which was granted, to have the records show him "excused," beginning with the next legislative day, until Tuesday, January 31, 1933.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 79, correctly enrolled.

LIGGETT, Chairman.

Senate Bill No. 79 was read for the fourth time, the enrolled copy signed in open session by the President, 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. 173—By JENNINGS.—An Act legalizing the use of voting machines in the State of Oklahoma; authorizing their purchase and installation at the option of voting units; and prescribing rules and regulations for their operation.

SENATE BILL NO. 174—By JOHNSTON.—An Act providing for submission to the courts claims for damages, also upon contract as to claims and damages resulting from the administration of the Highway Department and the building of roads and highway improvements in the State.

SENATE BILL NO. 175—By NICHOLS.—An Act amending Section 530, Oklahoma Statutes, 1931, providing that it shall not be necessary to save an exception in the trial court to the action or ruling of the court in the trial of any cause or proceedings in this State, or the overruling or granting of a motion for new trial, and that it shall not be necessary to incorporate such exception in the record or case-made, in order that the Supreme Court of the State may consider and pass on the errors of law occurring at the trial of such cause or proceeding; and declaring an emergency.

SENATE BILL NO. 176—By CHAMBERLIN.—An Act amending Section 1419, Oklahoma Statutes, 1931, regarding the appointment of guardians for minors; providing the notice to be given; and declaring an emergency.

SENATE BILL NO. 177—By CHAMBERLIN.—An Act amending Section 3, Chapter 28, Session Laws of Oklahoma, 1925, being Section 9844, Oklahoma Statutes 1931, relating to building and loan associations.

SENATE BILL NO. 178—By JOHNSTON.—An Act providing for settlement of deficiency judgments,

the setting apart of exemptions, the application of non-exempt property, the marshalling of assets and fixing limitations on the right to issue executions and providing for discharge of debtor; declaring an emergency.

### SECOND READING

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

SENATE BILL NO. 156—By STACEY.—Referred to Committee on Fish and Game.

SENATE BILL NO. 157—By LESTER and CHAMBERLIN, NANCE and NICHOLS.—Referred to Committee on Commerce and Labor.

Senator Logan asked unanimous consent, which was granted, to have his name added as Joint Author of Senate Bill No. 157.

SENATE BILL NO. 158—By RITZHAUPT.—Referred to Committee on School Lands.

SENATE BILL NO. 159—By RITZHAUPT.—Referred to Committee on Retrenchment and Reform.

SENATE BILL NO. 160—By JENNINGS.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 161—By JENNINGS.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 162—By JENNINGS.—Referred to Committee on Commerce and Labor.

SENATE BILL NO. 163—By MOON.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 164—By CHAMBERLIN (By Request).—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 165—By GARVIN, NANCE and RAY.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 166—By THOMAS (By Request).—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 167—By TAYLOR of the Sen-

ate and HART and PALMER of the House.—Referred to Committee on Education.

SENATE BILL NO. 168—By WILBANKS and NANCE.—Referred to Judicial Redistricting Committee.

SENATE BILL NO. 169—By TAYLOR.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 170—By NANCE of the Senate and JOHNSON of the House.—Referred to Committee on Appropriations.

SENATE BILL NO. 171—By NANCE.—Referred to Committee on School Lands.

SENATE BILL NO. 172—By REED, NANCE, NICHOLS, and PAUL of the Senate and REX STRICKLAND of the House.—Referred to Committee on Agriculture.

ENGROSSED HOUSE BILL NO. 1—By BATSON, LEECRAFT and LANDINGHAM.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 68—By WAGNER.—Referred to Committee on State and County Affairs.

President Pro Tempore Stewart presiding.

#### SPECIAL ORDER

SENATE BILL NO. 27, by MacDonald, was considered further.

Referring to the Jennings amendment, submitted on the previous legislative day:

Upon motions of Senator Curnutt, the following items in the subdivision, STATE BAR, were adopted as read:

Personal Services, Contractual Services, and Supplies.

Upon motion of Senator Curnutt, the subdivision, STATE BAR, was adopted, as read.

Upon motions of Senator Curnutt, the following

subdivisions were adopted as read: CRIMINAL COURT OF APPEALS, STATE REPORTER, STATE LIBRARY, CONFEDERATE PENSIONS, OKLAHOMA COMMISSION FOR ADULT BLIND.

CORPORATION COMMISSION:

Senator Waldrep submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 27, line 4, page 50, by striking the figures "3,200.00 3,200.00," and inserting the figures "4,000.00 4,000.00."

WALDREP.

The vote occurring on the Waldrep amendment, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Ballard, Curnutt, Garvin, Nance, Paul. Total, 5.

Not Voting: Dixon, Logan, Rutherford. Total, 3.

Excused: MacDonald, Memminger. Total, 2.

Upon motion of Senator Curnutt, the subdivision, CORPORATION COMMISSION, as amended, was adopted.

Upon motions of Senator Curnutt, the subdivisions, OKLAHOMA LIBRARY COMMISSION and STATE BANKING DEPARTMENT, were adopted as read.

DEPARTMENT OF PUBLIC HEALTH:

Senator Ballard submitted the following amendment, which was tabled upon motion of Senator Ritzhaupt:

Mr. President: I move to amend Senate Bill No.



27, line 11, page 56, by striking lines 11 and 13, and submitting the words and figures "Field Nurses (5—\$1,800) 9,000.00 9,000.00."

**BALLARD.**

Upon motion of Senator Curnutt, the subdivision, DEPARTMENT OF PUBLIC HEALTH, was adopted.

Upon motion of Senator Curnutt, the subdivision, STATE INDUSTRIAL COMMISSION, was adopted as read.

**OKLAHOMA HISTORICAL SOCIETY:**

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 27, line 5, page 61, as follows: By striking before the word "Clerk," the word, "Field," and inserting the word, "File."

**CURNUTT.**

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 27, lines 9 and 10, page 61, by striking the words "Stenographer (Indian Agency-Muskogee)," and inserting the following:

"One Clerk, or Stenographer, among other duties to calendar and file in cases historical papers and records from office of Superintendent of Five Civilized Tribes at Muskogee, and other Indian Agencies in the State of Oklahoma."

**CURNUTT.**

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 27, lines 11 and 12, page 61, by striking the words "Custodian Union Memorial Room," and inserting the following:

“One Custodian, who shall be a Union Soldier, or a wife, widow or descendant of a Union Soldier.”

CURNUTT.

Senator Moon submitted the following amendment, which by unanimous consent, he withdrew:

Mr. President: I move to amend the Curnutt amendment, by striking the words, “or descendant of a Union Soldier.”

MOON.

Senator Briggs presiding.

Senator Waldrep, as a substitute, submitted the following amendment, which was tabled upon motion of Senator Curnutt:

Mr. President: I move to amend Senate Bill No. 27, by striking all of line 18, page 60, and all of page 61, and to and including lines 1 to 11, page 62.

WALDREP.

The vote occurring on the Curnutt amendment, it was declared adopted.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 27, lines 13 and 14, page 61, by striking the words, “Custodian, Confederate Memorial Room,” and inserting the following:

“One Custodian, who shall be a Confederate Soldier, or a wife, widow, or descendant of a Confederate Soldier.”

CURNUTT.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 27, line 1, page 62, by striking the words, “Traveling (General),” and inserting the following:

“Expenses, traveling within the State by the Secretary or other employees when on business of the So-

ciety, duly authorized to make such trip by the Historical Society."

CURNUTT.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 27, line 2, page 62, by striking the words, "Traveling (Editorial)," and inserting the following:

"Traveling expenses, within the State, including expenses of traveling and maintenance for two members of the editing committee of Chronicles, who render said work without compensation or pecuniary reward."

CURNUTT.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 27, line 4, page 62, by striking the words, "Printing and Binding," and inserting the following:

"Printing, other than office supplies, which comes under the head of equipment, including printing and binding of Chronicles of Oklahoma, postage and such other printing as may be approved by Board of Directors and State Board of Affairs."

CURNUTT.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 27, line 9, page 62, by striking the words, "Equipment, and Books," and inserting the words, "Equipment, including books."

CURNUTT.

Upon motion of Senator Curnutt, the subdivision, HISTORICAL SOCIETY, as amended, was adopted.

President Burns presiding.

Upon motion of Senator Curnutt, the subdivision, BOARD OF OPTOMETRY, was approved as read.

COMMISSIONERS OF THE LAND OFFICE:

Senator Waldrep submitted the following amendment, which was tabled upon motion of Senator Curnutt:

Mr. President: I move to amend Senate Bill No. 27, line 15, page 65, by striking the figures, "2,100.00 2,100.00" and inserting the figures, "2,500.00 2,500.00."

WALDREP.

Upon motion of Senator Curnutt, the subdivision, COMMISSIONERS OF THE LAND OFFICE, was adopted as read.

Upon motion of Senator Curnutt, the subdivision, SOLDIERS' RELIEF COMMISSION, was adopted as read.

Senator Moon asked unanimous consent, which was granted, to revert back to the subdivision, SUPREME COURT, and submit the following amendment:

Mr. President: I move to amend Senate Bill No. 27, line 18, page 43, by striking the figures "2,400.00" each year, and inserting the figures "3,500.00," each year, and change the figures "21,600.00," each year to read "31,500," each year.

MOON.

Senator Curnutt moved to table the Moon amendment, which failed of adoption.

Senator Chamberlin, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 27, line 18, page 43, by striking after the word, "at," the figures, "2,400.00—21,600.00," each year, and inserting the figures, "3,000.00—27,000.00," each year.

CHAMBERLIN.

Upon motion of Senator Curnutt, the previous question was ordered.

Conforming to Rule 41, the President declared the



vote would occur on the Moon amendment, which, upon a roll call as follows, was adopted:

Ayes: Briggs, Carlile, Clark, Commons, Coppock, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Logan, Moon, Morrison, Powers, Ritzhaupt, Rizley, Rutherford, Stewart, Waldrep. Total, 22.

Nays: Ballard, Carmack, Chamberlin, Curnutt, Lester, Liggett, Nance, Nichols, Paul, Pugh, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 17.

Not Voting: Fidler, Ray, Reed. Total, 3.

Excused: MacDonald, Memminger. Total, 2.

Upon motion of Senator Curnutt, the subdivision, SUPREME COURT, as amended, was adopted.

Senator Curnutt asked unanimous consent, which was granted, to change all totals in the bill to conform with the adopted amendments.

Senator Stacey submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 27, by adding the following proposition at the end of the bill:

“Provided that the salaries provided in this bill shall be paid monthly in twelve equal monthly payments for each year, and provided further that the acceptance of any such payment shall constitute a waiver of any further claim for services during such period and forever bar any claim or action against the State for the same.”

STACEY.

Senator Briggs moved to table the Stacey amendment, which motion failed of adoption.

The vote occurring on the Stacey amendment, it was declared adopted.

Senator Stewart submitted the following amend-

ment, which was ruled out of order, as having previously been disposed of:

Mr. President: I move to amend Senate Bill No. 37, by adding a new paragraph, as follows:

“OKLAHOMA FOREST COMMISSION

For Salaries, Support and Maintenance of the Oklahoma Forest Commission (Contingent Fund) 10,000.00 10,000.00.”

STEWART.

Senator Thomas submitted the following motion, which was tabled upon motion of Senator Curnutt:

Mr. President: In the interest of the taxpayers I wish to amend Senate Bill No. 27 by reducing each and every item showing appropriations contained in this bill twenty-five (25%) per cent.

THOMAS.

Senator Jennings submitted the following motion, which was tabled upon motion of Senator Curnutt:

Mr. President: I move to recommit Senate Bill No. 27 to the Committee on Appropriations with instructions to fix all appropriations for salaries of elective state officers in an amount fixed by statute.

JENNINGS.

Senator Ballard asked unanimous consent, to which objections were voiced, to revert back to the subdivision, CRIMINAL COURT OF APPEALS, for the purpose of submitting an amendment.

Senator Ballard moved the Senate revert to the subdivision, CRIMINAL COURT OF APPEALS, for the purpose of offering an amendment, which motion failed of adoption.

Upon motion of Senator Curnutt, Senate Bill No. 27, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Curnutt, the rules of the Senate were suspended and Senate Bill No. 27 was con-

sidered engrossed and placed on third reading and final passage.

SENATE BILL NO. 27 was read for the third time at length.

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

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Johnston, Lester, Nance, Nichols, Paul, Powers, Pugh, Reed, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 26.

Nays: Briggs, Commons, Coppock, Fidler, Hutchinson, Jennings, Liggett, Logan, Moon, Morrison, Ritzhaupt, Rizley, Rutherford. Total, 13.

Excused: MacDonald, Memminger. Total, 2.

Not Voting: Ray, Sowards, Waldrep. Total, 3.

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. 27 was referred for engrossment.

SENATE BILL NO. 127, by Briggs, was taken up for special consideration.

Section 1 was read.

Senator Briggs submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 127, by striking lines 5 to 8, page 1, all of page 2 and lines 1 to 11, both inclusive, page 3, and inserting the following:

Section 7735. The County Treasurer shall, before entering upon the duties of their office, enter into a bond to be executed by some Surety Company authorized to transact business in the State of Oklahoma, the cost thereof to be paid by the County in a sum as follows: a minimum bond of seventy-five thousand dollars in each and every county; provided, however, if the County Commissioners deem it necessary and proper they may fix the amount deemed necessary by said Board of County

Commissioners to secure the amount of public funds in the hands of such County Treasurer; the conditions of such bond shall be in substance as follows:

“Whereas, the above bounden-----was elected to the office of County Treasurer of the County of----- on the ---- day of -----; now, therefore, the condition of this obligation is such that if the said ----- or his deputy or deputies and all persons employed in his office shall faithfully and promptly perform the duties of his office, and if the said ----- and his deputies shall pay according to law all moneys which shall come to his hand as Treasurer and will render a just and true account thereof whenever required by said board of County Commissioners or by any provision of law, and shall deliver to his successor in office or to any other person authorized by law to receive the same, all moneys, books, papers, and other things appertaining thereto, or belonging to said office, then the above obligations to be void, otherwise to be in full force and effect.”

Said bond shall run to the State, and action may be brought thereon in the name of the State, for the use and benefit of the person or persons injured by a violation thereof” Provided, that if for any cause beyond the control of any person who has been elected or appointed to said office, he shall be unable to procure the execution of said bond by such a surety company, then, in such event, the County Commissioners may by resolution reciting the facts, accept a bond executed by personal sureties acceptable to and approved by the Board of County Commissioners;

Provided, further, that the surety or sureties upon said bond shall not be liable for any funds used by any predecessor in office in the payment of judgments; or for any such funds invested by any predecessor in judgments, warrants, bonds or other securities, which may thereafter be declared to be invalid or unenforceable; or



which the said Treasurer shall, with reasonable diligence, be unable to collect.

BRIGGS.

Senator Nichols, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 127, line 7, page 3, by changing the period to a semi colon, after the word, "effect," and adding the following: "Provided, however, when any County Treasurer shall furnish a personal bond, as contemplated herein, the same shall not be effective until approved by the Oklahoma Tax Commission."

NICHOLS.

Senator Nance presiding.

Senator Daugherty asked unanimous consent, which was granted, to be "excused" for the remainder of this legislative day.

Senator Briggs, as an amendment to his original amendment, submitted the following:

Mr. President: I move to amend Senate Bill No. 27, by adding after the word, "Commissioners," in the 7th line from the bottom, the words, "and by a majority of the members of the County Excise Board."

BRIGGS.

Senator Chamberlin moved to table the Briggs amendment to the original amendment, which motion failed of adoption.

Senator Ballard, as a substitute for all pending motions, moved that Senate Bill No. 127 be referred to Judiciary Committee No. 2, for further consideration, which motion was tabled, upon motion of Senator Briggs.

The vote occurring on the Briggs amendment, to the original amendment, it was declared adopted.

The vote occurring on the Briggs amendment, as amended, it was declared adopted.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 127, by adding at the end of Section 1, the following: "Provided, further, that the County Commissioners shall give notice by one publication in a legal newspaper, published in said county, of said application for personal bond and shall state, in substance, the names and qualifications of said proposed bondsmen."

BALLARD.

Senator Commons, as a substitute, submitted the following amendment:

Mr. President: I move to amend the Ballard amendment, by inserting after the words, "publication in," the words, "not more than 3 newspapers where such number of newspapers are published in the county," and by striking the words, "a legal newspaper, published in said county."

COMMONS.

Senator Briggs, as a substitute for all pending amendments, submitted the following:

Mr. President: I move to amend Senate Bill No. 127, by striking from and including line 5, page 1, to and including line 11, page 3, and inserting the following:

"Section 7735. The County Treasurer shall, before entering upon the duties of their office, enter into a bond to be executed by some Surety Company authorized to transact business in the State of Oklahoma, the cost thereof to be paid by the County in a sum as follows: a minimum bond of seventy-five thousand dollars in each and every county; provided, however, if the County Commissioners deem it necessary and proper they may fix the amount deemed necessary by said Board of County Commissioners to secure the amount of public funds in the hands of such County Treasurer; the conditions of such bond shall be in substance as follows:

" 'Whereas, the above bounded ----- was elected to the office of County Treasurer of the County of -----

on the ---- day of -----; now, therefore, the condition of this obligation is such that if the said ----- or his deputy or deputies and all persons employed in his office shall faithfully and promptly perform the duties of his office, and if the said ----- and his deputies shall pay according to law all moneys which shall come to his hand as Treasurer and will render a just and true account thereof whenever required by said Board of County Commissioners or by any provision of law, and shall deliver to his successor in office or to any other person authorized by law to receive the same, all moneys, books, papers, and other things appertaining thereto, or belonging to said office, then the above obligations to be void, otherwise to be in full force and effect.'

Said bond shall run to the State, and action may be brought thereon in the name of the State, for the use and benefit of the person or persons injured by a violation thereof.

Provided, that the surety or sureties upon said bond shall not be liable for any funds used by any predecessor in office in the payment of judgments; or for any such funds invested by any predecessor in judgments, warrants, bonds or other securities, which may thereafter be declared to be invalid or unenforcible; or which the said Treasurer shall, with reasonable diligence, be unable to collect. Provided, further, that any surety may, at any time it may feel itself unsafe or insecure, may make or cause to be made any investigation or audit it may deem necessary, and if, upon said examination or audit, it finds said Treasurer has not faithfully discharged the trust insofar as safety of funds is involved, it may take charge of said office until said default is cured or the said office placed in charge of a satisfactory successor."

BRIGGS.

Senator Waldrep asked unanimous consent, which

was granted, to submit the following motion, which was adopted:

Mr. President: I move that Senate Bill No. 127 be recommitted to Judiciary Committee No. 2, for the purpose of redrafting the bill, with instructions that the Committee report the bill back to the Senate on the next legislative day.

WALDREP.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 78 and 104 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Bills Nos. 78 and 104 and ordered each transmitted to the Honorable House, for consideration.

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



## NINETEENTH LEGISLATIVE DAY

Friday, January 27, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m. and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 40.

Excused: Carlile, Memminger. Total, 2.

Absent: Moon, Ray. Total, 2.

The President 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 Entrenchment and Reform to whom was referred Engrossed House Bill No. 116 by Phillips (Atoka), Babb and Cox, entitled:

An Act consolidating the office of County Assessor with that of County Treasurer, relating to the election and duties of the County Treasurer.

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

NICHOLS, Chairman.

Upon motion of Senator Nichols, the adverse Committee Report on House Bill No. 116 was adopted.

The following Majority Committee Report was read:

**MAJORITY REPORT**

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 7, by Ballard, entitled:

An Act vitalizing Section 6, Article 10, of the Constitution; providing what property shall be subject to taxation and enumerating certain exemptions; providing that all property not herein exempted shall be placed on tax rolls and assessed for the year 1933, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

WHITAKER, Chairman.

The following Minority Committee Report was read:

**MINORITY REPORT**

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 7, by Ballard, entitled:

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be printed as amended and placed on the calendar notwithstanding the majority report.

Amendment No. 1: That Section 2, second sub-section, be amended to read as follows:

“All property used exclusively for schools and colleges and all property used exclusively for religious and charitable purposes; provided, however, that the exemption herein provided shall obtain and apply only where such property is devoted solely, exclusively and directly to the appropriate objects of such schools and colleges or religious and charitable purposes. In case such property is operated for any commercial use or purpose, the same shall be subject to taxation, and in case any part or portion of such property is let, leased or rented

for any commercial use or purpose such part or portion shall be subject to taxation proportionately as the value of such part or portion bears to the value of the whole property of which it is a part or portion, notwithstanding the fact that the profits, income, rents or revenues derived from the operation, lease or rental of such property, or portion thereof, may be used for and devoted to the appropriate objects of such school, colleges or religious and charitable purposes."

Amendment No. 2. That the figures "1933" in lines one and three in Section 3 of said bill, be changed to "1934."

Fischl,	Chamberlin,
Ballard,	Paul,
Wilbanks,	Whitaker.

Senator Chamberlin moved the adoption of the Minority Committee Report on Senate Bill No. 7.

Senator Coppock moved to table the Chamberlin motion, which motion, by unanimous consent, he withdrew.

Senator Nance, as a substitute, moved the adoption of the Majority Committee Report.

Upon motion of Senator Logan, the previous question was ordered.

The vote occurring on the Nance motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Carmack, Clark, Coppock, Fidler, Garvin, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Morrison, Nance, Nichols, Powers, Pugh, Ritzhaup, Rutherford, Taylor, Thomas, Willis. Total, 22.

Nays: Briggs, Chamberlin, Commons, Curnutt, Daugherty, Dixon, Fischl, Lester, Paul, Reed, Rizley, Sowards, Stacey, Stewart, Whitaker, Wilbanks. Total, 16.

Excused: Carlile, Memminger. Total, 2.

Absent: Moon, Ray. Total, 2.

Not voting: Howard, Waldrep. Total, 2.

Senator Nance moved that the vote be reconsidered by which the Majority Report of the Committee was adopted, which motion was tabled, upon motion of Senator Nichols.

Senator MacDonald served notice that he would, on some future legislative day, move to take from the table the motion by which the Senate laid on the table the motion to reconsider the vote by which the Majority Report of the Committee on Revenue and Taxation on Senate Bill No. 7 was adopted.

Mr. President: We, your Committee on Senate Judiciary Committee Division No. 2, to whom was referred Senate Bill No. 102, by Ritzhaupt, entitled:

An Act prohibiting the payment to constables and justices of the peace of fees resulting in cases involving violation of traffic and highway laws of the 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Retrenchment and Reform, to whom was referred Senate Bill No. 122, by MacDonald, Memminger, Stewart, Nance, Briggs, Commons, Chamberlin, Garvin, Carlile, Nichols, Paul, Pugh, Ray, Reed, Taylor, Fischl, Clark, entitled:

An Act authorizing and directing the State Board of Public Affairs to establish, construct, equip and maintain and operate a substation of the Oklahoma State Penitentiary in Atoka County, Oklahoma, etc.,  
beg leave to report that we had the same under consideration and herewith return the same with the recommenda-



tion that it do pass, and that it be referred to the Committee on Appropriations.

NICHOLS, Chairman.

Senate Bill No. 122, was ordered referred to Committee on Appropriations.

Mr. President: We, your Committee on Senate Judiciary Committee, Division No. 2, to whom was referred Senate Bill No. 127, by Briggs, entitled:

An Act amending Section 1 of Article 6, Chapter 35, Session Laws 1931, being Section 7735 Oklahoma Statutes 1931; repealing all 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 147, by Whitaker, Wilbanks, and Chamberlin, entitled

An Act relating to the payment of ad valorem taxes and redemption of Tax Sales Certificates; providing that partial payments be made to apply 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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Retrenchment and Reform, to whom was referred Senate Bill No. 148, by Whitaker, entitled:

An Act relating to a State Printing Plant at the State Penitentiary at McAlester; providing an appropriation therefor; creating a special revolving fund to be used in connection therewith and declaring an emergency,

beg leave to report that we had the same under con-

sideration and herewith return the same with the recommendation that it do pass.

NICHOLS, Chairman.

Senate Bill No. 148, was ordered referred to Committee on Appropriations.

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

Mr. President: We, your Committee on Committees, beg leave to report that the names of Senators Liggett, Moon, Nichols, Wilbanks be added to the Committee on Roads and Highways.

WHITAKER, Chairman.

#### FIRST READING

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

SENATE BILL NO. 179—By JOHNSTON.—An Act amending Section 1, Chapter 39, of the Session Laws of 1927, the same being embodied in Section 1424, of the Oklahoma Compiled Statutes of 1931, providing for qualifications of guardians and declaring an emergency.

SENATE BILL NO. 180—By COMMONS.—An Act amending Section 4499, Oklahoma Statutes, 1931 (Section 8986, C. O. S. 1921) relating to the principle of local registrars of vital statistics for agent registration district in the State defining their duties and providing that the County Clerk of each county in the State of Oklahoma shall be the registrar of vital statistics.

SENATE BILL NO. 181—By REED and CARMACK of the Senate and WATSON, MARTIN, LEE-CRAFT of the House.—An Act repealing Section 8753, Oklahoma Statutes, 1931, relating to the State Market Commission; creating the State Market Commission as a department in the State Board of Agriculture; providing that said department shall perform all the duties heretofore performed by the State Market Commission; authorizing the promulgation of official standards for

fruits, vegetables, hay, or any other agricultural product; providing for the promulgation of rules and regulations for the carrying out of the provisions of this Act; authorizing the State Board of Agriculture to cooperate with the United States Department of Agriculture in prescribing rules, regulations and provisions for inspection service, and fixing fees for such service; providing qualifications for certain employees in the State Market Commission, Department of the State Board of Agriculture; creating certain positions in said department; fixing the salaries of such employees; making an appropriation to carry out the provisions of this Act; repealing all Acts or parts of Acts in conflict therewith; and declaring an emergency.

SENATE BILL NO. 182—By NANCE.—An Act amending Section 2381 Oklahoma Statutes 1931, relating to nepotism, and declaring an emergency.

SENATE BILL NO. 183—By COPPOCK.—An Act repealing Articles Eight and Nine, Chapter 50, Oklahoma Statutes, 1931, and Article 25, Chapter 35, Oklahoma Statutes 1931, Section 10148, Oklahoma Statutes, 1931, and Sections 7810, 7811, 7812, 7813, and 7814, Oklahoma Statutes, 1931, and amending Sections 7815 and subdivision (C) of Section 10,090, Oklahoma Statutes, 1931, relating to county roads and highways; repealing all laws in conflict therewith; and declaring an emergency.

SENATE RESOLUTION NO. 9—By RIZLEY.—A Resolution authorizing and directing the President of the Senate to appoint a committee to investigate the financial status of the School Land Department, alleged claims of favoritism, fraud and embezzlement pertaining to the school funds and various and sundry other matters; authorizing the subpoena of witnesses and requiring said special committee to report its findings to the Senate of the State of Oklahoma for action thereon.

### SECOND READING

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

SENATE BILL NO. 173—By JENNINGS.—Referred to Committee on Privileges and Elections.

SENATE BILL NO. 174—By JOHNSTON.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 175—By NICHOLS.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 176—By CHAMBERLIN.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 177—By CHAMBERLIN.—Referred to Committee on Banks and Banking.

SENATE BILL NO. 178—By JOHNSTON.—Referred to Judiciary Committee No. 1.

### MESSAGES

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

To the President of the Senate,  
Building.

SIR:

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

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4—By MISENHEIMER, ARMSTRONG, HANKLA, BABB, DARKS, DANIEL, MALLORY & GRAHAM, entitled:

A resolution requesting the Governor of California to give the application of Tom Mooney for an unconditional pardon consideration, and earnestly requesting that he reconsider his action heretofore taken, and to inform you, and through you the Honorable Senate, that the same has been adopted by the House and signed by the Acting Speaker in open session.

Yours very truly,

R. M. McCOOL, Chief Clerk.



Under the rules, Engrossed House Concurrent Resolution No. 4 was ordered printed and placed upon the calendar.

To the President of the Senate,  
Building.

SIR:

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

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 10—By MALLORY—entitled:

A Resolution requesting the Oklahoma Delegation to attempt to remedy tax evasion through the ownership of tax-exempt securities,  
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,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolution No. 10 was ordered printed and placed upon the calendar.

To the President of the Senate,  
Building.

SIR:

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

ENROLLED SENATE BILL NO. 79—By CLARK of the Senate and BRAZELL of the House,

An Act repealing Chapter 155 of the Session Laws of the State of Oklahoma, 1927, the same being paragraph 8023 of the Oklahoma Statutes of 1931, relating to the office of County Attorney of Grant County, Oklahoma, and declaring an emergency,  
and to advise 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 79 was ordered referred to the Governor.

President Pro Tempore Stewart presiding.

Senator Garvin asked unanimous consent, which was granted, to introduce the following Resolution, which was read at length:

SENATE RESOLUTION NO. 10—By GARVIN.

A RESOLUTION AUTHORIZING THE APPOINTMENT OF A COMMITTEE TO INVESTIGATE THE PURCHASE OF LANDS IN ATOKA COUNTY FOR SUB-PENITENTIARY PROPERTY AND EXPENDITURE OF FUNDS APPROPRIATED BY THE THIRTEENTH LEGISLATURE THEREFOR, AND PROVIDING THAT THE COMMITTEE SO APPOINTED SHALL MAKE A REPORT OF ITS INVESTIGATION TO THE SENATE.

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

SECTION 1. That the President of the Senate be, and he is hereby authorized to appoint five (5) members of the Senate as a Committee to make an investigation of the purchase of lands in Atoka County, for sub-penitentiary purposes, and the expenditures of certain funds appropriated by the Thirteenth Legislature of Oklahoma for such purposes. No member of the Senate may be appointed as a member of said Committee who resides in the Senatorial District in which the property is located, and no Senator may be appointed as a member of such Committee unless he represents some rural Senatorial District in this State.

SECTION 2. Said Committee is hereby empowered to do any and all things necessary to make a full and complete investigation and activities of the State Board of Public Affairs and all other state officers in connection with the purchase of the lands acquired by the State Board of Public Affairs for sub-penitentiary purposes, and do any and all things necessary to make a full and complete investigation of such subject-matter and make a report of its investigation to the Senate. The Committee is hereby authorized and empowered to subpoena witnesses, issue process and compel the attendance of witnesses before said Committee and to employ all clerical and other assistance necessary to make a full and complete report of its investigation. The expense incurred in making such investigation shall be paid out of funds appropriated by the Senate of the Fourteenth Legislature of the State of Oklahoma.

SECTION 3. Said Committee is hereby directed to make a full and complete report of its investigation to the Senate as soon as the same shall have been completed.

Senator Garvin moved the adoption of Senate Resolution No. 10.

Senator Curnutt, as a substitute, moved that Senate Resolution No. 10 be referred to the Committee on State and County Affairs.

Senator Wilbanks moved to table the Curnutt motion.

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

Senator Curnutt moved that Senate Resolution No. 10 be referred to an appropriate standing committee for further consideration, which motion was tabled upon motion of Senator Wilbanks.

Upon motion of Senator MacDonald, the previous question was ordered.

The vote occurring on the Garvin motion, Senate Resolution No. 10 was declared adopted.

Senate Resolution No. 10 was ordered referred for engrossment.

President Pro Tempore Stewart appointed, under Senate Resolution No. 10, Senators Garvin, Chamberlin, Nance, Wilbanks, and Willis.

Upon motion of Senator Whitaker, two hundred copies of HOUSE BILL NO. 1, by Batson, Leecraft and Landingham, were ordered printed.

#### SPECIAL ORDER

SENATE BILL NO. 127, by Briggs, was taken up for consideration.

Section 1 was read.

Senator Briggs moved the adoption of Section 1.

Senator Jennings, as a substitute, moved that further consideration of Senate Bill No. 127, be deferred until the next legislative day.

Senator Garvin presiding.

Senator Briggs moved to table the Jennings motion, which motion prevailed.

The vote occurring on the Briggs motion, it was declared adopted.

Section 2 was read and adopted, upon motion of Senator Briggs.

Upon motion of Senator Briggs, Senate Bill No. 127 was advanced to engrossment and third reading.

Senator Briggs moved that the rules of the Senate be suspended, and Senate Bill No. 127 be considered engrossed and placed upon third reading and final passage.

Senator Taylor, as a substitute, moved that further consideration of Senate Bill No. 127, be indefinitely postponed, which motion lost for want of a second.

The vote occurring on the Briggs motion, it was declared adopted.



SENATE BILL NO. 127 was read for the third time at length.

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

Ayes: Briggs, Carmack, Chamberlin, Clark, Curnutt, Daugherty, Dixon, Fidler, Garvin, Hutchinson, Johnston, Lester, Liggett, MacDonald, Morrison, Powers, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 26.

Nays: Jennings, Nance, Nichols, Paul, Taylor. Total, 5.

Not voting: Ballard, Commons, Coppock, Fischl, Howard, Logan, Rutherford, Sowards, Thomas. Total, 9.

Absent. Moon, Ray. Total, 2.

Excused: Carlile, Memminger. 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 Chamberlin presiding.

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

Ayes: Briggs, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Ballard, Jennings. Total, 2.

Not voting: Commons, Fischl, Howard, Hutchinson, Logan, Rutherford, Thomas. Total, 7.

Excused: Carlile, Memminger. Total, 2.

Absent: Moon, 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 question being, "Shall the Title of the Bill become the Title of the Act?" Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend the Title to Senate Bill No. 127, to read as follows:

"AN ACT AMENDING SECTION 7735, OKLAHOMA STATUTES 1931, (BEING SECTION 1, ARTICLE 6, CHAPTER 35, SESSION LAWS 1931) PROVIDING FOR THE EXECUTION OF A BOND BY THE COUNTY TREASURERS OF THE VARIOUS COUNTIES OF THE STATE; PRESCRIBING THE CONDITIONS OF SUCH BOND; THE PROCEDURE IN CONNECTION THEREWITH AND PROVIDING FOR AN EXAMINATION AS TO THE SUFFICIENCY OF THE SURETY OR SURETIES THEREON; PROVIDING FOR PERSONAL SURETIES UNDER CERTAIN CIRCUMSTANCES AND CONDITIONS, AS HEREINAFTER DEFINED; PROVIDING FOR AN EXAMINATION OF THE BOOKS AND RECORDS OF SUCH TREASURER OR TREASURERS; PRESCRIBING THE CONDITIONS UNDER WHICH SURETIES MAY BE ALLOWED TO WITHDRAW THEREFROM; MAKING OTHER AND FURTHER PROVISIONS WITH REFERENCE TO BONDS OF COUNTY TREASURERS AND REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY."

BRIGGS.

Senate Bill No. 127, as amended, was referred for engrossment.

Upon motion of Senator Whitaker, SENATE BILL NO. 147, by Whitaker, Wilbanks and Chamberlin, was set for Special Order, Tuesday, January 31st, at 2.00 o'clock, p. m.

Senator Whitaker moved that SENATE BILL NO.

117, by Chamberlin, of the Senate, and Worthington, Speck and Sutherland, of the House, be set for Special Order, Tuesday, January 31st, at 2:30 p. m., which motion failed of adoption.

Upon motion of Senator Morrison, the Senate adjourned, to meet under the rules, on Monday, January 30th, 1933.

## TWENTIETH LEGISLATIVE DAY

Monday, January 30, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 39.

Absent: Jennings, Powers, Whitaker. Total, 3.

Excused: Carlile, Liggett. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### MESSAGES

The following Messages were received and read:

STATE BOARD OF PUBLIC AFFAIRS

STATE OF OKLAHOMA

January 23, 1933.

Oklahoma City,

To the Honorable, The State Senate,  
State Capitol.

Gentlemen:

Complying with your Resolution No. 5 for report as to the manufacture and facilities to manufacture farm wagons and farming implements at the Oklahoma State Penitentiary, we desire to report to you as follows:

Shortly following the adjournment of the Thirteenth Legislature, this Board made an investigation of the conditions at the Oklahoma State Penitentiary with reference to the construction of the manufacturing plant



referred to, and found the following conditions, to-wit: That no additional buildings could be constructed inside the prison walls because all space was occupied by buildings, including factory buildings, except such space as was necessary for passage outside of the buildings in handling approximately 3400 prisoners; that said prison is now and has been since the approval of the Act which is the subject of your resolution greatly overcrowded in all respects.

That on account of bad economic conditions, it would have been impossible for us to have manufactured wagons and implements at a cost as low as the farmers could buy them for on the market, for the reason that the dealers in such implements were overstocked and short on money and anxious to sell at unusually low prices, while the farmers were not able to buy such things; that we actually found that we could buy wagons cheaper than the materials would cost us to manufacture wagons in the Oklahoma State Penitentiary. The Penitentiary at McAlester was manufacturing wagons when the above mentioned bill was passed and has been and is now equipped to manufacture wagons in a small way, and that fact has been known generally, at least in the eastern part of the State. However, the Penitentiary has not had a call from a farmer in the State for a wagon or for a farming implement.

That if economic conditions improve so such things could be sold to the farmers at a cost, that cost being as low as or lower than they can be brought for on the market, then a factory for making them can be established if space therefor could be provided, and the Revolving Fund created therefor could still be used; that the Board cannot establish a manufacturing plant as contemplated by said bill within the present walls of the Oklahoma State Penitentiary and under existing conditions said plant would have to be operated at a loss and

the articles manufactured therein be of no benefit to the farmers of the State, for the reason that the farmers are no longer in the market for wagons and implements on account of not having any funds with which to purchase the same and for the reasons above stated, the Board has proceeded no further than to ascertain the information as above given.

Respectfully submitted,  
 STATE BOARD OF PUBLIC AFFAIRS  
 By W. C. HUGHES, Chairman,  
 HUGH C. JONES, Vice-Chairman,  
 C. M. CADE, Secretary.

TO THE HONORABLE, THE STATE SENATE  
 OF THE FOURTEENTH LEGISLATURE:  
 Gentlemen:

I observe that a resolution by Senator Rizley was introduced to investigate the School Land Department.

I call your attention to the fact that this department has been undergoing an audit for nearly two years; that, in a few days, the audit will be completed and the balance struck; and, when completed, a copy will be filed with The Senate; and then you will have an opportunity to know whether you want to investigate further.

I especially request that you do not now cause any POLITICAL interference with the audit and with the movement of the Attorney General to bring suit for the recovery of this money, for such interference would but do harm to the law suit.

After you shall have received this audit, then you can understand whether you desire to investigate further.

While on this question of investigation, permit me to call your attention to the fact that because of these numerous investigations, the Legislature is now going

into its fifth week, with the sum and total of its legislative achievement being the following:

An appropriation bill to pay the members their per diem and mileage;

The "Lame Duck" Amendment;

An Act, to promote quail breeding;

A local Act for Grant County, of doubtful wisdom.

I realize quite well that had you cut off all investigation in the beginning, some one would charge that I, you, and others did not want an investigation; but, after four weeks of such investigation, nothing has developed in the investigation to justify the cry of the harpies, the gossip, and the slander of the daily press. You have Colonel Cicero Murray's full accounts, and the achievements of the Committee amount to, as it were, "chigger-egg chasing."

I believe that an overwhelming majority, yes, two-thirds of the Senate, desires to put through the program in the interest of the people, but there are some eight or ten members in the Senate who did not come here to enact a program; whose every effort will be, as their efforts have been, to thwart any effort or accomplishment.

Permit me therefore to suggest that the people have their minds on The Senate, and that they will blame the majority for failure to go forward, notwithstanding the obstructive tactics of that small minority; indeed, they will blame that majority more than this "LOCO-FOCO" minority for failure of accomplishment. Permit me therefore to suggest that The Senate follow the course of the House of Representatives by passing a resolution to stop all investigations until the program is completed; and then appoint your committees on investigation and take a recess for thirty or sixty or even ninety days. By doing so, the program will be certain

of accomplishment, and those desiring investigation will have had their wish.

The destitute condition of the people, the burdensome taxes, with their penalties, which penalties should be suspended; the foreclosure of mortgages on the homes of the people, requiring legislation to assist them; the threatened closing of many schools in the State; the necessity of correcting financial conditions that confront the business interests; the need for more equitable revenues,—all these things require action on the part of this Legislature. There is no excuse for failure to enact such legislation, unless it be that the Legislature, like Congress, intends to frit away its time, which will lead the citizens to believe that representative government has failed, just as representative government has failed in the downfall of every republic of the past.

Therefore, considering all these things, I urge upon the majority who desire to serve the public to take charge of The Senate and vigorously complete the program, before the investigation, as suggested in the foregoing.

Respectfully submitted, on this the 30th day of January, A. D. 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED SENATE BILL NO. 2—By the Committee on Revenue and Taxation composed of: WHITAKER, Chairman; GARVIN, Vice-Chairman; BALLARD, BRIGGS, CHAMBERLIN, CURNUTT, FIDLER, FISCHL, JENNINGS, JOHNSTON, MacDONALD, MEMMINGER, MOON, NANCE, NICH-



OLS, PUGH, RUTHERFORD, STACEY, HUTCHINSON, POWERS; and PAUL, LESTER and REED, entitled:

An Act providing for the waiving and releasing of the interest, penalties, and costs of delinquent ad valorem taxes on real property due the state, county, school district, township or any other sub-division of the state upon payment of the principal amount on or before December first, 1933, authorizing and directing county treasurers to accept such principal amounts without interest, penalties and costs and to cancel and strike said interest, penalties and costs from tax rolls providing that this Act shall not affect existing tax sale certificates held by bona fide purchasers or taxes levied and assessed for the year 1932 or subsequent years; suspending the operation of all Laws or parts of Laws in conflict herewith for the term of this Act and providing further that in case any section, clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any court of competent or final jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act and declaring an emergency.

ENGROSSED SENATE BILL NO. 28—By NICHOLS, WILLIS, RAY, WHITAKER and RIZLEY, entitled:

An Act to provide for relief of the people who are unable to work and have not the means of supporting themselves, by furnishing them free garden seed, food, clothing and fuel: making an appropriation in the aggregate sum of six hundred thousand (\$600,000.00) dollars; providing for the method of distribution of the seed, food supplies, or cash to such persons in need; fixing criminal penalty for wrongful use of such seed and supplies; determining the method of distribution, and declaring an emergency, and to advise you, and through you, the Honorable Sen-

ate, that the same have been passed by the House AS AMENDED, and signed by the Speaker in open session.

Yours very truly,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 2 were read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1.  
Title, line 3: Insert between the words "real" and "property" the words "and personal."

ENGROSSED HOUSE AMENDMENT NO. 2.  
Page 1, Section 1, Line 2: Insert between the words "real" and "property" the words "and personal."

ENGROSSED HOUSE AMENDMENT NO. 3.  
Page 1, Section 1, Line 2: Add after the word "State" "for any delinquent year," and adding after the word "taxes," line 5, "for said delinquent year."

ENGROSSED HOUSE AMENDMENT NO. 4.  
Page 2, Section 5: Strike Section 5 and renumber Section 6 as Section 5, and Section 7 as Section 6.

Upon motion of Senator MacDonald, the Senate refused to concur in Engrossed House Amendments to Engrossed Senate Bill No. 2 and requested the Honorable House to grant a conference thereon.

Engrossed House Amendments to Engrossed Senate Bill No. 28 were read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1.  
Page 2, Section 1, line 9: Strike the words "age, sickness, or other" and insert in lieu thereof, the word "their."

ENGROSSED HOUSE AMENDMENT NO. 2.  
Page 2, Section 2: Strike the entire Section 2 and insert in lieu thereof, the following: "The funds named in Section 1, aggregating the said sum of Four Hundred Thousand (\$400,000.00) Dollars, to be used other than for free garden seed, may be used either by supplying the said food, clothing, medicine, and other sup-

plies, or by direct cash payment, or by both such methods; PROVIDED, that if supplies in lieu of money are made, they shall be purchased by the State Board of Public Affairs as provided by law and paid for by checks or vouchers issued by the Governor or his authority. In case they are made by direct payments in cash, they shall be made through the State Treasury upon checks or vouchers, signed by the Governor, or by his authority, upon said trust fund, as now issued, in payment of labors in the work relief program, in the distribution of the Federal Relief Funds. And the Auditor is hereby authorized and directed, within the terms and limitations of the Act to issue his warrant upon the direction by the Governor to the State Treasury in such amounts from time to time as the Governor may direct, not to exceed the respective amounts herein appropriated for each fiscal year, the said warrants to bear sufficient identification to show that they are for the relief as herein provided; and the State Treasurer shall place the proceeds of said warrants as issued to the credit of the relief trust fund herein provided for, to be paid out on checks or vouchers issued by the Governor, or by his authority. It shall be the duty of the State Examiner and Inspector to make a complete audit of the expenditure of all monies provided by this Act, and submit same to the Fifteenth Legislature.

ENGROSSED HOUSE AMENDMENT NO. 3.  
That Leecraft, Sullivan and Childers of the House be made joint authors of the Bill.

ENGROSSED HOUSE AMENDMENT NO. 4.  
Substitute the following for Section 3. No part of the funds appropriated by this Act shall be used for paying any salaries or for clerical hire.

ENGROSSED HOUSE AMENDMENT NO. 5.  
Page 4, Line 5, between the words "diverted" and "be" strike out the word "or" and insert the word "and."

In Line 5, strike out the words "not less than six months and no more than twelve months" and adding in lieu thereof "not to exceed twenty-five years."

Upon motion of Senator MacDonald, the Senate refused to concur in Engrossed House Amendments to Engrossed Senate Bill No. 28, and requested the Honorable House to grant a conference thereon.

### COMMITTEE REPORTS

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 14, 19, 21 and 22 correctly engrossed.

LIGGETT, Chairman.

### FIRST READING

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

SENATE BILL NO. 184—By COMMONS.—An Act amending Section 11151, Oklahoma Statutes 1931, (Section 21, Chapter 42, Session Laws 1929), relating to the traveling way and filling of cans or tubs and repealing all Acts or parts of Acts in conflict therewith.

SENATE BILL NO. 185—By COMMONS.—An Act amending Section 11146, Oklahoma Statutes 1931, (Section 16, Chapter 42, Session Laws 29), relating to the duties of mine foremen.

SENATE BILL NO. 186—By COMMONS.—An Act amending Section 2596, C. O. S. 1931, (Section 6982 C. O. S. 1921) relating to the sale of pure grain alcohol, rules and regulations governing the same, repealing all Acts or parts of Acts that conflict therewith and declaring an emergency.

SENATE BILL NO. 187—By BALLARD.—An Act fixing the annual membership fee of active and inactive members of the State Bar; repealing Sections 4251 and 4253 of the Compiled Oklahoma Statutes of



1931, and other purposes; and declaring an emergency.

SENATE BILL NO. 188—By NICHOLS.—An Act authorizing the superintendents or wardens of state penal, reformatory and eleemosynary institutions and of state institutions for the benefit of the insane, blind, deaf, mute and tubercular, to locate burial grounds on lands of said institutions and to bury therein the bodies of deceased inmates or patients of said institutions that are not claimed for private burial by friends or relatives thereof, providing that the expenses of such burials, which shall not exceed \$25.00, shall be paid from the support or maintenance appropriation or any other appropriation made for operating expenses of the institution, and declaring an emergency.

SENATE BILL NO. 189—By GARVIN, FISCHL and CHAMBERLIN.—An Act fixing the salaries of elective and appointive state officers of the State of Oklahoma, and repealing conflicting laws.

SENATE BILL NO. 190—By CHAMBERLIN, COMMONS, MORRISON and NICHOLS.—An Act relating to civil procedure; providing that a party to a suit may call the opposite party as a witness or the manager, superintendent, agent or other party in control, if such opposite party be a corporation; prescribing and defining the conditions and effect thereof; repealing all Acts and parts of Acts that conflict herewith and declaring an emergency.

SENATE BILL NO. 191—By LOGAN (By Request).—An Act amending Sections 726 and 2300, Oklahoma Statutes, 1931, relating to privileged communications, and declaring an emergency.

SENATE BILL NO. 192—By LOGAN (By Request).—An Act amending Section 80, Oklahoma Statutes, 1931, relating to the withdrawal of pleadings and papers filed with the Court Clerk, and declaring an emergency.

SENATE BILL NO. 193—By CURNUTT.—An Act making an appropriation of five thousand dollars to pay Mrs. J. H. Tackett, of Fairfax, Oklahoma, for damages suffered by her by reason of the death of her husband, incurred in line of duty while in the employ of the State Highway Department, and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 14.—By FISCHL, LOGAN and RITZHAUPT.—A Resolution commending the American Legislators' Association.

Senator Commons presiding.

#### SECOND READING

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

SENATE BILL NO. 179—By JOHNSTON.—Referred to Committee on Code Revision.

SENATE BILL NO. 180—By COMMONS.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 181—By REED and CARMACK of the Senate and WATSON, MARTIN, LEE-CRAFT of the House.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 182—By NANCE.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 183—By COPPOCK.—Referred to Committee on Roads and Highways.

President Burns presiding.

#### THIRD READING

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: Ballard, Briggs, Carmack, Chamberlin, Clark, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh,

Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 34.

Not Voting: Commons, Coppock, Dixon, Morrison, Rizley. Total, 5.

Absent: Jennings, Powers, Whitaker. Total, 3.

Excused: Carlile, Liggett. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 35.

Not Voting: Coppock, Curnutt, Dixon, Sowards. Total, 4.

Absent: Jennings, Powers, Whitaker. Total, 3.

Excused: Carlile, Liggett. 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, in open session, signed the engrossed copy of Senate Bill No. 22, and ordered the same transmitted to the Honorable House.

Senator Jennings asked to be recorded "present," which was the order.

SENATE BILL NO. 21 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carmack, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Lester, Logan, Morrison, Ritzhaupt, Rizley, Stewart, Thomas, Willis. Total, 19.

Nays: Chamberlin, Daugherty, Fidler, Johnston, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Reed, Rutherford, Stacey, Taylor, Waldrep, Wilbanks. Total, 16.

Not Voting: Coppock, Dixon, Moon, Ray, Sowards. Total, 5.

Absent: Powers, Whitaker. Total, 2.

Excused: Carlile, Liggett. 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.

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: Ballard, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Waldrep, Wilbanks, Willis. Total, 32.

Not Voting: Briggs, Coppock, Dixon, Nance, Ray, Rutherford, Sowards, Thomas. Total, 8.

Absent: Powers, Whitaker. Total, 2.

Excused: Carlile, Liggett. 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 Logan, the emergency section to Senate Bill No. 14 was ordered stricken.

The question being, "Shall the title of the bill be-



come the title of the Act?" Senator Logan submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 14, by striking from the title thereof the words, "AND DECLARING AN EMERGENCY."

LOGAN.

Senate Bill No. 14, as amended, was referred for re-engrossment.

SENATE 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Waldrep, Wilbanks, Willis. Total, 35.

Not Voting: Coppock, Dixon, Ray, Sowards, Taylor. Total, 5.

Absent: Powers, Whitaker. Total, 2.

Excused: Carlile, Liggett. 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 Logan, the emergency section to Senate Bill No. 19 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Logan submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 19, by striking from the title thereof the words, "AND DECLARING AN EMERGENCY."

LOGAN.

Senate Bill No. 19, as amended, was referred for re-engrossment.

Senator Logan served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which SENATE BILL NO. 21, by Logan, failed of passage.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 27 correctly engrossed.

HOWARD, Vice Chairman.

The President, in open session, signed Engrossed Senate Bill No. 27 and ordered it transmitted to the Honorable House, for consideration.

Senator Chamberlin presiding.

#### GENERAL ORDER

Senator MacDonald called up for consideration, SENATE BILL NO. 30, by MacDonald, Chamberlin, of the Senate, and Phillips, of the House.

Section 1 was read and adopted, upon motion of Senator MacDonald.

Upon motion of Senator MacDonald, Senate Bill No. 30 was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and Senate Bill No. 30 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 30 was read for the third time at length.

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

Ayes: Briggs, Carmack, Chamberlin, Clark, Fidler, Fischl, Howard, Hutchinson, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Wilbanks, Willis.  
Total, 29.

Nays: Ballard, Curnutt. Total, 2.

Not Voting: Commons, Coppock, Daugherty, Dixon, Garvin, Jennings, Ray, Rizley, Taylor. Total, 9.

Absent: Powers, Whitaker. Total, 2.

Excused: Carlile, Liggett. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Wilbanks, Willis. Total, 35.

Nays: Curnutt. Total, 1.

Not Voting: Dixon, Garvin, Ray, Taylor. Total, 4.

Absent: Powers, Whitaker. Total, 2.

Excused: Carlile, Liggett. 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. 30 was referred for engrossment.

Senator Howard asked unanimous consent, which was granted, to take up for consideration, out of its regular order, SENATE BILL NO. 152, by Howard, of the Senate, and Wagner, of the House.

Section 1 was read.

Senator Stewart submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 152, line 8, page 2, by adding after the word, "Latimer," and before the word, "Adair," the word, "Choctaw."

STEWART.

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

Senator Howard asked unanimous consent, which was granted, to add the name of "Hughes, of the House," as a joint author of Senate Bill No. 152.

Upon motion of Senator Howard, Senate Bill No. 152 was advanced to engrossment and third reading.

Upon motion of Senator Howard, the rules of the Senate were suspended and Senate Bill No. 152 was considered engrossed and placed upon third reading and final passage.

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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Wilbanks, Willis. Total, 35.

Not Voting: Coppock, Daugherty, Dixon, Jennings, Taylor. Total, 5.

Absent: Powers, Whitaker. Total, 2.

Excused: Carlile, Liggett. 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: Ballard, Briggs, Carmack, Chamberlin, Commons, Curnutt, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray,



Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Wilbanks, Willis. Total 33.

Not Voting: Clark, Coppock, Daugherty, Dixon, Jennings, Moon, Taylor. Total, 7.

Absent: Powers, Whitaker. Total, 2.

Excused: Carlile, Liggett. 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. 152 was referred for engrossment.

Senator Nichols asked unanimous consent, which was granted, to defer consideration of SENATE RESOLUTION NO. 6, by Nichols and Stewart, until some future legislative day, without the bill losing its place on the calendar.

SENATE BILL NO. 33, by Pugh, was taken up for consideration.

Section 1 was read.

Senator Pugh moved that, notwithstanding the adverse report of the Committee on House Bill No. 116, it, be printed and placed upon the calendar, to be considered with Senate Bill No. 33 on Special Order tomorrow.

Senator Briggs, as a substitute, moved that further consideration of Senate Bill No. 33 be indefinitely postponed, which motion, by unanimous consent, he withdrew.

Senator Ballard, as a substitute, moved that the vote be reconsidered by which the adverse committee report on House Bill No. 116 was adopted.

Senator MacDonald, as a substitute for all pending motions, moved that all bills, having to do with the consolidation of county offices, be printed and placed upon the calendar, notwithstanding the reports of any Committees, which motion failed of adoption.

Senator Fidler, as a substitute for all pending mo-

tions, moved that all bills, having to do with the consolidation of county offices, be referred to a Special Committee, notwithstanding any report heretofore made by a Committee.

Senator Ballard, as an amendment to the Fidler motion, moved to strike the words, "Special Committee," and insert the words, "Judiciary Committee No. 2," which amendment was adopted.

The vote occurring on the Fidler motion, as amended, it was declared adopted.

Senator Pugh moved that Judiciary Committee No. 2, be instructed to report to the Senate, concerning the consolidation of all county offices, not later than two legislative days hence.

Senator Morrison moved to table the Pugh motion, which motion prevailed.

Senator Moon moved that Judiciary Committee No. 2 be requested to report to the Senate on all bills, concerning the consolidation of county offices, within five (5) days, which motion prevailed.

Senator Jennings asked unanimous consent, which was granted, to submit the following motion, which was tabled, upon motion of Senator MacDonald:

Mr. President: I move that all the proceedings, deliberations and debate on all questions before the Senate, be governed by the rules of the Senate, adopted in the regular 1931 session of the Senate, until the adoption of the permanent rules of this session.

JENNINGS.

SENATE BILL NO. 121, by MacDonald, Briggs, Carmack, Stewart, et al, was taken up for consideration.

Section 1 was read.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 121, line 11, page 3, by striking after the word, "Okla-

homa," the remaining portion of line 11, all of lines 12, 13, 14, 15, 16, 17 and 18, and lines 1, 2 and 3, page 4.

JENNINGS.

Senator Commons, as a substitute, submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 121, line 13, page 3, by adding after the word, "automobile," and before the word, "as," the following, "not to exceed \$900.00."

COMMONS.

Senator Fischl submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 121, line 4, page 4, by striking lines 4 to 13.

FISCHL.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator MacDonald:

Mr. President: I move to amend Senate Bill No. 121, by adding at the end of Section 1, the following: "Provided that it shall be unlawful for any member of the legislature, during the term for which he shall have been elected, or within 2 years thereafter, to be interested in, directly or indirectly, any such contract, or to charge or receive, directly or indirectly, any fee, compensation, money or property for appearing before said Commission and suggesting or recommending the making of any contract by said Commission."

JENNINGS.

Senator Jennings submitted the following amendment, which was ruled out of order, upon a point of order raised by Senator MacDonald, as not being germane:

Mr. President: I move to amend Senate Bill No. 121, by adding after Section 1, the following: "Provided it shall be unlawful for said Commission to employ any relative of any member of the legislature within three

degrees by affinity or consanguinity, during the term of office of such member of the legislature."

JENNINGS.

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

Section 2 was read and adopted, upon motion of Senator Nance.

Upon motion of Senator MacDonald, Senate Bill No. 121 was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and Senate Bill No. 121 was considered engrossed and placed upon third reading and final passage.

SENATE 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Wilbanks, Willis. Total, 29.

Nays: Coppock, Hutchinson, Jennings, Waldrep. Total, 4.

Not Voting: Dixon, Fidler, Logan, Moon, Rizley, Rutherford, Taylor. Total, 7.

Excused: Carlile, Liggett. Total, 2.

Absent: Powers, Whitaker. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Wilbanks, Willis. Total, 30.

Nays: Coppock, Hutchinson, Jennings. Total, 3.

Not Voting: Dixon, Fidler, Moon, Morrison, Ritzley, Rutherford, Taylor. Total, 7.

Excused: Carlile, Liggett. Total, 2.

Absent: Powers, Whitaker. 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. 121 was ordered referred for engrossment.

Senator Nichols asked unanimous consent, to which objections were voiced, to dictate a motion into the record.

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

## TWENTY-FIRST LEGISLATIVE DAY

Tuesday, January 31, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 40.

Absent: Morrison, Powers, Wilbanks. Total, 3.

Excused: Liggett. Total, 1.

The President 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 Education, to whom was referred Engrossed House Bill No. 42, by Cloyd, entitled:

An Act repealing Chapter 99, Session Laws of Oklahoma 1929, the same being Section 7961, Oklahoma Statutes 1931 relating to the office of Assistant County Superintendent of Cleveland County; 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.

RITZHAUPT, Chairman.

Mr. President: We, your Judiciary Committee No. 2, to whom was referred House Bill No. 96, by Cloyd, entitled:

An Act repealing Sections 1, 2, 3, 4, and 5, of Chapter 14, Article 18, Session Laws of Oklahoma 1909, the same being Sections 4010, 4011, 4012, 4013, 4014, respectively, of Oklahoma Statutes 1931, relating to the holding of county court at Lexington in Cleveland County, Oklahoma, and the procedure attendant thereto; 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Senate Bill No. 130, by Ballard and Fidler, entitled:

An Act amending Section 10983, Oklahoma Statutes, 1931, relating to bonds to be taken on public works, 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.

CURNUTT, Chairman.

Mr. President: We, your Judiciary Committee No. 2, to whom was referred Senate Bill No. 136, by Garvin and Chamberlin, entitled:

An Act amending Section 10474 Oklahoma Statutes, 1931, requiring certain deposits to be made by foreign casualty companies doing business 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Privileges

and Elections, to whom was referred Senate Bill No. 141, by Memminger, entitled:

An Act relating to the conduct of the regular and run-off statewide primary elections and the regular statewide general election, providing that the state shall pay for the printing of all ballots except county ballots and shall pay all other expenses of conducting said elections, restricting the number of voting precincts of the state and providing that a list thereof shall be given to the State Election Board 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.

BALLARD, Chairman.

Mr. President: We, your Committee on Privileges and Elections, to whom was referred Senate Bill No. 142, by Stewart, Nance, Chamberlin, Ritzhaupt, Curnutt, Briggs, Taylor, Pugh, Howard, Lester and Commons of the Senate; and Childers, Blocker and Massey of the House, entitled:

An Act relating to the conduct of the regular and run-off statewide primary elections and the regular statewide general election, providing that the state shall pay for the printing of all ballots except county ballots and shall pay all other expenses of conducting said elections, making appropriations 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 the Committee Substitute Bill do pass.

BALLARD, Chairman.

Senate Bill No. 142 was ordered referred to the Committee on Appropriations, for further consideration.

Mr. President: We, your Judiciary Committee No.



2, to whom was referred Senate Bill No. 146, by Whitaker, entitled:

An Act to amend Section 2578 of 1931 Statutes of Oklahoma relating to trespass and unlawful intrusion upon land,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CHAMBERLIN, Chairman.

Mr. President: We, your Judiciary Committee No. 2, to whom was referred Senate Bill No. 175, by Nichols, entitled:

An Act amending Section 530, Oklahoma Statutes, 1931, providing that it shall not be necessary to save an exception in the trial court to the action or ruling of the court in the trial of any cause or proceedings in this state, et cetera,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CHAMBERLIN, Chairman.

Mr. President: We, your Judiciary Committee No. 2, to whom was referred Senate Bill No. 176, by Chamberlin, entitled:

An Act amending Section 1419, Oklahoma Statutes, 1931, regarding the appointment of guardians for minors; providing the notice to be given; 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.

CHAMBERLIN, Chairman.

#### MESSAGES

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

To the President of the Senate,  
Building.

SIR:

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

ENGROSSED HOUSE BILL NO. 41—By MARTIN, BROADDUS and SHOEMAKE, entitled:

An Act making an appropriation to pay the salaries of Supreme Court referees provided for by Section 3792, Oklahoma Statutes, 1931, for the fiscal year ending June 30, 1933, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 274—By CHAMBERS, entitled:

An Act authorizing and directing the Board of Public Affairs to execute a release and waiver to School District No. 7, Tulsa County, Oklahoma, of all rights and authority the state of Oklahoma has to explore and develop oil and gas and its right to join in or agree to the execution of a lease for the development and exploration of oil and gas on the Southeast quarter of the northeast quarter, and the northeast quarter of the southeast quarter of Section eleven (11), township eighteen (18) north, range fourteen (14) east of the Indian base and meridian, containing eighty (80) acres according to the United States government survey thereof, and which rights, authority and privileges were referred to and reserved to the state of Oklahoma in Senate Joint Resolution No. 23, of the regular session of the Sixth Legislature of the state of 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,  
R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 41 and 274.

To the President of the Senate,  
Building.

SIR:

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

ENGROSSED SENATE BILL NO. 2—By the Committee on Revenue and Taxation composed of: WHITAKER, Chairman; GARVIN, Vice-Chairman; BALLARD, BRIGGS, CHAMBERLIN, CURNUTT, FIDLER, FISCHL, JENNINGS, JOHNSTON, Mac DONALD, MEMMINGER, MOON, NANCE, NICHOLS, PUGH, RUTHERFORD, STACEY, HUTCHINSON, POWERS; and PAUL, LESTER and REED, entitled:

An Act providing for the waiving and releasing of the interest, penalties, and costs of delinquent ad valorem taxes on real property due the state, county, school district, township or any other sub-division of the state upon payment of the principal amount on or before December First, 1933, authorizing and directing county treasurers to accept such principal amounts without interest, penalties and costs and to cancel and strike said interest, penalties and costs from tax rolls providing that this Act shall not affect existing tax sale certificates held by bona fide purchasers or taxes levied and assessed for the year 1932 or subsequent years; suspending the operation of all Laws or parts of Laws in conflict herewith for the term of this Act and providing further that in case any section, clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any court of competent or final jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act and declaring an emergency,

and to advise you, and, through you, the Honorable Senate, that the House has granted your request for a Conference, and the Speaker has appointed: Messrs. Lee-craft, Batson, Wooten, as Conferees thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President appointed as Senate conferees under Engrossed Senate Bill No. 2, Senators Nichols, Paul and Reed.

To the President of the Senate,  
Building.

SIR:

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

ENGROSSED SENATE BILL NO. 28—By NICHOLS, WILLIS, RAY, WHITAKER and RIZLEY, entitled:

An Act to provide for relief of the people who are unable to work and have not the means of supporting themselves, by furnishing them free garden seed, food, clothing, and fuel; making an appropriation of six hundred thousand (\$600,000.00) dollars; providing for the method of distribution of the seed, food supplies, or cash to such persons in need; fixing criminal penalty for wrongful use of such seed and supplies; determining the method of distribution, and declaring an emergency, and to advise you, and, through you, the Honorable Senate, that the House has granted your request for a Conference, and the Speaker has appointed: Messrs: Martin, Phillips (Okfuskee), Douthat, as Conferees thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President appointed as Senate conferees under Engrossed Senate Bill No. 28, Senators MacDonald, Chamberlin and Rizley.



The following Message from the Governor was received and read:

SPECIAL MESSAGE OF THE GOVERNOR—  
DEFICIENCY CLAIMS

TO THE HONORABLE, THE SENATE AND THE  
HOUSE OF REPRESENTATIVES OF THE  
FOURTEENTH LEGISLATURE:

Gentlemen:

There are outstanding a few Deficiency Certificates issued prior to July 1, 1931, and many more claims existing prior to that time, wherein heads of departments contracted obligations that seem to be legitimate, and proper claims for appropriation and settlement.

As you well know, the last Legislature made it illegal for any institution or head of a department to contract any obligation in excess of the appropriation without the express approval of The Governor. Those made prior thereto, together with those made since, are detailed hereinafter, with a brief explanation, to-wit:

CLAIM NUMBER 1

For Stringtown Lumber Company, materials and lumber furnished the Sub-Penitentiary on lands bought by the State approximately a mile south of Limestone Gap, in different items, as follows, to-wit; with itemized accounts attached hereto:

Furnished March 21, 1932	
Furnished March 23, 1932	
Furnished March 24, 1932	
Furnished March 22, 1932	---- \$1,193.37
Furnished April 1, 1932	
Furnished April 4, 1932	
Furnished April 6, 1932	

Furnished April 13, 1932

Furnished April 15, 1932 ----- 1,059.75

TOTAL ----- \$2,253.12

(One copy of account attached  
to Message to House of Rep-  
resentatives)

#### CLAIM NUMBER 2

For administration of Federal  
Work Relief, R. F. C., Commun-  
ication, stamps

Estimated total for 2 fiscal  
years ----- 1,479.00

Telephones and Telegrams, esti-  
mated ----- 995.55

Express, estimated ----- 505.91

---

Total for Communications -- 2,878.45

Office Supplies, for pencils, pay-  
rolls, checks, carbon paper, sta-  
tionery, letterheads, reports,—

Total estimate ----- 20,831.20

Furniture: 5 steel cabinets, 12  
typewriters, estimated ----- 1,403.80

GRAND TOTAL, estimated by  
Ira Mitchell and Sam Bounds,  
Auditor, based upon expen-  
ditures for the months of No-  
vember and December ----- \$25,113.47

(A copy of the estimates is here-  
to attached)

(The R. F. C. require the State  
to pay the expenses for the fore-  
going items, and authorization  
should be made in the appropri-  
ation to pay for printing and  
other supplies already incurred,

which is included in the foregoing).

CLAIM NUMBER 3

Claim of Geological Department;

Deficiency Certificate No. 19, issued on the 12th day of December, 1930, by W. J. Holloway, Governor, aggregating -----

8,500.00

This amount should bear 6% interest from date of issue. Copy of said certificate and accounts, one copy to The House of Representatives, hereto attached.

CLAIM NUMBER 4

Deficiency Certificate No. 26, 1930-31

(a) Authorization by Wm. H. Murray, Governor, in the amount of ----- \$8,928.00

payable to Leon Hirsh, as a contingent fee, provided he succeeded in reducing the rates of gas on the Oklahoma Natural to an amount satisfactory to The Governor, which amount reduced the rates in Oklahoma City and Tulsa approximately 12 cents, and in Muskogee from 72 cents to 45 cents, on a uniform rate of 45 cents, which constituted a saving in the price of gas to the consumers of Oklahoma City, Tulsa, and Muskogee, of \$1,500,000.00 annually,

which claim also bears 6% interest from June 19, 1931

(b) Certificate for cost in Lone Star and City Service Suits for reduction of gas, aggregating --	3,088.18	12,016.18
And interest at 6% from July 6, 1931.		

(c) Also, claim with interest at the rate of 6% from October 28, 1931, the foregoing being an authorization to the Board of Public Affairs to dig a well at Fort Supply, where the water had to be carried in buckets a long distance and to the upper stairs of the hospital, which endangered the destruction of the institution by fire or by epidemic ----  
Said claim bears 6% interest from October 28, 1931.

24,479.44

#### CLAIM NUMBER 5

This claim constitutes excess expenditure over the appropriation made by Professor Shaw as President of The Murray State School of Agriculture at Tishomingo, Oklahoma, prior to July 1, 1931, on which date Clive E. Murray became President of the said institution.

The total amount of this excess expenditure by the said Shaw is (The itemized account and to whom the same should be paid, is attached to the Message to The House of Representatives)

12,830.66



CLAIM NUMBER 6

Claim of Miss Maude Thomas:

Salary 6 Months and 8 Days --- \$3,129.03

Traveling Expenses for the  
Time ----- 795.25

Premium on Bond ----- 100.00

TOTAL ----- \$4,024.28

CLAIM NUMBER 7

Sewer Taxes for Crippled Children's Hospital and interest thereon: Lots 10 to 18 inclusive, Block 9. Amended Plat, Second State Capitol Addition, Oklahoma City -----

1,166.47

CLAIM NUMBER 8

J. S. Fletcher, Custer County, Judgment and interest against the State for damages to his farm, due to the Western Oklahoma Tubercular Sanitarium, Clinton,

Total Amount ----- 2,975.70

CLAIM NUMBER 9

Auditor's Office:

Part of salary of Gilbert Frazier, Chief Accountant. for fiscal year ending June 30, 1932, and June 30, 1933. This account was due to the increase of his salary, and without making appropriation therefor.

Total amount ----- 800.00

CLAIM NUMBER 10

Oklahoma College for Women, Chickasha:

Judgment to balance of court

judgment for Lots 1, 2, and 3,  
Block 15, Spark's Second Addi-  
tion to the City of Chickasha,  
with interest and court costs.

Total amount ----- 990.00

CLAIM NUMBER 11

Consolidated Gas Service Com-  
pany:

For May, 1931, under Mr.  
Coffee, as President of the Cam-  
eron State School of Agriculture

148.40

CLAIM NUMBER 12

For sundry claims due the  
Training School for Boys at  
Pauls Valley. See attached ex-  
planation, made prior to July 1,  
1931.

Total amount ----- 731.32

CLAIM NUMBER 13

Western Oklahoma Tubercular  
Sanitarium:

Sundry accounts in excess of  
appropriation, prior to July 1,  
1931.

Total amount ----- 1,587.44

CLAIM NUMBER 14

Penitentiary at McAlester:

Sundry Claims, aggregating ---

14,087.21

CLAIM NUMBER 15

D. B. & O. Institute, Taft,  
Oklahoma:

Sundry Accounts. See hereto  
attached accounts to Griffin Gro-  
cery Co., Armour & Co., Francis  
Corporation, and O. G. & E.

Total amount ----- \$1,000.00

CLAIM NUMBER 16

State Board of Public Affairs:  
Western Union Telegraph Co.,  
Bell Telephone Co., Dolese  
Brothers, Oklahoma City Water  
Department, Oklahoma Gas &  
Electric Co., Marshall County  
Abstract Company. See at-  
tached.

Total amount ----- 1,446.56

CLAIM NUMBER 17

Western Oklahoma Hospital:

Air-made Well Company ----- 1,145.76

CLAIM NUMBER 18

A judgment in favor of sundry  
citizens against the State, ag-  
gregating ----- 71,377.40

I suggest that this should be  
paid from the Highway Funds,  
for the Highway Commission  
was responsible for this dam-  
age and claim.

Referee, J. B. A. Robertson, and  
Court Costs ----- 2,219.15

TOTAL ----- 73,596.55

CLAIM NUMBER 19

Claim for installing a clock sys-  
tem at the Colored Agricultural  
& Normal University, made by  
the Atlas Wiring Company of  
Tulsa. This clock is somewhat  
irregular. It was put in with-  
out any bids, and the company  
should have known the law, but  
the company makes the state-  
ment that the engineer, who has

since been dismissed from the services of the Board of Public Affairs, authorized the company to do so.

Their claim is -----

1,661.00

The Board of Public Affairs refused to pay the claim, and I do not think that the State ought to pay for the profit of \$332.20, which they ask. I leave the entire question with the Legislature to pay what it is worth, or to provide for any other means they see fit, for the company should certainly know the law, that it required bids. I am of the opinion that under the circumstances, the Legislature should pay the amount of \$1,661.00, and no more.

CLAIM NUMBER 20 .

This claim is for salary for Mrs. Myrtle Andrus, who has worked for the Enid Institution for 23 months, up to February 1, 1933, at \$75.00 per month.

Total -----

1,725.00

This claim of Mrs. Andrus's was approved by the Board of Public Affairs, but refused by the Auditor. In my opinion, institutions like this and orphans' homes should be headed by men with families, and the wife should be put on the pay roll and required to do the work



instead of having some one else. I get this information after a long conference with Dr. Griffin of Norman, and others, because to do otherwise too often leads to immorality in the institution. In that connection, I may call your attention to the fact that Mrs. Alexander, the wife of the former superintendent, as well as two other relatives, were on the pay roll, and were paid by the State. No criticism can be had of the payment of Mrs. Alexander for the reasons I have stated in the foregoing.

CLAIM NUMBER 21

Deficiency Certificate No. 6,  
State Board of Agriculture.

For printing office supplies.

Issued July 8, 1931 ----- 1,500.00

(This certificate is made necessary for the reason that the item for \$4200.00 for printing was vetoed, and the Attorney General ruled that there was no other fund out of which such printing could be done.)

CLAIM NUMBER 22

Deficiency Certificate No. 24,

Dated May 15, 1931

For salary of Lucille Bramlett,  
Transfer Clerk, School Land  
Department -----

375.00

(This position was created by law, but no appropriation was

made and the service of the clerk was necessary for the proper transaction of the business.)

CLAIM NUMBER 23

Deficiency Certificate No. 25,  
For extra Inspectors.

Brought about by reason of the fact that appropriations for salaries of certain officers were vetoed and consolidated in order to reduce the cost, and certificate issued in smaller amount for the large amount vetoed --

2,000.00

CLAIM NUMBER 24

Deficiency Certificate Number 27  
In favor of State Board of Agriculture,

Dated June 19, 1931, in the sum  
of -----

800.00

For the purpose of paying the per diem and expenses of the members of the Board of Agriculture. It is made necessary by reason of the extra work of the Board of Agriculture incident to the cutting of the operating expenses of the A. & M. College as ordered by the Governor. The appropriation for the Board of Agriculture was decreased by the last Legislature under the previous year.

CLAIM NUMBER 25

Deficiency Certificate No. 28  
For expenses of district judges

holding court within their districts while outside the county of their respective residences, due to the exhaustion of the appropriation for the fiscal year ending June 30, 1931 -----

1,300.00

CLAIM NUMBER 26

Deficiency Certificate No. 29

Dated June 25, 1931

For District Judges holding courts outside of their districts on assignment of the Chief Justice of the Supreme Court, and is made necessary on account of the exhaustion of the appropriation as certified to by the Chief Justice of the Supreme Court --

500.00

CLAIM NUMBER 27

Deficiency Certificate No. 30

In favor of the State Plant Board

For Salaries ----- 1,537.50

For Expenses ----- 47.96

---

1,585.46

The State Plant Board was created by the 1929 Legislature, and no appropriation was made for the fiscal year ending June 30, 1930 or 1931. Governor Holloway issued a deficiency certificate to support this Board up to March 1, 1931, and this certificate was to support the Board from March 1, 1931 to June 30, 1931.

CLAIM NUMBER 28

Deficiency Certificate No. 1

For fiscal year ending June 30, 1933, and is dated July 6, 1931.

For Printing for State Board of Education -----

\$1,200.00

The item for this purpose in the appropriation bill was for \$1,-750.00, but was vetoed by the Governor for the purpose of reducing the item.

CLAIM NUMBER 29

Deficiency Certificate No. 2

For the year ending June 30, 1933, and is dated July 1, 1931.

For the purpose of paying the secretary in the Office of the State Superintendent of Public Instruction, and was to take the place of an item vetoed in the same amount by mistake. -----

1,800.00

CLAIM NUMBER 30

Deficiency Certificate No. 3

For the year ending June 30, 1932, and is dated July 6, 1931.

For the purpose of paying the funeral expenses and the transport of the bodies of the two Mexican students, killed at Ardmore, and for the prosecution of Guess and Crosby -----

3,088.18

CLAIM NUMBER 31

Deficiency Certificate No. 3

For the year ending June 30, 1933.

For traveling expenses for the



Home Teacher in the Office of  
the Secretary of the Commission  
for the Adult Blind ----- 900.00  
Executed in lieu of a larger sum  
vetoed by The Governor. The  
original bill was vetoed through  
misapprehension.

CLAIM NUMBER 32

Deficiency Certificate No. 4  
For the fiscal year ending June  
30, 1932.  
For traveling expenses for the  
Home Teacher in the Office of  
the Secretary of the Commission  
for the Adult Blind ----- 900.00  
Executed in lieu of a larger sum  
vetoed by The Governor. The  
original bill was vetoed through  
misapprehension ----- 900.00

CLAIM NUMBER 33

Deficiency Certificates Nos. 6  
and 4  
For the year ending June 30,  
1932 ----- 1,500.00  
For the year ending June 30,  
1933 ----- 1,500.00  
For printing reports of the  
creameries and licensing of  
Oleomargarine sales ----- 3,000.00

CLAIM NUMBER 34

Deficiency Certificate No. 5  
For the year 1932.  
For School Land Department.  
Issued at the request of the  
School Land Commission in or-  
der to complete the appraisal of

the school land and incidental expenses connected therewith --	7,000.00
CLAIM NUMBER 35	
Authorization: Expenditure for contracted printing for the Federal Relief Fund, personally guaranteed by The Governor to Harlow Printing Co. of checks, pay rolls, report blanks, each and all in quadruplet sheets ---	2,316.01
(Said account hereto attached, itemized and sworn to by Harlow Printing Co.)	
CLAIM NUMBER 36	
An estimate authorization of claim to be paid Willson and Garnett to complete the audit of the School Land Department after the exhaustion of the appropriation, to bring it down to July 1, 1932 -----	8,000.00
CLAIM NUMBER 37	
Deficiency Certificate Number 22	
For the year ending June 30, 1931	
For communication in the Pardon and Parole Department ---	150.00
(This item was vetoed by The Governor, but expenditures had been made against this certificate when this item was vetoed, and, for that reason, it should be paid, the bank being an innocent purchaser).	
CLAIM NUMBER 38	
Deficiency Certificate Number 23	

Pardon and Parole Department  
Dated January 3, 1931

For Office Supplies ----- 150.00

(This item was also vetoed by  
The Governor, but expenditures  
had been made and paid by the  
purchaser of the certificate be-  
fore the item was vetoed, and,  
for that reason, it should be  
paid.)

CLAIM NUMBER 39

Claim on an award for G. A.  
Patton

For personal injuries to G. A.  
Patton while employed by the  
Highway Department, the  
award having been made by the  
Industrial Commission -----

1,395.00

CLAIM NUMBER 40

Claim of W. O. Bruton, for act-  
ing as Special Justice of the  
Supreme Court in the Jackson  
Estate Case.

Salary and expenses -----

374.00

Mr. Bruton was appointed by  
The Governor to serve in place  
of Justice Kornegay, who dis-  
qualified in the case. Claim is  
in the possession of the State  
Budget Officer.

CLAIM NUMBER 41

A. & M. College Voucher No.  
32030,

Dated July 21, 1926 ----- 2.50

State Warrant No. 32566,

Dated July 4, 1915 ----- 11.50

State Highway Warrant No. 3374,	
Dated July 18, 1929 -----	2.62
Fish & Game Warrant No. 12107	
Dated July 21, 1924 -----	3.75

Under the law, warrants cannot be paid unless presented within one year after funds for the payment have been made available; for that reason, an appropriation is required to cover these warrants.

Warrants in possession of  
State Budget Officer

TOTAL -----	20.37
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CLAIM NUMBER 42

Claim of District Judge Rice For Office Supplies (letterheads and envelopes) -----	13.75
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The State has never made an appropriation to pay for office supplies for District Judges. I think this claim should be paid from the Court Fund of the County where the Judge resides.

CLAIM NUMBER 43

Claim of Cornell Office Supply Company, For Office Supplies for the Con- federate Pension Department --	29.50
--	-------

This claim seems to be regular but was not presented until after the funds for that purpose were exhausted. This claim should have been paid from the



1930 appropriation, but was not presented until the following June.

Warrants in possession of State Budget Officer.

CLAIM NUMBER 44

Lieutenant Governor Robert Burns

To telephone rental and tolls on telephone in State Capitol Office for months of April, May, and June, 1932 -----

\$27.11

Claim in possession of Telephone Company

CLAIM NUMBER 45

Claim In Re: R. L. Rice vs. State of Oklahoma, No. 74,213, for flood damages to property at Wister, Oklahoma, on account of faulty construction of Highway \$1,100.00

For Referee fee to J. B. A. Robertson, and Court Costs -----

68.40

1,168.40

CLAIM NUMBER 46

Claim In Re: A. P. Sights, For burial lots and opening graves and burying 175 inmates of the Western Oklahoma Tubercular Sanatorium; and interest on claim -----

2,357.80

CLAIM NUMBER 47

Salary and expenses of Special Justices of the Supreme Court on appointment by The Governor, in Case No. 2493, as follows:

John F. Thomas, Lawton -----

253.07

W. N. Redwine, McAlester ---

160.02

Joe H. Ford, Wagoner -----

340.05

L. V. Orton, Pawnee -----	188.54
Claud Henson, Shawnee -----	140.19
Wm. L. Cheatham, Bristow ---	293.72
A. S. Dickson, Guymon -----	333.40
J. B. Moore, Ardmore -----	193.36
Ed Falkenberg, Medford -----	322.78

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\$2,225.13

In Cases Nos. 24059, 24060, and  
24070,

J. B. Moore -----	75.01
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TOTAL -----	2,300.14
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CLAIM NUMBER 48

For claims covering publication  
of State Questions 167, 172, 169,  
and 175, as follows:

Seminole Morning News, Semi- nole Co. -----	12.00
Oklahoma Press Pub. Co., Mus- kogee, Muskogee Co., (Muskogee Daily Phoenix) -----	12.00
Woodward Democrat, Wood- ward, Woodward Co. -----	12.00
Oilton Gusher, Oilton, Creek Co.	12.00
The Sentinel Leader, Sentinel, Washita Co. -----	12.00
The Keyes Advocate, Keyes, Cimarron Co. -----	12.00
The Leader Tribune, Laverne, Harper Co. -----	12.00
The Ardmore Democrat, Ard- more, Carter Co. -----	12.00
The Hennessey Clipper, Hennes- sey, Kingfisher Co. -----	9.00
The McCurtain Democrat, Ida- bel, McCurtain Co. -----	12.00

The Bixby Bulletin, Bixby, Tulsa Co. -----	12.00
A. M. Miller (Billings News) Billings, Noble Co. -----	12.00
Daily Journal Capital, Pawhuska, Osage Co. -----	12.00
The Northwest Oklahoman, Shattuck, Ellis Co. -----	12.00
The Westville Citizen, Westville, Adair Co. -----	12.00
The Register Pub. Co., Purcell, McClain Co. -----	12.00
The Mangum Daily Star, Mangum, Greer Co. -----	12.00
Blackwell Tribune Pub. Co., Blackwell, Kay Co. -----	12.00
Sulphur Times-Democrat, Sulphur, Murray Co. -----	12.00
East Oklahoma Pub. Co., Sallisaw, Sequoyah Co. -----	24.00
(Vian Press, Vian, Okla.)	
(Democrat-American, Sallisaw)	
H. P. Wettengel (Fletcher Herald) Fletcher, Comanche Co. --	12.00
Comanche Reflex, Comanche, Stephens Co. -----	12.00
Lawton Constitution Co., Lawton, Comanche Co. -----	12.00
Oklahoma Printing Co., Guthrie, Logan Co. -----	12.00
The Chelsea Reporter, Chelsea, Rogers Co. -----	12.00
Blanchard News, Blanchard, McClain Co. -----	12.00
The Perry Journal, Inc., Perry, Noble Co. -----	12.00
The Duncan Eagle, Duncan,	

Stephens Co. -----	12.00
The Cashion Independent, Cashion, Kingfisher Co. -----	12.00
McCurtain Gazette, Idabel, McCurtain Co. -----	12.00
The Stroud Messenger, Stroud, Lincoln Co. -----	12.00
The Oklahoma County News, Jones, Oklahoma Co. -----	12.00
Caddo Herald, Caddo, Bryan Co. -----	12.00
Woodward Daily Press, Woodward, Woodward Co. -----	12.00
The El Reno American, El Reno, Canadian Co. -----	12.00
The Shopper, Bristow, Creek Co. -----	12.00
The Bethany Tribune, Bethany, Oklahoma Co. -----	12.00
LeFlore County Sun, Poteau, LeFlore Co. -----	12.00
East Oklahoma Pub. Co., Stigler, Haskell Co. -----	12.00
Eldorado Courier, Eldorado, Jackson Co. -----	12.00
The Temple Tribune, Temple, Cotton Co. -----	12.00
The Mountain View Times, Mountain View, Kiowa Co. -----	12.00
The Hominy Pub. Co., Hominy, Osage Co. -----	12.00
Davis News, Davis, Murray Co. -----	12.00
The Sandu Land Torch, Antlers, Pushmataha Co. -----	12.00
The Antlers American, Antlers, Pushmataha Co. -----	12.00
Miami Daily News Record, Miami, Ottawa Co. -----	12.00



The Grove Sun, Grove, Delaware Co. -----	12.00
The Forgan Advocate, Forgan, Beaver Co. -----	12.00
The Jay Record, Grove, Delaware Co. -----	12.00
The Watonga Republican, Watonga, Blaine Co. -----	12.00
Grandfield Enterprise, Grandfield, Tillman Co. -----	12.00
The Indian Citizen-Democrat, Atoka, Atoka Co. -----	12.00
The Atoka County Jeffersonian, Atoka, Atoka Co. -----	12.00
Ringling Eagle (Dave K. Spradling), Ringling, Jefferson Co. --	12.00
The Cushing Citizen, Cushing, Payne Co. -----	12.00
The Ellis County Capital, Arnett, Ellis Co. -----	12.00
The Ledger Pub. Co., Broken Arrow, Tulsa Co. -----	12.00
Logan County News, Crescent, Logan Co. -----	12.00
The Examiner, Bartlesville, Washington Co. -----	12.00
The Democrat-News, Norman, Cleveland Co. -----	12.00
The Canton Record, Canton, Blaine Co. -----	12.00
News Publishing & Printing Co., Ada, Pontotoc Co. -----	12.00
Pauls Valley Democrat, Pauls Valley, Garvin Co. -----	12.00
Cherokee County Dem.-Star, Tahlequah, Cherokee Co. -----	12.00
The Frederick Leader, Frederick,	

Tillman Co. -----	12.00
The Poteau News, Poteau, Le-Flore Co. -----	12.00
The Lindsay News, Lindsay, Garvin Co. -----	12.00
The Marshall Co. Newspaper Corp., Madill, Marshall Co. ---	12.00
The Gould Record, Gould, Harmon Co. -----	12.00
Kiowa Chronicle, Kiowa, Pittsburg Co. -----	12.00
Sayre Publishing Co., Inc., Sayre, Beckham Co. -----	12.00
Hollis Post-Herald, Hollis, Harmon Co. -----	12.00
Chickasha Daily Express, Chickasha, Grady Co. -----	12.00
Hammon Advocate, Hammon, Roger Mills Co. -----	12.00
The Jackson County Chronicle, Altus, Jackson Co. -----	12.00
The Coalgate Courier, Coalgate, Coal Co. -----	12.00
Hughes County Tribune, Holdenville, Hughes Co. -----	12.00
The Mill Creek Herald, Mill Creek, Johnston Co. -----	12.00
The Indian Journal, Eufaula, McIntosh Co. -----	12.00
The Jennings News, Jennings, Pawnee Co. -----	12.00
Wilson Post-Democrat, Wilson, Carter Co. -----	12.00
Marietta Monitor, Marietta, Love Co. -----	12.00
Marietta Herald, Marietta, Love Co. -----	12.00

Pawnee Publishing Co., Pawnee, Pawnee Co. -----	12.00
The Carnegie Herald, Carnegie, Caddo Co. -----	12.00
Transcript-Enterprise Pub. Co., Norman, Cleveland Co. -----	12.00
Shawnee Times-Record, Shaw- nee, Pottawatomie Co. -----	12.00
Newkirk Reporter, Newkirk, Kay Co. -----	12.00
News-Democrat, Wilburton, Lati- mer Co. -----	12.00
Claremore Progress, Claremore, Rogers Co. -----	12.00
Alfalfa County News, Cherokee, Alfalfa Co. -----	12.00
Daily Times Democrat, Wewoka, Seminole Co. -----	12.00
McAlester Democrat, McAlester, Pittsburg Co. -----	12.00
Times-Star, Coweta, Wagoner Co. -----	12.00
Medford Patriot Star, Medford, Grant Co. -----	12.00
The Lincoln County Republican, Chandler, Lincoln County -----	12.00
Yukon Sun, Yukon, Canadian Co. -----	12.00
The American-Democrat, Ana- darko, Caddo Co. -----	12.00
Cherokee Pub. Co., Cherokee, Alfalfa Co. -----	12.00
The Ryan Leader, Ryan, Jeffer- son Co. -----	12.00
The Allen Democrat, Allen, Pon- totoc Co. -----	12.00
The Nowata Spirit, Nowata, No- wata Co. -----	12.00

The Bennington Journal, Bennington, Bryan Co. -----	12.00
The Record Democrat, Wagoner, Wagoner Co. -----	12.00
The Welch Watchman, Welch, Craig Co. -----	12.00
Mayes Co. Republican, Pryor, Mayes Co. -----	12.00
Tecumseh Republican, Tecumseh, Pottawatomie Co. -----	12.00
Hooker Advance, Hooker, Texas Co. -----	12.00
East Oklahoma Pub. Co., Vinita, Craig Co. -----	12.00
The Porum Leader, Porum, Muskogee Co. -----	12.00
Harper County Journal, Buffalo, Harper Co. -----	12.00
Southeast Oklahoman, Hugo, Choctaw Co. -----	12.00
The Soper Democrat, Soper, Choctaw Co. -----	12.00
Enid Publishing Co., Enid, Garfield Co. -----	12.00
The Morris News, Morris, Okmulgee Co. -----	12.00
Cordell Beacon, Cordell, Washita Co. -----	12.00
Capital-Democrat, Tishomingo, Johnston Co. -----	12.00
Pond Creek Herald, Pond Creek, Grant Co. -----	12.00
The Walters Herald, Walters, Cotton Co. -----	12.00
The Weleetka American, Weleetka, Okfuskee Co. -----	12.00
Times Publishing Co., Clinton,	



Custer Co. -----	12.00
Coalgate Publishing Co., Coal-	
gate, Coal Co. -----	12.00
Adair County Democrat, Stil-	
well, Adair Co. -----	12.00
Woods County Enterprise, Way-	
noka, Woods Co. -----	12.00
Hughes County Enterprise, Cal-	
vin, Hughes Co. -----	12.00
Nowata Daily Star, Nowata	
County, Nowata, Okla. -----	12.00
Cheyenne Star, Cheyenne, Roger	
Mills Co. -----	12.00
Taloga Times Advocate, Taloga,	
Dewey Co. -----	11.00
Herald-Democrat, Beaver,	
Beaver Co. -----	12.00

TOTAL ----- \$1,568.00

CLAIMS AND AFFIDAVITS COVERING PUBLICA-  
TION OF STATE QUESTIONS 176, 171, AND 168

Alfalfa County News, Cherokee	\$9.00
The American Democrat, Ana-	
danko -----	9.00
Indian Citizen Democrat, Atoka	9.00
The Allen Democrat, Allen ----	9.00
The Ardmore Democrat, Ard-	
more -----	9.00
The Atoka County Jeffersonian,	
Atoka -----	9.00
News Publishing and Printing	
Co., Ada -----	9.00
Ledger Publishing Co., Inc.,	
Broken Arrow -----	9.00
Bethany Tribune, Bethany ----	9.00
Bennington Journal, Benning-	
ton -----	9.00
Blackwell Tribune Pub. Co.,	

Blackwell -----	9.00
Harper County Journal, Buffalo	9.00
The Canton Record, Canton ---	9.00
The Carnegie Herald, Carnegie	9.00
The Cashion Independent, Cashion -----	9.00
Comanche Reflex, Comanche ---	9.00
Lincoln County Republican, Chandler -----	9.00
Chelsea Reporter, Chelsea ----	9.00
The Caddo Herald, Caddo ----	9.00
Chickasha Daily Express, Chick- asha -----	9.00
Claremore Progress, Claremore	9.00
The Times Tribune, Clinton --	9.00
Coalgate Publishing Co., Coal- gate -----	9.00
Coalgate Courier, Coalgate ---	9.00
The Cordell Beacon, Cordell --	9.00
The Cushing Daily Citizen, Cush- ing -----	9.00
The Duncan Eagle, Duncan ---	9.00
The Indian Journal, Eufaula --	9.00
Elk City Journal, Elk City ----	9.00
El Reno American, El Reno --	9.00
Eldorado Courier, Eldorado --	9.00
Frederick Leader, Frederick --	9.00
Fletcher Herald, Fletcher -----	9.00
The Panhandle Herald, Guymon	9.00
The Jay Record, Grove -----	9.00
The Grove Sun, Grove -----	9.00
Hughes County Tribune, Holden- ville -----	9.00
Hammon Advocate, Hammon --	9.00
The Jennings News, Jennings --	9.00
The Oklahoma County News, Jones -----	9.00

Kiowa Chronicle, Kiowa -----	9.00
Lindsay News, Lindsay -----	9.00
The Morris News, Morris -----	9.00
Madill Record, Madill -----	9.00
Marietta Herald, Marietta ----	9.00
The Mangum Daily Star, Mangum -----	9.00
Medford Patriot, Medford ----	9.00
Nowata Star, Nowata -----	9.00
Cleveland County Democrat-News, Norman -----	9.00
The Norman Transcript, Norman	9.00
Nowata Spirit, Nowata -----	9.00
East Oklahoma Publishing Co., Poteau -----	9.00
Pauls Valley Democrat, Pauls Valley -----	9.00
Pond Creek Herald, Pond Creek	9.00
The Perry Journal, Inc., Perry	9.00
Porum Journal, Porum -----	9.00
The Pawhuska Journal-Capital, Pawhuska -----	9.00
Pawnee Publishing Co., Pawnee	9.00
Poteau News, Poteau -----	9.00
Register Publishing Co., Purcell	9.00
Ringling Eagle, Ringling -----	9.00
Ryan Leader, Ryan -----	9.00
Sayre Publishing Co., Sayre --	9.00
Sentinel Leader, Sentinel ----	9.00
The Soper Democrat, Soper --	9.00
Stigler News-Sentinel, Stigler --	9.00
Sulphur Times-Democrat, Sulphur -----	9.00
Taloga Times-Advocate, Taloga	9.00
Cherokee County Democrat Star, Tahlequah -----	9.00
Temple Tribune, Temple -----	9.00

Tecumseh Republican, Tecumseh	9.00
Capitol-Democrat, Tishomingo -	9.00
Weleetka American, Weleetka --	9.00
East Oklahoma Pub. Co., Vinita	9.00
Woodward Democrat, Woodward -----	9.00
Welch Watchman, Welch -----	9.00
Woods County Enterprise, Wynoka -----	9.00
Daily-Times Democrat, Wewoka	9.00
News-Democrat, Wilburton ----	9.00
The Walters Herald, Walters --	9.00
The Yukon Sun, Yukon -----	9.00
Muskogee Daily Phoenix, Muskogee, Muskogee, Co. -----	9.00
McIntosh Co. Democrat, Checotah, McIntosh Co. -----	9.00
The Bristow Shopper, Bristow	9.00

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TOTAL ----- \$ 756.00

CLAIMS AND AFFIDAVITS COVERING PUBLICATION OF STATE QUESTIONS 175 AND 164

Alfalfa County News, Cherokee	\$6.00
American Democrat, Anadarko	6.00
Indian Citizen Democrat, Atoka	6.00
The Afton American, Afton ----	6.00
The Allen Democrat, Allen ----	6.00
The Anadarko Democrat, Anadarko -----	6.00
Atoka County Jeffersonian, Atoka -----	6.00
News Publishing Co. & Printing Co., Ada -----	6.00
Leader Publishing Co., Broken Arrow -----	6.00
Bethany Tribune, Bethany ----	6.00
Bennington Journal, Bennington	6.00



Blackwell Tribune Pub Co.,	
Blackwell -----	6.00
Harper Co. Journal, Buffalo --	6.00
The Canton Record, Canton ---	6.00
Cashion Independent, Cashion--	6.00
Lincoln Co. Republican, Chand-	
ler -----	6.00
Chelsea Reporter, Chelsea ----	6.00
The Caddo Herald, Caddo ----	6.00
Chickasha Daily Express, Chick-	
asha -----	6.00
Claremore Progress, Claremore	6.00
Times Tribune, Clinton -----	6.00
Coalgate Pub. Co., Coalgate ---	6.00
The Coalgate Courier, Coalgate	6.00
Coweta Times-Star, Coweta ---	6.00
Cordell Beacon, Cordell -----	6.00
Cushing Daily Citizen, Cushing	6.00
Duncan Eagle, Duncan -----	6.00
The Indian Journal, Eufaula --	6.00
Enid Publishing Co., Enid ----	6.00
Eldorado Courier, Eldorado --	6.00
Elk City Daily News, Elk City --	6.00
Frederick Leader, Frederick --	6.00
Fletcher Herald, Fletcher -----	6.00
Panhandle Herald, Guymon ---	6.00
Jay Record, Grove -----	6.00
The Grove Sun, Grove -----	6.00
The Oklahoma Printing Co.,	
Guthrie -----	6.00
The Southeast Oklahoman, Hugo	6.00
Hughes County Tribune, Hol-	
denville -----	6.00
Hammon Advocate, Hammon --	6.00
The Jennings News, Jennings	6.00
Oklahoma County News, Jones	6.00
Kiowa Chronicle, Kiowa -----	6.00

Lindsay News, Lindsay -----	6.00
Sun Printing Co., Lexington --	6.00
The Leader Tribune, Laverne --	6.00
McAlester Democrat, McAlester	6.00
Marietta Monitor, Marietta --	6.00
The Morris News, Morris ----	6.00
The Madill Record, Madill ----	6.00
The Mangum Daily Star, Mangum -----	6.00
The Medford Patriot Star, Medford ----	6.00
The Nowata Star, Nowata ----	6.00
Cleveland County Democrat News -----	6.00
The Norman Transcript, Norman	6.00
The Nowata Spirit, Nowata --	6.00
Okemah Publishing Co., Okemah	6.00
East Oklahoma Pub. Co., Poteau	6.00
Pauls Valley Democrat, Pauls Valley -----	6.00
The Pond Creek Herald, Pond Creek -----	6.00
Perry Journal, Perry -----	6.00
The Porum Journal, Porum --	6.00
Mayes County Republican, Pryor	6.00
Osage Newspaper Co., Pawhuska	6.00
Pawnee Publishing Co., Pawnee	6.00
The Poteau Weekly News, Poteau -----	6.00
Purcell Register, Purcell ----	6.00
The Ringling Eagle, Ringling --	6.00
The Ryan Leader, Ryan -----	6.00
The Sayre Publishing Co., Sayre	6.00
The Sentinel Leader, Sentinel --	6.00
The Soper Democrat, Soper --	6.00
The Stigler News, Stigler (Sentinel) -----	6.00

Sulphur Times-Democrat, Sulphur -----	6.00
The Taloga Times-Advocate, Taloga -----	6.00
The Temple Tribune, Temple --	6.00
Tecumseh Republican, Tecumseh	6.00
Capital-Democrat, Tishomingo--	6.00
Weleetka American, Weleetka	6.00
East Oklahoma Pub. Co., Vinita	6.00
Record Democrat, Wagoner ---	6.00
The Woodward Democrat, Woodward -----	6.00
Welch Watchman, Welch -----	6.00
Woods Co. Enterprise, Wynoka -----	6.00
Daily Times-Democrat, Wewoka	6.00
News-Democrat, Wilburton ----	6.00
The Walters Herald, Walters	6.00
The Yukon Sun, Yukon -----	6.00
McIntosh Co. Democrat, Checotah, McIntosh Co. -----	6.00
Muskogee Daily Phoenix, Muskogee, Muskogee Co. -----	6.00
Chickasha Star, Chickasha, Grady Co. -----	6.00
The Bristow Shopper, Bristow	6.00
Ellis County Capital, Arnett --	6.00
Hollis Post-Herald, Hollis ----	15.00

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\$ 574.00

GRAND TOTAL FOR PUBLICATIONS -----

\$ 2,898.00

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GRAND TOTAL OF ALL CLAIMS -----

\$239,427.28

NECESSARY EXPENDITURES WHICH I RECOM-  
MEND FOR THE CONSIDERATION OF  
THE LEGISLATURE

The sewage disposal at The Tubercular Institute at Clinton is so faulty that one judgment of \$2,000.00 was obtained against the State, and it is believed that the new sewerage disposal system should be installed.

The same is estimated to cost --  
I submit the same to the Legislature for their consideration as to whether an appropriation should be made therefor or not.

\$ 10,000.00

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Another item that is deemed to to be essential, but for which there is no appropriation, is the installation of an additional boiler and radiators at the Northeastern State Teachers' College at Tahlequah, and for the repair of the roof of two buildings. It is understood that the heating plant is not sufficient to produce the heat required.

The total for all is -----

10,100.00

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For the purpose of repairing the heating lines and tunnels at the East Central State Teachers' College at Ada, Oklahoma ----

5,500.00

---

Also like repairs on the heating plant at the Southeastern State Teachers' College at Durant.



*Twenty-first Day, Tuesday, Jan. 31, 1933* 429

Their request is in the sum of -- 9,000.00

For water softener, or for connecting with City Water Works.  
Eastern Oklahoma Hospital for Insane at Vinita ----- 10,000.00

The Murray State School of Agriculture at Tishomingo has no land upon which they can grow well corn or oats. An adjoining tract of bottom land can be purchased for that purpose, and they solicit an authority to do so, and to pay the sum therefor of ----- 6,000.00

Request for repair and completion of the animal husbandry building at the A. & M. College -- 58,234.79  
This is made necessary for the reason that they had an explosion in the laboratory, in the basement of this building, which blew out 80% of the windows and doors in the building. These windows and doors are now boarded up, and the building is not usable. The livestock pavilion was not completed when the building was erected, but temporary walls were put in each end, and they have cracked and are about to fall out. They are in a dangerous condition. This appropriation will allow the completion according to the orig-

inal plans.

Request for compensation to the family of Gordon Stringer, of Latimer County, Oklahoma. Stringer was killed at a road camp in Latimer County by a State truck, being driven by a convict of said camp. A large stick of lumber projected from the side of the truck, struck Stringer, and crushed his skull, causing instant death. He was 35 years of age, and leaves a wife and three children in destitute condition -----

\$ 15,000.00

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GRAND TOTAL OF ALL REQUESTS -----

\$123,834.79

GRAND TOTAL OF ALL CLAIMS -----

\$239,427.28

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GRAND TOTAL OF ALL

CLAIMS AND REQUESTS

\$363,262.07

I submit these requests to the Legislature for their consideration and their judgment on the matter. The items of expense in the foregoing, and accounts made, are valid claims against the State, in the aggregate sum of \$363,262.07, and should be paid. I do not know of any other valid claims, either of long or short standing, that should be made.

All of which is respectfully submitted,

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

The communication from the Governor was ordered referred to the Committee on Appropriations.

### FIRST READING

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

SENATE BILL NO. 194—By MacDONALD and GARVIN.—An Act making it a felony for any person, firm or corporation to purchase, handle or dispose of in any way any oil produced in violation of any pro-ration law, rule or regulation in the State of Oklahoma; prescribing the punishment therefor; and declaring an emergency.

SENATE BILL NO. 195—By BALLARD.—An Act creating the various positions under the State Highway Department and providing the annual salary to be paid therefor; providing that said salaries shall be paid out of any funds in the State Highway Construction and Maintenance Fund; and other purposes; and declaring an emergency.

SENATE BILL NO. 196—By CHAMBERLIN.—A Bill to be entitled an Act amending Section 1, Chapter 227, Session Laws, 1929, and repealing all Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 197—By NANCE.—An Act setting out the manner and procedure for a city to become an incorporated town, providing for the election of officers of said incorporated town, providing that the incorporated town shall assume the debts of said city and declaring an emergency.

SENATE BILL NO. 198—By WHITAKER.—An Act redistricting the State of Oklahoma into ten (10) District Court Judicial Districts, providing for the number of Judges in each of such Districts; providing for the time of taking effect of such Act and repealing all Laws or parts of Laws in conflict therewith.

SENATE BILL NO. 199—By Committee on Appropriations.—A Bill to be entitled an Act making appropriation from the General Revenue Fund to pay

claims against State Departments and Institutions herein named; and from the Highway Construction and Maintenance Fund to pay judgments against the State and for outstanding claims and warrant of the Highway Department; and from the Public Building Fund to pay for repairs and improvements for institutions herein named; and from revolving funds of certain institutions to pay warrant and voucher outstanding; and from the Fish and Game Fund to pay outstanding warrant; and declaring an emergency.

SENATE BILL NO. 200—By RITZHAUPT, BALLARD, PAUL and TAYLOR.—An Act amending Sections 5039 and 5040 Oklahoma Statutes 1931, relating to the sexual sterilization of certain patients in state institutions for the insane; and declaring an emergency.

SENATE BILL NO. 201—By THOMAS of the Senate and TODD of the House.—An Act repealing Chapter 188, Session Laws, 1927, relating to the salary and mile age of the Board of County Commissioners of Washita County, and declaring an emergency.

SENATE BILL NO. 202—By MacDONALD and RITZHAUPT.—An Act providing for uniform tuition in certain state supported educational institutions for resident and non-resident students; providing for the collection of tuition, laboratory and other fees; providing for the expenditure of funds collected; repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 203—By JOHNSTON.—An Act amending Sections 5677, and 6019, Oklahoma Statutes, 1931, relating to compensation of members of County Election Boards, to provide that members of said Boards shall receive five cents per mile in going to and from Board meetings; and declaring an emergency.

SENATE BILL NO. 204—By NANCE.—An Act abolishing all township levies in the several townships



in Cotton County, Oklahoma, and declaring an emergency.

SENATE BILL NO. 205—By NANCE.—An Act abolishing the County Highway ad valorem tax levy in Cotton County, Oklahoma, and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 15—By BALLARD.—A Resolution requesting His Excellency The Governor, by martial law, to take over the property known as the Purcell-Lexington Bridge and operate the same as a free bridge in the State of Oklahoma.

#### SECOND READING

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

SENATE BILL NO. 184—By COMMONS.—Referred to Committee on Mines and Manufacturing.

SENATE BILL NO. 185—By COMMONS.—Referred to Committee on Mines and Manufacturing.

SENATE BILL NO. 186—By COMMONS.—Referred to Committee on Pure Food and Drugs.

SENATE BILL NO. 187—By BALLARD.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 188—By NICHOLS.—Referred to Committee on Penal Institutions.

SENATE BILL NO. 189—By GARVIN, FISCHL and CHAMBERLIN.—Referred to Committee on Fees and Salaries.

SENATE BILL NO. 190—By CHAMBERLIN, COMMONS, MORRISON and NICHOLS.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 191—By LOGAN (By Request).—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 192—By LOGAN (By Request).—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 193—By CURNUTT.—Referred to Committee on Appropriations.

Senator Ballard presiding.

Senator Curnutt moved that, when the Senate adjourns today, it adjourn to meet at 10:00 o'clock, a. m., tomorrow.

Senator Hutchinson, as an amendment to the Curnutt motion, moved to strike the hour "10:00 o'clock, a. m.," and insert the hour of "9:00 o'clock, a. m.," which amendment was adopted by the Senate.

The vote occurring on the Curnutt motion, as amended, it was declared adopted.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 10 and Senate Bills Nos. 30 and 127 correctly engrossed.

HOWARD, Vice Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Resolution No. 10 and ordered it referred for enrollment.

The Presiding Officer, in open session, signed Engrossed Senate Bills Nos. 30 and 127 and ordered each transmitted to the Honorable House, for further consideration.

#### SPECIAL ORDER

SENATE BILL NO. 147, by Whitaker, Wilbanks, Chamberlin and Carmack, being a Special Order, was taken up for consideration.

Section 1 was read.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 147, line 2, page 2, by striking the word, "providing," and inserting the word, "provided"

WHITAKER.

Senator Memminger submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 147, line 6, page 1, by adding after the word, "but," and before the word, "partial," the word, "four"

MEMMINGER.

Senator Whitaker, as a substitute, submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 147, line 6, page 1, by inserting after the words, "partial payments," the words, "of not less than one-fourth"

WHITAKER.

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

Senator Fischl moved that Senate Bill No. 147 be re-committed to the Committee on Revenue and Taxation, for the purpose of redrafting the bill, which motion was tabled, upon motion of Senator Curnutt.

Upon motion of Senator Curnutt, Senate Bill No. 147 was advanced to engrossment and third reading.

Upon motion of Senator Whitaker, the rules of the Senate were suspended and Senate Bill No. 147 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 147 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 36.

Nays: Coppock. Total, 1.

Not Voting: Commons, Daugherty, Dixon. Total, 3.

Absent: Morrison, Powers, Wilbanks. Total, 3.

Excused: Liggett. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 38.

Not Voting: Daugherty, Dixon. Total, 2.

Absent: Morrison, Powers, Wilbanks. Total, 3.

Excused: Liggett. 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. 147 was ordered referred for engrossment.

#### GENERAL ORDER

Senator Nichols asked unanimous consent, which was granted, to defer consideration of SENATE RESOLUTION NO. 6, by Nichols and Stewart, without the resolution losing its place on the calendar.

SENATE BILL NO. 6, by Stewart, was considered.

Section 1 was read.

Senator Nance submitted the following amendment:

Mr. President: I hereby offer the following substitute for Senate Bill No. 6 by Stewart.

An Act abolishing the office of District Judge in



judicial district No. 27, nominating position No. 2, and the office of District Judge in judicial district No. 2, and the office of District Judge in judicial district No. 7, and the office of District Judge in judicial district No. 21, (nominating position No. 2, Tulsa County), and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE  
STATE OF OKLAHOMA:

SECTION 1. The office of District Judge in Judicial District No. 2 and the office of District Judge in Judicial District No. 27, nominating position No. 2 and the office of District Judge in Judicial District No. 7 and the office of District Judge in Judicial District No. 21, Tulsa County, Nominating position No. 2, are hereby abolished.

SECTION 2. It being immediately necessary for the Preservation of the Public Peace, health, 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.

NANCE.

Senator Rutherford, as a substitute, moved that Senate Bill No. 6 be recommitted to appropriate Committee, for the purpose of redrafting the bill, considering with the bill the Nance amendment.

Following discussion, Senator Chamberlin raised a point of order, which was sustained, stating a motion to commit with or without instructions is not debatable.

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

Senator Wilbanks asked to be recorded "present," which was the order.

Senator Rutherford moved to amend the Nance substitute for Senate Bill No. 6, by striking therefrom the words and figures, "Judicial District No. 21, Tulsa County, Nominating position No. 2."

Senator Chamberlin, as a substitute, moved that Senate Bill No. 6 be recommitted to the Committee on Judicial Redistricting, to await a general judicial redistricting bill.

Senator Briggs, in lieu of all pending motions, moved that the Nance substitute bill be tabled.

The Chair ruled the Briggs motion out of order, stating a motion to table, in lieu of all others, is not in order.

The vote occurring on the Chamberlin motion, it was declared adopted.

Senator Stewart moved that the Committee on Judicial Redistricting, to which Senate Bill No. 6 was referred, be instructed to report the bill back to the Senate within 48 hours.

Senator Nance raised a point of order against the Stewart motion, which was sustained, stating it was converse to the action of the Senate.

Senator Nichols asked unanimous consent, which was granted, to defer consideration of SENATE BILL NO. 50, by Nichols, for this legislative day.

SENATE BILL NO. 49, by Nichols, was taken up for consideration.

Senator Stewart moved that further consideration of Senate Bill No. 49 be indefinitely postponed.

Senator Nichols raised a point of order against the Stewart motion, stating the bill had not been read, which point of order was overruled by the Chair.

Senator MacDonald presiding.

The vote occurring on the Stewart motion, it was declared failed of adoption.

Section 1 of Senate Bill No. 49 was read.

Senator Ballard submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 49, line 9, page 2, by adding after the word, "Dollars,"

the following: "Provided that the provisions of this Act shall not apply to foreclosure of mortgages or other liens upon real estate."

BALLARD.

Senator Stewart submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 49, line 4, page 1, by striking after the word, "appear," and before the word, "plaintiff," the words, "to any party," and the word, "or," and inserting the word, "and," between the words, "plaintiff," and "defendant," and before the word, "plaintiff," add the word, "both"

STEWART.

Upon motion of Senator Nichols, Section 1 was adopted.

Section 2 was read.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 49, line 7, page 3, by changing the period, after the word, "State," to a semi-colon, and adding the following: "Provided, however, that nothing contained in this Act shall prevent any continuance of said case for any cause or grounds now provided by law."

CHAMBERLIN.

Senator Moon submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 49, line 14, page 2, by striking said line and substituting the following, "upon 20 days' notice given to all parties, or their attorneys of record, by the court clerk, by registered mail."

MOON.

By unanimous consent, the Investigating Committee, appointed under Senate Resolution No. 2, was "ex-

cused" for the purpose of committee work.

Senator Wilbanks submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 49, line 18, page 2, by substituting, after the word, "trial," a comma for the period and before the word, "such," by inserting the following: "Provided that only the jurors that actually served in trial of the case will be entitled to pay for such service."

WILBANKS.

Senator Ballard moved to table the Wilbanks amendment, which motion failed of adoption.

The vote occurring on the Wilbanks amendment, it was declared adopted.

Upon motion of Senator Nichols, Section 2, as amended, was declared adopted.

Section 3 was read.

Senator Memminger submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 49, line 6, page 4, by striking after the word, "services," the balance of line 6 and all of lines 7, 8 and 9.

MEMMINGER.

Senator Commons moved to table the Memminger amendment, which motion failed of adoption.

The vote occurring on the Memminger amendment, it was declared adopted.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 49, line 10, page 3, by striking the words and figures, "\$2.00 per day," and inserting the words and figures, "\$3.00 per day."

BALLARD.

Senator Carmack, as a substitute, moved that fur-



ther consideration of Senate Bill No. 49 be indefinitely postponed.

Senator Nichols raised a point of order, stating motion to indefinitely postpone consideration of the bill had been previously disposed of.

Senator Ballard raised a point of order against the Nichols point of order, which was sustained, stating Senate Bill No. 49 had been considered and amended, since motion to indefinitely postpone was disposed of.

President Burns presiding.

Senator Morrison asked to be recorded "present," which was the order.

Senator Nance, as a substitute for all pending motions, moved that Senate Bill No. 49 be referred to a Special Committee of three, one of whom should be the author, for the purpose of redrafting the bill.

Senator Paul, as an amendment to the Nance motion, moved to add the following, "the Committee being instructed to draw, at the same time, a bill to lengthen out the process of foreclosure and report same with Senate Bill No. 49."

Senator Ballard asked unanimous consent to reconsider the vote by which his amendment to line 9, page 2, failed of adoption, which request he withdrew.

By unanimous consent, Senator Paul withdrew his amendment to the Nance motion.

By unanimous consent, Senator Nance withdrew his motion.

Senator Chamberlin, as a substitute for the Carmack motion, moved that the vote be reconsidered by which Section 1 was adopted, which motion prevailed.

Senator MacDonald submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 49, line 5, page 1, by inserting after the word, "action," and before the word, "pending," the following, "in-

volving damages, resulting from death or personal injuries.”

MacDONALD.

Senator Commons presiding.

Senator Chamberlin, as a substitute, submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 49, line 5, page 1, by inserting after the word, “action,” and before the word, “pending,” the following, “not based upon contract”

CHAMBERLIN.

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

Upon motion of Senator MacDonald, Senate Bill No. 49, 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. 49 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Hutchinson, Moon, Taylor. Total, 3.

Not Voting: Coppock, Daugherty, Nichols, Thomas, Waldrep. Total, 5.

Absent: Powers. Total, 1.

Excused: Dixon, Fidler, Liggett, Logan, Rizley, Rutherford, Stewart. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Moon. Total, 1.

Not Voting: Coppock, Daugherty, Lester, Thomas, Waldrep. Total, 5.

Absent: Powers. Total, 1.

Excused: Dixon, Fidler, Liggett, Logan, Rizley, Rutherford, 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.

Senate Bill No. 49 was ordered 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 Judiciary Committee No. 1, to whom was referred Senate Bill No. 94, by Ballard, entitled:

An Act providing that the County Court shall have exclusive jurisdiction of all appeals hereinafter taken from the justice court or from the police court; repealing all Acts or parts of Acts in conflict herewith and other purposes, and declaring an emergency.

beg leave to report that we had the same under consideration and herewith return the same with the recom-

mendation that the Committee Substitute for Senate Bill No. 94 do pass.

CURNUTT, Chairman.

We, your Committee on Indian Affairs, to whom was referred Senate Bill No. 144, by Fischl, entitled:

An Act amending Section 456 Oklahoma Statutes 1931 relating to the confirmation of sale of real property under mortgage foreclosure, repealing all Acts 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.

FISCHL, Chairman.

#### MESSAGE

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

To the President of the Senate,  
Building.

SIR:

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

ENGROSSED HOUSE BILL NO. 261—By DANIEL, entitled:

An Act authorizing the Board of Trustees of the Town of Ryan, Jefferson County, Oklahoma, to remit and refund all penalties or interest on delinquent paving taxes and assessments in school district No. 1 of said town, providing conditions therefor and authorizing and directing the County Treasurer of Jefferson County to collect said paving taxes and assessments without collecting said interest and penalties, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 5—By GIBSON, FITZGERALD, WOOTEN, LANDINGHAM, PHILIPS (Okfuskee), BEAMAN, BRAZELL, BENNETT, SMALLEY, BOYER, BLOCKER, WAGNER, MAL-



LORY, JOHNSON (Comanche), CONNER, MUNSON, ROBERTS, HINDS, GRAY, PALMER, LEECRAFT, BROADDUS, and BEAVER, entitled:

An Act vesting the District and Superior Court Judges of the State of Oklahoma with certain discretionary powers in permitting the continuance of actions for the foreclosure of real estate mortgages or other liens or encumbrances affecting real estate, under certain conditions, and specifying such conditions, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 161—By SULLIVAN, CAVINS, ULMARK, SPECK, WOOTEN, WINGO, KENAN, BENNETT, GRISSO, KING (Greer), WORTHINGTON, BATSON, GRAY, ALBRIGHT, BEAMAN, CHILDERS, CLOYD, COX, SMALLEY, MALLORY, BURNHAM, WRIGHT, MOONEY, BUSHYHEAD, JONES, and KING (Coal), entitled:

An Act amending Section 10,271, Oklahoma Statutes, 1931, relating to the payment of Motor Vehicle Registration License Fees, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 67—By BURNHAM, WINGO, LANDINGHAM, SPECK, MALLORY, SULLIVAN, CLOYD, TODD, KENAN, BEAMAN, WATSON, GRAY, JONES, and BEAVER, entitled:

An Act amending Section 12,754, Oklahoma Statutes, 1931, providing that Resales of Real Property for Delinquent Taxes shall not be held prior to the third Monday of April, 1935, 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,  
R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 5, 67, 161 and 261.

# RESOLUTIONS

By unanimous consent, the following Resolution was introduced and read at length:

SENATE RESOLUTION NO. 11—By JENNINGS and JOHNSTON.

A RESOLUTION RECOMMENDING THE APPOINTMENT OF THE HONORABLE SEBE CHRISTIAN TO THE INTERNATIONAL JOINT COMMISSION.

WHEREAS, it appears that His Excellency, President-elect Franklin D. Roosevelt will in the near future have up for consideration the appointment of three new members on the International Joint Commission; and

WHEREAS, the state of Oklahoma has never had a citizen of this state appointed to such commission; and

WHEREAS, the duties of said commission are such that the members thereof should be persons of integrity, ability and initiative and versed in matters of law, international relations and diplomacy; and

WHEREAS, the name of Hon. Sebe Christian, present County Attorney of Creek County and a former member of the House of Representatives of the state of Oklahoma is soon to be presented to the President-elect for appointment to said commission; and

WHEREAS, Sebe Christian is one of the best known and highly esteemed young men of this state; and

WHEREAS, the said Sebe Christian is a graduate of the law school of the University of Oklahoma, and at an early age has served with distinction and credit as a member of the Oklahoma House of Representatives, as County Judge of Creek County and as County Attorney of Creek County; and

WHEREAS, his fitness for the position is further attested to by the fact that in 1929 he was tendered an appointment in the United States Diplomatic Service af-

ter having satisfactorily qualified in civil service examinations on international law, diplomatic relations and treaties, world history and kindred subjects; and

WHEREAS, it is the opinion of this body that younger men, properly qualified, should be given recognition on such commissions, and such recognition would improve the efficiency and effectiveness of such commissions; and

WHEREAS, we believe the said Sebe Christian to be eminently qualified, by training and experience to serve on the International Joint Commission;

NOW, THEREFORE, BE IT RESOLVED that the Senate of the State of Oklahoma, in regular session assembled, does hereby recommend to His excellency, President-elect, Franklin D. Roosevelt, the appointment of Sebe Christian of Sapulpa, Oklahoma, as a member of the International Joint Commission.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President-elect, to United States Senator Elmer Thomas and to United States Senator T. P. Gore.

Upon motion of Senator Johnston, Senate Resolution No. 11 was adopted, as read.

Senate Resolution No. 11 was ordered referred for engrossment.

Upon motion of Senator MacDonald, and in keeping with the Curnutt motion, the Senate adjourned, to meet at 9:00 o'clock, a. m., Wednesday, February 1st, 1933.

## TWENTY-SECOND LEGISLATIVE DAY

Wednesday, February 1, 1933

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Pursuant to adjournment, the Senate met at 9:00 o'clock, a. m., and was called to order by President Pro Tempore Stewart.

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

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 39.

Absent: Dixon, Jennings, Nichols, Rizley, Wilbanks. Total, 5.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

The President Pro Tempore made the following announcement:

"Mrs. Ted R. Wulff, of Oklahoma City, the faithful and competent Clerk to the Appropriations Committee, departed this life at 2:00 o'clock, a. m., this date."

Upon motion of Senator Nance, the Senate Auditor was instructed to send a floral offering, on behalf of the Senate, for the funeral of Mrs. Wulff, to be held February 2nd, 1933, at 2 p. m., at The Hahn's.

### SECOND READING

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

SENATE BILL NO. 194—By MacDONALD and GARVIN.



Upon motion of Senator MacDonald, the rules of the Senate were suspended and Senate Bill No. 194 was ordered placed upon the calendar, without reference to a Committee.

Senator Curnutt asked unanimous consent, which was granted, to have his name added as a joint author of Senate Bill No. 194.

SENATE BILL NO. 195—By BALLARD.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 196—By CHAMBERLIN.—Referred to Committee on Agriculture.

SENATE BILL NO. 197—By NANCE.—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 198—By WHITAKER.—Referred to Committee on Judicial Re-districting.

SENATE BILL NO. 199—By Committee on Appropriations.—Referred to Committee on Appropriations.

SENATE BILL NO. 200—By RITZHAUPT, BALLARD, PAUL and TAYLOR.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 201—By THOMAS of the Senate and TODD of the House.

By unanimous consent, Senate Bill No. 201 was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 202—By MacDONALD and RITZHAUPT.—Referred to Committee on Education.

Senator MacDonald asked unanimous consent, which was granted, to add the name of "Chamberlin," as a joint author of Senate Bill No. 202.

SENATE BILL NO. 203—By JOHNSTON.—Referred to Committee on Privileges and Elections.

SENATE BILL NO. 204—By NANCE.

By unanimous consent, Senate Bill No. 204 was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 205—By NANCE.

By unanimous consent, Senate Bill No. 205 was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 41—By MARTIN, BROADDUS and SHOEMAKE.—Referred to Committee on Appropriations.

ENGROSSED HOUSE BILL NO. 274—By CHAMBERS.

By unanimous consent, House Bill No. 274 was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 261—By DANIEL.

By unanimous consent, House Bill No. 261 was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 5—By GIBSON, FITZGERALD, WOOTEN, LANDINGHAM, et al.—Referred to Judiciary Committee No. 1.

ENGROSSED HOUSE BILL NO. 161—By SULLIVAN, CAVINS, ULMARK, SPECK, WOOTEN, et al.—Referred to Committee on Roads and Highways.

ENGROSSED HOUSE BILL NO. 67—By BURNHAM, WINGO, LANDINGHAM, SPECK, MALLORY, et al.—Referred to Committee on Printing.

#### GENERAL ORDER

Senator Ballard asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 96, by Cloyd.

Section 1 was read and adopted, upon motion of Senator Ballard.

Upon motion of Senator Ballard, House Bill No. 96 was advanced to engrossment and third reading.

Senator Ballard asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 42, by Cloyd.

Section 1 was read and adopted, upon motion of Senator Ballard.

Upon motion of Senator Ballard, House Bill No. 42 was advanced to engrossment and third reading.

Senator Briggs asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 95, by Briggs, of the Senate, and Garland, of the House.

Section 1 was read.

Senator Commons submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 95, line 11, page 3, by striking after the word, "appeal," the remainder of said line, all of lines 12, 13, 14, 15, 16, 17 and 18, page 3, and line 1, page 4, and the words, "may be satisfied and paid"

COMMONS.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 95, line 6, page 2, by inserting after the word, "shall," and before the word, "commence," the following, "when deemed necessary or advisable by him"

CHAMBERLIN.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 95, line 1, page 2, by inserting after the word, "in," and before the word, "bonds," the word, "valid"

CURNUTT.

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

Section 2 was read.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No.

95, line 11, page 4, by inserting after the word, "such," and before the word, "bonds," the word, "valid"

CURNUTT.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 95, lines 12 and 13, page 4, by striking after the word, "indebtedness," the words, "provided for in Section 1 hereof"

CURNUTT.

Upon motion of Senator Briggs, Section 2, as amended, was adopted.

Section 3 was read and adopted, upon motion of Senator Briggs.

Upon motion of Senator Briggs, Senate Bill No. 95 was advanced to engrossment and third reading.

Senator Briggs asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 86, by Briggs and Rizley.

Section 1 was read.

Senator Waldrep moved that Senate Bill No. 86 be recommitted to Judiciary Committee No. 2, for further consideration.

Senator Nance, as a substitute, moved that further consideration of Senate Bill No. 86 be indefinitely postponed.

Upon motion of Senator Paul, the previous question was ordered.

The vote occurring on the Nance motion, it was declared adopted.

#### NOTICE

Senator Garvin asked unanimous consent, which was granted, to make the following announcement:

"Any Senator having knowledge of any irregularities with reference to the actions of the State Highway Department, please file them with the Chairman or Vice Chairman.



“Any citizen having knowledge of any irregularities in the Highway Department, also kindly file them with the Chairman or Vice Chairman.”

KNOX L. GARVIN, Chairman,  
Highway Investigation Committee.  
GENERAL ORDER

Senator Stacey asked unanimous consent, to which Senator Chamberlin objected, to take up for consideration, out of its regular order, SENATE BILL NO. 26, by Stacey.

Senator Stacey moved that Senate Bill No. 26 be taken up for immediate consideration.

Senator MacDonald, as a substitute, moved that the Senate recess, to meet at 1:30 p. m.

AFTERNOON SESSION

The Senate re-assembled at one-thirty p. m. and was called to order by the President.

Upon roll call the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Nichols. Total, 1.

By unanimous consent, the regular order of business was taken up.

FIRST READING

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

SENATE BILL NO. 206—By WALDREP.—An Act providing for annual and special county audits by the State Examiner and Inspector of books and records of any officer or custodian of the various funds of the county; providing and authorizing special tax levy to be

made for the purpose of paying the cost of such audits, and regulating the use and expenditure of such funds, and repealing all Acts or parts of Acts in conflict therewith.

SENATE BILL NO. 207—By RITZHAUPT.—An Act precluding more than one member of a family from being employed by any state officer, department, commission, bureau, or institution of the State of Oklahoma; providing a penalty for the violation of this Act; and declaring an emergency.

SENATE BILL NO. 208—By MOON, MacDONALD, GARVIN, CURNUTT and RIZLEY.—An Act providing for the compulsory compensation of injured employees in hazardous industries, providing that employees in non-hazardous industries may elect to provide like compensation for their injured employees, placing the supervision of the Act under a commission herein created, fixing a schedule of awards, providing penalties for the violation of the provisions of this Act, repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 209—By CARLILE and LOGAN.—An Act relating to the investment of money belonging to estates of minors and incompetents, and declaring an emergency.

SENATE BILL NO. 210—By REED.—An Act amending Section 12755 Oklahoma Statutes 1931, providing that bidders at resales are not required to offer a bid equal to or greater in amount than the taxes, interest, penalties and costs due on each tract of land, and declaring an emergency.

SENATE BILL NO. 211—By CURNUTT.—An Act amending Section 10280, Oklahoma Statutes, 1931, relating to the registration by manufacturer or dealer of motor vehicles in the State of Oklahoma, repealing all Laws or parts of Laws in conflict herewith and declaring an emergency.

SENATE BILL NO. 212—By CURNUTT.—An Act amending Section 10282, Oklahoma Statutes, 1931, relating to the operation of foreign commercial vehicles upon the Highways of the State of Oklahoma, repealing all Laws or parts of Laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 213—By HUTCHINSON.—An Act amending Section 1237 Oklahoma Statutes, 1931, relating to allowance and rejection of claims by executor or administrator; and providing claimants shall be notified in writing of rejection of any claim; and declaring an emergency.

Senator Liggett submitted the following committee report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bills Nos. 121, 147 and 152 correctly engrossed; Senate Resolution No. 10 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Bills Nos. 121, 147 and 152 and ordered each transmitted to the Honorable House.

The President, in open session, signed Enrolled Senate Resolution No. 10 and ordered it transmitted to the Secretary of State.

A communication addressed to the President of the Senate from the Legislative Committee of the non-partisan taxpayers association, Oklahoma City, was read protesting the appropriation of any sums to defray expenses of any person or persons to attend the forthcoming inaugural ceremonies at Washington, D. C., on March 4th.

The President referred the above communication to the Committee on Appropriations.

#### GENERAL ORDER

On account of the absence of Senator Nichols, consideration of SENATE RESOLUTION NO. 6, by

Nichols and Stewart, and SENATE BILL NO. 50, by Nichols, was deferred for this legislative day.

SENATE BILL NO. 136, by Garvin and Chamberlin, was taken up for consideration.

Section one was read and adopted upon motion of Senator Garvin.

Upon motion of Senator Garvin, Senate Bill No. 136 was advanced to engrossment and third reading.

SENATE BILL NO. 38, by Logan, was taken up for consideration.

Section one was read.

Senator Carmack moved that further consideration of Senate Bill No. 38 be indefinitely postponed.

Senator Logan moved to table the Carmack motion.

Senator Garvin, in lieu of all pending motions, moved that the Senate work under a call of the House, which motion failed of adoption.

The vote occurring on the Logan motion, it was declared failed of adoption.

The vote occurring on the Carmack motion, it was declared adopted.

SENATE BILL NO. 37, by Logan, was taken up for consideration.

Senator Chamberlin presiding.

Section one was read.

Senator Clark moved that further consideration of Senate Bill No. 37 be indefinitely postponed.

Upon a roll call being asked for, on the Clark motion, Rule 9-a was quoted.

Senator Nance raised a point of order, prior to the ruling of the Chair, which was sustained, stating Rule 9-a would be in conflict with the Constitution, the Chair stating a roll call can be demanded by three members of the Senate.

The vote occurring on the Clark motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark,



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Commons, Coppock, Curnutt, Fidler, Garvin, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Powers, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Willis. Total, 27.

Nays: Ballard, Jennings, Logan, Moon, Nance, Paul, Rutherford, Waldrep, Whitaker, Wilbanks. Total, 10.

Not Voting: Daugherty, Dixon, Fischl, Howard, Reed, Rizley. Total, 6.

Excused: Nichols. Total, 1.

Senator Sowards submitted the following Committee Report.

• Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bills Nos. 14 and 19 correctly engrossed.

SOWARDS, Vice-Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Bills Nos. 14 and 19 and ordered each transmitted to the Honorable House.

#### GENERAL ORDER

Upon motion of Senator Pugh, SENATE BILL NO. 51, by Pugh, was set for Special Order at 1:30 P. M., Monday, February 6th.

SENATE RESOLUTION NO. 7, by Jennings, was taken up for consideration and read at length, as follows:

SENATE RESOLUTION NO. 7—By JENNINGS.

A RESOLUTION MEMORIALIZING THE SENATE OF THE UNITED STATES COMMENDING ITS EFFORTS IN WORK THUS FAR DONE TO REVEAL OIL SCANDALS AND REQUESTING THE APPOINTMENT OF A COMMITTEE TO BE COMPOSED OF ITS MEMBERS TO CONDUCT AN INVESTIGATION INTO ALL PHASES OF THE OIL INDUSTRY IN THE STATE OF OKLAHOMA, INCLUDING ESPECIALLY PRO-

DUCTION, TRANSPORTATION, PRORATION AND THE REVENUES DUE BOTH TO THE STATE AND THE FEDERAL GOVERNMENT AS A RESULT OF SUCH PRORATION AND TRANSPORTATION.

WHEREAS, the State of Oklahoma, is one of the greatest oil producing states in the nation and is at this time perhaps more active in the development of its oil and gas resources than any other State in the Union, and

WHEREAS, by various legislative enactments over a period of years attempt has been made to prorate the development and production of oil in such manner as would conserve to the best possible advantage the natural resources of the State, and

WHEREAS, for a period of several years last past the Corporation Commission of the State of Oklahoma has by various orders, rulings and decrees, attempted to provide equitable and proper means for the enforcement of the proration acts and the rules and regulations enacted pursuant thereto, and,

WHEREAS, by recent decisions of the various Federal District, United States Circuit Courts and the Supreme Court of the United States of America the power and the extent thereof of the Corporation Commission of the State for the purposes intended by the Legislature is so circumscribed and limited that said body has been practically rendered impotent to enforce its findings and judgments, and further because of lack of funds and revenues with which to make proper and necessary inquiry and investigation, said Commission is without the facilities to ascertain and procure the necessary proof to make a proper revelation of the conditions that the public might be informed thereof, and,

WHEREAS, the public press and current rumor throughout the State for the past several years have consistently carried and promulgated information to the

effect that reckless and unconscionable violations of the various proration acts of the State of Oklahoma have been indulged in at all times in practically all of the oil producing counties of the State, and such publications and rumors have become so persistent as to tend to destroy the public faith in its law enforcing agencies, and the public now appears to be convinced that such acts, if true, have resulted in the loss of millions of dollars to individual land owners, to the revenues of the State and the revenues of the Federal Government as is provided in the gross production laws of the State and the revenue act of the Congress of the United States as passed in 1932, such as are required to be paid under the laws of both the State and the Nation, and

WHEREAS, severe criticism has been directed toward the Chief Executive of the State in that he has permitted the employment of certain relatives for the purpose of enforcing the military rule invoked by his proclamation, and

WHEREAS, no current revenues of the State have been available for the payment of the cost of such military rule if under the law same could be authorized, and it has therefore been paid by collections made from the industries sought to be supervised, and,

WHEREAS, such criticisms have reached the stage in public opinion such as to render improper, however unselfish the same might be, any investigation under the supervision, direction or control of the State Executive, and

WHEREAS, there has been created and is now existent a committee composed of members of the Honorable Senate of the State of Oklahoma, which said Committee is presently organized and ready to make inquiry insofar as their power and means will permit, but inasmuch as a great portion of the records and proof necessary to a full and complete inquiry and investigation is not within the State of Oklahoma, and the Senate

Investigation Committee is wholly and completely without power and authority to compel the production of the same, and

WHEREAS, any investigation not complete in its nature will be insufficient to exonerate members of the oil industry, State Officers and other persons having relations with them or either of them, if exoneration be warranted, or to sufficiently prove the guilt of and cause to be punished by whatever means the law provides those persons found to have been guilty of any improper practices or violations of the laws either of the State or the Nation.

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

That the Honorable Senate of the United States of America be and it is hereby urgently requested to cause to be appointed a committee composed of members of said Honorable Body to be clothed with full and complete power, facilities and authority to make full and complete inquiry into all phases and activities of the oil industry of the State of Oklahoma insofar as the same pertains to the production, transportation, processing, refining and the sale of oil and gas within the said State, for the purpose of determining whether or not said industry has been so operated or permitted in such manner as has caused a loss to the Government of any revenues due under the act hereinabove referred to, or any combinations in restraint of trade or monopolies have been created, or whether such industry has been in any way or manner so operated as to violate any of the laws of the United States of America.

AND, BE IT FURTHER RESOLVED that the Honorable Senate of the United States is further respectfully requested to clothe said Committee with power to act jointly with the Committee of the Honorable Senate of the State of Oklahoma now authorized to make inquiry, and to give to said Committee of the Hon-



orable Senate of the State of Oklahoma such information as will reflect other violations not specifically covered under any of the laws of the United States but which do not amount to violation of the laws of the State of Oklahoma or a breach of contractual relations as between lessor and lessee and the owners of royalties under the various properties upon which production is now being obtained, and

BE IT FURTHER RESOLVED, that because of his peculiar fitness in making such inquiry and because of his eminent record heretofore made in the revelation of unlawful practices upon the part of certain members of the oil industry it is further respectfully urged and requested that the Honorable Thomas J. Walsh of the State of Montana, a member of the Honorable Senate of the United States, be appointed upon said Committee in whatever capacity that Honorable Body shall determine, and

BE IT FURTHER RESOLVED, that because of his eminent character as an attorney and his previous record in fearlessly prosecuting violations of the laws, both of State and Nation, if it should be by the Honorable Senate determined that any attorney should be appointed to assist the Committee appointed by the Honorable Senate, then it is recommended that Ex-Senator James A. Reed of the State of Missouri be appointed as special counsel for said Committee to assist said Committee in ascertaining the true condition now existing, that the guilty may be punished, the innocent exonerated and the revenues, both of the State and Nation, be properly protected and procured.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend Senate Resolution No. 7, line 6, page 6, by striking the words, "urgently requested," and inserting the word, "invited."

CURNUTT.

Senator MacDonald, as a substitute, moved that Senate Resolution No. 7 be referred to the Special Oil Investigation Committee, for recommendation, which motion prevailed.

SENATE BILL NO. 57, by Paul, was taken up for consideration.

Sections 1, 2 and 3 were read and adopted, upon motions of Senator Paul.

Section 4 was read.

Senator Paul asked unanimous consent which was granted, to strike from the typewritten bill, the word "not," appearing after the word "be" and before the word "mandatory," in the last sentence of Section 4.

Senator Clark moved that Senate Bill No. 57 be referred to the Committee on Education, for the purpose of re-drafting the bill, which motion was tabled, upon motion of Senator Paul.

Upon motion of Senator Paul, Section 4 was adopted as read.

Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 were read and adopted, upon motions of Senator Paul.

Senator Paul moved to reconsider the vote by which Section 4 was adopted, which motion prevailed.

Senator Paul asked unanimous consent which was adopted, to withdraw his amendment submitted to Section 4 and adopted by the Senate.

Upon motion of Senator Paul, Section 4 was adopted.

Senator Curnutt moved to reconsider the vote by which Section 10 was adopted, which motion prevailed.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 57, line 8, page 9, by striking the word, "by" after the word, "to," and before the word, "the," and inserting the word, "before."

CURNUTT.

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Upon motion of Senator Paul Section 10, as amended, was adopted.

Upon motion of Senator Paul, Senate Bill No. 57 was advanced to engrossment and third reading.

Upon motion of Senator Paul, the rules of the Senate were suspended and Senate Bill No. 57 was considered engrossed and placed upon third reading and final passage.

SENATE 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 39.

Not voting: Daugherty, Dixon, Fidler, Rizley. Total, 4.

Excused: Nichols. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 38.

Not voting: Daugherty, Dixon, Fidler, Rizley, Stewart. Total, 5.

Excused: Nichols. 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 question being, "Shall the title of the bill become the title of the Act?" Senator Paul submitted the following amendment which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 57, by adding as joint authors thereof Senators Reed, Sowards, Nance, Taylor, Carlile and Stacey.

PAUL.

Senate Bill No. 57 was referred for engrossment.

Upon motion of Senator Garvin, the rules of the Senate were suspended and SENATE BILL NO. 136, was considered engrossed and placed upon third reading and final passage.

SENATE 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: Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Paul, Powers, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Ballard, Carmack, Dixon, Fidler, Fischl, Hutchinson, Liggett, Logan, Moon, Ray, Rizley, Stewart, Thomas. Total, 13.

Excused: Nichols. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Morrison, Nance, Paul, Powers, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not voting: Ballard, Dixon, Fidler, Fischl, Liggett, Moon, Ray, Rizley, Thomas. Total, 9.

Excused: Nichols. 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. 136 was referred for engrossment.

#### GENERAL ORDER

SENATE BILL NO. 113, by Rutherford, was taken up for consideration.

Senator Morrison asked unanimous consent, which was granted, to add his name as a joint author of Senate Bill No. 113.

Section 1 was read and adopted, upon motion of Senator Rutherford.

Section 2 was read.

Senator Waldrep moved that Senate Bill No. 113 be referred to the Committee on Education for further consideration and re-drafting, which motion failed of adoption.

Senator Morrison submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 113, page 4, line 7, by striking after the word "years" the remainder of line 7 and all of lines 8 to 18 both inclusive, and substituting in lieu thereof, the following: "Provided that any city of the first class operating under a charter form of government, which has hereto-

fore, by charter or ordinance, fixed the length of term for which the members of the Board of Education of such city and outlying territory attached thereto for school purposes shall be elected, that said ordinance or charter provisions are hereby validated, adopted and legalized."

MORRISON.

Upon motion of Senator Rutherford, Section 2, as amended, was adopted.

Senator Rutherford moved that Senate Bill No. 113 be advanced to engrossment and third reading.

Senator Waldrep, as a substitute, moved that the vote be reconsidered by which Section 1 was adopted, which motion failed of adoption.

The vote occurring on the Rutherford motion, it was declared adopted.

Senator Curnutt moved that, when the Senate adjourns today, it adjourns to meet at 10:00 A. M. tomorrow, which motion prevailed

Senator Carmack moved that, when the Senate adjourns on the next legislative day, it adjourn to meet under the rules on Monday, February 6th.

Senator Pugh moved to table the Carmack motion, which motion failed of adoption.

The vote occurring on the Carmack motion, it was declared adopted.

Senator Pugh asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 102, by Ritzhaupt.

Section 1 was read.

Senator Fischl submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 102, line 2, page 1, by adding after the word "to" the following: "demanded or accepted by."

FISCHL.

Senator Moon submitted the following amendment,

which was tabled upon motion of Senator Ritzhaupt.

Mr. President: I move to amend Senate Bill No. 102, line 4, page 1, by inserting after the word "person" and before the word "or" the following: "in excess of \$2.00," and in line 5 by inserting after the word "court" and before the word "having" the following: "in excess of \$3.00."

MOON.

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

Senator Nance submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 102, by adding the following as Section 2: "Section 2. Any person guilty of violating any provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than \$50.00 and not more than \$500.00, or shall be sentenced to serve a term of not less than 30 days nor more than 90 days in jail, or by both such fine and imprisonment."

NANCE.

Senator Nance asked unanimous consent, which was granted, to amend his amendment, by striking the figures "\$50.00" and inserting the figures "\$25.00," and by adding at the end of said amendment the words "and a conviction shall constitute a forfeiture of his office."

The vote occurring upon the Nance amendment, as amended, it was declared adopted.

Upon motion of Senator Ritzhaupt, Sections 2 and 3 of the original bill were ordered renumbered as Sections 3 and 4.

Upon motion of Senator Ritzhaupt, Senate Bill No. 102 was advanced to engrossment and third reading.

Upon motion of Senator Ritzhaupt, the rules of the Senate were suspended and Senate Bill No. 102 was considered engrossed and placed upon third reading and final passage.

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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Paul, Powers, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks. Total, 31.

Nays: Carmack, Coppock, Willis. Total, 3.

Not voting: Fidler, Garvin, Logan, Moon, Reed, Rizley, Rutherford, Stewart, Waldrep. Total, 9.

Excused: Nichols. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Paul, Powers, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Thomas, Whitaker, Wilbanks, Willis. Total, 33.

Not voting: Fidler, Garvin, Logan, Moon, Reed, Rizley, Rutherford, Stewart, Taylor, Waldrep. Total, 10.

Excused: Nichols. 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 question being, "Shall the title of the bill become the title of the Act?" Senator Ritzhaupt submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 102 to read as follows: "AN ACT PROHIBITING THE PAYMENT TO CONSTABLES OR OTHER PEACE OFFICERS AND JUSTICES OF THE



PEACE OF FEES RESULTING IN CASES INVOLVING VIOLATIONS OF TRAFFIC AND HIGHWAY LAWS, COMMONLY CALLED SPEED LAWS OF THE STATE OF OKLAHOMA, PROVIDING A PENALTY THEREFOR AND DECLARING AN EMERGENCY."

RITZHAUPT.

Senate Bill No. 102 was referred for engrossment.

Senator Daugherty asked unanimous consent, which was granted, to withdraw HOUSE BILL NO. 67, by Burnham, Wingo, et al., from the Committee on Public Printing and refer it to the Committee on Judiciary No. 1, and thereafter referred to the Committee on Public Printing.

#### MESSAGES

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

To the President of the Senate,  
Building

SIR:

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

ENGROSSED HOUSE BILL NO. 111—By MASSEY and DANIELS, entitled:

An Act amending Section 6873, O. S. 1931, relating to bond of independent school district treasurer and providing for the designation of the County Treasurer as treasurer of independent districts, providing a penalty, 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 Pro Tem in open session.

Yours very truly,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 111.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 269—By PHIL-LIPS of Okfuskee, entitled:

An Act repealing Chapter 193, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, Session Laws 1925, the same being Sections 8170, 8171, 8172, 8173, 8174, 8175, 8176, 8177, 8178, 8179, 8180, 8181, 8182, 8183, 8184, 8185, 8186, 8187, 8188, 8189, 8190, and 8191, Oklahoma Statutes 1931, the same referring to the salaries of deputies to county officers in Okfuskee County, Oklahoma, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 265—By PHIL-LIPS (Okfuskee), entitled:

An Act repealing Chapter 127, Sections one and two, Session Laws of 1929, the same being Section 8169, Oklahoma Statutes 1931, with reference to the salaries of County Commissioners in Okfuskee 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 Pro Tem in open session.

Yours very truly,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 265 and 269.

The following letter was read into the record:

Mr. R. A. Sneed,  
Secretary of State,  
Oklahoma City, Oklahoma.

My Dear Mr. Sneed:

Will you please convey for me to the Senate and the Fourteenth Legislature and the people of the State

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of Oklahoma my sincerest thanks and deepest appreciation for the Resolution expressing regret at the death of my father, Lee Cruce, and for their commendation for his patriotic and unselfish service to the people of his State. Also, will you please convey my thanks to them for appointing a committee to attend his funeral, and for the beautiful floral offering sent to him.

My heart goes out in love and gratitude to each member of the Senate and House of Representatives, to you, and to all of Oklahoma for the esteem in which my father was held by you, and for the honor and respect paid to him at the time of his death. I had to remain in California, sick, but it was a comforting thought to me that I was sending him back to the waiting hearts of the people he loved so well. I know of no one who had a more abiding love for all Oklahoma than he had. No love in his life was greater than his love for his State, and I am very proud of his unselfish, constructive service to Oklahoma. It makes it easier to give him up when I realize his influence will live on.

I want to thank you, Mr. Sneed, for your personal words of sympathy and your beautiful appreciation of my father.

With heartfelt thanks to you, the Senate, the House of Representatives, and all of Oklahoma for the honor paid my father and the sympathy extended to me, I am

Most sincerely,  
LORENA CRUCE NORRIS,  
(Mrs. Herndon J. Norris)

January 28, 1933.

#### 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 Bill No. 35, by Ritzhaupt, Reed, and Rizley, entitled:

An Act making an appropriation to pay the salary and expenses of, and the office supplies for the State Dairy Commissioner from January 1, 1933, to June 30, 1933, 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.

MacDONALD, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 60 by Currutt and Waldrep, entitled:

An Act making an appropriation to pay the salary of the Supreme Court Referees provided for by Section 3762, Oklahoma Statutes 1931, for the fiscal year ending June 30, 1933, 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.

MacDONALD, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 68 by Morrison of the Senate and Boyer and Beard of the House, entitled:

An Act making an appropriation of Thirty-seven Hundred Dollars out of any monies in the State Treasury not otherwise appropriated for the fiscal year ending June 30, 1933, for the construction and installation of a program clock and bell system at and for the C. A. & N. University at Langston, 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 not pass.

MacDONALD, Chairman.

Upon motion of Senator MacDonald, the adverse committee report on Senate Bill No. 68 was adopted.

Mr. President: We, your Committee on Appropria-



tions, to whom was referred Senate Bill No. 170, by Nance of the Senate and Johnson of the House, entitled:

An Act making an appropriation of Five Thousand Dollars to pay Mrs. C. C. Gray, of Cache, Oklahoma, for damages suffered by her by reason of the death of her husband, incurred in line of duty while in the employ of the State Highway Department, 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 Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Resolution No. 11 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed engrossed Senate Resolution No. 11 and ordered it referred for enrollment.

Senator Commons moved that the Senate adjourn to meet at 10:00 A. M., Thursday, February 2nd.

Senator Paul, as a substitute, moved that the three next bills under general order be considered before adjournment, which motion failed of adoption.

The vote occurring on the Commons motion, it was declared adopted.

## TWENTY-THIRD LEGISLATIVE DAY

Thursday, February 2, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Nichols. Total, 1.

The President 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 Judiciary Committee No. 1, to whom was referred Senate Bill No. 112, by Fidler of the Senate and Conner of the House, entitled:

An Act amending Section 10967, Oklahoma Statutes, 1931, being Section 8796, Compiled Oklahoma Statutes, 1921, giving apartment house owners liens on baggage and property, repealing all 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.

CURNUTT, Chairman.

Mr. President: We, your Judiciary Committee No.

1, to whom was referred Senate Bill No. 124, by Stacey, entitled:

An Act limiting the attorney fees that may be taxed as costs in cases of foreclosure of mortgages, deeds of trust, or liens, 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 not pass.

CURNUTT, Chairman.

Upon motion of Senator Chamberlin, the adverse Committee Report on Senate Bill No. 124 was adopted.

#### FIRST READING

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

SENATE BILL NO. 214—By CHAMBERLIN, COMMONS, MORRISON, NICHOLS, WHITAKER and MacDONALD.—An Act providing for the redemption of real estate sold to the county on account of delinquent ad valorem taxes, where the county still holds the title thereto; providing for the waiving and releasing of interest, penalties and costs of the same if the principal amount thereof is paid on or before December 31, 1933; authorizing and directing county treasurers to accept such amount and to issue redemption certificates therefor; providing the manner and means of issuing said redemption certificates; providing that after such payment said real estate shall be placed on the tax rolls; providing that the amounts paid hereunder shall accrue to the common school fund of the county; suspending all Laws or parts of Laws in conflict herewith for the term of this Act and declaring an emergency.

SENATE BILL NO. 215—By BRIGGS.—An Act amending Section 2086, Oklahoma Statutes, 1931, relating to cheats, frauds and bogus checks and declaring an emergency.

SENATE BILL NO. 216—By FISCHL.—An Act

governing the granting of license to fish in and hunt on lakes owned by municipalities or counties, wherein the fish are supplied in whole or in part by the State Game and Fish Commission designating who may receive license and fee to be charged, and declaring an emergency.

SENATE BILL NO. 217—By TAYLOR of the Senate and HOGG of the House.—An Act making an appropriation of five thousand dollars to pay Mrs. Edna Dawkins of Cheyenne, Oklahoma, for damages suffered by her by reason of the death of her husband, incurred in line of duty while in the employ of the State Highway Department, and declaring an emergency.

SENATE RESOLUTION NO. 12—By WALDREP.—A Resolution authorizing the employment committee to employ additional help during the present session of the Legislature.

Senator Waldrep asked unanimous consent, to which Senator Coppock objected, to take up for immediate consideration Senate Resolution No. 12.

Senator Waldrep moved that the rules of the Senate be suspended for the purpose of considering Senate Resolution No. 12, which motion was tabled, upon motion of Senator Coppock.

#### SECOND READING

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

SENATE BILL NO. 206—By WALDREP.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 207—By RITZHAUPT.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 208—By MOON, MacDONALD, GARVIN, CURNUTT and RIZLEY.—Referred to Committees on Commerce and Labor and Insurance.

SENATE BILL NO. 209—By CARLILE and LOGAN.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 210—By REED.—Referred to Committee on Revenue and Taxation.



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SENATE BILL NO. 211—By CURNUTT.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 212—By CURNUTT.—Referred to Committee on Roads and Highways

SENATE BILL NO. 213—By HUTCHINSON.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 111—By MASSEY and DANIELS.—Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 269—By PHILLIPS of Okfuskee.—Referred to Committee on Fees and Salaries.

ENGROSSED HOUSE BILL NO. 265—By PHILLIPS (Okfuskee).—Referred to Committee on Fees and Salaries.

#### GENERAL ORDER

SENATE RESOLUTION NO. 6, by Nichols and Stewart, was taken up for consideration and read at length as follows:

SENATE RESOLUTION NO. 6—By NICHOLS and STEWART.

A RESOLUTION CREATING A COMMITTEE TO INVESTIGATE AND ASCERTAIN THE STATUS AND CHARACTER OF LANDS OWNED AND HELD BY THE STATE OF OKLAHOMA, TO MAKE A SURVEY OF THE RESOURCES OF THE STATE, AND TO INQUIRE INTO AND DETERMINE WHETHER OF NOT IT IS ADVISABLE AND DESIRABLE TO UNDERTAKE THE IMPROVEMENT OF SAID LANDS, SUBDIVIDED INTO SMALL TRACTS, TO THE END AND FOR THE PURPOSE OF TENANTING THE SAME WITH UNEMPLOYED FAMILIES NOW DEPENDENT IN WHOLE OR IN PART UPON PUBLIC CHARITY OR MADE WORK FOR A LIVELIHOOD; ALL

FOR THE PURPOSE OF CONSERVING  
OUR CITIZENSHIP.

WHEREAS, during and immediately following the World War, many industries were greatly stimulated; and

WHEREAS, as a result thereof, a shifting of population from the rural sections to the cities and industrial centers occurred; and

WHEREAS, as a result of the collapse of credit and failure of the economic system to properly function, said industries are paralyzed; and

WHEREAS, a great many families, habited and adapted to rural life and to the pursuit of agriculture, find themselves stranded without employment, and without a means of livelihood, in said cities and industrial centers; and

WHEREAS, upon the erection of the State of Oklahoma, the United States gave to said State, in trust for the use and benefit of the schools, many tracts of land; and

WHEREAS, the United States gave to the State a large sum of money to be held in trust for the use and benefit of the schools, and loaned at interest upon approved security; and

WHEREAS, as a result of the loaning of said money, the State has acquired and now holds in trust for the benefit of the schools, many other tracts of land; and

WHEREAS, the State and the various counties thereof, have acquired, by tax sales and otherwise, and now holds other tracts of land; and

WHEREAS, among said tracts are many suited and adapted to agriculture; and

WHEREAS, no provision has ever been made for improving said lands, or maintaining improvements thereon; and

WHEREAS, said lands are now yielding little, if any return; and

WHEREAS, it is probable that said lands could be subdivided into small tracts, and improved so as to provide homes and livelihoods for said families, and revenues for the State; and

WHEREAS, it appears that the State owns a large amount of building material, produced at its penitentiary, for which it has no market and no use; and

WHEREAS, it is probable that the inmates of the penitentiary can produce other large amounts of building material at little additional cost to the State; and

WHEREAS, large amounts of money are being expended within the State of Oklahoma for so-called "made-work," which is of no permanent advantage, and adds nothing to the wealth of the State; and

WHEREAS, the charitably inclined are now overburdened with the necessities of the unfortunate; and

WHEREAS, neither charity nor made-work are conducive to self-respect upon the part of the objects thereof, and do not promote good citizenship; and

WHEREAS, the State is now about to engage in many investigations, looking to the conservation of minerals and other things; and

WHEREAS, the conservation of persons, and the promotion of independence, with resultant good citizenship, among the populace, is of paramount importance to the State:

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

FIRST. That the Committee on Retrenchment and Reform be directed to investigate and determine the status and character of lands owned and held by the State, to make a survey of the resources of the State, and to inquire and determine whether or not it is advisable and desirable to undertake the improvement of

said lands, subdivided as aforesaid, to the end and for the purpose of tenanting the same with said families.

SECOND. That said committee be empowered and directed to conduct hearings, and to seek information and assistance from any and all sources, upon the subjects so to be investigated, surveyed and inquired into.

THIRD. That said committee be directed to report its findings and recommendations back to this Body on or before the 10th day of February, 1933.

FOURTH. That the House of Representatives, now in session, be requested to appoint a similar committee, charged with the same duty, so that an ultimate decision upon the questions here involved may be reached by the two Houses concurrently.

Senator Ballard submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Resolution No. 6, lines 2 and 3, page 5, by striking the words, "Retrenchment and Reform," and inserting the words, "Livestock and Tenant Farming."

BALLARD.

Upon motion of Senator Stewart, Senate Resolution No. 6 was adopted.

Senate Resolution No. 6 was referred for engrossment.

By unanimous consent, consideration of SENATE BILL NO. 50, by Nichols, was deferred for this legislative day.

SENATE BILL NO. 117, by Chamberlin, of the Senate, and Worthington, Speck and Sutherland, of the House, was taken up for consideration.

Section 1 was read.

Senator Hutchinson submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 117, line 17, page 2, by adding after the word, "optom-



etry," the words, "and such other similar state boards as may hereafter be created by law."

HUTCHINSON.

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

Sections 2, 3 and 4 were read and adopted, upon motions of Senator Chamberlin.

Upon motion of Senator Chamberlin, Senate Bill No. 117 was advanced to engrossment and third reading.

Senator Ballard asked unanimous consent, to which objections were voiced, to take up for consideration SENATE CONCURRENT RESOLUTION NO. 15, by Ballard.

Senator Paul moved that the rules of the Senate be suspended for the purpose of considering Senate Concurrent Resolution No. 15, which motion failed of adoption.

Senator Paul moved that Senate Concurrent Resolution No. 15 be stricken from the calendar.

Senator Nance presiding.

Senator Chamberlin, as a substitute, moved that further consideration of Senate Concurrent Resolution No. 15 be deferred until some future legislative day, the resolution to retain its place on the calendar, which motion prevailed.

Senator Whitaker asked unanimous consent, which was granted, to defer consideration of SENATE BILL NO. 103, by Whitaker, for this legislative day, the bill to retain its place on the calendar.

By unanimous consent, consideration was deferred of SENATE RESOLUTION NO. 8, by Thomas, Willis and Coppock; and SENATE JOINT RESOLUTION NO. 8, by Ballard.

SENATE BILL NO. 26, by Stacey, was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Stacey.

Section 2 was read.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 26, line 15, page 2, by striking the word, "ten," and inserting the word, "five."

BALLARD.

Senator Stacey moved to table the Ballard amendment, which motion failed of adoption.

Senator Taylor, as a substitute, submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 26, by striking the word, "ten," and substituting the word, "seven"

TAYLOR.

The vote occurring on the Ballard amendment, it was declared adopted.

By unanimous consent, the Special Committee, appointed under SENATE RESOLUTION NO. 2, was "excused," on account of committee work.

Senator Hutchinson submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 26, line 15, page 2, by inserting after the word, "statute," and before the word, "must," the following, "and any action to recover the monies, funds, credits or securities, embezzled, abstracted or misappropriated."

HUTCHINSON.

Upon motion of Senator Stacey, Section 2, as amended, was adopted.

Section 3 was read and adopted, upon motion of Senator Ballard.

Senator Ballard moved that Section 4, being the emergency section, be stricken, which motion was tabled, upon motion of Senator Chamberlin.

Upon motion of Senator Ballard, Senate Bill No. 26 was advanced to engrossment and third reading.

By unanimous consent, consideration of the following was deferred for this legislative day:

SENATE BILLS NOS. 110 and 111, by Nichols.

SENATE BILL NO. 105, by Ray.

SENATE CONCURRENT RESOLUTION NO. 13,  
by Stewart.

SENATE BILL NO. 139, by Morrison, et al.

SENATE BILL NO. 56, by Fidler.

SENATE BILL NO. 29, by Jennings.

SENATE RESOLUTION NO. 9, by Rizley.

SENATE CONCURRENT RESOLUTION NO. 14,  
by Fischl, et al.

Senator Taylor presiding.

SENATE BILL NO. 176, by Chamberlin, was taken  
up for consideration.

Section 1 was read.

Senator Nance presiding.

Senator Ballard submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 176, line 10, page 2, by striking after the word, "be," down to and including the word "be," in line 13.

BALLARD.

Upon motion of Senator Chamberlin, Section 1 was adopted.

Upon motion of Senator Chamberlin, Senate Bill No. 176 was advanced to engrossment and third reading.

Senator Stacey served notice that he would, on some future legislative day, move to reconsider the vote by which the adverse Committee Report on SENATE BILL NO. 124, by Stacey, was adopted.

SENATE BILL NO. 146, by Whitaker, was taken up for consideration.

Section 1 was read.

Senator Wilbanks moved that further consideration of Senate Bill No. 146 be indefinitely postponed.

Senator Curnutt raised the question of "no quorum."

The Presiding Officer ordered the roll of the Senate called, which resulted as follows:

Present: Ballard, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Fischl, Garvin, Jennings, Johnston, Lester, Memminger, Moon, Nance, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 26.

Absent: Briggs, Clark, Daugherty, Howard, Hutchinson, Liggett, Logan, MacDonald, Morrison, Reed, Sowards, Thomas. Total, 12.

Excused: Commons, Dixon, Fidler, Nichols, Rutherford, Stewart. Total, 6.

The Presiding Officer declared a quorum of the Senate present.

Upon motion of Senator Chamberlin, the Senate recessed to meet at 1:30 p. m.

#### AFTERNOON SESSION

The Senate reassembled, at 1:30 p. m., and was called to order by the President.

Upon a roll call being ordered, all members of the Senate were present.

A message from the Governor was received and read.

Senator Chamberlin presiding.

With reference to the Governor's message, Senator Carmack moved that the Governor be invited to have representation before the Special Committee, appointed under Senate Resolution No. 2.

Senator Morrison, as a substitute, moved that Senator Dixon, Vice-Chairman of the Special Committee, appointed under Senate Resolution No. 2, be given a vote of confidence pertaining to certain matters contained in the Governor's message.

Senator Carmack asked unanimous consent, which was



granted, to withdraw his motion, stating that he would submit it on the next legislative day.

The vote occurring on the Morrison motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Not Voting: Carlile, Thomas. Total, 2.

Excused from Voting: Dixon. Total, 1.

Senator Nance moved that the Senate proceed with the consideration of bills under General Order.

Senator Logan, as a substitute, moved that the Governor's message with the attached affidavit, be withheld from the Journal and referred to the Special Committee, appointed under Senate Resolution No. 2, with instructions that the Committee report thereon not later than Monday, February 6th, which motion prevailed.

#### GENERAL ORDER

SENATE BILL NO. 194, by MacDonald and Garvin, was taken up for consideration.

By unanimous consent, Senator Paul was added as a joint author.

Section 1 was read.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 194, line 1, page 1, by adding after the word "corporation" and before the word "who" the following: "officer or officers of a corporation."

NANCE.

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

Section 2 was read.

Senator Wilbanks submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 194, by inserting after the word "person" and before the word "violating" the words, "firm or corporation, officer or officers of a corporation."

WILBANKS.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 194, line 6, page 2, by striking after the word "years" and before the word "by" the word "or" and inserting the word "and."

MacDONALD.

Upon motion of Senator MacDonald Section 2, as amended, was adopted.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 194, by adding a new Section as follows: "Section 3. Any person who shall furnish to state or county officials information which leads to the arrest and conviction of any violator of this Act shall be paid twenty-five per cent of the fine assessed and collected."

MacDONALD.

Upon motion of Senator MacDonald, "Section 3" of the original bill was amended to read "Section 4."

Upon motion of Senator MacDonald, Senate Bill No. 194, 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. 194 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 194 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Curnutt, Daugherty, Fischl, Garvin, Howard, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Clark, Commons, Coppock, Dixon, Fidler, Hutchinson, Lester, Powers, Ray, Rizley, Rutherford, Sowards, Waldrep. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Daugherty, Fischl, Garvin, Howard, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 32.

Not Voting: Commons, Coppock, Dixon, Fidler, Hutchinson, Lester, Powers, Ray, Rizley, Rutherford, Sowards, Waldrep. 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 question being "Shall the title of the bill become the title of the Act?" Senator Nance submitted the following amendment which was adopted.

Mr. President: I move to amend the title of Senate Bill No. 194, line 2, by adding after the word "corporation" and before the word "to" the words: "officer or officers of a corporation."

NANCE.

Senate Bill No. 194 was referred for engrossment.  
President Burns presiding.

By unanimous consent, the Special Investigating Committee appointed under Senate Resolution No. 2 was "excused" for the purpose of committee work.

SENATE BILL NO. 146, by Whitaker (By Request) was taken up for further consideration.

The vote occurring on the Wilbanks motion to indefinitely postpone, it was declared failed of adoption.

Senator Curnutt submitted the following amendment, which by unanimous consent he withdrew.

Mr. President: I move to amend Senate Bill No. 146, line 5, page 1, by inserting after the word "land" and before the word "without" the words "under fence."

CURNUTT.

Senator Reed submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 146, line 2, page 2, by striking after the word "agent" the balance of line 2 and inserting the following: "shall be compelled to move on five days' notice."

REED.

Senator Jennings submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 146, line 4, page 1, by striking after the word "who" and before the word "any" and inserting the following: "takes possession of any building or other structure upon."

JENNINGS.

Senator Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 146, by adding at the end of Section 1, the following: "and upon conviction therefor shall be punished by a fine of not exceeding \$50.00, or by imprisonment not ex-



ceeding thirty days, or by both such fine and imprisonment.”

JOHNSTON.

Senator Wilbanks submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 146, line 2, page 2, by inserting after the word “agent” and before the word “is” the words, “and who fail to vacate said premises on three days’ written notice.”

WILBANKS.

Senator Jennings submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 146, line 1, page 2, by striking after the word “his” the remaining portion of line 1.

JENNINGS.

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

Upon motion of Senator Whitaker, Senate Bill No. 146 was advanced to engrossment and third reading.

Upon motion of Senator Whitaker, the rules of the Senate were suspended and Senate Bill No. 146 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 146 was read for the third time at length.

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

Ayes: Ballard, Briggs, Chamberlin, Clark, Coppock, Dixon, Fischl, Howard, Jennings, Johnston, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Reed, Stacey, Waldrep, Whitaker, Wilbanks, Willis. Total, 23.

Nays: Liggett, Taylor, Thomas. Total, 3.

Not voting: Carlile, Carmack, Curnutt, Daugherty, Garvin, Hutchinson, Lester, Moon, Morrison, Ray, Ritzhaupt, Sowards. Total, 12.

Excused: Commons, Fidler, Logan, Rizley, Rutherford, Stewart. Total, 6.

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. 146 was ordered referred for engrossment.

SENATE BILL NO. 205, by Nance, was taken up for consideration and read at length.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 205, line 16, page 2, by striking the word "levy" and inserting the word "tax."

NANCE.

Upon motion of Senator Nance, the name, "Mooney, of the House" was added as a joint author of Senate Bill No. 205.

Upon motion of Senator Nance, Senate Bill No. 205 was advanced to engrossment and third reading.

Senator Ballard presiding.

SENATE BILL NO. 204, by Nance, was taken up for consideration and read at length.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 204, line 7, page 1, by striking the figures "1933" and inserting the figures "1931" and in line 13, page 2, by adding the letter "s" to the word "provision."

NANCE.

Upon motion of Senator Nance, the name, "Mooney, of the House" was added as a joint author of Senate Bill No. 204.

Upon motion of Senator Nance, Senate Bill No. 204 was advanced to engrossment and third reading.

Senator Chamberlin moved that the vote be reconsidered by which the Senate, on yesterday, voted that,

when the Senate adjourns today, it adjourn to meet under the rules on Monday, February 6th, which motion prevailed.

Senator Chamberlin moved that, when the Senate adjourns today, it adjourn to meet at 10:30 A. M., tomorrow.

Senator Logan, as a substitute, moved that, when the Senate adjourns today, it adjourn to meet at 1:30 P. M., tomorrow, which motion failed of adoption.

The vote occurring on the Chamberlin motion, it was declared adopted.

Senator Nance moved that, when the Senate adjourns on the next legislative day, it adjourn to meet on Monday, February 6th, at 1:30 P. M., which motion prevailed.

#### GENERAL ORDER

SENATE BILL NO. 201, by Thomas, of the Senate, and Todd, of the House, was taken up for consideration.

Section 1 was read.

Senator Thomas submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 201, by striking Section 1 and inserting the following: "Section 1. That Section 8409, Oklahoma Statutes, 1931, be and the same is hereby repealed."

THOMAS.

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

Upon motion of Senator Thomas, Senate Bill No. 201 was advanced to engrossment and third reading.

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 Senate Bill No. 201, by striking said title and substituting therefor, the following: "AN ACT REPEALING SECTION 8409

OF THE STATUTES OF OKLAHOMA, 1931, RELATING TO THE SALARIES AND MILEAGE OF THE BOARD OF COUNTY COMMISSIONERS OF WASHITA COUNTY, AND DECLARING AN EMERGENCY.”

THOMAS.

HOUSE BILLS—GENERAL ORDER

HOUSE CONCURRENT RESOLUTION NO. 7, by Hogg and Beaman, was taken up for consideration and read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 7—By HOGG and BEAMAN.

A RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION WHEREBY A MORATORIUM OF FORECLOSURES ON HOMESTEADS MAY BE DECLARED.

WHEREAS, it is a well known fact that thousands of homesteads in the State of Oklahoma and throughout the United States are now facing foreclosure, and,

WHEREAS, Such action will place the owners of said homesteads without home or shelter and that thousands of homeowners are daily being ejected from their homes through foreclosure and thrown upon charity and are fast becoming public charges, and,

WHEREAS, The loss of their homes has created a state of discontent among these unfortunates and they are fast becoming transients, roaming from place to place, and unless something is done to curb the wholesale foreclosures on small homes we shall face a national crisis such as the world has never known, and

WHEREAS, We are daily being called upon by our constituents to enact legislation whereby this condition may be relieved, and realizing that the people of the State of Oklahoma and the United States in general are entitled to remedial legislation having for its purposes the relief of said condition,



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

That the Congress of the United States be and is hereby requested to enact laws which will provide for the immediate relief from foreclosure on homes in the State of Oklahoma, and the United States in general.

BE IT FURTHER RESOLVED, That the Congress of the United States be requested to propose an amendment to the Constitution of the United States giving it the power immediately to provide such remedial legislation.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to each of the Oklahoma delegation in Congress.

Upon motion of Senator Chamberlin, House Concurrent Resolution No. 7 was adopted.

The Presiding Officer, in open session, signed Engrossed House Concurrent Resolution No. 7 and ordered it returned to the Honorable House.

HOUSE CONCURRENT RESOLUTION NO. 4, by Misenheimer, Armstrong, Hankla, Babb, Darks, Daniel, Mallory and Graham, entitled: A RESOLUTION REQUESTING THE GOVERNOR OF CALIFORNIA TO GIVE THE APPLICATION OF TOM MOONEY FOR AN UNCONDITIONAL PARDON CONSIDERATION, AND EARNESTLY REQUESTING THAT HE RECONSIDER HIS ACTION HERETOFORE TAKEN, was taken up for consideration and read at length.

Senator Chamberlin moved that further consideration of House Concurrent Resolution No. 4, be indefinitely postponed.

Senator Jennings, as a substitute, moved that further consideration of House Concurrent Resolution No. 4 be deferred until the next legislative day, which motion failed of adoption.

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

Senator Coppock moved that further consideration of House Concurrent Resolution No. 4 be indefinitely postponed, which motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 10, by Mallory, was taken up for consideration and read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 10—By MALLORY.

A RESOLUTION REQUESTING THE OKLAHOMA DELEGATION TO ATTEMPT TO REMEDY TAX EVASION THROUGH THE OWNERSHIP OF TAX-EXEMPT SECURITIES.

WHEREAS, The tax burden of the Nation and of the various States has grown to such proportion that it is rapidly threatening confiscation of the homes, the property and the incomes of the people, and

WHEREAS, This is due in a large part to tax evasion on the part of certain classes of our people and to ownership of tax-exempt securities by the ultra-rich, permanently removing from taxation and from active participation in business so large a volume of wealth as to create a public evil and a species of class legislation vicious in form and most disastrous in results,

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

SECTION 1. That the Legislature of the State of Oklahoma most earnestly request the entire Oklahoma delegation in the National Congress to take such measures as are necessary to correct the above-mentioned evil.

SECTION 2. That a copy of this resolution be sent to each of said delegation and to the Senate and House

of Representatives of the National Government.

Upon motion of Senator Pugh, the preamble to House Concurrent Resolution No. 10, was adopted.

Section 1 was read.

Senator Johnston submitted the following amendment, which was adopted.

Mr. President: I move to amend House Concurrent Resolution No. 10, by adding at the end of Section 1, the following: "as to future issue of such securities."

JOHNSTON.

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

Upon motion of Senator Pugh, House Concurrent Resolution No. 10, as amended, was adopted.

House Concurrent Resolution No. 10 was referred for engrossment.

President Burns presiding.

#### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith a letter of thanks and appreciation from Mrs. Lorena Cruce Norris for the Resolution expressing regret at the death of Honorable Lee Cruce.

Respectfully,

R. M. McCOOL, Chief Clerk.

The letter of thanks from Mrs. Lorena Cruce Norris, having been read on the previous legislative day was ordered transmitted to the Secretary of State.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 11—By JOHNSTON and CURNUTT, entitled:

A Resolution memorializing the Congress of the United States to enact a Law reducing first class postage to two cents (2c) base rate, 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,  
R. M. McCOOL, Chief Clerk.

Engrossed Senate, Concurrent Resolution No. 11 was ordered referred for enrollment.  
To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 9—By BOYER, ELLIS and HART of the House and JENNINGS and FIDLER of the Senate, entitled:

Concurrent Resolution addressed to the Senate of the United States of America, and welcoming, by the United States Senate, of America, an investigation of the oil industry in the State of Oklahoma and into all phases of said industry, and welcoming co-operation of the Committee of the United States Senate with the Committee of the State Senate now investigating the oil industry in the State of Oklahoma, 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,  
R. M. McCOOL, Chief Clerk.



Under the rules, Engrossed House Concurrent Resolution No. 9 was ordered printed and placed upon the calendar.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE JOINT RESOLUTION NO. 20—By MORSE, ABERNATHY (Pottawatomie), BEAMAN, BENNETT, BILLINGS, BROADDUS, BUSHY-HEAD, BRAZELL, CAVINS, CAVITT, CHAMBERS, CLINE, CLOYD, COE, DARKS, EASON, EBNEY, (Pontotoc), FRALEY, GARLAND, GIBSON, GLEN GRIS-SON, GRUNERT, HOLLIMAN, HUTCHINGS, JONES, JOHNSON (Comanche), JOHNSON (Osage), KENAN, KIGHT, KING (Coal), LANDINGHAM, LEECRAFT, LOGSDON, MALLORY, MOONEY, OTTESEN, PHIL-LIPS (Okfuskee), PALMER, PARKS, RAWLS, SHOE-MAKES, SINGLETON, STURGILL, SULLIVAN, WHITFORD, of the House, and LOGAN, NANCE and LESTER 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 6 of Article 10 thereof by adding an additional Section to be known as Section 6-a, to provide for the exemption from certain ad valorem taxation of homesteads to the extent of two thousand dollars (\$2000.00), and giving to the Legislature the power to raise or lower said exemption.

ENGROSSED HOUSE JOINT RESOLUTION NO. 19—By BEAMAN, entitled:

A Resolution authorizing the Board of County Commissioners of Delaware County to include in its annual estimate of expenses a sum not to exceed an amount which a  $\frac{3}{4}$  mill levy upon all property in said

County will raise and directing the Excise Board to make not to exceed a  $\frac{3}{4}$  Mill levy in addition to the maximum amount allowed by existing Law for the purpose of raising funds to be used and expended in payment of juries and witnesses and other expenses for carrying on District Court in Delaware County, 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,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Readings of Engrossed House Joint Resolutions Nos. 19 and 20.

Upon motion of Senator Curnutt, the Senate adjourned to meet at 10:30 A. M., Friday, February 3rd.

## TWENTY-FOURTH LEGISLATIVE DAY

Friday, February 3d, 1933

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

Upon a roll call being ordered, the President made the observation that a quorum was not present, and recessed the Senate until 1:30 o'clock, p. m.

### AFTERNOON SESSION

The Senate reassembled, at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fider, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Absent: Lester, Powers. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### MESSAGE

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED SENATE BILL NO. 55 — By  
BRIGGS, CARMACK, CARLILE, FISCHL, WHIT-

AKER, LESTER and RAY of the Senate and HENDERSON of the House, entitled:

An Act creating a department of highways under supervision and control of a commission to be known and designated as the State Highway Commission of the State of Oklahoma, to be composed of four members; prescribing the manner and method of appointment, fixing tenure of office and salary of each of the members thereof; prescribing the powers and duties of said commission and members thereof; providing for the appointment and employment of a chief engineer prescribing his duties and power; providing for and authorizing employment by said commission, its secretary and engineer, of clerical help, laborers and other employees, and for the payment of salaries and wages therefor and the method and manner of payment of same; providing for the transportation expense and motor vehicles for use in travel of members, agents, servants and employees and fixing the maximum price to be paid therefor; repealing Sections 10072, 10073, 10074, 10075, 10076, 10077, 10078 and 10079 Oklahoma Statutes 1931, 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,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 55 was ordered referred for enrollment.

### 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 Drugs and Pure Foods, to whom was referred Senate Bill No. 138, by Ritzhaupt, entitled:

An Act making it unlawful to plant, cultivate, pro-



tect, harvest, cure, prepare, barter, sell, give away or use, or offer to sell, furnish or give away, or to have possession of marihuana, or any drug or preparation made from any species or variety of the botanical genus cannabis, or any compound and etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass. SOWARDS, Chairman.

The following Majority Committee Report was submitted:

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 148, by Whitaker, entitled:

An Act relating to a state printing plant at the state penitentiary at McAlester; providing an appropriation therefor; creating a special revolving fund to be used in connection 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 not pass.

MacDONALD, Chairman.

The following Minority Committee Report was submitted:

Mr. President: We, a minority of your Committee on Appropriations to which Committee was referred Senate Bill No. 148, by Whitaker, entitled:

An Act relating to a state printing plant at the state penitentiary at McAlester; providing an appropriation therefor; creating a special revolving fund to be used in connection therewith and declaring an emergency.

beg leave to submit the following minority report:

We respectfully recommend that said bill be printed and placed on the Calendar, notwithstanding the adverse report of the majority of said Committee.

WHITAKER,  
MEMMINGER.

Senator Whitaker moved that the Minority Committee Report on Senate Bill No. 148 be adopted.

Senator Coppock moved to table the Whitaker motion, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Clark, Coppock, MacDonald, Moon, Nance, Paul, Stewart, Thomas. Total, 9.

Nays: Briggs, Carlile, Chamberlin, Commons, Currutt, Daugherty, Jennings, Johnston, Logan, Memminger, Morrison, Nichols, Pugh, Ritzhaupt, Sowards, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 20.

Not Voting: Carmack, Dixon, Fischl, Garvin, Hutchinson, Liggett, Ray, Reed, Rizley, Rutherford, Waldrep. Total, 11.

Excused from Voting: Fidler, Howard. Total, 2.

Absent: Lester, Powers. Total, 2.

Senator Fidler, in asking to be "excused" from voting, gave as reason for such request the following: Owning stock in a publishing house which I have owned continuously since prior to 1920 precludes my voting on bills of such a subject.

#### FIDLER.

The vote occurring on the Whitaker motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Chamberlin, Jennings, Liggett, Memminger, Pugh, Sowards, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 13.

Nays: Ballard, Clark, Commons, Coppock, Currutt, Daugherty, Fischl, Johnston, MacDonald, Moon, Nance, Paul, Stewart, Thomas, Waldrep. Total, 15.

Not Voting: Carmack, Dixon, Fidler, Garvin, Hutchinson, Logan, Morrison, Nichols, Ray, Reed, Ritzhaupt, Rizley, Rutherford. Total, 13.

Excused from Voting: Howard. Total, 1.

Absent: Lester, Powers. Total, 2.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 49, 57, 136 correctly engrossed and Senate Resolution No. 11 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Bills Nos. 49, 57 and 136 and ordered each transmitted to the Honorable House.

The President, in open session, signed Enrolled Senate Resolution No. 11 and ordered it transmitted to the Secretary of State.

Senator Thomas submitted the following supplemental Committee report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Employment, beg leave to submit the following supplementary report, substitution and correction: We recommend that Wanna Howe take the place of Lorraine Wulff, as Chief Page, and Rex Edwards be named as page in Wanna Howe's place.

THOMAS, Chairman.

#### FIRST READING

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

SENATE BILL NO. 218—By MacDONALD.—An Act amending Section 6814, Oklahoma Statutes, 1931, relating to the approval of school teachers' contracts and declaring an emergency.

SENATE BILL NO. 219—By CARLILE.—An Act providing for the acceptance of state, county, municipal and school district warrants at par by the various county treasurers of the State of Oklahoma in payment of ad valorem taxes; repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 220—By PUGH (By Request).

—An Act amending Section 10481, Compiled Oklahoma Statutes, 1921, relating to the dissolution and reorganization of consolidated and union graded school districts; repealing all Laws in conflict therewith and declaring an emergency.

SENATE BILL NO. 221—By CHAMBERLIN.—An Act providing, fixing and describing the legislative enactments that shall be printed and published in the Session Laws of each Legislature; repealing all Laws and parts of Laws in conflict herewith and declaring an emergency.

SENATE BILL NO. 222—By COPPOCK and CLARK.—An Act amending Sections 12019, 12020, 12021, 12022, and 12024, and repealing Section 12027, Oklahoma Statutes 1931; providing for inmates of the Oklahoma State Soldiers' Home to pay certain fee to the home where they receive income and declaring an emergency.

Senator Coppock asked unanimous consent, which was granted, to add the name of "Clark," as a joint author of Senate Bill No. 222.

SENATE BILL NO. 223—By MORRISON and BRIGGS.—An Act amending Section 1445 Revised Laws of Oklahoma 1910 being Section 5546 Compiled Oklahoma Statutes 1921 and Section 11976 Oklahoma Statutes 1931 relating to grants of right of way to the owners of telegraph and telephone lines over lands and real property and public grounds, streets and alleys in the State of Oklahoma.

SENATE BILL NO. 224—By WHITAKER.—An Act repealing Sections 4496, 4497, 4499, 4513, 4514, 4515, 4516, and 4518, Oklahoma Statutes, 1931, relating to vital statistics, providing that physicians, surgeons and undertakers shall file certificates of birth and death, as provided by law in the office of the County Clerk of each county in the State; repealing all Acts and parts of 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 BILL NO. 214—By CHAMBERLIN, COMMONS, MORRISON, NICHOLS, WHITAKER, and MacDONALD.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 215—By BRIGGS.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 216—By FISCHL.—Referred to Committee on Fish and Game.

SENATE BILL NO. 217—By TAYLOR of the Senate and HOGG of the House.—Referred to Committee on Appropriations.

ENGROSSED HOUSE JOINT RESOLUTION NO. 20—By MORSE (Pottawatomie) BEAMAN, BENNETT, et al.—Referred to Committee on Constitution and Constitutional Amendments.

ENGROSSED HOUSE JOINT RESOLUTION NO. 19—By BEAMAN.—Referred to Committee on Revenue and Taxation.

## THIRD READING

Senator Waldrep asked unanimous consent, to which objections were voiced, to reconsider the vote by which the Morrison amendment to SENATE BILL NO. 113, by Rutherford, line 7, page 4, was adopted.

Senator Waldrep moved that the vote be reconsidered by which Senate Bill No. 113 was advanced to engrossment and third reading, which motion, by unanimous consent, he withdrew.

Upon the request of Senator Rutherford, consideration of Senate Bill No. 113 was deferred for this legislative day.

## GENERAL ORDER

SENATE BILL NO. 144, by Fischl, was taken up for consideration.

Section 1 was read.

Senator Fischl submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 144, line 1, page 1, by adding after the figure, "1," and before the word, "if," the following, "Section 456, Oklahoma Statutes, 1931, be and the same is hereby amended to read as follows:"

FISCHL.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 144, line 9, page 2, by adding after the word, "court," the following, "Provided that, if the entry on the journal and the order for the execution of the deed are not directed by the court, the court shall immediately appoint a receiver for the property, who shall rent the property, collect the customary and prevailing rentals, and profits accruing from said property and apply them:

1st. To payment of the court costs.

2nd. To payment of taxes.

3rd. To payment of interest and principal of the debt sued upon."

MacDONALD.

Senator Fischl submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 144, line 6, page 1, by adding after the word, "and," and before the word, "that," the words, "in the case of property sold without appraisalment"

FISCHL.

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

Upon motion of Senator Fischl, Senate Bill No. 144 was advanced to engrossment and third reading.

The question being, "Shall the title of the bill be-

come the title of the Act?" Senator Fischl submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 144, by changing it to read: "AN ACT AMENDING SECTION 456, OKLAHOMA STATUTES, 1931, RELATING TO THE CONFIRMATION OF SALE OF PROPERTY UNDER EXECUTION, REPEALING ALL ACTS IN CONFLICT AND DECLARING AN EMERGENCY.

FISCHL.

Upon request of Senator Ballard, Senate Bill No. 144, as amended, was ordered printed.

Senator MacDonald presiding.

Senator Curnutt asked unanimous consent, to which objections were voiced, to take up for consideration SENATE BILL NO. 60, by Curnutt and Waldrep.

The Chair ruled consideration of "appropriation bills" takes precedence.

Section 1 was read and adopted, upon motion of Senator Curnutt.

Upon motion of Senator Ballard, Senate Bill No. 60 was advanced to engrossment and third reading.

SENATE BILL NO. 130, by Ballard and Fidler, was called up for consideration.

Section 1 was read.

Senator Briggs asked unanimous consent, to which objections were voiced, to defer consideration of Senate Bill No. 130 for this legislative day.

Upon motion of Senator Ballard, Section 1 was adopted.

Upon motion of Senator Ballard, Senate Bill No. 130 was advanced to engrossment and third reading.

Senator Thomas asked unanimous consent, which was granted, to take up for consideration SENATE RESOLUTION NO. 8, by Thomas, Willis and Coppock.

Senate Resolution No. 8 was read.

Senator Nance moved that further consideration of Senate Resolution No. 8 be indefinitely postponed.

Senators Ballard and Chamberlin asked unanimous consent, which was granted, to be "excused" for the remainder of this legislative day.

The vote occurring on the Nance motion, it was declared failed of adoption.

Senator Johnston moved that Senate Resolution No. 8 be set forward on the calendar fourteen days, which motion was tabled, upon motion of Senator Willis.

Senator Nance moved that consideration of Senate Resolution No. 8 be set over seven days, which motion was tabled, upon motion of Senator Waldrep.

Senator Nance raised the question of "no quorum."

Upon a roll call being ordered, the Chair declared there was not a quorum of the Senate present.

Upon motion of Senator Nance, the Senate adjourned, to meet under the rules, on Monday, February 6th, 1933.



## TWENTY-FIFTH LEGISLATIVE DAY

Monday, February 6, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Lester, Powers. Total, 2.

Excused: Daugherty. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The following communication was read:

To the President of the Senate,  
State Capitol Building,  
Oklahoma City, Oklahoma.

Sir:

Please convey to the Oklahoma State Senate and the employees thereof my sincerest thanks and deepest appreciation for their many kind expressions of sympathy in the loss of my wife and also extend my thanks for the beautiful floral offering sent.

Respectfully,

TED R. WULFF.

The following requests were read:

Mr. President: I hereby make application for authority to act in the capacity of agent for the Non Partisan Taxpayers' Association of Oklahoma, in conjunction with Mr. T. H. Wren, who occupies a like position, and beg leave to advise that said Non Partisan Tax-

payers Association is a federated organization of 71 county associations in the State of Oklahoma and state that I do not receive any per diem or other remuneration for my services except hotel, meals and transportation expenses are paid by volunteer contribution from the members and the county associations of said taxpayers, and that I am 52 years of age with my place of residence at Sentinel, Oklahoma.

Dated at Oklahoma City, February 3, 1933.

(SIGNED) W. T. GRAVES.

Upon motion of Senator Thomas, the request of W. T. Graves was granted:

Mr. President: I hereby make application for authority to act in the capacity of agent for the Non Partisan Taxpayers Association of Oklahoma, in conjunction with Mr. W. T. Graves, who occupies a like position, and beg leave to advise that said Non Partisan Taxpayers' Association is a federated organization of 71 county associations in the State of Oklahoma, and state that I do not receive any per diem or other remuneration for my services, except hotel, meals and transportation expenses are paid by voluntary contributions from the members and the county associations of said taxpayers, and that I am 58 years of age with my place of residence at Okemah, Oklahoma.

Dated at Oklahoma City, February 3, 1933.

(SIGNED) T. H. WREN.

Upon motion of Senator Ballard, the request of T. H. Wren was granted.

The following communication was read and, upon motion of Senator Memminger, incorporated in the Journal:

Mr. Milt Phillips, Editor,  
Oklahoma Legionnaire,  
Bethany, Oklahoma.

February 4, 1933.

Dear Sir:

In your recent issue of the Oklahoma Legionnaire,

showing the pictures of the members of the Senate on the Soldiers' Relief Committee, you have referred to me as an ex-service man and as being a member of the Chas. Milam Post of Chelsea, Oklahoma.

I wish to have this error corrected, as I am not an ex-service man and not entitled to membership in The American Legion. I am a member of the Soldiers' Relief Committee in the Senate, by request. I have always supported the Legion in its legislative program and for this reason a request was made for me to be on the committee again.

I am very sorry the error has been made, because it may look to some people that I am imposing upon the Legion for political reasons and be the cause of me being classed as an imposter. When your representative was here, taking photographs of the committee, I informed him that I was not an ex-service man, but he insisted on me being in the group as a member of the Relief Committee of the Senate. The error has been made by your representative and an injustice to all of us. I sincerely hope you will see that it is corrected at the first opportunity.

Very truly,  
(SIGNED) H. P. DAUGHERTY,  
State Senator.

#### 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 Bill No. 92, by Martin, entitled:

A Bill to be entitled an Act making appropriations from the public building fund for additional buildings at the State Hospital for Negro Insane at Taft, and directing the State Board of Public Affairs to proceed im-

mediately to let contract for such building 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.

MacDONALD, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Engrossed House Bill No. 111, by Massey and Daniels, entitled:

An Act amending Section 6873, O. S. 1931, relating to bond of independent school district treasurer and providing for the designation of the County Treasurer as treasurer of independent districts, providing a penalty, 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 but be referred to Judiciary Committee No. 1 for revision.

RITZHAUPT, Chairman.

House Bill No. 111 was ordered referred to Judiciary Committee No. 1.

Mr. President: We, your Committee on Constitution and Constitutional Amendments, to whom was referred Senate Joint Resolution No. 1, by Nichols, entitled:

A Joint Resolution providing for the submission of a proposed amendment to Section Nine, Article Ten of the State Constitution,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

MOON, Chairman.

Mr. President: We, your Committee on Constitution and Constitutional Amendments, to whom was referred Senate Joint Resolution No. 3, by Logan, entitled:

A Joint Resolution providing for the submission of a proposed amendment to the Constitution to the people



for their approval or rejection, said proposed amendment being an amendment to Section 9, Article 10, of the Constitution of the State of Oklahoma, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

MOON, Chairman.

Mr. President: We, your Committee on Constitution and Constitutional Amendments, to whom was referred Senate Joint Resolution No. 4, by Nichols, entitled:

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma, relating to Article XVII thereof, et cetera. beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

MOON, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 91, by Fischl and Logan, entitled:

An Act creating a department of higher education to be known as "The Department of Higher Education of the State of Oklahoma"; placing under said department the management and control of certain state schools; providing the number, qualification, and manner, 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 revised by the Committee.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 134, by Thomas, entitled:

An Act providing that the salary of the president or principal of each of the eleven secondary schools of Oklahoma shall not exceed the sum of (\$2,000.00) Two

Thousand Dollars per annum and the usual residence; limiting the salary of any other instructors, etc., 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 Retrenchment and Reform.

RITZHAUPT, Chairman.

Senate Bill No. 134 was ordered referred to the Committee on Retrenchment and Reform.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 135, by Thomas, entitled:

An Act amending Section 7250 Oklahoma Statutes, 1931, fixing the president's salary of the Oklahoma Agricultural and Mechanical College; limiting the salary of any and all instructors, teachers and employees 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 be referred to the Committee on Retrenchment and Reform.

RITZHAUPT, Chairman.

Senate Bill No. 135 was ordered referred to the Committee on Retrenchment and Reform.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 167, by Taylor of the Senate and Hart and Palmer of the House, entitled:

An Act relating to the licensing and operation of commercial teachers' agencies, fixing the 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 not pass.

RITZHAUPT, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled bills begs leave to report Senate Resolution No. 6 and Senate Bill No. 102, correctly engrossed; Senate Concurrent Resolution No. 11 and Senate Bill No. 55 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Resolution No. 6 and ordered it referred for enrollment; signed Engrossed Senate Bill No. 102 and Enrolled Senate Concurrent Resolution No. 11 and ordered each transmitted to the Honorable House.

Senator Briggs presiding.

Senate Bill No. 55 was read at length 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.

President Burns presiding.

#### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED SENATE JOINT RESOLUTION NO. 7—By RIZLEY of the Senate, MALLORY, WINGO, JOHNSON (Comanche), PARKS, KIGHT, WILLIAMS, TODD, JONES, COX, FITZGERALD and JESSEE of the House, entitled:

Extending time of payment of all indebtedness due and owing to the Commissioners of the Land Office of the State of Oklahoma on purchase certificates and preference right leases heretofore made and issued, 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 by Engrossed House Substitute for Senate

Joint Resolution No. 7, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House substitute for Engrossed Senate Joint Resolution No. 7 was read, as follows:

ENGROSSED HOUSE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 7—By CHAMBERLIN, REED, CLARK, RIZLEY of the Senate, MALLORY, WINGO, JOHNSON (Comanche), PARKS, KIGHT, WILLIAMS, TODD, JONES, COX, FITZGERALD and JESSEE of the House.

EXTENDING TIME OF PAYMENT OF ALL INDEBTEDNESS DUE AND OWING TO THE COMMISSIONERS OF THE LAND OFFICE OF THE STATE OF OKLAHOMA ON PURCHASE CERTIFICATES AND PREFERENCE RIGHT LEASES HERETOFORE MADE AND ISSUED, AND DECLARING AN EMERGENCY.

WHEREAS, the people of the State of Oklahoma, and especially those engaged in the pursuits of agriculture, are in such distress and reduced financial circumstances that it is impossible for them to pay their obligations; and

WHEREAS, unless some relief is secured many are in danger of, and may lose their homes; and

WHEREAS, under provisions of law now in force and effect the Commissioners of the Land Office of the State of Oklahoma, are compelled to cancel all Certificates of Purchase delinquent for a period of more than two years, and all Preference Right Leases delinquent for a period of more than six months;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. All payments of sums of money, whether the same be principal or interest, now due and



owing to the Commissioners of the Land Office of the State of Oklahoma, on purchase certificates, and rentals upon preference right leases, heretofore issued by said Commissioners of the Land Office of the State of Oklahoma, be and the same are hereby extended until the fifteenth day of July, 1934; to bear interest at the rate of 5% per annum, provided, however, the Governor may, by executive order issued for that purpose, extend the time herein provided not further than the fifteenth day of July, 1935; at 5% interest per annum, provided further that the provisions of this Act shall not extend to any indebtedness which accrued and was due prior to the first day of January, 1930, nor shall any person be entitled to the benefit of this Act who is a non resident of the State of Oklahoma, or to the holders of any purchase certificate or preference right lease, who does not use the land held by him for agricultural purposes, and who does not depend upon the income from the land held by him for support of himself or his family.

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 Chamberlin moved that the Senate refuse to concur in House Substitute for Engrossed Senate Joint Resolution No. 7 and request a conference.

The Chamberlin motion prevailed and the President appointed, as Senate conferees, thereunder, Senators Chamberlin, Rizley and Fischl.

The following Messages from the Governor were received and read:

TO THE HONORABLE, THE SENATE AND THE  
HOUSE OF REPRESENTATIVES OF THE  
FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

With the foreclosure of numerous mortgages on the homes of the people; the revolt on the part of the home owners, in a spirit of self preservation and self defense, which, in a measure, is the highest law, human or divine, known to mankind, I had hoped ere this Your Body would have laid on my desk an Act that would permit the extension of time for these home-owners to make satisfactory payment.

The Democratic Party, in its platform, evidently approved by the President-elect, pledged Congress to provide money with which to aid in the payment of the interest on the homes of the people.

It is clear in my mind that the loan companies and creditors on these homes desire to foreclose these mortgages, where the property is valuable, but to leave for Congress to make provision where it is difficult to pay out,—thus, in effect, become only an aid to the loan companies, and impractical and worthless to the home-owners.

It is needless for me to call your attention to the fact that the destruction of the homes of America means the destruction of the government, for such homes are but the unit of government.

Justice to the companies should be meted out to them, of course. They should be paid their money, of course; but a close survey will show that such action is taken almost solely in cases where it will pay them to institute foreclosure. The exception to this rule is where the borrower, by reason of the great amount, has surrendered all effort to redeem his home.

Therefore, I urge you at once to get your Committees of the House and Senate together, and diligently make an effort to solve this problem in the light of the best interest of the home-owner and the borrower. This can be done by changing the court procedure, and give express authority under "general equity powers" of all

courts of record. Indeed, I think they have the power now under "general equity powers"; but many judges hesitate to do so.

If you will but recall the recent incident in Alfalfa County, and but realize that this is but a beginning, you will understand this urgent request on my part.

You must keep in mind that these men are not anarchists; not communists; but American citizens, with their "backs to the wall," fighting for the preservation of their homes and the security of their families; and they feel justified in invoking the law of self preservation and self defense, which right is granted by The Creator to every living creature and instilled in his or its breast.

The question as to the "theory" of the right or wrong of exercising such natural right should not be considered; for it is not a "theory" that confronts us, but a "condition," requiring quick action in the interest of justice and society.

Respectfully submitted, on this the 3rd day of February, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

To the Honorable,  
The Senate and the House of Representatives,  
Of the State of Oklahoma:  
Gentlemen:

This is to advise you that I have this day filed with the Secretary of State, SENATE BILL NO. 79, entitled:

An Act repealing Chapter 155, of the Session Laws of the State of Oklahoma, 1927, the same being paragraph 8023, of Oklahoma Statutes of 1931, relating to the office of County Attorney of Grant County, Oklahoma, and declaring an emergency, which bill, having passed the Senate and the House of Representatives, was presented to me, as Governor, and

held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this February 6th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

FIRST READING

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

SENATE BILL NO. 225—By RITZHAUPT.—An Act repealing Section 4752, Oklahoma Statutes 1931, and providing that the Board of Agriculture of this State shall be ex-officio the Forest Commission of the State of Oklahoma and declaring an emergency.

SENATE BILL NO. 226—By PUGH.—An Act amending Section 4134 of the Statutes of 1931 relative to justices of the peace and constables, and declaring an emergency.

SENATE BILL NO. 227—By PUGH.—A Bill amending Section Three of Article Three of Chapter Twenty-nine of the Session Laws of 1929, same being Section 5758 of the 1931 Statutes pertaining to run off primaries in as far as it affects certain offices.

SENATE BILL NO. 228—By LOGAN.—An Act to amend Sections 7255, 7256 and 7257 of Article V, of the Compiled Oklahoma Statutes Annotated, 1921, relating to the protection of labor, and declaring an emergency.

SENATE BILL NO. 229—By BALLARD and MOON.—An Act amending Section 12503, Compiled Oklahoma Statutes, 1931, being Section 6, Chapter 66, Session Laws, 1931, relating to deductions from gross income and other purposes; and declaring an emergency.

SENATE BILL NO. 230—By BALLARD and MOON.—An Act amending Section 12,505, Compiled Oklahoma Statutes, 1931, being Section 8, Chapter 66, Session Laws of 1931, relating to exemptions from the



net income tax, and other purposes, and declaring an emergency.

SENATE BILL NO. 231—By BRIGGS of Senate and GARLAND of House.—An Act to authorize and permit a contest of proceedings and bill of review deemed beneficial for minors and incompetents, and to repeal all laws inconsistent herewith.

SENATE BILL NO. 232—By BRIGGS of Senate and GARLAND of House.—An Act making it unlawful for a guardian to deposit guardianship funds in bank in which he is an officer or stockholder, or is employed, and providing penalty therefor.

SENATE BILL NO. 233—By BRIGGS of Senate and GARLAND of House.—An Act to provide for procedure in the county court for the leasing by guardians of lands of estates for oil and gas and other mineral purposes.

SENATE BILL NO. 234—By RIZLEY.—An Act authorizing the transfer of any surplus money in the sinking fund of any city or town to the general fund; prescribing the use to which said transferred funds shall be put; repealing all Acts and parts of Acts in conflict therewith and declaring an emergency.

SENATE BILL NO. 235—By FIDLER of Senate and CONNER of House.—An Act amending Section 12306 Oklahoma Statutes 1931, providing for an affidavit and bond guaranteeing the interest on tax protests; repealing all conflicting Laws and declaring an emergency.

SENATE BILL NO. 236—By STEWART, COMMONS, NICHOLS, BRIGGS, NANCE, PAUL, CLARK, PUGH, SOWARDS and JOHNSTON.—An Act amending Sections 4233, 4234, 4239, 4240, and 4242, Oklahoma Statutes 1931 (being Sections 24, 25, 30, 31 and 33 of Chapter 264, Session Laws 1929) relating to the State Bar, providing and prescribing qualifications and conditions for the admission to practice law; for the enforcement of rules of professional conduct of members of the

Bar; providing for sections and officers of administrative committees of the various sections; providing for the procedure in the filing of complaints charging violations of the rules of professional conduct and for disbarment, the method and procedure of trials and hearings thereof, and prescribing the method and manner of inflicting penalties; the authority of the Board of Governors in connection therewith and the conferring of power heretofore vested in administrative committees to the chairman and secretary; the fixing of their remuneration and repealing all Laws in conflict and declaring an emergency.

SENATE BILL NO. 237 — By RITZHAUPT, BRIGGS, LOGAN, TAYLOR, MacDONALD, CARLILE, GARVIN and WALDREP.—A Bill entitled an Act to establish a law enforcing organization to be known as The Oklahoma State Rangers; providing for the appointment of a colonel by the Governor with the advice and consent of the Senate and requiring him to furnish bond; providing for a headquarters staff and designating the members and numbers thereof; providing for the appointment of other members of the organization to consist of three lieutenants, six sergeants and thirty rangers, and for their removal; specifying the salaries of all members of the said Oklahoma State Rangers; providing for the promulgation, establishment and enforcement of rules and regulations and for the discipline, maintenance and equipment, including radio receivers and for the establishment of offices and headquarters of such organization in the city of Oklahoma City; and for the establishment of sub-stations in the rural portions of the State of Oklahoma; providing for the location, construction and establishment of a radio broadcasting station, at or near the headquarters of such organization; providing for equipment of said headquarters and sub-stations and for the sustenance, quarters, equipment and supplies for all officers and rangers

of said organization and for all other expenses necessary in establishing, equipping, maintaining and operating said organization; and providing for investigation of all complaints against members of the organization and for their prosecution for violation of law; and repealing all Laws in conflict herewith and declaring an emergency.

SENATE BILL NO. 238—By MOON.—An Act repealing Article Six of Chapter Sixty-six, being Sections 12363 to 12368, inclusive, of the Oklahoma Statutes 1931, relating to taxes on bonds, notes and choses in action; and declaring an emergency.

SENATE BILL NO. 239—By MOON.—An Act repealing Article Five of Chapter Sixty-six, consisting of Sections 12351 to 12362, inclusive, of the Oklahoma Statutes 1931, relating to the payment of taxes on real estate mortgages; and declaring an emergency.

SENATE BILL NO. 240—By RAY.—An Act defining the relation between banks and their depositors with respect to the deposit and collection of checks and other instruments payable in money, repealing all Acts in conflict therewith and declaring an emergency.

SENATE RESOLUTION NO. 13.—By RITZHAUPT (By Request of O. B. Acton). — Resolution commending Franklin D. Roosevelt, the Honorable President of the United States, for his evident friendship for the farmers, and beseeching him to employ and use every method available to preserve and keep intact the homes and farms of the people of the United States.

#### SECOND READING

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

SENATE BILL NO. 218—By MacDONALD.—Referred to Committee on Education.

SENATE BILL NO. 219—By CARLILE.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 220—By PUGH (By Request).  
—Referred to Committee on Education.

SENATE BILL NO. 221—By CHAMBERLIN.—  
Referred to Committee on Code Revision.

SENATE BILL NO. 222—By COPPOCK and  
CLARK.—Referred to Committee on Soldiers' Relief.

SENATE BILL NO. 223—By MORRISON and  
BRIGGS.—Referred to Committee on Public Service  
Corporations.

SENATE BILL NO. 224—By WHITAKER.—Re-  
ferred to Committee on State and County Affairs.

Senator Morrison sent up the following motion,  
which, upon motion of Senator MacDonald, was tabled:

WHEREAS, there are now pending before special  
committees of the Senate the investigations of the oil  
proration situation, the Highway Department and the  
Atoka Penitentiary project; and,

WHEREAS, there is now pending before the Reve-  
nue and Taxation Committee an important public hear-  
ing on the income tax bill, and before the judiciary com-  
mittees the mortgage moratorium and county office con-  
solidation bills; and,

WHEREAS, there are a number of important bills  
and matters pending before the various Senate com-  
mittees that should have immediate consideration; and,

WHEREAS, none of these hearings, investigations,  
or bills can be properly considered while the Senate is  
in session, and all of them will experience a prolonged  
delay which will interfere with and retard the consid-  
eration of all legislation pending before the Senate in  
such a way as to render it impractical to transact any  
important business of the Senate; and,

WHEREAS, the matters pending before the special  
and standing committees should be disposed of at an  
early date and reported to the Senate for consideration;  
and,

WHEREAS, such matters may likely be disposed



of if the committees are allowed to work uninterrupted for a period of two or three days and thereby expedite and hasten business of the Senate and the Legislature as a whole;

NOW, THEREFORE, Mr. President: I move that a committee of the Senate be appointed to request the Honorable House to appoint a like committee for the purpose of conferring and making recommendation towards a joint recess of the two Houses.

MORRISON,  
CHAMBERLIN.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Concurrent Resolution No. 10, Senate Bills Nos. 26, 95, 113, 117, 130, 144, 146, 176, 194, 201, 204 and 205. correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendment to and Engrossed House Concurrent Resolution No. 10, and ordered the resolution, as amended, returned to the Honorable House.

The President, in open session, signed Engrossed Senate Bills Nos. 146 and 194 and ordered, each, transmitted to the Honorable House, for consideration.

### THIRD READING

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: Ballard, Briggs, Carlile, Chamberlin, Clark, Coppock, Curnutt, Fischl, Garvin, Howard, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Nance, Paul. Total, 2.

Not Voting: Carmack, Commons, Dixon, Fidler, Hutchinson, Logan, Nichols, Rutherford. Total, 8.

Absent: Lester, Powers. Total, 2.

Excused: Daugherty. 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Paul, Pugh, Reed, Ritzhaupt, Ritzley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Nance. Total, 1.

Not Voting: Carmack, Commons, Fidler, Hutchinson, Nichols, Ray, Rutherford. Total, 7.

Absent: Lester, Powers. Total, 2.

Excused: Daugherty. 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 copy of Senate Bill No. 95, and ordered the same transmitted to the Honorable House.

Senator Waldrep moved that the vote be reconsidered by which SENATE BILL NO. 113, by Rutherford, was advanced to engrossment and third reading, which motion prevailed.

Upon motion of Senator Morrison, the vote was reconsidered by which Section 1, as amended, was adopted.

Senator Morrison asked unanimous consent, which was granted, to withdraw his amendment to line 7, page 4, being Section 2.

Upon motion of Senator Waldrep, Section 2 was adopted.

Senator Rutherford asked unanimous consent, which was granted, to add the name of "NANCE," as a joint author of Senate Bill No. 113.

Upon motion of Senator Morrison, Senate Bill No. 113 was advanced to engrossment and third reading.

Upon motion of Senator Morrison, the rules of the Senate were suspended and Senate Bill No. 113 was considered engrossed and placed on third reading and final passage.

SENATE BILL NO. 113 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Coppock, Curnutt, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 36.

Not Voting: Carmack, Commons, Dixon, Hutchinson, Stewart. Total, 5.

Absent: Lester, Powers. Total, 2.

Excused: Daugherty. 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Coppock, Curnutt, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey,

Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis.  
Total, 36.

Not Voting: Carmack, Commons, Dixon, Hutchinson, Stewart. Total, 5.

Absent: Lester, Powers. Total, 2.

Excused: Daugherty. 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. 113 was referred for re-engrossment.

SENATE BILL NO. 117 was read for the third time at length.

Senator Jennings raised a point of order against further consideration of Senate Bill No. 117, stating it was a revenue raising measure and should, therefore, originate in the House.

The President, in ruling on the Jennings point of order, stated it was a matter involving a question of law and not within his province to rule on such a question.

The question being, "Shall Senate Bill No. 117 pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Fidler, Fischl, Johnston, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Jennings, Logan. Total, 2.

Not voting: Carlile, Clark, Dixon, Garvin, Howard, Hutchinson, Moon, Morrison, Rizley, Rutherford, Stewart. Total, 11.

Excused: Daugherty. Total, 1.

Absent: Lester, 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Jennings, Johnston, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Logan. Total, 1.

Not voting: Carlile, Garvin, Howard, Hutchinson, Moon, Morrison, Rutherford, Stewart. Total, 8.

Excused: Daugherty. Total, 1.

Absent: Lester, 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, in open session, signed the engrossed copy of Senate Bill No. 117, and ordered the same transmitted to the Honorable House.

Senator Fischl asked unanimous consent which was granted, to take up for consideration, out of its regular order, SENATE BILL NO 144, by Fischl.

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: Ballard, Briggs, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not voting: Carlile, Carmack, Garvin, Howard, Hutchinson, Morrison, Rutherford. Total, 7.

Excused: Daugherty. Total, 1.

Absent: Lester, 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: Ballard, Briggs, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not voting: Carlile, Carmack, Garvin, Howard, Hutchinson, Morrison, Rutherford. Total, 7.

Excused: Daugherty. Total, 1.

Absent: Lester, 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, in open session, signed the engrossed copy of Senate Bill No. 144, and ordered the same transmitted to the Honorable House.

Senator MacDonald presiding.

SENATE BILL NO. 26 was read for the third time at length.

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

Ayes: Ballard, Briggs, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Carlile, Carmack, Fischl, Garvin,

Howard, Hutchinson, Morrison, Nichols, Ray, Rutherford. Total, 10.

Excused: Daugherty. Total, 1.

Absent: Lester, 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: Ballard, Briggs, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Carlile, Carmack, Fischl, Garvin, Howard, Hutchinson, Morrison, Nichols, Ray, Rutherford. Total, 10.

Excused: Daugherty. Total, 1.

Absent: Lester, 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 26, and ordered the same transmitted to the Honorable House.

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: Ballard, Briggs, Chamberlin, Clark, Commons, Coppock, Curnutt, Fidler, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Paul, Pugh, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Not voting: Carlile, Carmack, Dixon, Fischl, Garvin, Howard, Hutchinson, Morrison, Nichols, Ray, Reed, Rutherford, Taylor. Total, 13.

Excused: Daugherty. Total, 1.

Absent: Lester, 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: Ballard, Briggs, Chamberlin, Clark, Commons, Coppock, Curnutt, Fidler, Fischl, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Carlile, Carmack, Dixon, Garvin, Howard, Hutchinson, Logan, Morrison, Reed, Rutherford, Stewart. Total, 11.

Excused: Daugherty. Total, 1.

Absent: Lester, 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 Presiding Officer, in Open session, signed the engrossed copy of Senate Bill No. 176, and ordered the same transmitted to the Honorable House.

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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Johnston, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards,



Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Carmack, Fischl, Garvin, Howard, Hutchinson, Jennings, Logan, Morrison, Rutherford, Taylor. Total, 10.

Excused: Daugherty. Total, 1.

Absent: Lester, 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Johnston, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Carmack, Fischl, Garvin, Howard, Hutchinson, Jennings, Logan, Morrison, Rutherford, Taylor. Total, 10.

Excused: Daugherty. Total, 1.

Absent: Lester, 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 205, and ordered the same transmitted to the Honorable House.

Senator Ray asked unanimous consent, to which objections were voiced, to take up for consideration SENATE BILL NO. 105, by Ray, under General Order.

SENATE BILL NO. 204 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Fischl, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Carmack, Coppock, Garvin, Howard, Hutchinson, Jennings, Morrison, Rutherford, Taylor. Total, 9.

Excused: Daugherty. Total, 1.

Absent: Lester, 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Fischl, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Carmack, Coppock, Garvin, Howard, Hutchinson, Jennings, Morrison, Rutherford, Taylor. Total, 9.

Excused: Daugherty. Total, 1.

Absent: Lester, Powers. Total 9.

The emergency having received the constitutional two-thirds majority 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. 204, and ordered the same transmitted to the Honorable House.

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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Carmack, Coppock, Dixon, Garvin, Howard, Hutchinson, Jennings, Morrison, Rutherford, Taylor. Total, 10.

Excused: Daugherty. Total, 1.

Absent: Lester, 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Carmack, Coppock, Dixon, Garvin, Howard, Hutchinson, Jennings, Morrison, Rutherford, Taylor. Total, 10.

Excused: Daugherty. Total, 1.

Absent: Lester, 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 201, and ordered the same transmitted to the Honorable House.

Senator Curnutt asked unanimous consent, which

was granted, to defer Third Reading of SENATE BILL NO. 60, by Curnutt and Waldrep, the bill to retain its place on the calendar.

SENATE 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: Ballard, Briggs, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Jennings, Johnston, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Not voting: Carlile, Carmack, Coppock, Dixon, Garvin, Howard, Hutchinson, Liggett, Morrison, Rutherford, Stewart, Taylor, Thomas. Total, 13.

Excused: Daugherty. Total, 1.

Absent: Lester, 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: Ballard, Briggs, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Hutchinson, Jennings, Johnston, Logan, MacDonald, Memminger, Moon, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Carlile, Carmack, Coppock, Dixon, Garvin, Howard, Liggett, Morrison, Nance, Rutherford, Taylor. Total, 11.

Excused: Daugherty. Total, 1.

Absent: Lester, 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 130, and ordered the same transmitted to the Honorable House.

Senator Ballard asked unanimous consent, which was granted, to defer Third Reading of HOUSE BILL NO. 96, by Cloyd, the bill to retain its place on the calendar.

HOUSE BILL NO. 42 was read for the third time at length.

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

Ayes: Ballard, Chamberlin, Clark, Commons, Currutt, Fidler, Fischl, Jennings, Johnston, MacDonald, Memminger, Moon, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total. 26.

Not voting: Briggs, Carlile, Carmack, Coppock, Dixon, Garvin, Howard, Hutchinson, Liggett, Logan, Morrison, Nance, Rutherford, Sowards, Taylor. Total, 15.

Excused: Daugherty. Total, 1.

Absent: Lester, 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: Ballard, Chamberlin, Clark, Commons, Currutt, Dixon, Fidler, Fischl, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Briggs, Carlile, Carmack, Coppock, Garvin, Howard, Hutchinson, Logan, Nancé, Rutherford, Taylor. Total, 11.

Excused: Daugherty. Total, 1.

Absent: Lester, 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 Presiding Officer, in open session, signed the engrossed copy of House Bill No. 42, and ordered the same transmitted to the Honorable House.

Senator Nichols presiding.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 6 correctly enrolled.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Enrolled Senate Resolution No. 6 and ordered it transmitted to the Secretary of State.

Senator MacDonald presiding.

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 43. By COE, ELLIS, GRAHAM, CONNER, COPELAND, BILLINGS and MARSHALL, entitled:

An Act regulating the possession, sale, and distribution of certain drugs, compounds, and mixtures; prohibiting the cultivation or harvesting of Cannabis Sativa—Cannabis Indica; prescribing a penalty for violation thereof; repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 250—By

BLOCKER, BATSON,<sup>■</sup> GARLAND, GRAY, LEE-CRAFT, PHILLIPS and CAVINS, entitled:

An Act making an appropriation from the general revenue fund to supplement the special common school equalization fund for the fiscal year ending June 30, 1933, and providing for the distribution thereof, 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,  
R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 43 and 250.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 364—By JONES, entitled:

An Act repealing Chapter 100, Sections 1 and 2, Session Laws, 1923, the same being Sections 7910 and 7911, Oklahoma Statutes, 1931; repealing Chapter 121, Section 1, Session Laws, 1927, the same being Section 7908, Oklahoma Statutes, 1931; repealing Chapter 180, Section 1, Session Laws, 1927, the same being Section 7905, Oklahoma Statutes 1931; repealing Chapters 88 and 89, Session Laws, 1929, same being Sections 7907 and 7909, Oklahoma Statutes, 1931, repealing Article 11, Sections 1, 2 and 3, Chapter 35, Session Laws, 1931, Sections 1 and 2 being Sections 7903 and 7904, Oklahoma Statutes, 1931, all with reference to the salaries of deputies in county offices in Beckham County, 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,  
R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 364.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 8—By CURNUTT and THOMAS of the Senate and JOHNSON of the House, entitled:

A resolution memorializing Congress to repeal the law levying an excise tax of one cent (1c) per gallon of gasoline for federal purposes, 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,  
R. M. McCOOL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 8 was ordered referred for enrollment.

To the President of the Senate,  
Building

SIR:

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

ENROLLED SENATE BILL NO. 55—By BRIGGS, CARMACK, CARLILE, FISCHL, WHITAKER, LESTER, and RAY of the Senate and HENDERSON of the House, entitled:

An Act creating a department of highways under supervision and control of a commission to be known



and designated as the State Highway Commission of the State of Oklahoma, to be composed of four members; prescribing the manner and method of appointment, fixing tenure of office and salary of each of the members thereof; prescribing the powers and duties of said commission and members thereof; providing for the appointment and employment of a chief engineer, prescribing his duties and power; providing for and authorizing employment by said commission, its secretary and engineer, of clerical help, laborers and other employees, and for the payment of salaries and wages therefor and the method and manner of payment of same; providing for the transportation expense and motor vehicles for use in travel of members, agents, servants and employees and fixing the maximum price to be paid therefor; repealing sections 10072, 10073, 10074, 10075, 10076, 10077, 10078 and 10079 Oklahoma Statutes 1931, 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,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 55 was ordered referred to the Governor, for his consideration.

#### SPECIAL ORDER

By unanimous consent, consideration of SENATE BILL NO. 51, by Pugh, was deferred for this legislative day, the bill to retain its place on the calendar.

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

## TWENTY-SIXTH LEGISLATIVE DAY

Tuesday, February 7, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 38.

Absent: Hutchinson, Lester, Powers. Total, 3.

Excused: Ballard, Carlile, Fidler. Total, 3.

The President announced a quorum present.

Prayer was offered by Senator Willis.

President Pro Tempore Stewart presiding.

The President Pro Tempore introduced Colonel F. M. Witherspoon, of Shreveport, La., who urged the development and dedication of the Gulf Pacific Highway.

President Burns presiding.

### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 11—By PHILLIPS (Okfuskee) and WINGO, entitled:

A Resolution authorizing the various institutions of higher learning in the State of Oklahoma to formulate

rules and regulations pertaining to the standards and affiliation of said institutions and declaring an emergency

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 13—By COX and WILLIAMS, entitled:

A Resolution memorializing the Congress of the United States to include in the plan for an adequate flood control of the Mississippi River area the construction of flood control reservoirs on the dry Cimarron River within the State of Oklahoma and State of New Mexico,

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,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolutions Nos. 11 and 13 were ordered printed and placed upon the calendar.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 255—By WILLIAMS, entitled:

An Act amending Sections 5586 and 5594, Oklahoma Statutes 1931, relating to the leasing for oil and gas mining purposes any or all of the state-owned lands set apart and designated for the use, benefit, and occupancy of state educational institutions, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 150—By PHILLIPS (Atoka), FRALEY, BATSON, CHILDERS, JESSEE, SULLIVAN, CLINE, CAVINS, McELHANEY, BENNETT, HART, MOONEY, KIGHT, TODD, BEAVER, COPELAND, WILMOT, ALLEN,

BURNHAM, PALMER, WINGO, JOHNSON, (Comanche), LINDSEY, LOGSDON, BEARD, WOOTEN, KING (Coal), LOWRANCE, STEWART, BUSHY-HEAD, OTTESEN, COX, GARLAND, LEECRAFT, BOYER, BLOCKER, LANDINGHAM, CONNOR, PHILLIPS (Okfuskee), WRIGHT, ARMSTRONG, entitled:

An Act providing for the assessment of deficiency judgments secured by mortgages on foreclosures of real estate mortgages; providing the method thereof; providing a penalty for failure to assess such judgments; repealing all Laws in conflict therewith 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,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 150 and 255.

#### COMMITTEE REPORTS

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

Mr. President: We, your Judiciary Committee No. 2, to whom was referred Senate Bill No. 25, by Stacey, entitled:

An Act amending Sections 5 and 25 of Chapter 173, Oklahoma Session Laws of 1923, relating to the adoption of the resolution of necessity for paving by the governing body of any city or town, and relating to the payment of assessments levied for such paving, and declaring an emergency,

beg leave to report that we had the same under consideration and herewith return the same with the recom-



mendation that the Committee Substitute herewith submitted do pass.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 202, by MacDonald, Ritzhaupt, and Chamberlin, entitled:

An Act providing for uniform tuition in certain state supported education institutions for resident and non-resident students; providing for the collection on tuition, laboratory and other fees; providing for the expenditure of funds, etc., 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.

RITZHAUPT, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 113 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Bill No. 113 and ordered it transmitted to the Honorable House for consideration.

The following communication was read and, upon motion of Senator Pugh, the request contained therein granted by the Senate:

President and Members  
of the Senate,  
State of Oklahoma:

TOM W. CHEEK states that he is a resident of the State of Oklahoma and Oklahoma City; that he is 54 years of age, and that he is President and Legislative Representative for the Farmers' Union of Oklahoma; that he is paid a yearly salary as President of said Farmers' Union, but draws no additional compensation as Legislative Representative; that he makes this state-

ment 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 interests of the organization he represents.

TOM W. CHEEK,

### GENERAL ORDER

Senator Waldrep asked unanimous consent, which was granted, to take up for consideration SENATE RESOLUTION NO. 12, by Waldrep, relating to additional employees for the Senate.

Senator Chamberlin presiding.

Senator Pugh moved that further consideration of Senate Resolution No. 12 be indefinitely postponed, which motion prevailed, the roll call thereon being as follows:

Ayes: Chamberlin, Clark, Commons, Coppock, Currutt, Daugherty, Dixon, Fischl, Howard, Johnston, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Thomas, Whitaker, Wilbanks. Total, 28.

Nays: Briggs, Jennings, Stewart, Taylor, Waldrep, Willis. Total, 6.

Not Voting: Carmack, Garvin, Liggett, Morrison. Total, 4.

Absent: Hutchinson, Lester, Powers. Total, 3.

Excused: Ballard, Carlile, Fidler. Total, 3.

### FIRST READING

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

SENATE BILL NO. 241—By STACEY.—An Act requiring banks and trust companies to publish a list of dormant accounts; defining dormant accounts; fixing a penalty for violation thereof; and declaring an emergency.

SENATE BILL NO. 242—By RITZHAUPT.—An

Act exempting motor vehicles which have not been in use for a period of one year from taxation or payment of license fee under certain conditions; providing for the issuance of a current license on motor vehicles after non-use for one year, exempting such motor vehicle from penalty and declaring an emergency.

SENATE BILL NO. 243—By STEWART.—An Act making an appropriation of two thousand five hundred dollars to be expended in the development, consummation, inauguration and dedication of the Gulf Pacific Highway from Mississippi Sound to Puget Sound, and in the advertising thereof; and declaring an emergency.

SENATE BILL NO. 244—By BRIGGS and NANCE.—An Act limiting the issuance of warrants by any municipal subdivision of the State to sixty-five per cent (65%) of the amount authorized and approved by the excise board unless and until the moneys collected by such municipality is collected in full; providing that claimants against such municipality may file claims and have the same audited and approved, and prohibiting the governing authorities of said municipalities from issuing warrants until the funds raised by the estimate are collected; and declaring an emergency.

SENATE BILL NO. 245—By MORRISON, BRIGGS, PUGH and CHAMBERLIN.—An Act to regulate long term installment companies and the issuance and sale of bonds, contracts and certificates, or so called "Thrift Certificates," "Installment Bonds," or related securities covering specific guarantees, secured by collateral, to mature at a definite or variable date; providing for reserves to carry such bonds, contracts and certificates to maturity; prescribing additional duties for certain officers and employees; providing for appeal by an interested person from a final order; and fixing penalties for violations of any of the provisions of this Act.

SENATE BILL NO. 246—By HOWARD, COP-

POCK and CLARK.—An Act authorizing the hunting of big game in this State, fixing the license fee therefor; prescribing a penalty for violation thereof; and declaring an emergency.

SENATE BILL NO. 247—By PUGH.—An Act repealing Article 13, Chapter 35, of the Session Laws of 1931, same being Senate Joint Resolution No. 53, regulating the salaries of the County Commissioners of Caddo County, Oklahoma.

SENATE BILL NO. 248—By COPPOCK and CLARK.—An Act amending Section 3, Chapter 24, Article 10, Session Laws, 1931, relating to the hunting of deer and wild turkey; and declaring an emergency.

SENATE BILL NO. 249—By PAUL.—An Act creating a pension for the adult blind of Oklahoma; prescribing the qualifications of those entitled to receive same; providing procedure to be followed in the payment thereof; making an appropriation to assist in the payment of claims therefor; directing the County Commissioners of each county in the State to include an item therefor, and directing the excise board to make an ad valorem levy upon all property in the county to produce funds to assist in paying the same, and declaring such levy not to be current expense, and declaring an emergency.

SENATE BILL NO. 250—By PAUL, WALDREP, and JENNINGS (By Request).—An Act to promote and preserve the health of the citizens of Oklahoma, and providing for decent and proper burial of dead human bodies; creating the Oklahoma State Board of Funeral Directors and Embalmers, and providing for the appointment and qualification of the members of said Board, and fixing their duties and compensation; granting said Board authority and power to prescribe rules and regulations for the embalming and burial of dead human bodies; providing for licensing of persons desiring to engage in the practice of embalming, preserving



and burial of dead human bodies and prescribed qualifications therefor; providing for an inspector at the discretion of said Board; providing for collection of fees and distribution of fees collected; and providing that the State of Oklahoma shall not become in any manner liable for any expenses attached to the operation of said Board; providing for penalties for violation of any provision of this Act and for violation of any prescribed rule or regulation adopted by said Board; repealing Article V, Chapter 79, Compiled Oklahoma Statutes, 1931, and all Laws in conflict with this Act; and declaring an emergency.

#### SECOND READING

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

SENATE BILL NO. 225—By RITZHAUPT.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 226—By PUGH.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 227—By PUGH.—Referred to Committee on Privileges and Elections.

SENATE BILL NO. 228—By LOGAN.—Referred to Committee on Commerce and Labor.

SENATE BILL NO. 229—By BALLARD and MOON.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 230—By BALLARD and MOON.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 231—By BRIGGS of Senate and GARLAND of House.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 232—By BRIGGS of Senate and GARLAND of House.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 233—By BRIGGS of Senate

and GARLAND of House.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 234—By RIZLEY.—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 235—By FIDLER of Senate and CONNER of the House.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 236—By STEWART, COMMONS, NICHOLS, BRIGGS, NANCE, PAUL, CLARK, PUGH, SOWARDS and JOHNSTON.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 237—By RITZHAUPT, BRIGGS, LOGAN, TAYLOR, MacDONALD, CARLILE, GARVIN and WALDREP.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 238—By MOON.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 239—By MOON.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 240—By RAY.—Referred to Committee on Banks and Banking.

ENGROSSED HOUSE BILL NO. 43—By COE, ELLIS, GRAHAM, CONNER, COPELAND, BILLINGS and MARSHALL.—Referred to Committee on Drugs and Pure Food.

ENGROSSED HOUSE BILL NO. 250 — By BLOCKER, BATSON, GARLAND, GRAY, LEE-CRAFT, PHILLIPS and CAVINS.

Senator Nance asked unanimous consent, to which objections were voiced, to place House Bill No. 250 upon the calendar, without reference to a Committee.

Senator Nance moved that the rules of the Senate be suspended and House Bill No. 250 be placed upon the calendar, without reference to a Committee, which motion prevailed.

ENGROSSED HOUSE BILL NO. 364—By JONES.—Referred to Committee on Fees and Salaries.

### THIRD READING

Senator Curnutt asked unanimous consent, which was granted, to defer third reading of SENATE BILL NO. 60, by Curnutt and Waldrep, for this legislative day, the bill to retain its place on the calendar.

Senator Paul asked unanimous consent, which was granted, to defer third reading of HOUSE BILL NO. 96, by Cloyd, for this legislative day, the bill to retain its place on the calendar.

### MESSAGES

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

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has concurred in Senate Amendments to

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 10—By MALLORY, entitled:

A Resolution requesting the Oklahoma delegation to attempt to remedy tax evasion through the ownership of tax-exempt securities,

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

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE JOINT RESOLUTION NO. 7—By RIZLEY, CHAMBERLIN, REED and CLARK of the Senate, entitled:

Extending time of payment of all indebtedness due

and owing on certificates of purchase and preference lease rights heretofore issued by the Commissioners of Land Office of the State of Oklahoma, cancelling all penalties, and declaring an emergency, and to advise you, and, through you, the Honorable Senate, that the House has granted your request for a Conference, and the Speaker has appointed: Messrs. Williams, Johnson (Comanche), Cox, as Conferees thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 7—By HOGG and BEAMAN, entitled:

A Resolution requesting the Congress of the United States to enact legislation whereby a moratorium of foreclosures on homesteads may be declared, and to advise you, and, through you, the Honorable Senate, that the same has been signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer, in open session, signed Enrolled House Concurrent Resolution No. 7 and ordered the resolution returned to the Honorable House.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 11—By JOHNSTON and CURNUTT, entitled:



A Resolution memorializing the Congress of the United States to enact a Law reducing first class postage to two cents (2c) base rate, and to advise you, and, through you, the Honorable Senate, that the same has been signed by the Speaker, in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 11 was ordered referred to the Secretary of State.

**SPECIAL ORDER**

SENATE BILL NO. 51, by Pugh, was taken up for consideration.

Section 1 was read.

Senator Pugh submitted the following amendment, which was ruled out of order, as being directed to Section 2:

Mr. President: I move to amend Senate Bill No. 51, line 11, page 3, by adding after the word, "Dollars," the following:

"PROVIDED that any county in a lower schedule that has an assessed valuation equal to or in excess of any county in the next higher schedule, that said county by the order of the Board of County Commissioners of said county may be placed in the next higher schedule for the purpose of fixing salaries,

PROVIDED, that before the order of the said County Commissioners shall become effective said order must be published in two issues of some weekly paper of general circulation in said county, and

PROVIDED, further, that any county in one schedule, having a smaller assessed valuation than any county in the next lower schedule may, by order of the Board of County Commissioners, be placed in the lower schedule for the purpose of fixing salaries, and said order of the Board of County Commissioners need not be published."

PUGH.

Senator Coppock submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 51, line 5, page 1, by striking the words, "one thousand," and inserting the figures, "1500.00," and in line 7, page 1, strike out the figures, "1500.00," and insert the figures, "2000.00."

COPPOCK.

Senator Stewart, as a substitute, submitted the following amendment, which was tabled, upon motion of Senator Nance:

Mr. President: I move to amend Senate Bill No. 51, line 3, page 1, by adding after the word, "clerk," and before the word, "and," the words, "County Judge."

STEWART.

Senator Briggs, as a substitute, submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, lines 4 to 6, page 1, by striking after the word, "of," in line 4, and before the word, "not," in line 6.

BRIGGS.

Senator Whitaker submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 51, line 3, page 1, by striking the words, "as follows," and inserting the words, "fixed by the County Excise Board, not to exceed the following:"

WHITAKER.

Senator Stacey moved to table the Whitaker amendment, which motion failed of adoption.

Senator MacDonald moved that the Senate adjourn, to meet under the rules.

Senator Paul, as a substitute, moved that the Senate continue with the consideration of Senate Bill No. 51, after which it adjourn, to meet at 1:29 o'clock, p. m., on the next legislative day.

The Chair ruled the Paul motion in order, as to the hour of adjournment.

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

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

Senator Nance moved that Senate Bill No. 51 be referred to a special committee, one of whom should be the author of the bill, for purpose of redrafting the bill, with the request upon the part of the Senate that each Senator furnish the special committee with a salary schedule for the respective counties of the State comprising his district, in order that the special committee might report a salary bill to the satisfaction of the members of the Senate, which motion, by unanimous consent, he withdrew.

Senator Whitaker moved that the Senate adjourn, to meet under the rules, which motion prevailed.

## TWENTY-SEVENTH LEGISLATIVE DAY

Wednesday, February 8, 1933

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

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 40.

Absent: Lester, Powers. Total, 2.

Excused: Carlile, Nichols. Total, 2.

The President 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 Judiciary Committee No. 2, to whom was referred Engrossed House Bill No. 116, by Phillips (Atoka), Babb and Cox; and Senate Bill No. 33, by Pugh, entitled:

House Bill No. 116. "An Act consolidating the office of County Assessor with that of County Treasurer, relating to the election and duties of the County Treasurer," and

Senate Bill No. 33. "A Bill entitled an Act consolidating the offices of Court Clerk and County Assessor with the office of County Clerk in certain counties within



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this state and imposing upon the County Clerk in addition to the powers and duties now imposed upon the said County Clerk etc.,”

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the Committee Substitute for the two bills herewith submitted do pass.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Commerce and Labor, to whom was referred Senate Bill No. 15, by Logan, entitled:

An Act repealing Chapter 315, Oklahoma Session Laws, 1919, relating to the Oklahoma Americanization Commission, 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.

Mr. President: We, your Committee on Commerce and Labor, to whom was referred Senate Bill No. 162, by Jennings, entitled:

An Act amending Section 13,345 Oklahoma Statutes 1931, relating to the furnishing of medical treatment and hospitalization to injured persons under the Workmen's Compensation Act; repealing all Laws 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.

REED, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 60 correctly engrossed and Senate Concurrent Resolution No. 8 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Enrolled Senate Concurrent Resolution No. 8 and ordered it transmitted to the Honorable House, for the signature of the Speaker.

#### FIRST READING

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

SENATE BILL NO. 251—By JENNINGS.—An Act providing for the execution of a restitution bond in any action on a contract for the payment of money only, or in an action for injuries to the person where an undertaking to stay execution be given as required by Sections 543 and 546 Oklahoma Statutes 1931, or a deposit be made as required by Section 544 Oklahoma Statutes 1931; providing for the conditions and approval thereof; excepting certain classes of cases from the provisions hereof; and declaring an emergency.

SENATE BILL NO. 252—By STACEY.—An Act making it unlawful for persons, firms and corporations to mail, address or deliver to debtors instruments purporting to be summons, or other court process, in an effort to collect accounts, making it grounds for disbarment of any lawyer who engages in such practice; prescribing the penalty for violation of this Act; and declaring an emergency.

SENATE BILL NO. 253—By WILBANKS (By Request).—An Act amending Section 9115 Oklahoma Statutes 1931 relating to banks borrowing money, limiting the amount of assets to be pledged as security for certain deposits and as collateral for bills payable and rediscounts, authorizing the pledging of certain assets of such banks as security for postal savings funds, government funds, Indian funds under the control of the Federal Government, state funds of the State of Oklahoma, and for county, township, city, town, school district, and fraternal organization funds deposited in such

banks; fixing penalties for the violation thereof and declaring an emergency.

SENATE BILL NO. 254—By MORRISON and BRIGGS.—An Act amending Section 6865 Oklahoma Statutes 1931, (Section 6 A of Article 6, Chapter 219, of the Session Laws of Oklahoma, 1913) relating to the election of members of the Board of Education in school districts having a population exceeding 50,000; providing for the election of members of the Board of Education in such districts; fixing their term of office; providing for the extension of ward lines to include outlying territory; providing for the holding of elections in such districts, and declaring an emergency.

SENATE BILL NO. 255—By MEMMINGER, CHAMBERLIN and GARVIN.—An Act repealing Sections 130 to 135 inclusive Oklahoma Statutes 1931, providing that all foreign corporations doing business in the State of Oklahoma shall designate the Secretary of the State as resident agent for service of process, providing the fees to be charged by the Secretary of the State for such service and declaring an emergency.

SENATE RESOLUTION NO. 14—By MacDONALD.—A Resolution requesting the Governor of California to give the application of Tom Mooney for an unconditional pardon consideration, and earnestly requesting that he reconsider his action heretofore taken.

#### SECOND READING

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

SENATE BILL NO. 241—By STACEY.—Referred to Committee on Banks and Banking.

SENATE BILL NO. 242—By RITZHAUPT.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 243—By STEWART.—Referred to Committee on Appropriations.

SENATE BILL NO. 244—By BRIGGS and

NANCE.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 245 — By MORRISON, BRIGGS, PUGH and CHAMBERLIN.—Referred to Committee on Banks and Banking.

SENATE BILL NO. 246—By HOWARD, COPPOCK and CLARK.—Referred to Committee on Fish and Game.

SENATE BILL NO. 247—By PUGH.—Referred to Committee on Fees and Salaries.

SENATE BILL NO. 248—By COPPOCK and CLARK.—Referred to Committee on Fish and Game.

SENATE BILL NO. 249—By PAUL.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 250—By PAUL, WALDREP, and JENNINGS (By Request).—Referred to Committee on Public Health.

ENGROSSED HOUSE BILL NO. 255—By WILLIAMS.—Referred to Committee on School Lands.

ENGROSSED HOUSE BILL NO. 150—By PHILLIPS (Atoka), FRALEY, et al.—Referred to Judiciary Committee No. 1.

### THIRD READING

Senator Ballard asked unanimous consent, which was granted, to defer third reading of HOUSE BILL NO. 96, by Cloyd, for this legislative day.

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: Briggs, Carmack, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Howard, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Paul, Ritzhaupt, Rutherford, Sowards, Stacey, Waldrep, Whitaker, Wilbanks. Total, 24.

Nays: Hutchinson, Nance, Pugh, Taylor, Willis. Total, 5.



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Not Voting: Ballard, Chamberlin, Dixon, Fischl, Garvin, Morrison, Ray, Reed, Rizley, Stewart, Thomas. Total, 11.

Absent: Lester, Powers. Total, 2.

Excused: Carlile, Nichols. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Paul, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Nance, Pugh. Total, 2.

Not Voting: Dixon, Fischl, Garvin, Morrison, Rizley. Total, 5.

Absent: Lester, Powers. Total, 2.

Excused: Carlile, Nichols. 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, in open session, signed the engrossed copy of Senate Bill No. 60, and ordered the same transmitted to the Honorable House.

Senator Nance presiding.

#### GENERAL ORDER

Upon motion of Senator MacDonald, SENATE BILL NO. 202, by MacDonald and Ritzhaupt, was ordered withdrawn from the calendar and referred to the Committee on Education.

HOUSE BILL NO. 92, by Martin, was taken up for consideration.

Section 1 was read.

Senator Wilbanks moved that further consideration of House Bill No. 92 be indefinitely postponed, which motion was tabled, upon motion of Senator MacDonald.

Senator Paul submitted the following amendment, which was unanimously adopted:

Mr. President: I move to amend House Bill No. 92, line 1, page 2, by inserting after the word, "erecting," and before the word, "and," the words, "plumbing and installation thereof"

PAUL.

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

Upon motion of Senator MacDonald, House Bill No. 92 was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and House Bill No. 92 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 92 was read for the third time at length.

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

Ayes: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Fischl, Howard, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 33.

Nays: Ballard, Dixon, Garvin, Rizley, Wilbanks. Total, 5.

Not Voting: Hutchinson, Thomas. Total, 2.

Absent: Lester, Powers. Total, 2.

Excused: Carlile, Nichols. Total, 2.

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

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

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fidler, Fischl, Howard, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 33.

Nays: Dixon, Garvin, Hutchinson, Wilbanks. Total, 4.

Not Voting: Commons, Paul, Thomas. Total, 3.

Absent: Lester, Powers. Total, 2.

Excused: Carlile, Nichols. 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. 92, as amended, was referred for engrossment.

Upon motion of Senator Whitaker, SENATE BILL NO. 103, by Whitaker, was ordered withdrawn from the calendar and referred to the Committee on Revenue and Taxation, for further consideration.

SENATE BILL NO. 105, by Ray, was taken up for consideration.

Senator Ray asked unanimous consent, which was granted, to submit the following substitute for Senate Bill No. 105, to be considered section by section:

SENATE BILL NO. 105—By RAY.

AN ACT AMENDING SECTION 1 OF ARTICLE 3 OF CHAPTER 35 OF THE SESSION LAWS OF 1931, RELATING TO THE DEPOSITING OF COUNTY FUNDS IN BANKS AND GIVING OF SECURITY THEREFOR, REPEALING ALL ACTS IN CONFLICT

THEREWITH, AND DECLARING AN  
EMERGENCY.  
BE IT ENACTED BY THE PEOPLE OF THE  
STATE OF OKLAHOMA:  
COUNTY TREASURER—COUNTY COMMISSION-  
ERS—SECURITIES—SURETY BONDS.

SECTION 1. That section 1 of Article 3 of Chapter 35 Session Laws of Oklahoma 1931 be and the same is hereby amended to read as follows:

“Section 1. In all counties, the county treasurer shall deposit daily all the funds and money of whatsoever kind that shall come into his possession by virtue of his office as such county treasurer in his name as county treasurer in one (1) or more banks located in the county and designated by the board of county commissioners as the county depositories: Provided, before directing or authorizing the deposit of any such funds aforesaid, the board of county commissioners shall take from each such bank security in a sum equal to the largest approximate amount that may be deposited in each bank respectively at any one time consisting of United States Bonds, State Bonds or Warrants, County Bonds or Warrants, or other bonds or warrants issued by any municipality under authority of, and in compliance with, the Statutes of Oklahoma; *or final judgments of any court of record entered on any such bonds or warrants*; provided warrants issued by incorporated towns shall not be accepted as security for deposits; provided that all said warrants shall have been issued pursuant to legal appropriation; provided that all such securities, bonds or warrants shall be accompanied by a certificate of the cashier of such bank under oath, that the bank is the legal owner of such securities, bonds and warrants and that none of such warrants have been purchased by said bank or any agent of said bank or



any person acting for said bank at a discount or below par. Provided, however, that in lieu of the class of securities above described, the board of county commissioners may take from each bank a surety bond of some surety company authorized by the State of Oklahoma to do business in said state and also approved by the Treasury Department of the United States of America, to make bonds to cover federal funds or monies in the United States Court Districts in said state, to secure the deposits of the county funds and provided further that no surety bond shall be given to secure such deposits in any greater amount than the capital and surplus of said bank, provided further, that said County Treasurer shall not deposit any funds in said bank in said county under and by virtue of a surety bond as long as any bank in said county offers United States bonds, state bonds or warrants, county bonds or warrants, or other bonds or warrants issued by any municipality, *or final judgments of any court of record entered on any such bonds or warrants*, excluding warrants of incorporated towns, under the authority and in compliance with the Statutes of Oklahoma, and provided further, that all warrants shall have been issued pursuant to legal appropriation and such warrants and securities be accompanied by the certificate of the cashier of such bank under oath, that the bank is not only the legal owner of such warrants or securities but also that such warrants have not been discounted by said bank or purchased for less than par by said bank or any agent of said bank or any one acting for said bank. Each bank designated shall receive all monies, checks, or drafts at par and pay interest on the average daily realized balances at the rate of not less than three per cent (3%) per annum, and shall pay the same monthly to the county treasurer.

All surety bonds taken under the provision of this Act shall bear the approval of the county attorney and the board of the county commissioners. All securities accepted shall bear the approval of the county judge and county attorney. Provided, that where there are two or more banks in a county the monies of the County Treasurer shall be divided ratably among such banks offering to secure the same in the manner provided for in this Act, according to the capital and surplus of such banks, so that each bank shall have an opportunity to receive such deposits.

The county commissioners shall provide for the county treasurer a safe and secure receptacle and place for the safe keeping of said securities. It shall be unlawful for said county treasurer to leave said securities in the custody of, or deposit same in, the bank furnishing the same, but shall keep the same in his custody at the county court house, where the same shall be subject to inspection at any time, or in some safe place designated by the board of county commissioners; and the State Examiner and Inspector, when examining a county treasurer's records shall, in addition to his other duties, examine said office with a view to seeing that the provisions of this Act are complied with, and it shall be the duty of said State Examiner and Inspector, if he shall find that the provisions of this Act are being violated, to at once file a written report of such condition with the county attorney of said county; and provided further, that said securities and/or surety bond shall be at all times in the custody and under the control of the county treasurer or in joint custody of county treasurer and some other disinterested bank or trust company outside of the county or city of depository banks. The condition of said bond shall be that such deposit shall be promptly

paid on a check or draft of the treasurer of such county, and the bondsmen of such treasurer shall not be liable for such deposit. And such bank shall, on the first day of each month, file with the county clerk of such county a statement of the amount of money on hand belonging to the county at the close of business each day during the previous month and the amount of interest accrued thereon to such date. Provided that nothing in the Act shall be construed to prohibit the county treasurer from depositing funds of the county in banks outside of the county in cases of emergency and when such bank shall place with the county treasurer the same class of security as hereinbefore provided. And provided, further, where local banks or banks outside of the county refuse to put up the securities hereinbefore provided, then the county treasurer is hereby authorized to deposit any surplus funds in his hands with the State Treasurer as official depository and the State Treasurer as official depository is hereby authorized to receive such county deposits, the same to be withdrawn on the voucher of the office depositing the same, and the interest earned on the said deposit to be credited to the account earning the same. It is hereby made unlawful for any of the county's funds to be deposited in any bank in which the county treasurer or any member of the board of county commissioners shall be the owner of any stock or otherwise pecuniarily interested."

SECTION 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

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.

Sections 1 and 2 were read and adopted, upon motions of Senator Ray.

Upon motion of Senator Ray, Senate Bill No. 105, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Ray, the rules of the Senate were suspended and Senate Bill No. 105 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 105 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Johnston, Memminger, Nance, Paul, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Hutchinson, Liggett. Total, 2.

Not Voting: Howard, Jennings, Logan, MacDonald, Moon, Morrison, Reed, Rutherford, Waldrep. Total, 9.

Absent: Lester, Powers. Total, 2.

Excused: Carlile, Nichols. 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: Ballard, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Memminger, Morrison, Nance, Paul, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor,



Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Liggett. Total, 1.

Not Voting: Briggs, Jennings, Logan, MacDonald, Moon, Reed. Total, 6.

Absent: Lester, Powers. Total, 2.

Excused: Carlile, Nichols. 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. 105 was ordered referred for engrossment.

#### CONFERENCE COMMITTEE REPORT

Senator Chamberlin submitted the following Conference Committee Report, which, upon his motion, was adopted:

TO THE PRESIDENT OF THE SENATE AND TO  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

We, your Conference Committee appointed to consider Engrossed Senate Joint Resolution No. 7 and Engrossed House Substitute for Senate Joint Resolution No. 7, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

(1) That the House recede from its amendment.

(2) That the Conference Committee substitute herewith submitted be adopted.

Cecil R. Chamberlin,

Ross Rizley,

Louis A. Fischl,

Senate Conferees.

Chas. Williams,

Julius W. Cox,

J. A. Johnson,

House Conferees.

CONFERENCE COMMITTEE SUBSTITUTE FOR  
ENGROSSED SENATE JOINT RESOLUTION NO.  
7 AND ENGROSSED HOUSE SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 7—By RIZ-  
LEY, CHAMBERLIN, REED, and CLARK of the

Senate. MALLORY, WINGO, JOHNSON (Comanche), PARKS, KIGHT, WILLIAMS, TODD, JONES, COX, FITZGERALD and JESSEE of the House.

EXTENDING TIME OF PAYMENT OF ALL INDEBTEDNESS DUE AND OWING TO THE COMMISSIONERS OF THE LAND OFFICE OF THE STATE OF OKLAHOMA ON PURCHASE CERTIFICATES AND PREFERENCE RIGHT LEASES HERETOFORE MADE AND ISSUED, AND DECLARING AN EMERGENCY.

WHEREAS, the people of the State of Oklahoma, and especially those engaged in the pursuits of agriculture, are in such distress and reduced financial circumstances that it is impossible for them to pay their obligations; and

WHEREAS, unless some relief is secured many are in danger of, and may lose their homes; and

WHEREAS, under provisions of law now in force and effect the Commissioners of the Land Office of the State of Oklahoma, are compelled to cancel all Certificates of Purchase delinquent for a period of more than two years, and all Preference Right Leases delinquent for a period of more than six months;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. All payments of sums of money, whether the same be principal or interest, now due and owing to the Commissioners of the Land Office of the State of Oklahoma, on purchase certificates, and rentals upon preference right leases, heretofore issued by said Commissioners of the Land Office, be and the same are hereby extended until the fifteenth day of July, 1934; provided, however, that the Governor may, by executive order issued for that purpose, extend the time herein provided not further than the fifteenth day of July, 1935.

If said principal due under and by virtue of said purchase certificates and rentals upon preference right leases, together with interest thereon at the rate of 5% per annum are paid, or tendered for payment to said Commissioners of the Land Office of the State of Oklahoma on or before the 15th day of July, 1934, or such further date as may be fixed by the Governor in accordance with the provisions hereof, then all other penalties and interests heretofore accrued thereon, or hereafter to accrue, shall be cancelled; provided, that the provisions of this Act shall not extend to any indebtedness which accrued and was due prior to the 1st day of January, 1929, or to the holder of any purchase certificate or preference right lease who does not use the land held by him for agricultural purposes or who does not depend, in whole or in part, upon the income from the land held by him for support of himself or his family.

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.

Senate Joint Resolution No. 7, as amended in conference, was read at length.

The question being, "Shall Senate Joint Resolution No. 7, as amended in Conference, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Coppock, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 32.

Not Voting: Commons, Curnutt, Daugherty, Dixon, Logan, Rutherford, Stewart, Whitaker. Total, 8.

Absent: Lester, Powers. Total, 2.

Excused: Carlile, Nichols. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Coppock, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 32.

Not Voting: Commons, Curnutt, Daugherty, Dixon, Logan, Rutherford, Stewart, Whitaker. Total, 8.

Absent: Lester, Powers. Total, 2.

Excused: Carlile, Nichols. 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 Joint Resolution No. 7, together with Conference Committee Report thereon, was ordered transmitted to the Honorable House, for consideration.

The Presiding Officer, Senator Nance, asked unanimous consent, which was granted, to withdraw as a member of the Special Committee, appointed under SENATE RESOLUTION NO. 10, by Garvin, entitled: A RESOLUTION AUTHORIZING THE APPOINTMENT OF A COMMITTEE TO INVESTIGATE THE PURCHASE OF LANDS IN ATOKA COUNTY, etc., and appoint in his stead Senator Paul.

#### MESSAGES

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



*Twenty-seventh Day, Wednesday, Feb. 8, 1933* 573

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED SENATE BILL NO. 2—By The Committee of Revenue and Taxation composed of: WHITAKER, Chairman; GARVIN, Vice-Chairman; BALLARD, BRIGGS, CHAMBERLIN, CURNUTT, FIDLER, FISCHL, JENNINGS, JOHNSTON, MacDONALD, MEMMINGER, MOON, NANCE, NICHOLS, PUGH, RUTHERFORD, STACEY, HUTCHINSON, POWERS; and PAUL, LESTER and REED.—entitled:

An Act providing for the waiving and releasing of the interest, penalties, and costs of delinquent ad valorem taxes on real property due the State, county, school district, township or other subdivision of the State upon payment of the principal amount on or before December First, 1933, authorizing and directing county treasurers to accept such principal amounts without interest, penalties and costs and to cancel and strike said interest, penalties and costs from tax rolls providing that this Act shall not affect existing tax sale certificates held by bona fide purchasers or taxes levied and assessed for the year 1932 or subsequent years; suspending the operation of all Laws or parts of Laws in conflict herewith for the term of this Act and providing further that in case any section, clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any court of competent or final jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act and declaring an emergency, together with Conference Committee Report thereon, and to advise you, and, through you, the Honorable Senate, that the House has adopted the Conference Committee

report, and the bill has been passed by the House, AS AMENDED, by said report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on Senate Bill No. 2  
was read:

February 6th, 1933

To the Honorable Senate

and

Honorable House of Representatives,  
of the State of Oklahoma.

Gentlemen:

We, your Conference Committee, appointed to confer on ENGROSSED SENATE BILL NO. 2, by The Committee on Revenue and Taxation, have had under consideration the House Amendment to said bill, and, after due consideration thereof, beg leave to report as follows:

- 1st: That the Senate concur in House Amendment No. 1.
- 2nd: That the Senate concur in House Amendment No. 2.
- 3rd: That the Senate concur in House Amendment No. 3.
- 4th: That the Senate refuse to concur in House Amendment No. 4.

Respectfully submitted,

Nichols,

Leecraft,

Paul,

Batson,

Reed,

Wooten,

Senate Conferees.

House Conferees.

Senator Paul moved that the Conference Committee Report on Senate Bill No. 2 be adopted.

Senator Ballard, as a substitute, moved that the Senate refuse to adopt the Conference Committee Report on Senate Bill No. 2, and ask for a further con-

ference, which motion, by unanimous consent, he withdrew.

The vote occurring on the Paul motion, it was declared adopted.

Senate Bill No. 2, as amended in Conference, was read at length.

The question being: "Shall the Senate Bill No. 2, as amended in conference, pass?" the roll was called with the following results:

Ayes: Briggs, Carmack, Chamberlin, Clark, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, Memminger, Moon, Morrison, Nance, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Ballard, Coppock. Total, 2.

Not voting: Commons, Fidler, MacDonald, Rizley, Rutherford, Stewart. Total, 6.

Excused: Carlile, Nichols. Total, 2.

Absent: Lester, 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, Memminger, Moon, Morrison, Nance, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Coppock. Total, 1.

Not voting: Commons, Fidler, MacDonald, Rizley, Rutherford, Stewart. Total, 6.

Excused: Carlile, Nichols. Total, 2.

Absent: Lester, 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.

Senate Bill No. 2, together with Conference Committee Report thereon, was referred for enrollment.

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 201—By THOMAS of the Senate and TODD of the House—entitled:

An Act repealing Section 8409 of the Statutes of Oklahoma of 1931, relating to the salary and mileage of the Board of County Commissioners of Washita County, and declaring an emergency.

ENGROSSED SENATE BILL NO. 204—By NANCE of the Senate and MOONEY of the House—entitled:

An Act abolishing all township levies in the several Townships in Cotton County, Oklahoma, and declaring an emergency.

ENGROSSED SENATE BILL NO. 205—By NANCE of the Senate and MOONEY of the House.—entitled:

An Act abolishing the County Highway ad valorem, tax levies in Cotton 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bills Nos. 201, 204 and 205 were, each, referred for enrollment.



To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 229—By GRAY, entitled:

An Act levying a stamp tax on the sale of cigarettes; prescribing the rate thereof; providing for stamps and the use thereof; providing for the enforcement of this Act by the Oklahoma Tax Commission and for rules and regulations in relation thereto; providing that the revenue derived hereunder, less expenses for collection and enforcement, shall be used to retire obligations of school districts and otherwise to reduce ad valorem taxes; creating a fund for the enforcement of this Act and for refunds, and making appropriations therefor; prescribing penalties; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 80—By PHILLIPS (Atoka) and CHILDERS, entitled:

An Act fixing the salary of Presidents of the various State educational institutions, repealing all conflicting Acts, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 168—By O'NEILL and EASON, entitled:

An Act repealing Section 8010 Oklahoma Statutes 1931, relating to the salary of certain county officers and the number and salaries of certain deputy county officers in all counties of this State having a population of not less than 37,499, and not more than 37,750, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 187—By KIGHT and BATSON, entitled:

A Bill to be entitled: An Act relating to the State School Land Department and to the duties and powers of the Commissioners of the Land Office, of the Secretary to the Commissioners, fixing the salary of the Sec-

retary, providing for the sale of certain lands of the State, amending Sections 5455, 5458, 5495, 5508, 5522, 5527, 5630 and 5642, Oklahoma Statutes, 1931, repealing Sections 5497, 5498, 5499, 5504, 5505, 5506, 5507, 5508, 5512, 5520, 5521, 5530, 5531, 5532, 5534, to 5549, inclusive, 5551 to 5556, inclusive, 5561, 5562, 5565, 5566, 5567, 5572, 5573, 5574, 5576, 5577, 5580, to 5585 inclusive, 5593, 5597, to 5602, inclusive, 5605, 5629, and 5631 to 5641, inclusive, Oklahoma Statutes, 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 very truly,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Readings of Engrossed House Bills Nos. 80, 168, 187 and 229.

Senator Morrison asked unanimous consent, to which objections were voiced, to take up for consideration SENATE BILL NO. 139, by Morrison and Rizley, of the Senate, and Gray, Otto Strickland and Bob Marshall, of the House.

Senator Ballard moved that the Senate adjourn, to meet under the rules, which motion failed of adoption.

#### 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. 1, to whom was referred House Bill No. 5 by Gibson, etc., entitled:

An Act vesting the District and Superior Court Judges of the State of Oklahoma with certain discretionary powers in permitting the continuance of actions for the foreclosure of real estate mortgages or other liens or encumbrances affecting real estate under certain con-

ditions and specifying such conditions, 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.

CURNUTT, Chairman.

The following Majority Committee Report was submitted:

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Senate Bill No. 66, by Ballard and Wilbanks, entitled:

An Act requiring assistants and employees of the Secretary of the State to pay fees received as service agents for foreign corporations to the State of Oklahoma; providing for the allocation 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 as amended as follows, to-wit:

1. By striking after the word "employees" in line 2 Section 1 the following "In the office of the Secretary of State."
2. By striking after the word "pay" in Section 1 line three and before the word "to," the word "daily."

CURNUTT, Chairman.

The following Minority Committee Report was submitted:

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Senate Bill No. 66, by Ballard and Wilbanks, entitled:

An Act requiring assistants and employees of the Secretary of State to pay fees received as service agents for foreign corporations to the State of Oklahoma; providing for the allocation thereof, and declaring an emergency,

beg leave to report that we had the same under con-

sideration and herewith return the same with the recommendation that it do not pass.

JENNINGS, Chairman.

Senator Jennings moved that the Minority Committee Report on Senate Bill No. 66 be adopted.

Senator Ballard moved that the Jennings motion be tabled.

Senator Moon, in lieu of all pending motions, moved that the Reports on Senate Bill No. 66 be rejected and returned to Judiciary Committee No. 1 for further consideration.

Senator Ballard raised a point of order against the Moon motion, which was sustained, stating motion in lieu of one to table is improper.

\* The vote occurring on the Ballard motion, it was declared adopted.

Mr. President: We, your Committee on Judiciary No. 1, to whom was referred Senate Bill No. 71 by Stewart, entitled:

An Act regulating procedure relating to the foreclosure of mortgages and other liens upon real estate, designating the time for filing answer in foreclosure suits, and for the hearing and determination of such actions, 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.

CURNUTT, Chairman.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Senate Bill No. 83, by Johnston, entitled:

An Act providing for the repeal of all Laws pertaining to the holding of county court outside of the county seat of each county and especially repealing Sections 3981 to 4130, inclusive, of the Oklahoma Statutes of 1931,

beg leave to report that we had the same under consider-



*Twenty-seventh Day, Wednesday, Feb. 8, 1933* 581

ation and herewith return the same with the recommendation that it do pass, as amended.

CURNUTT, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Joint Resolution No. 19, by Beaman, entitled:

A Resolution authorizing the Board of County Commissioners of Delaware County to include in its annual estimate of expenses a sum not to exceed an amount which a  $3/4$  mill levy upon all property in said County will raise and directing the Excise Board, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WHITAKER, Chairman.

#### GENERAL ORDER

By unanimous consent, SENATE BILL NO. 139, by Morrison, et al., was taken up for consideration.

Section 1 was read.

Senator Briggs submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 139, line 1, page 1, by striking after the word, "above," and inserting the word, "twenty-one;" and at the end of line 3, page 1, strike the word, "ten," and insert the word, "five"

BRIGGS.

Senator Morrison moved the adoption of the previous question.

Senator Moon raised a point of order against the Morrison motion, stating he had an amendment to Senate Bill No. 139 on the Clerk's desk.

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

## TWENTY-EIGHTH LEGISLATIVE DAY

Thursday, February 9, 1933

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Pursuant to adjournment, the Senate 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Powers. Total, 1.

Excused: Lester, Moon. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Garvin moved that the Sergeant-at-Arms resume his duties, as such Senate employee, and the Special Committee, appointed under Senate Resolution No. 2, be authorized to employ a process server.

Senator Ritzhaupt moved to table the Garvin motion, which motion was ruled out of order, on a point of order raised by Senator Nichols, stating the motion followed discussion.

Upon motion of Senator Logan, the Garvin motion was tabled.

### COMMITTEE REPORTS

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee, on Engrossed and Enrolled bills begs leave to report House Bill No. 92 and Senate Bill No. 105 correctly engrossed and Senate Bill No. 201 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendment to and Engrossed House Bill No. 92, as amended, and Engrossed Senate Bill No. 105 and ordered, each, transmitted to the Honorable House, for consideration.

Senate Bill No. 201 was read for the fourth time, at length, the enrolled copy signed, in open session, by the President and ordered transmitted to the Honorable House for the signature of the Speaker.

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 Senate Bill No. 8, by Curnutt, entitled:

An Act providing that if the principal amounts of delinquent ad valorem taxes in this state are paid on or before May 1, 1933, all penalties which have accrued thereon shall be cancelled; authorizing and directing county treasurers to accept said principal, etc.

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass, for the reason the subject matter is contained in another bill.

WHITAKER, Chairman.

Upon motion of Senator Whitaker, the adverse Committee report on Senate Bill No. 8 was adopted.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 10, by Chamberlin, Commons, Ray, Paul and Sowards, entitled:

An Act providing that if the principal of delinquent ad valorem taxes in this state are paid on or before May 1, 1933, all penalties which have accrued thereon shall be cancelled, providing that said Act will not affect existing tax sale certificates, etc.

beg leave to report that we had the same under consid-

eration and herewith return the same with the recommendation that it do not pass, for the reason the subject matter is contained in another bill.

WHITAKER, Chairman.

Upon motion of Senator Whitaker, the adverse Committee report on Senate Bill No. 10 was adopted.

Mr. President: We, your Committee on Commerce and Labor, to whom was referred Senate Bill No. 16, by Logan, entitled:

An Act amending Section 10872, Compiled Oklahoma Statutes, 1921, providing that six hours shall constitute a day's work for persons employed by and on behalf of the state of Oklahoma or by counties, cities, townships, etc., 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 for the reason that the Committee deems it to be unconstitutional.

REED, Chairman.

Mr. President: We, your Committee on State and County Affairs, beg leave to report that we have had Senate Bill No. 18, entitled:

An Act repealing Sections 5147 to 5153, Oklahoma Statutes, 1931, relating to a State Board of Managers for certain eleemosynary institutions, and declaring an emergency,

under consideration and herewith return the same with the recommendation that it do pass, as amended.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 23, by Logan, entitled:

An Act amending Section 7643, C. O. S. 1931, relating to the nomination and election of County Commissioners and declaring an emergency,

beg leave to report that we had the same under consid-



eration and herewith return the same with the recommendation that it do pass.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 31, by MacDonald, entitled:

An Act amending Sections 5423 and 5424 Oklahoma Statutes 1931, relating to funds in the official depository of the state of Oklahoma, repealing all Laws 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.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 53, by Stacey, entitled:

An Act to prohibit Boards of County Commissioners, governing bodies of cities and towns, and townships, from entering into any contract of employment or for any other purpose requiring the expenditure of money before an appropriation for the purpose is made by the County Excise Board creating a cause of action against officers entering into illegal contracts, 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.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 62, by Curnutt, entitled:

An Act relating to the assistants furnished the Attorney General, the salaries to be paid the same; also the clerks, secretaries and stenographers to be furnished said department and the salaries to be paid said clerks,

secretaries and stenographers; providing certain qualifications of the assistants, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

LOGAN, Chairman.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Senate Bill No. 76, by Nichols, Nance and Lester, entitled:

An Act regulating procedure relating to the foreclosure of mortgages and other liens upon real estate: designating the time for filing answer in foreclosure suits and for the hearing and determination of such actions; 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.

CURNUTT, Chairman.

Senator MacDonald presiding.

Senator Nichols moved that, notwithstanding the adverse Committee Report, Senate Bill No. 76 be ordered printed and placed upon the calendar, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Daugherty, Dixon, Garvin, Johnston, Liggett, Logan, Nance, Nichols, Paul, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Waldrep, Willis. Total, 22.

Nays: Clark, Curnutt, Fidler, Jennings, MacDonald, Memminger, Morrison, Pugh, Rutherford, Whitaker, Wilbanks. Total, 11.

Not Voting: Ballard, Fischl, Howard, Hutchinson, Ray, Rizley, Sowards, Thomas. Total, 8.

Absent: Powers. Total, 1.

Excused: Lester, Moon. Total, 2.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 145, by Logan, entitled:

An Act amending Section 7846, Oklahoma Statutes 1931, providing for the boarding of prisoners in county jails by the sheriff at actual cost and at not to exceed stipulated amounts; 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.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 182, by Nance, entitled:

An Act amending Section 2381 Oklahoma Statutes 1931, relating to nepotism 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.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 224, by Whitaker, entitled:

An Act repealing Sections 4496, 4497, 4499, 4513, 4514, 4515, 4516 and 4518, Oklahoma Statutes, 1931, relating to vital statistics, providing that physicians, surgeons and undertakers shall file certificates of birth and death, as provided by law in the office of the County Clerk of each county in, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 225, by Ritzhaupt, entitled:

An Act repealing Section 4752 Oklahoma Statutes 1931, and providing that the Board of Agriculture of this state shall be ex-officio the Forest Commission of the 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.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 237, by Ritzhaupt, Briggs, Logan, MacDonald, Taylor, Carlile, Garvin and Waldrep, entitled:

A Bill entitled an Act to establish a Law enforcing organization to be known as the Oklahoma State Rangers; providing for the appointment of a Colonel by the Governor with the advice and consent of the Senate and requiring him to furnish bond, etc., 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.

LOGAN, Chairman.

Senator Commons submitted the following Committee Report, the reading of which was dispensed with, upon his motion:

Mr. President: We, your Committee on Rules and Procedure beg leave to report that we have had under consideration the rules and procedure for the State Senate and herewith submit the rules of the Senate for your consideration and adoption.

COMMONS, Chairman.

#### ORDER OF BUSINESS

If, upon calling the roll, there be a quorum present business shall proceed within the following order:

- (a) Prayer by the Chaplain.
- (b) Reading and Correction of the Journal.
- (c) Resolution and Notices.
- (d) Petitions and Memorials.
- (e) Reports of Select Committees.
- (f) Introduction of Bills.
- (g) Bills on Second Reading.



- (h) Bills on Third Reading.
- (i) Bills and Resolutions from the House of Representatives.
- (j) Reports of Standing Committees.
- (k) Unfinished Business.

## STANDING RULES FOR CONDUCTING BUSINESS OF THE STATE SENATE OF OKLAHOMA

### COMMENCEMENT OF DAILY SESSIONS

RULE 1. (a) The presiding officer, having taken the chair, and a quorum being present, the Journal of the preceding day shall be read, and any mistake made in the entries corrected. When any motions shall be made to correct the same, it shall be deemed a privileged question, and shall be proceeded with until disposed of.

(U. S. Senate: 111-1; Jefferson's Manual; Secs. VI, XLIX.)

(b) A quorum shall consist of a majority of the members elected to and constituting the Senate.

(U. S. Senate: 111-2; Jefferson's Manual; Sec. VI.)

### JOURNAL

RULE 2. (a) The proceedings of the Senate shall be briefly and accurately stated in the Journal. Messages of the Governor, Senate Resolutions and Memorials of the Legislature, in full; titles of bills and resolutions, and such parts as shall be affected by proposed amendments; every vote, and a brief statement of the contents of each petition or paper presented to the Senate shall be entered with the name of the Senator offering the same.

(U. S. Senate: LV Jefferson's Manual; Sec. XLIX.)

(b) A printed copy of said Journal, made up from the daily Journal as approved by the Senate, shall be duly authenticated by the President or President Pro

Tempore and Secretary of Senate as the permanent journal of the Senate.

#### PRESIDENT'S PRIVILEGE

RULE 3. The President, or President Pro Tempore shall have the right to name a Senator to perform the duties of the chair, but such substitute shall not extend beyond the day; provided, that in the event no such substitution shall have been made, the Secretary of the Senate shall call the Senate to order, and before roll call, the Senate shall elect a member to serve as acting President during the day.

(U. S. Senate: 1-3; 1-4; Jefferson's Manual; Sec. LX.)

RULE 4. The Committee on Rules and Procedure shall be and constitute the Calendar Committee of the Senate, and it shall be its duty to supervise and arrange the daily calendar for the Senate.

#### ATTENDANCE OF MEMBERS

RULE 5. (a) No Senator shall absent himself from the Senate without leave.

(U. S. Senate: VI; Jefferson's Manual; Sec. VII.)

(b) If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the presiding officer shall forthwith direct the Secretary to call the roll and announce the result and these proceedings shall be without debate.

(U. S. Senate: V-2, Jefferson's Manual; Sec. VIII.)

(c) Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion except to adjourn shall be in order.

(U. S. Senate: V-3; Jefferson's Manual; Sec. VIII.)

#### SPECIAL ORDERS

RULE 6. (a) Any subject may, by a majority vote of the Senators elected to the body, be made a special order; and when the time fixed for its consideration arrives the presiding officer shall lay it before the Senate, and if it is not finally disposed of on that day, it shall take its place on the Calendar under the head of Special Orders in the order of time at which it was made special.

(U. S. Senate: XI; Jefferson's Manual; Secs. XVIII; XXXIII.)

(b) When two or more special orders have been made for the same time, they shall have precedence according to the order in which they were severally assigned, and that order shall be changed only by order of the Senate. All motions to change such order, or to proceed to the consideration of other business, shall be decided without debate.

(U. S. Senate: X-2; Jefferson's Manual; Secs. XVIII, XXXIII.)

#### OBJECTION TO READING A PAPER

RULE 7. When the reading of a paper is called for, and the same is objected to, by any Senator, it shall be determined by a vote of the Senate without debate.

(U. S. Senate: XI, Jefferson's Manual; Sec. XXXII.)

#### DEBATE

RULE 8. (a) When a Senator desires to speak, he shall rise in his place and address the presiding officer, and shall not proceed until he is recognized, and the presiding officer shall recognize the Senator who shall first address him. No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the presiding officer; and no Senator shall speak more than once upon any one

question in debate until every Senator desiring to speak shall be heard; nor more than twice upon any subject without leave of the Senate, except a motion to amend or substitute be made, and then he may speak once to such amendment or substitute; provided, that no Senator shall consume more than ten minutes without the unanimous consent of the Senate.

(U. S. Senate: XIX-1; Jefferson's Manual; Secs. XXII, XXXIX.)

(b) No Senator in debate shall, directly or indirectly by any form or words impute to another Senator or to other Senators, any conduct or motive unworthy or unbecoming a Senator.

(U. S. Senate: XIX-2; Jefferson's Manual; Sec. XVII.)

(c) If any Senator, in speaking or otherwise, transgress the rules of the Senate, the presiding officer shall, or any Senator may call him to order; and when a Senator shall be called to order he shall sit down and shall not proceed except in order.

(U. S. Senate: XIX-4; Jefferson's Manual; Sec. XVII.)

(d) If a Senator be called to order for words spoken in debate, upon the demand of the Senator or of any other Senator, the objectionable words shall be taken down in writing, and read at the table for the information of the Senate.

(U. S. Senate: XIX-5; Jefferson's Manual; Sec. XVII.)

#### ROLL CALL AND VOTE RECORDED

RULE 9. No applied roll call shall ever be made or recorded and every Senator shall vote when his name is called unless he desires to pass, and a second roll call shall be called of all Senators who have passed on the call of the original roll, and if they fail or neglect to vote when the roll of those who have passed is called, they shall be recorded as voting "no," and no Senator



shall at any time be recorded as having voted who is not present at the time.

Explanation of votes shall not be permitted during roll call or after the vote has been cast, except briefly in writing.

(U. S. Senate: XII-1; Jefferson's Manual; Sec. XLI.)

RULE 9-a. Roll call vote shall be taken on any matter, when demanded by one or more members and seconded by eight or more members of the Senate.

#### RECONSIDERATION

RULE 10. (a) A motion to reconsider any vote must be made on the same day on which the vote proposed to be reconsidered was taken, or on the legislative day next succeeding, and by a Senator who voted in the majority, except to reconsider a vote on the final passage of a proposed bill or resolution, which shall be privileged to any Senator. Such motion may be made under any order of business in which the vote proposed to be reconsidered occurred. When a motion for reconsideration is decided, that decision shall not be reconsidered; and no question shall be twice considered upon any of the following motions:

- (1) To adjourn.
- (2) To lay on the Table.
- (3) To take from the Table, or
- (4) Previous Question.

(U. S. Senate: XIII-1; Jefferson's Manual; Sec. XLIII.)

(b) When a question has once been decided by the Senate, it shall be in order for any member of the majority, upon roll call, to move for reconsideration thereof the same day or the next but the question shall not be taken the same day without unanimous consent; provided, that such motion if made during the last six days of the session, shall be disposed of when made.

(U. S. Senate: XIII-1; Jefferson's Manual; Sec. XLIII.)

(c) Every motion to reconsider shall be decided by majority vote, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion; provided, that a motion to reconsider the final vote upon a bill or joint resolution passed shall be decided by a majority of the total membership elected to and constituting the Senate. If the Senate refuses to reconsider or if upon reconsideration shall affirm the first decision, no further consideration shall be in order, except by unanimous consent.

(U. S. Senate: XIII-1; Jefferson's Manual; Sec. XLIII.)

(d) When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

(U. S. Senate: XIII-2; Jefferson's Manual; Sec. XLIII.)

#### BILLS AND JOINT RESOLUTIONS

RULE 11. (a) Every bill and joint resolution shall receive three readings previous to its passage, which readings shall be on three different days; and the Presiding officer shall give notice at each reading, whether it be the first, second or third; provided, that the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order.

(U. S. Senate: XLV-2; Jefferson's Manual; Sec. XXII.)

(b) No bill or joint resolution shall be committed or amended until it shall have been twice read.

(U. S. Senate: XIV-3; Jefferson's Manual; Sec. XXV.)

(c) Every bill and joint resolution reported from a committee shall be placed on the calendar in the order in which the same may be reported.

(U. S. Senate: XIV-4; Jefferson's Manual; Sec. XXV.)

#### SECOND READING

RULE 12. (a) When a bill is read a second time it shall be referred to a committee, unless otherwise ordered by the Senate.

(U. S. Senate: XIV-3; Jefferson's Manual; Sec. XXV.)

(b) After a measure has been considered and the report thereon adopted, the next proceeding shall be by motion to advance said measure to engrossment and third reading; and while said motion is pending it shall be in order, except by unanimous consent, to consider only such amendments as were proposed where notice in writing was given in committee that such amendments would be offered in the Senate.

(U. S. Senate: XV-I; Jefferson's Manual; Secs. XXVI, XXX.)

(c) After a measure has been considered as provided under General Order of business the next proceedings shall be by motion to advance said measure to engrossment and third reading, and after said measure has been so advanced it shall not be subject to amendment except by unanimous consent.

(d) After a measure has been advanced to engrossment and third reading it shall appear on the calendar under the heading, "Bills on Third Reading."

#### THIRD READING

RULE 13. When a bill or resolution is read the third time, the question shall be "Shall the bill pass,"

and it shall not be in order to propose amendments.

**RULE 13.** (a) Roll call may be applied on the emergency unless objected to by more than one Senator.

(U. S. Senate: XV-2; Jefferson's Manual; Secs. XXVI, XXX.)

#### **MOTION TO RE-COMMIT**

**RULE 14.** A motion may be made during the reading or consideration of any pending bill to recommit, with or without instructions but if the motion be to recommit with instructions the said instructions shall be in writing, and such motion without instructions shall not be debatable.

(U. S. Senate: XV-2; Jefferson's Manual; Secs. XXVI, XXX.)

#### **BILLS REFERRED**

**RULE 15.** All bills referred shall go to their appropriate committees and shall be reported back to the Senate within ten days and may be recommitted at any time before the final passage.

(U. S. Senate: XVI-3; Jefferson's Manual; Sec. XXV.)

#### **TITLE OF BILL**

**RULE 16.** After a bill has been advanced to engrossment and third reading or has been passed, the Presiding officer shall put the question, "Shall the title of the bill remain the title of the Act"? The title, by amendment, may then be made to conform to the body of the bill.

#### **CAPTION OF RESOLUTIONS**

**RULE 17.** Senate Concurrent and Joint Resolutions, when introduced, shall contain a caption stating the contents and purport of such resolution, and the journal shall show and refer to such resolution by the caption only, save Joint Resolutions, proposing an amendment to the Constitution, when such resolution, if passed, shall be spread at length on the Journal, with yeas and nays recorded thereon. Concurrent Resolu-



tions may be extended at length in the journal, if passed, and by order of the Senate. Senate Resolutions, if passed, shall be shown in the Journal.

## RESOLUTIONS

RULE 18. Except by unanimous consent the following classes of resolutions shall lie over for one day for consideration, after which they may be called up under their appropriate order of business.

(a) Resolutions containing calls for information from any of the executive or judicial departments, or from tribal or county officers, or from any corporate body or persons.

(U. S. Senate: XIV-5; Jefferson's Manual; Sec. XXV.)

(b) Resolutions, giving rise to debate, except such as shall relate to the disposition of business immediately before the Senate, to the business of the day on which they may be offered or to adjournment or recess, shall be referred to committee unless otherwise ordered.

## MOTIONS TO TABLE AMENDMENTS

RULE 19. When an amendment proposed to any pending measure is laid on the table, it shall not carry with it, or prejudice, such measure.

(U. S. Senate: XVII.)

## AMENDMENTS—DIVISION OF A QUESTION

RULE 20. If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition nor shall it prevent a motion simply to strike out; nor shall the rejection of a motion to strike out prevent a motion to strike out and insert. But pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the pur-

pose of amendment as a question; and motions to amend the part to be stricken out shall have precedence.

(U. S. Senate: XXVIII; Jefferson's Manual; Secs. XXV, XXVI.)

#### MANNER OF DIVIDING THE HOUSE

RULE 21. When a division is called for, those voting in the affirmative shall rise in their seats and remain standing until counted aloud by the Secretary. Then those voting in the negative shall arise and stand until they are counted as before, when the President shall announce the result.

#### PRESERVATION OF ORDER

RULE 22. It shall be the duty of the President to preserve order, prevent personal reflections, confine members in debate to the questions; and he shall have the privilege to rise and speak in explanation of any question of order.

#### APPOINTMENTS OF COMMITTEES

RULE 23. The President shall appoint all temporary committees, except those otherwise filled by the Senate.

#### MOTIONS

RULE 24. (a) Every motion shall be reduced to writing, if desired by the Presiding officer, or by any Senator, and shall be read before the same is debated.

(U. S. Senate: XXI-1; Jefferson's Manual; Sec. XX.)

(b) Any motion may be withdrawn by the member making it, before amendment, postponement, or order to lay on the tables, or the ordering of the yeas and nays.

(U. S. Senate: XXI-2; Jefferson's Manual; Sec. XX.)

#### PRECEDENCE OF MOTIONS

##### RULE 25:

(a) To adjourn.

(b) To adjourn to a day certain or that when the Senate adjourn it shall be to a day certain.

- (c) To take a recess.
- (d) To proceed to the consideration of executive business.
- (e) To lay on the table.
- (f) To postpone indefinitely.
- (g) To postpone to a day certain.
- (h) To commit.
- (i) To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take recess, to proceed to the consideration of executive business, to lay on the table, shall be decided, without debate.

(U. S. Senate: XXII; Jefferson's Manual; Sec. XXXIII.)

#### CHAIRMAN OF COMMITTEES

RULE 26. The first and second persons named on any committee shall be Chairman and Vice Chairman, respectively, of said committee; and the Secretary shall deliver all papers referred to any committee to the chairman; provided, that if the Chairman be absent, the Vice Chairman of the committee shall act in his stead.

(U. S. Senate: XXIV; Jefferson's Manual; Sec. XI.)

#### WHEN COMMITTEES SHALL MEET

RULE 27. No committee shall sit during a session of the Senate without leave, except the committee on Engrossed and Enrolled Bills and the committee on Rules and Procedure, and they shall have leave to sit or report at any time.

#### CONFERENCE COMMITTEES AND REPORTS

RULE 28. The presentation of reports of committees on conference shall always be in order, except when the journal is being read or the roll is being called, and there shall accompany every such report, a detailed written statement sufficiently explicit to inform the Sen-

ate what effect such amendments or propositions will have upon the measures to which they relate.

(U. S. Senate: XXXVII-1; Jefferson's Manual; Sec. XLVI.)

#### PRIVILEGES OF THE SENATE

RULE 29. (a) No person, except members of the Senate and its officers, the Governor and ex-Governors of the State and Territory, all state officers, members of the United States Senate and Congress and of the State and Territorial Legislatures, and Constitutional Convention, and the President and Judiciary of the United States, and chief executives of the Five Civilized Tribes, shall be admitted to the floor of the Senate during the sittings of the same without special leave of the Senate, or on invitation of a Senator.

(U. S. Senate: XXXIII.)

(b) No person not a member of the Senate shall address the Senate in open session save by the unanimous consent of the Senate.

#### DECORUM OF MEMBERS

RULE 30. No Senator shall walk out, or across the Senate Chamber when the President is stating a question, or addressing the Senate, nor when a member is speaking, pass between him and the President.

#### GENERAL ORDER

RULE 31. All bills and resolutions reported by standing committees shall be referred and placed on the Senate Calendar under the heading General Order. All bills and resolutions on General Order shall be subject to general amendment and the following rules shall be observed:

(a) The bills shall first be read at length unless otherwise ordered, and then read and considered by sections.

(b) Bills under consideration under the heading General Order must not be interlined or defaced, but all amendments offered shall be duly entered upon a sep-



arate piece of paper shall be in writing and entered in the journal.

#### MANNER OF PUTTING QUESTIONS

RULE 32. The President shall rise to put a question, but may state it sitting. All questions shall be put in this form, to-wit: "As many as are in favor (as the question may be) say "Aye"; as many as are opposed say "No," except when the yeas and nays are ordered; then the question shall be put thus: "As many as are in favor (as the question may be) will answer "Aye" as your names are called; as many as are opposed will answer "No." When a motion or amendment is to strike out a part of the pending measure, the question shall be directly upon the motion or amendment and shall be put: "Shall the Motion (to strike out) prevail?"

#### PREVIOUS QUESTION

RULE 33. (a) There shall be a motion for the previous question, which shall be stated in these words, to-wit: "Shall the main question be now put?" Which being ordered by a majority of the members voting shall have the effect to cut off all debate and bring the house to a direct vote upon the immediate question, or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment, or amendments, and include the bill to its passage or rejection. It shall be in order, pending the motion for, or after the previous question shall have been ordered on its passage, for the President to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.

(b) If the previous question is carried, the original mover of the main question, or if the bill or resolution originated in the other house, then the Chairman of the committee reporting the same shall have the right to close the debate, and be limited to ten minutes; and should the previous question be ordered on a subject de-

batable, before the same has been debated the friends and opponents of the measure shall have thirty minutes on either side in which to debate the question.

#### QUESTIONS OF ORDER

RULE 34. A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and unless submitted to the Senate, shall be decided by the Presiding Officer, without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal, shall be decided by the Presiding Officer without debate; and any appeal may be laid on the table without prejudice to the pending proposition and thereupon shall be held as affirming the decision of the Presiding officer.

(U. S. Senate: XX-1; Jefferson's Manual; Sec. XXXIII.)

#### QUESTIONS OF PRIVILEGE

RULE 35. Questions of privilege shall be: First, affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; Second, the rights, reputation, and conduct of members individually in their representative capacity, only, and shall have precedence of all other questions, except motions to adjourn.

(U. S. Senate: V-1.)

#### INTERRUPTIONS

RULE 36. A question regularly before the Senate can be interrupted only by call for the previous question, for amendment, postponement, commitment to lay on the table, or adjournment.

#### FILLING OF BLANKS

RULE 37. On filling of blanks, the question shall first be taken on the largest sum, greatest number and most distant day.

#### AMENDMENT TO RULES

RULE 38. Any amendment of the permanent rules

or new rules before adoption, shall require the affirmative vote of two-thirds of those elected to and constituting the Senate.

#### DEBATE ON FINAL PASSAGE OF A BILL

RULE 39. After report on a bill by the Committee of the whole, or after it has been perfected in the Senate, the same shall not be subject to debate on the question to engross and advance to third reading, but on final passage on the question, "Shall the bill pass?" the whole subject shall be open to debate which shall be limited to thirty (30) minutes to the side, which shall be divided by the members desiring to speak thereon by the friends and enemies of the bill.

#### JEFFERSON'S MANUAL

RULE 40. All rules laid down in Jefferson's Manual, as construed and practiced by the United States Senate, are hereby declared to be the governing rules of the Senate, except wherein they conflict with the rules herein adopted.

#### ADJOURNMENT

RULE 41. (a) A motion to adjourn shall always be in order, except when the motion shall have been the last motion voted on, and no business transacted, or when on a call for the previous question, the main question shall have been ordered to be now put, or when a member has the floor, and it shall be decided without debate.

(b) When the Senate adjourns it shall be to 1:30 P. M. of the next succeeding day, unless another day and hour shall be specifically named.

#### PRIVILEGES OF THE PRESS TABLE

RULE 42. (a) None but working and accredited representatives of newspapers and magazines bearing permits signed by the President of the Senate and the Chairman of the Capitol Press Association shall be permitted to the press table.

(b) Guests may be admitted to the press table

with the permission of the President and the Chairman of the Capitol Press Association or his representative in the press gallery.

## STANDING ORDERS FOR THE GOVERNMENT OF THE SENATE OF OKLAHOMA

### OFFICERS OF THE SENATE

RULE 1. The officers of the Senate shall be:

The President.

The President pro tempore.

The Vice President pro tempore.

The Secretary.

The Journal Clerk.

The Calendar Clerk.

The Reading Clerk.

The Chief Enrolling and Engrossing Clerk.

The Messenger.

The Sergeant-at-Arms.

The Chaplain.

All other persons in the service of the Senate or of its officers shall be designated as employees.

### ENDORISING OF PAPERS

RULE 2. Every Senator presenting a paper shall endorse the same if a petition, memorial, remonstrance, or communication to answer a call for information, with a concise statement of its subject and his name; if a notice or resolution, with a brief title thereof and his name; if a joint resolution or bill, with a statement of its title and his name; and if taken from the Statutes or Constitution of any other state, a reference thereto; if a matter of any other kind for the consideration of the Senate, with a statement and its subject, the proposer's name, and the reference desired.

### STANDING COMMITTEES

RULE 3. The following standing committees shall be elected by the Senate, and no additions shall be made to any committee, except when two-thirds of the Senate agree thereto:



(1) Committee on Rules and Procedure to consist of seven members.

(2) Committee on Legal Advisory to consist of nine members.

(3) Committee on Constitution and Constitutional Amendments to consist of nine members.

(4) Committee on Judiciary No. 1 to consist of thirteen members.

(5) Committee on Judiciary No. 2 to consist of thirteen members.

(6) Committee on Code Revision to consist of seven members.

(7) Committee on Appropriations to consist of twenty-nine members.

(8) Committee on Ways and Means to consist of seven members.

(9) Committee on Revenue and Taxation to consist of twenty-three members.

(10) Committee on Privileges and Elections to consist of nine members.

(11) Committee on Public Service Corporations to consist of eleven members.

(12) Committee on Private Corporations to consist of six members.

(13) Committee on Municipal Corporations to consist of ten members.

(14) Committee on Roads and Highways to consist of twenty-three members.

(15) Committee on Fees and Salaries to consist of eleven members.

(16) Committee on Education to consist of twenty-two members.

(17) Committee on Commerce and Labor to consist of twelve members.

(18) Committee on Agriculture to consist of sixteen members.

(19) Committee on Banks and Banking to consist of sixteen members.

(20) Committee on Insurance to consist of twelve members.

(21) Committee on Public Buildings to consist of nine members.

(22) Committee on School Lands to consist of fifteen members.

(23) Committee on Oil and Gas to consist of nineteen members.

(24) Committee on Mines and Manufacturing to consist of ten members.

(25) Committee on Senate and Legislative Affairs to consist of ten members.

(26) Committee on State and County Affairs to consist of fifteen members.

(27) Committee on Federal Relations to consist of eight members.

(28) Committee on Indian Affairs to consist of eleven members.

(29) Committee on Hospitals and Charities to consist of eight members.

(30) Committee on Penal Institutions to consist of five members.

(31) Committee on Public Printing to consist of seven members.

(32) Committee on Public Health to consist of eight members.

(33) Committee on Drugs and Pure Food to consist of eleven members.

(34) Committee on Fish and Game to consist of fifteen members.

(35) Committee on Military Affairs to consist of eight members.

(36) Committee on Prohibition Enforcement to consist of five members.

(37) Committee on Engrossed and Enrolled Bills to consist of ----- members.

(38) Committee on Irrigation, Drainage and Reclamation to consist of six members.

(39) Committee on Legislative and Judicial Apportionments to consist of sixteen members.

(40) Committee on Committees to consist of nine members.

(41) Committee on Livestock and Tenant Farming to consist of seven members.

(42) Committee on Soldiers' Relief to consist of fifteen members.

#### INTRODUCTION OF BILLS

RULE 4. (a) One original and eight copies of every bill shall be sent to the Secretary's desk.

(b) When any bill seeking to amend the present laws of the State is introduced in the Senate all that portion of the Bill which is new matter and amends and changes the present law, shall be underscored. The fact that a portion of the existing law has been omitted from any part of the Bill, shall be indicated by three stars (\*\*\*) . When the Bill is printed, the new matter shall be designated by the use of italics.

(c) The procedure for the introduction of bills shall be as follows: A Senator desiring to introduce a bill, shall rise at his desk and address the President, and when he has obtained recognition shall publicly notify the President that he desires to introduce a bill. The President shall then publicly announce that the Senator desires to introduce a bill; and when the Senator sends up to the reading clerk the bill to be introduced, the reading clerk shall read the title of the bill.

Or, a Senator may deposit all the bills he desires to introduce in a basket on the Secretary's desk, provided for that purpose, and when the order of business for the introduction of bills, has been reached, and if all Senators who desire to do so, have introduced their

bills as hereinabove provided, the reading clerk shall take from such basket all bills contained therein and publicly read the titles thereof, numbering the bills consecutively in the order read. The authorship of any bill taken from the basket and thus introduced may be questioned by any Senator at the time of its introduction, and, unless the Senator or Senators appearing thereof as authors shall publicly acknowledge the authorship thereof, such bill shall be returned to the basket and not introduced.

#### EXECUTIVE BUSINESS PROCEEDINGS ON NOMINATIONS

RULE 5. When nominations shall be made by the Governor to the Senate, the President of the Senate shall announce that there are matters on the President's table for the consideration of the Senate in executive session, and such nominations shall lie upon the President's table until such time as the Senate may go into executive session, when the President shall lay the same before the Senate which shall refer each nomination to an appropriate standing committee for investigation, consideration and report; provided, that any nomination so laid before the Senate may, by unanimous consent, be considered and acted upon without reference to a committee.

(U. S. Senate: XXXVIII-1.)

#### EXECUTIVE PROCEEDINGS FURNISHED TO THE GOVERNOR

RULE 6. Nominations approved, or definitely acted upon by the Senate, shall not be returned by the Secretary of the Senate to the Governor until after the next executive session, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

(U. S. Senate: XXXVIII-4.)

#### SECRECY OF REMARKS ON NOMINATIONS

RULE 7. All information or remarks concerning the character or qualifications of any person nominated



by the Governor to office shall be kept secret by the Senators and officers, but the result of the vote on confirmation or rejection, of every nomination shall be published in the Journal of the Senate.

(U. S. Senate: XXXVIII-2.)

#### PENALTIES FOR VIOLATING THE CONFIDENCE OF THE SENATE

RULE 8. Any Senator or officer of the Senate, who shall discuss the secret or confidential business proceedings of the Senate shall be liable, if a Senator, to suffer expulsion from the Senate, or punishment for contempt.

(U. S. Senate: XXXVI-4.)

#### LOBBYING

RULE 9. Lobbying under certain conditions is prohibited by law \*Section 2291-2298 Comp. Statutes, 1931.

#### COMMITTEE ON PRINTING

RULE 10. All Bills, Calendars, Orders, Stationery and Resolutions ordered printed shall be in charge and under control of the Committee on Public Printing, regardless of former reference, and printed under its directions. Said Committee shall examine and ascertain whether the prices charged for printing and the quality and quantity furnished are in conformity with the contract, or orders of the Senate, and to audit and approve all printing accounts, and see that proper vouchers exist for the same.

#### DUTIES OF COMMITTEES ON SENATE AND LEGISLATIVE AFFAIRS

RULE 11. It shall be the duty of the Committee on Senate and Legislative Affairs to purchase all supplies for the use of the Senate and to have general supervision of the care and sanitation of the Senate Chamber and Committee rooms, and to audit, examine and pass upon the Senate accounts and expenses, and shall appoint from its members a sub-committee of three for the special purpose of auditing, passing upon, and examining Senate accounts and expenses.

**DUTIES OF SERGEANT-AT-ARMS**

**RULE 12.** The Sergeant-at-Arms shall, under the direction of the Committee on Senate and Legislative Affairs, have charge of all property of the Senate, and receive from the printer all matters printed for the use of the Senate and shall keep a record of the time of the reception of each document and the number of copies received and cause a copy to be placed on the desk of each member under orders of the Senate.

He shall serve all processes and shall enforce the rules of the Senate subject to the direction of the President.

**REPORT OF COMMITTEES**

**RULE 13.** A report of a Committee must be endorsed with the statement of such report, together with the name of the committee making the same, and shall be signed by the Chairman or ranking member participating in such decision or concurring in such report. A report by the minority of any committee shall be signed by the members submitting the same.

**PRIVILEGES OF MEMBERS**

**RULE 14.** No person, except Senators, officers or designated employees, shall be or permitted within the desk of the Secretary of or other custodian of public documents, files or papers, or of the room set apart for such use; and no Senator or other person shall visit or remain by the Secretary's table while the yeas and nays are being taken, except the officers and designated employees in the official discharge of their duties.

**POWERS OF THE PRESIDENT**

**RULE 15.** The President shall have general control of the Chamber and of the corridors and passages in that part of the building assigned to the use of the Senate. In case of any disturbance or disorderly conduct in the galleries, corridors, or passages he shall have the power to order the same to be cleared, and may cause any person guilty of such disturbance or disorderly con-

duct to be brought before the bar of the Senate. In all cases the Senate may take such measures as it shall deem necessary to prevent a repetition of such misconduct, by excluding the offending person from admission to the Senate Chamber thereafter, or imposing other penalties.

#### DUTIES OF PRESIDENT PRO TEMPORE

RULE 16. The powers and duties devolving upon the president shall vest in the President pro tempore or other person when exercising the office of President.

#### POWERS OF COMMITTEE

RULE 17. Any Senate committee, either standing or special, shall be and is hereby authorized and empowered to issue process, compel attendance of witnesses, and to administer oaths to any person appearing before any said committee.

#### AUTHORS OF BILLS TO BE GIVEN HEARINGS

RULE 18. When a bill is pending before a standing committee, the author thereof, shall, upon request, be notified of the time and place of its consideration, and be given opportunity to be heard thereon. Any member of the House of Representatives shall be accorded the privilege of being heard upon all matters pending before the standing committees of the Senate.

#### DUTIES OF OFFICERS AND EMPLOYEES OF THE SENATE

RULE 19. All officers and employees of the Senate whose duties do not require their presence in the Senate Chamber shall report and remain at their respective places of duty assigned to them by the Senate, during the hours that the Senate is in session, and at such other times as their services may be required.

#### APPROPRIATION AND REVENUE BILLS TAKE PRECEDENCE

RULE 20. (a) All appropriation bills originating in the Senate and revenue bills shall take precedence over all other bills and resolutions on Senate days, and

all appropriations and revenue bills originating in the House shall take precedence over the House bills and resolutions on House days.

(b) No revenue bill shall be considered by the Senate, unless final action is taken thereon, on or before the last five days of the session of the Legislature.

(c) All bills carrying appropriations which are referred for consideration to any committee other than the Committee on Appropriations shall, immediately upon a favorable report by the committee to which referred, or upon the rejection by the Senate of an unfavorable report by such committee thereon, be referred to the Committee on Appropriations for consideration by the Committee on Appropriations of the Appropriation feature thereof, and shall not be considered by the Senate until the Committee on Appropriations has reported thereon in accordance with the rules of the Senate.

#### AMENDMENT TO RULES

RULE 21. Any amendment of the permanent rules or new rule before adoption, shall require the affirmative vote of two-thirds of those elected to and constituting the Senate.

#### DISPOSITION OF BILLS

RULE 22. A bill, when advanced to engrossment and third reading shall, together with the amendments thereto, be delivered to the chief of the enrolling and engrossing department for engrossment. Thereafter, the engrossed bill together with the original bill and amendments, shall be returned by said chief to the Committee on Enrolled and Engrossed Bills. The Committee on Enrolled and Engrossed Bills, after having compared the engrossed bill with the original bill and amendments, shall make report to the Senate, submitting the engrossed bill, together with the original bill and amendments, which engrossed bill shall be placed upon third reading and final passage, and if passed, shall be signed



by the Presiding officer, and transmitted to the House of Representatives, and the original bill, with amendments, shall be delivered to the Secretary of the Senate for safe keeping.

#### FINAL ENROLLMENT OF BILL

RULE 23. When a Senate Bill has been returned by the House with amendments (if any), the amendments shall be considered by the Senate, and, when agreed to and the bill finally passed, it shall be delivered to the chief of the enrolling and engrossing department for enrollment. The said chief shall enroll said bill and return with the engrossed bill to the Committee on Enrolled and Engrossed Bills, to be compared by said committee one with the other, and thereafter returned to the Senate, the enrolled bill for fourth reading and the original engrossed bill for deposit with the Secretary of the Senate.

Upon motion of Senator Nance, consideration of the report on Rules and Procedure was set for Special Order, on Tuesday, February 14, at 2:00 o'clock, p. m.

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 14—By MALLORY, entitled:

Concurrent Resolution inviting Governor Max O. Gardner of North Carolina to deliver an address to a Joint Session of the Oklahoma Legislature, 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.

Yours very truly,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolution No. 14 was ordered printed and placed upon the calendar.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 318—By TIMMONS, KIRKPATRICK, CHAMBERS and EBY (Tulsa) BOYER, BEARD and LOGSDON, entitled: An Act amending Section 7042, O. S. 1931, providing for the transfer and transportation of pupils in separate schools; repealing all Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 396—By CLOYD, BEAVER, LINDSEY, and HART of the House and BALLARD and PAUL of the Senate, entitled: An Act creating nominating districts in the Nineteenth Senatorial District of the State of Oklahoma; providing the time for nominating Senators therein; providing that the candidates so nominated shall be voted for in the entire district at the general election; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 409—By SHOE-MAKE, entitled: An Act repealing Section 8131, Oklahoma Statutes 1931; relating to the mileage and per diem of County Commissioners in Muskogee County and declaring an emergency,

and to inform you, and through you, the Honorable Senate that the same have been passed by the House of

*Twenty-eighth Day, Thursday, Feb. 9, 1933* 615

Representatives and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 318, 396 and 409.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED SENATE JOINT RESOLUTION NO. 7—By RIZLEY, CHAMBERLIN, REED and CLARK of the Senate, MALLORY, WINGO, JOHNSON (Comanche), PARKS, KIGHT, WILLIAMS, TODD, JONES, COX, FITZGERALD and JESSEE of the House, entitled:

Extending time of payment of all indebtedness due and owing to the Commissioners of the Land Office of the State of Oklahoma on purchase certificates and preference right leases heretofore made and issued, and declaring an emergency, together with conference Report thereon, and to advise you, and, through you, the Honorable Senate, that the House has adopted the Conference Committee report, and the Resolution has been passed by the House, AS AMENDED, by said report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Joint Resolution No. 7, together with Conference Committee Report thereon, was ordered referred for enrollment.

To the President of the Senate,  
Building.

SIR:

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

ENROLLED SENATE CONCURRENT RESOLUTION NO. 8—entitled:

A Resolution memorializing Congress to repeal the law levying an excise tax of one cent (1c) per gallon of gasoline for Federal purposes, and to advise you, and through you, the Honorable Senate, that the same has been signed by the Speaker of the House of Representatives in open session.

Yours very truly,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 8 was ordered referred to the Secretary of State.

Senator Paul asked unanimous consent, which was granted, to submit the following motion:

Mr. President: I move that the Senate Auditor be instructed and directed to present to the Senate an itemized statement of the total expenditures of money and amounts owing by the State, up to and including Wednesday, February 8th, as a result of the investigation, authorized under Senate Resolution No. 2.

PAUL.

Senator Nance moved to amend the Paul motion, by providing that all investigating committees of the Senate be required to make a report of expenditures at the close of each week, which amendment was accepted by Senator Paul.

Senator Logan moved to table the Paul motion, as amended, which motion failed of adoption.

The vote occurring on the Paul motion, as amended, it was declared adopted.

Senator Johnston moved that the Senate adjourn promptly at four o'clock, p. m., this date, for the purpose of an announced meeting of the Revenue and Taxation Committee, for that hour.

Senator Pugh moved to table the Johnston motion, which motion failed of adoption.



The vote occurring on the Johnston motion, it was declared adopted.

#### FIRST READING

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

SENATE BILL NO. 256—By STACEY of the Senate and ROBERTS of the House.—An Act authorizing and requiring courts in all cases of the foreclosure of mortgages and deeds of trust, to fix the attorney fee that shall be charged as costs against the defendant which fee shall in all cases be determined according to the stage to which the foreclosure has progressed, providing that in no case shall the fee on the completion of the foreclosure be greater than the maximum amount herein provided, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

SENATE BILL NO. 257—By KENAN of the House and LOGAN of the Senate.—An Act relating to the expenditure and distribution of State highway construction and maintenance funds raised by the three cent gasoline excise tax; amending Section 12536, Oklahoma Statutes, 1931; repealing all Acts and parts of Acts in conflict therewith and declaring an emergency.

SENATE BILL NO. 258—By WHITAKER and NANCE.—An Act amending Section 12755, Oklahoma Statutes, 1931, relating to tax re-sale by the county treasurer; providing the time, advertisement, and manner of conducting said sale; providing the minimum amount that may be bid at such sale; providing that the bid shall be in the name of the county in certain circumstances; and providing for the management, control, use and sale of such property as may be purchased in the name of the county; and repealing all Acts in conflict therewith and declaring an emergency.

SENATE BILL NO. 259—By NICHOLS.—An Act relating to mutual benefit assessment associations and providing that such companies on or before July 1, 1933,

shall begin operating on a legal reserve basis; providing for the institution of proceedings for the appointment of a receiver by the insurance commissioner for failure to comply with this Act; providing that no mutual benefit assessment association shall be organized after the passage and approval of this Act; and declaring an emergency.

SENATE RESOLUTION NO. 15—By THOMAS.—A Resolution authorizing the placing of Jack Wilcox on the payroll as a Page in the Senate.

President Burns presiding.

#### SECOND READING

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

SENATE BILL NO. 251—By JENNINGS.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 252—By STACEY.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 253—By WILBANKS (By Request).—Referred to Committee on Banks and Banking.

SENATE BILL NO. 254—By MORRISON and BRIGGS.—Referred to Committee on Education.

SENATE BILL NO. 255—By MEMMINGER, CHAMBERLIN and GARVIN.—Referred to Committee on Private Corporations.

ENGROSSED HOUSE BILL NO. 229—By GRAY.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 80—By PHILLIPS (Atoka) and CHILDERS.—Referred to Committees on Education and Fees and Salaries.

ENGROSSED HOUSE BILL NO. 168—By O'NEILL and EASON.—Referred to Committee on Fees and Salaries.

ENGROSSED HOUSE BILL NO. 187—By KIGHT and BATSON.—Referred to Committee on School Lands.

### THIRD READING

By unanimous consent, third reading of HOUSE BILL NO. 96, by Cloyd, was deferred for this legislative day.

### SPECIAL ORDER

SENATE BILL NO. 51, by Pugh, was taken up for further consideration.

The Whitaker amendment, to Section 1, submitted on February 7th, was re-read.

Senator Whitaker asked unanimous consent, which was granted, to amend his amendment, to line 3, page 1, by striking the words, "County Excise Board," and inserting the words, "County Commissioners."

The vote occurring on the amended amendment, it was declared failed of adoption.

Senator Wilbanks submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 51, line 3, page 2, by inserting after the semi-colon and before the word, "in," the following, "Provided no officer in Hughes County will be authorized to draw a greater salary than they are now receiving."

WILBANKS.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 51, line 2, page 2, by striking the figures, "55,000," and inserting the figures, "45,000;" and in line 4, page 2, by striking the figures, "55,000," and inserting the figures, "45,000."

CURNUTT.

Senator Chamberlin presiding.

Senator Jennings, as a substitute, moved that Senate Bill No. 51 be recommitted to a Special Committee of 3, to be appointed by the President, with instructions to redraft the same in such a way as to take care of the needs of the respective counties of the State.

Senator Nance, in lieu of all pending motions, moved that consideration of Senate Bill No. 51 be deferred until the next legislative day, the bill to retain its place on the calendar, which motion prevailed.

Senator Nance moved that an unofficial committee of three, be appointed, to confer with and assist the author of Senate Bill No. 51, in redrafting the bill.

The motion prevailed and the Chair appointed Senators Pugh, Rutherford and Willis.

Senator Rutherford asked, on account of committee work, to be relieved of serving on the unofficial committee, relative to Senate Bill No. 51.

The Rutherford request was granted and the Presiding Officer appointed, in his stead, Senator Jennings.

#### 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 Education, to whom was referred Senate Bill No. 40, by Logan, entitled:

An Act abolishing the East Central State Teachers' College at Ada, Oklahoma, providing for the disposition of the property belonging to or used by said institution, and repealing all Laws relating thereto,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

RITZHAUPT, Chairman.

Upon motion of Senator Ritzhaupt, the adverse Committee Report on Senate Bill No. 40 was adopted.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 41, by Logan, entitled:

An Act abolishing the Central State Teachers' College at Edmond, providing for the disposition of the



property belonging to or used by said institution, and repealing all laws relating thereto, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

RITZHAUPT, Chairman.

Upon motion of Senator Ritzhaupt, the adverse Committee Report on Senate Bill No. 41 was adopted.

Mr. President: We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 177 by Chamberlin, entitled:

An Act amending Section 3, Chapter 28, Session Laws of Oklahoma, 1925, being Section 9844, Oklahoma Statutes 1931 relating to Building and Loan Associations,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the Committee Substitute herewith submitted, do pass.

MEMMINGER, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 247, by Pugh, entitled:

An Act repealing Article 13, Chapter 35, of the Session Laws of 1931, same being Senate Joint Resolution No. 53, regulating the salaries of the county commissioners of Caddo County, Oklahoma,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

PUGH, Chairman.

#### GENERAL ORDER

Senator Nichols asked unanimous consent, to which Senator Jennings objected, to take up for consideration SENATE JOINT RESOLUTION NO. 4, by Nichols.

Senator Nichols moved that the rules of the Senate be suspended for the purpose of considering Senate

Joint Resolution No. 4, which motion failed of adoption.

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

## TWENTY-NINTH LEGISLATIVE DAY

Friday, February 10, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Powers. Total, 1.

Excused: Lester, Moon. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 11—By CONNER, COPELAND, BILLINGS, ELLIS, MARSHALL, GRAHAM and COE, entitled:

An Act creating a Court of Common Pleas in Oklahoma County, Oklahoma, defining the jurisdiction thereof, and creating the offices thereof and defining their powers and duties and providing for the appointment, election, qualifications, duties, powers, and compensation of the judges and other officers thereof and providing for a pleading and practice and rules of procedure

therein and all appeals and writs of error therefrom: providing for the transfer of causes from the district and county court to said court and declaring an emergency

ENGROSSED HOUSE BILL NO. 139—By CHILDERS, entitled:

An Act vitalizing Section 33, Article 6, Constitution of Oklahoma, relating to the duty of state officers to make reports semi-annually and other reports when requested by the governor; providing the penalty for violations 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill Nos. 11 and 139.

To the President of the Senate,

Building

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. 92—By MARTIN, entitled:

A Bill to be entitled an Act making appropriations from the public building fund for additional buildings at the State Hospital for Negro Insane at Taft and directing the State Board of Public Affairs to proceed immediately to let contract for such building and declaring an emergency,

and that the same has been passed by the House, as AMENDED, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.



To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 132—By LEE-CRAFT, HAILE, BUSHYHEAD, BABB, McEL-HANEY, LINDSAY, and EBEY (Pontotoc), entitled:

An Act amending Section 12678, Oklahoma Statutes, 1931, and relating to taxes levied by the County Excise Boards,

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 ACTING SPEAKER in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 132.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to recall:

ENGROSSED HOUSE BILL NO. 187—By KIGHT and BATSON, entitled:

A Bill to be entitled: An Act relating to the State School Land Department and to the duties and powers of the Commissioners of the Land Office, of the Secretary to the Commissioners, fixing the salary of the secretary, providing for the sale of certain lands of the state, amending Sections 5455, 5458, 5595, 5508, 5522, 5527, 5630 and 5642, Oklahoma Statutes, 1931, repealing Sections 5497, 5498, 5499, 5504, 5505, 5506, 5507, 5508, 5512, 5520, 5521, 5530, 5531, 5532, 5534 to 5549 inclusive, 5551 to 5556 inclusive, 5561, 5562, 5565, 5566, 5567, 5572, 5573, 5574, 5576, 5577, 5580 to 5585 inclusive, 5593, 5597.

to 5602 inclusive, 5605, 5629 and 5631 to 5641 inclusive, Oklahoma Statutes, 1931, and declaring an emergency, for the purpose of correcting the same.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Chamberlin, the request of the Honorable House was granted and Engrossed House Bill No. 187 ordered returned, for correction.

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 10—By MALLORY, entitled:

A Resolution requesting the Oklahoma delegation to attempt to remedy tax evasion through the ownership of tax-exempt securities,

and to advise you, and through you, the Honorable Senate, that the same has been signed by the Speaker Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolution No. 10 and ordered the resolution returned to the Honorable House.

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE BILL NO. 42—By CLOYD, entitled:

An Act repealing Chapter 99, Session Laws of Oklahoma, 1929, the same being Section 7961 Oklahoma Statutes 1931 relating to the office of Assistant County Su-

perintendent of Cleveland County; 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 42 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House. To the President of the Senate,  
Building  
SIR:

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

ENROLLED SENATE BILL NO. 201—By THOMAS of the Senate and TODD of the House, entitled:

An Act repealing Section 8409 of the Statutes of Oklahoma of 1931, relating to the salary and mileage of the Board of County Commissioners of Washita County, 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 201 was ordered referred to the Governor, for consideration.

The following request was submitted and, upon motion of Senator Jennings, granted:  
To the Honorable President and  
Members of the Senate,  
of the State of Oklahoma:

ED. L. WILLIAMS states that he is a resident of Sapulpa, Oklahoma; that he is 55 years of age and that he is legislative representative of the Order of Railroad Conductors, and that he is paid \$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.

E. L. WILLIAMS.

Senator Nance moved that, when the Senate adjourns today, it adjourn to meet at 10:00 o'clock, a. m., tomorrow.

Senator Ballard moved to amend the Nance motion, by adding, "and that no Committee shall meet on the next legislative day."

Senator Curnutt, as a substitute, moved that, when the Senate adjourns today, it adjourn to meet at 10:01 o'clock, a. m., tomorrow, and all investigating committees be so notified, which motion, by unanimous consent, he withdrew.

Senator Nance asked unanimous consent, which was granted, to amend the Ballard amendment to the original motion, by adding the words, "except the oil investigation committee."

The vote occurring on the Ballard amendment, as amended, to the Nance motion, it was declared adopted.

The vote occurring on the Nance motion, as amended, it was declared adopted.

Senators Clark and MacDonald asked that the record show them "excused," until Monday, February 13th, following the close of this legislative day, which requests were granted.

#### 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 Fees and Salaries, to whom was referred House Bill No. 265, by Phillips (Okfuskee), entitled:

An Act repealing Chapter 127, Sections One and



Two, Session Laws of 1929, the same being Section 8169, Oklahoma Statutes 1931, with reference to the salaries of County Commissioners in Okfuskee 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.

PUGH, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred House Bill No. 269, by Phillips of Okfuskee, entitled:

An Act repealing Chapter 193, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, Session Laws 1925, the same being Sections 8170, 8171, 8172, 8173, 8174, 8175, 8176, 8177, 8178, 8179, 8180, 8181, 8182, 8183, 8184, 8185, 8186, 8187, 8188, 8189, 8190 and 8191, Oklahoma Statutes 1931, the same referring to the salaries of deputies to county officers in Okfuskee 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.

PUGH, Chairman.

Mr. President: We, your Committee on Commerce and Labor, to whom was referred Senate Bill No. 44, by Waldrep, entitled:

An Act providing that any holder of a certified municipal or commercial accountancy certificate as authorized by Art. 1 of Ch. 24, Oklahoma Statutes 1931, shall be entitled to a certificate as a public accountant, and providing, etc., 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.

Mr. President: We, your Committee on Senate Judiciary Committee, Division No. 2, to whom was referred

Senate Bill No. 80, by Carlile, MacDonald and Pugh of the Senate, and Henderson, Spear and Bushyhead of the House, entitled:

An Act creating a landlord's lien for supplies and money furnished tenants and employees, providing for the enforcement of such lien 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.

CHAMBERLIN, Chairman.

Upon motion of Senator Chamberlin, the adverse Committee Report on Senate Bill No. 80 was adopted.

Mr. President: We, your Committee on Retrenchment and Reform, to whom was referred Senate Bill No. 143, by Curnutt of Senate and Sturgell and Johnson of the House, entitled:

An Act creating the office of delinquent personal tax collector in all counties of the state of Oklahoma, providing the terms, duties and compensation, providing for the discovery of omitted property and the placing of same on the tax rolls, the compensation for the collection of the taxes on said omitted property; amending Sections 12727, 12730 and 12731, Compiled Oklahoma Statutes of 1931; providing for the collection of delinquent taxes on personal property; repealing Section 12729 Compiled Oklahoma Statutes of 1931; and all other 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.

NICHOLS, Chairman.

Mr. President: We, your Judiciary Committee No. 2, to whom was referred Senate Bill No. 161, by Jennings, entitled:

An Act amending Section 13,372 Oklahoma Statutes, 1931, relating to exemption of claims under Workmen's Compensation Law from levy or other remedy for col-

lection of debt; and providing that such claims shall not abate by the death of either employer or employee or both of them; providing for the revival 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Senate Judiciary Committee, Division No. 2, to whom was referred Senate Bill No. 187, by Ballard, entitled:

An Act fixing the annual membership fee of active and inactive members of the State Bar; repealing Sections 4251 and 4253 of the Compiled Oklahoma Statutes of 1931, and other purposes; 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Judiciary Committee, Division No. 2, to whom was referred Senate Bill No. 190, by Chamberlin, Commons, Morrison and Nichols, entitled:

An Act relating to civil procedure; providing that a party to a suit may call the opposite party as a witness or the manager, superintendent, agent or other party in control, if such opposite party be a corporation; prescribing and defining the conditions and effect thereof; repealing all Acts and parts of Acts that 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Senate Judiciary Com-

mittee, Division No. 2, to whom was referred Senate Bill No. 191, by Logan, entitled:

An Act amending Sections 726 and 2300, Oklahoma Statutes, 1931, relating to privileged communications, 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.

CHAMBERLIN, Chairman.

Upon motion of Senator Chamberlin, the adverse Committee Report on Senate Bill No. 191 was adopted.

Mr. President: We, your Senate Judiciary Committee, Division No. 2, to whom was referred Senate Bill No. 192, by Logan, entitled:

An Act amending Section 80, Oklahoma Statutes, 1931, relating to the withdrawal of pleadings and papers filed with the Court Clerk, 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.

CHAMBERLIN, Chairman.

Upon motion of Senator Chamberlin, the adverse Committee Report on Senate Bill No. 192 was adopted.

Mr. President: We, your Senate Judiciary Committee, Division No. 2, to whom was referred Senate Bill No. 209, by Carlile and Logan, entitled:

An Act relating to the investment of money belonging to estates of minors and incompetents, 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Senate Judiciary Committee, Division No. 2, to whom was referred Senate Bill No. 213, by Hutchinson, entitled:

An Act amending Section 1237, Oklahoma Statutes,



1931, relating to allowance and rejection of claims by executor or administrator; and providing claimants shall be notified in writing of rejection of any claim; 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Senate Judiciary Committee, Division No. 2, to whom was referred Senate Bill No. 215, by Briggs, entitled:

An Act amending Section 2086, Oklahoma Statutes, 1931, relating to cheats, frauds and bogus checks 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Senate Judiciary Committee, Division No. 2, to whom was referred Senate Bill No. 226, by Pugh, entitled:

An Act amending Section 4134 of the Statutes of 1931 relative to Justices of the Peace and Constables, 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.

CHAMBERLIN, Chairman.

Upon motion of Senator Chamberlin, the adverse Committee Report on Senate Bill No. 226 was adopted.

Mr. President: We, your Senate Judiciary Committee, Division No. 2, to whom was referred Senate Bill No. 232, by Briggs of the Senate, and Garland of the House, entitled:

An Act to authorize and permit a contest of proceedings and bill of review deemed beneficial for minors and

incompetents, and to repeal all laws inconsistent herewith,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CHAMBERLIN, Chairman.

Mr. President: We, your Judiciary Committee No. 2, to whom was referred Senate Bill No. 252, by Stacey, entitled:

An Act making it unlawful for persons, firms and corporations to mail, address or deliver to debtors instruments purporting to be summons, or other court process, in an effort to collect accounts; prescribing the penalty for violation 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 pass, as amended.

CHAMBERLIN, Chairman.

Senator Thomas submitted the following supplemental Committee report:

Mr. President: We, your Committee on Employment, beg leave to submit the following supplementary report, recommendation, etc.:

We recommend Rev. W. M. Wilson, as Chaplain, to take the place of Rev. R. R. Hildebrand, beginning February 12th.

THOMAS, Chairman.

Senator Thomas moved the adoption of his report.

Senator Paul moved to amend the Committee report on employees, by substituting the name of "J. Madison Hicks," for that of "W. M. Wilson."

Senator Nance moved to amend the Paul motion, by providing that "J. Madison Hicks," shall be given a five day period, beginning February 12th, to serve as Chaplain of the Senate.

By unanimous consent, Senators Paul and Nance withdrew their motions.

The vote occurring on the Thomas motion, it was declared adopted.

### CONFERENCE COMMITTEE REPORT

The following Conference Committee report was submitted and read:

TO THE PRESIDENT OF THE SENATE, AND THE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES:

We, your Conference Committee, appointed to consider Engrossed Senate Bill No. 28, beg leave to report that we have had the same under consideration and, herewith, return the same with the following recommendations:

First: That the Senate concur in House Amendment No. 1.

Second: That the Senate concur in House Amendment No. 2.

Third: That the Senate concur in House Amendment No. 3.

Fourth: That the House of Representatives recede from House Amendment No. 4.

Fifth: That the Senate concur in House Amendment No. 5.

Respectfully submitted,

John A. MacDonald,	Sam E. Neill,
Ross Rizley,	Leon C. Phillips,
Cecil R. Chamberlin,	C. A. Douthat,

Senate Conferees.      House Conferees.

Upon motion of Senator Chamberlin, the Conference Committee Report was adopted.

Further consideration of Senate Bill No. 28, as amended in conference, was deferred.

### FIRST READING

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

SENATE BILL NO. 260—By MORRISON.—An Act relating to the use of nicknames, abbreviations and

corruptions of names by persons filing as candidates before any election and declaring an emergency.

SENATE BILL NO. 261—By TAYLOR and PAUL.—An Act amending Sections 3679, Oklahoma Statutes, 1931, relating to rates to be charged for ginning cotton; providing a penalty for violations thereof; repealing all Laws and parts of Laws in conflict therewith; and declaring an emergency.

SENATE BILL NO. 262—By CHAMBERLIN.—An Act amending Section 7189, Oklahoma Statutes, 1931, transferring the duties and powers of the Board of Vocational Education to the Oklahoma Agricultural and Mechanical College and declaring an emergency.

SENATE BILL NO. 263—By NICHOLS of the Senate and GRISSO of the House.—An Act creating a state aeronautical fund in the State Treasury; providing for the expenditure of the same; prescribing the manner and method of payment of such tax; authorizing the State Highway Commission to expend the same in aid of aviation; and authorizing said Commission to condemn private property for aviation purposes; authorizing the Commission to make rules and regulations in connection therewith; and declaring an emergency.

SENATE BILL NO. 264—By JOHNSTON.—An Act providing for judicial knowledge by the courts of Oklahoma of the "General Commodity Index" as determined by the Department of Labor of the United States; and providing additional grounds for continuance in actions for foreclosure of mortgages and other liens on homesteads.

SENATE BILL NO. 265—By JOHNSTON.—An Act establishing moratorium and providing ways, means, and procedure for opening banks in charge of the State Banking Department; and declaring an emergency.

SENATE BILL NO. 266—By JOHNSTON, TAYLOR, BRIGGS, REED and CARMACK of the Senate and JONES, BABB, and HENDERSON of the House.—



An Act providing for and creating an auto-theft fund in the State Treasury from funds collected under the provisions of Chapter 43, Session Laws 1925; making appropriation of and providing for the expenditure of monies from said fund by the State Highway Commission, or under its direction, and declaring an emergency.

SENATE BILL NO. 267—By FISCHL of the Senate and CAVINS of the House.—An Act providing that tax moneys collected upon any estimate made to pay warrants, which have been merged in funding bonds or judgments, shall be deposited and become a part of the sinking fund of the political subdivision for which the levy was made, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 10—By COMMONS of the Senate and HARP and DOUTHAT of the House.—A Joint Resolution authorizing Jessie Graham and Mrs. James Vice to bring suit against the State of Oklahoma for damages sustained by them by reason of the negligence of the State Highway Department in failing to place lights and properly warn persons using the highway on August 26, 1930, of the condition of a road and bridge near Grove, Delaware County, Oklahoma, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 11—By NICHOLS.—A Joint Resolution regulating the management and liquidation of delinquent loans under the management and control of the Commissioners of the Land Office of the State of Oklahoma and regulating the management with reference to interest charges on loans to be hereafter made by the Commissioners of the Land Office of the State of Oklahoma; and declaring an emergency.

SENATE JOINT RESOLUTION NO. 12—By NICHOLS.—A Joint Resolution regulating the management of loans made by the Commissioners of the Land Office during the years 1931, 1932 and 1933, with reference to the abrogation and annulment of the provisions contained in said mortgages requiring a five per cent

annual reduction of the principal obligation secured by said mortgages; and prohibiting the Commissioners of the Land Office from making any other similar provisions in any mortgages that said Commissioners may take hereafter; and declaring an emergency.

SENATE RESOLUTION NO. 16—By SOWARDS.—A Resolution authorizing Lewis Adams of Lincoln County, Oklahoma, to bring suit against the State of Oklahoma to determine the amount of damages sustained by him on account of the construction of State Highway No. 66, adjoining the west half of the Northeast Quarter of Section 14, Township 14 North, Range 3 East.

SECOND READING

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

SENATE BILL NO. 256—By STACEY of the Senate and ROBERTS of the House.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 257—By KENAN of the House and LOGAN of the Senate.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 258—By WHITAKER and NANCE.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 259—By NICHOLS.—Referred to Committee on Insurance.

ENGROSSED HOUSE BILL NO. 318—By TIMMONS, KIRKPATRICK, CHAMBERS and EBY (Tulsa), BOYER, BEARD and LOGSDON.—Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 396 — By CLOYD, BEAVER, LINDSEY, and HART of the House, and BALLARD and PAUL of the Senate.—Referred to Committee on Privileges and Elections.

ENGROSSED HOUSE BILL NO. 409—By SHOE-MAKE.—Referred to Committee on Fees and Salaries.

Senator Morrison presiding.

### THIRD READING

(Motion to Reconsider)

Senator Nance moved that the vote be reconsidered by which SENATE BILL NO. 21, by Logan, failed of passage.

Senator Ballard moved to table the Nance motion, which motion failed of adoption.

Senator Curnutt asked unanimous consent, to which objections were voiced, to defer consideration of Senate Bill No. 21 until the author can be present.

Senator Curnutt, as a substitute, moved that consideration of Senate Bill No. 21 be deferred until the next legislative day, which motion, by unanimous consent, he withdrew.

The vote occurring on the Nance motion, it was declared adopted.

### GENERAL ORDER

Senator Wilbanks moved that the rules of the Senate be suspended and HOUSE BILL NO. 265, by Phillips, be advanced to engrossment and third reading, which motion prevailed.

Senator Wilbanks moved that the rules of the Senate be suspended and House Bill No. 265, by Phillips, be considered engrossed and placed upon third reading and final passage, which motion prevailed.

Senator Wilbanks asked unanimous consent, which was granted, to be added as a joint author of House Bill No. 265.

HOUSE BILL NO. 265 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Curnutt, Daugherty, Fischl, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rutherford,

Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Carmack, Commons, Coppock, Dixon, Fidler, Garvin, Howard, Logan, Ray, Rizley, Stewart. Total, 11.

Excused: Lester, Moon. Total, 2.

Absent: Powers. 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Curnutt, Daugherty, Fischl, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Carmack, Commons, Coppock, Dixon, Fidler, Garvin, Howard, Logan, Ray, Rizley, Stewart. Total, 11.

Excused: Lester, Moon. Total, 2.

Absent: Powers. 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. 265, as amended, was referred for engrossment.

Senator Wilbanks moved that the rules of the Senate be suspended and HOUSE BILL NO. 269, by Phillips, be advanced to engrossment and third reading, which motion prevailed.

Senator Wilbanks moved that the rules of the Senate be suspended and that House Bill No. 269 be considered engrossed and placed upon third reading and final passage, which motion prevailed.



By unanimous consent, Senator Wilbanks was added as a joint author of House Bill No. 269.

HOUSE BILL NO. 269 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rutherford, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Coppock, Dixon, Fidler, Howard, Logan, Ray, Rizley, Sowards, Stewart. Total, 9.

Excused: Lester, Moon. Total, 2.

Absent: Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rutherford, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Coppock, Dixon, Fidler, Howard, Logan, Ray, Rizley, Sowards, Stewart. Total, 9.

Excused: Lester, Moon. Total, 2.

Absent: Powers. 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. 269 was ordered referred for engrossment.

Senator MacDonald asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 250, by Blocker, et al.

Section 1 was read.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend House Bill No. 250, lines 3 and 4, page 1, by striking the words and figures "\$600,000.00" and inserting the words and figures "\$750,000.00."

BALLARD.

Senator MacDonald moved to table the Ballard amendment, which motion, by unanimous consent, he withdrew.

Senator MacDonald moved that House Bill No. 250 be set for Special Order at 2:00 p. m., Monday, February 13th, which motion prevailed.

### THIRD READING

Senator Ballard asked unanimous consent, which was granted, to defer third reading of HOUSE BILL NO. 95, by Cloyd, for this legislative day.

### GENERAL ORDER

By unanimous consent, the following Bills were taken up for consideration out of their regular order:

SENATE BILL NO. 247, by Pugh.

Section 1 was read and adopted, upon motion of Senator Pugh.

Upon motion of Senator Pugh, Senate Bill No. 247 was advanced to engrossment and third reading.

Upon motion of Senator Pugh, the rules of the Senate were suspended and Senate Bill No. 247 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 247 was read for the third time at length.

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

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Curnutt, Daugherty, Garvin, Jennings, Johnston, Liggett, Logan, Memminger, Morrison, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Not voting: Briggs, Commons, Coppock, Dixon, Fidler, Fischl, Howard, Hutchinson, MacDonald, Nance, Rizley, Rutherford, Stewart. Total, 13.

Excused: Lester, Moon. Total, 2.

Absent: Powers. Total, 1.

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. 247 was referred for engrossment.

SENATE RESOLUTION NO. 15, by Thomas, was taken up for consideration and read at length, as follows:

SENATE RESOLUTION NO. 15—By THOMAS.

A RESOLUTION AUTHORIZING THE PLACING OF JACK WILCOX ON THE PAY-ROLL AS A PAGE IN THE SENATE.

BE IT RESOLVED BY the Senate, that

WHEREAS, Jack Wilcox, son of P. R. Wilcox of Seiling, Oklahoma, and of Senator Ed. N. Reed and Nat Taylor's District, has been performing faithful services for the State Senate as page, from the beginning of the session, and has never been placed on the payroll, but his father has been mailing the check to the State Auditor, Giles A. Kelley, which check has been delivered to Jack Wilcox in payment of his services, and

WHEREAS, this boy has rendered valuable services and is needed,

THEREFORE, BE IT RESOLVED by the State Senate of the Fourteenth Legislature that Jack Wilcox

be placed on the State payroll from this date as Senate page.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Resolution No. 15, by adding at the end of the Resolution, the following: "and that the Senate Auditor be instructed to pay said Jack Wilcox for services already rendered."

BALLARD.

Upon motion of Senator Chamberlin, Senate Resolution No. 15, as amended, was adopted.

Senate Resolution No. 15 was referred for engrossment.

SENATE BILL NO. 177, by Chamberlin.

Sections 1 and 2 were read and adopted, upon motions of Senator Chamberlin.

Upon motion of Senator Chamberlin, Senate Bill No. 177 was advanced to engrossment and third reading.

Upon motion of Senator Chamberlin, the rules of the Senate were suspended and Senate Bill No. 177 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 177 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Johnston, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Ritzley, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 29.

Not voting: Dixon, Fidler, Fischl, Hutchinson, Jennings, Logan, MacDonald, Ray, Rutherford, Sowards, Stewart, Waldrep. Total, 12.

Excused: Lester, Moon. Total, 2.

Absent: Powers. Total, 1.



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 Chamberlin, Section 3 was ordered stricken.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 177, by striking therefrom, the words, "and declaring an emergency."

CHAMBERLIN.

Senate Bill No. 177 was referred for engrossment.

HOUSE BILL NO. 261, by Daniel.

Sections 1 and 2 were read and adopted, upon motion of Senator Garvin.

Upon motion of Senator Garvin, House Bill No. 261 was advanced to engrossment and third reading.

Upon motion of Senator Garvin, the rules of the Senate were suspended and House Bill No. 261 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Fischl, Garvin, Johnston, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Taylor, Thomas, Whitaker, Willis. Total, 26.

Not voting: Commons, Daugherty, Dixon, Fidler, Howard, Hutchinson, Jennings, Logan, MacDonald, Ray, Rutherford, Sowards, Stewart, Waldrep, Wilbanks. Total, 15.

Excused: Lester, Moon. Total, 2.

Absent: Powers. Total, 1.

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 Garvin, Section 3 was ordered stricken.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Garvin submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 261, by striking therefrom the words "and declaring an emergency."

GARVIN.

House Bill No. 261 was referred for engrossment.

Senator Nichols moved that SENATE BILL NO. 76, by Nichols, Nance and Lester, be set for Special Order at 11:00 a. m. tomorrow.

Senator Curnutt, as a substitute, moved that House Bill No. 5, by Gibson, et al., be set for Special Order at 11:00 a. m., tomorrow.

Senator Briggs presiding.

Senator Nichols, in lieu of all pending motions, moved that all bills pertaining to mortgage moratorium be grouped and set for Special Order, Tuesday, February 14th, at 2:00, p. m.

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

The vote occurring on the Nichols motion, it was declared adopted.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Joint Resolution No. 7, Senate Bills Nos. 2, 204, and 205, correctly enrolled.

LIGGETT, Chairman.

Senate Joint Resolution No. 7 was read at length for the fourth time, the enrolled copy signed in open ses-

sion, by the presiding officer and ordered transmitted to the Honorable House, for the signature of the Speaker.

Senator Nichols presiding.

Senate Bill No. 2 was read at length 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.

Senator Nance presiding.

Senate Bills Nos. 204 and 205 were, each, read at length 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.

Senator Briggs presiding.

Senator Ballard asked unanimous consent, to which objections were voiced, to withdraw SENATE JOINT RESOLUTION NO. 5, by Ballard, from the Committee on Roads and Highways and place the Resolution upon the calendar.

Senator Ballard moved that Senate Joint Resolution No. 5, by Ballard, be withdrawn from the Committee on Roads and Highways and be placed upon the calendar.

Senator Whitaker, as a substitute, moved that the Senate adjourn to meet at 10:00 a. m., tomorrow, which motion prevailed.

## THIRTIETH LEGISLATIVE DAY

Saturday, February 11, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 38.

Absent: Powers. Total, 1.

Excused: Clark, Commons, MacDonald, Moon, Rutherford. Total, 5.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE BILL NO. 92—By MARTIN of the House and RITZHAUPT of the Senate, entitled:

A Bill to be entitled an Act making appropriations from the building fund for additional buildings at the State Hospital for Negro Insane at Taft, and directing the State Board of Public Affairs to proceed immediately to let contract for such building and declaring an emergency.

and to advise 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 92 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House. To the President of the Senate,

Building

SIR:

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

ENROLLED SENATE BILL NO. 2—By the Committee on Revenue and Taxation composed of: WHITAKER, Chairman; GARVIN, Vice-Chairman; BALLARD, BRIGGS, CHAMBERLIN, CURNUTT, FIDLER, FISCHL, JENNINGS, JOHNSTON, MacDONALD, MEMMINGER, MOON, NANCE, NICHOLS, PUGH, RUTHERFORD, STACEY, HUTCHINSON, POWERS and PAUL, LESTER and REED, entitled:

An Act providing for the waiving and releasing of the interest, penalties and costs of delinquent ad valorem taxes on real and personal property due the state, county, school district, township or any other sub-division of the state upon payment of the principal amount on or before December First, 1933, authorizing and directing county treasurers to accept such principal amounts without interest, penalties and costs and to cancel and strike said interest, penalties and costs from tax rolls providing that this Act shall not affect existing tax sale certificates held by bona fide purchasers or taxes levied and assessed for the year 1932 or subsequent years; suspending the operation of all Laws or parts of Laws in conflict herewith for the term of this Act and providing further that in case any section, clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any court of competent or final juris-

diction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act and declaring an emergency.

ENROLLED SENATE BILL NO. 204 — By NANCE of the Senate and MOONEY of the House, entitled:

An Act abolishing all township levies in the several townships in Cotton County, Oklahoma, and declaring an emergency.

ENROLLED SENATE BILL NO. 205 — By NANCE of the Senate and MOONEY of the House, entitled:

An Act abolishing the county highway ad valorem tax levy in Cotton County, Oklahoma 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 2, 204 and 205 were, each, ordered referred to the Governor, for consideration.

To the President of the Senate,  
Building

SIR:

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

ENROLLED SENATE JOINT RESOLUTION NO. 7—By RIZLEY, CHAMBERLIN, REED and CLARK of the Senate and MALLORY, WINGO, JOHNSON (Comanche), PARKS, KIGHT, WILLIAMS, TODD, JONES, COX, FITZGERALD and JESSE of the House

Extending time of payment of all indebtedness due and owing to the Commissioners of the Land Office of the State of Oklahoma on purchase certificates and pref-

erence right leases heretofore made and issued, and declaring an emergency,  
for re-enrollment of the last page of said bill.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Joint Resolution No. 7 was ordered referred to the Enrolling and Engrossing department, for proper enrolling.

Senator Stewart asked unanimous consent, which was granted, to withdraw SENATE BILL NO. 72, by Stewart, from the Committee on Retrenchment and Reform and place the same upon the calendar.

Senator Paul moved that HOUSE BILL NO. 1, Batson and Leecraft, be withdrawn from the Committee on Revenue and Taxation and placed upon the calendar, which motion, by unanimous consent, he withdrew.

#### FIRST READING

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

SENATE BILL NO. 268—By CARLILE.—An Act authorizing county excise boards to appropriate for current expenses or general fund purposes of the counties not to exceed seventy-five (75) per cent of the revenues derived from automobile license tax and excise tax on gasoline, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

SENATE BILL NO. 269—By NICHOLS.—An Act providing that expenses paid in preparation and prosecution to judgment and a reasonable attorney's fee in any action prosecuted in the courts of the State to recover or enforce the payment of the penalty or liability upon any surety, fidelity or casualty bond, upon which the premium has been paid to, and accepted by, the insurer, shall be recovered and taxed as costs in the case when judgment is recovered, and be enforced as a part of such judgment; repealing all Laws in conflict herewith; and declaring an emergency.

SENATE BILL NO. 270—By REED.—An Act for the purpose of carrying out the provisions of Section 3, Article X, of the Constitution of Oklahoma, relating to the payment of current expenses of State Government, when the same shall exceed the income from previous fiscal years; levying taxes for the payment of the outstanding warrant indebtedness of the State representing deficiencies for previous of Article 9 H, Chapter 20, and Article 11, Chapter 50, and Article 16, Chapter 66, Oklahoma Statutes, 1931, and amendments thereto, relating, respectively, to motor carrier taxes, motor vehicle licenses, and to the excise tax on gasoline; and declaring an emergency.

#### SECOND READING

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

SENATE BILL NO. 260—By MORRISON.—Referred to Committee on Privileges and Elections.

SENATE BILL NO. 261—By TAYLOR and PAUL.

Senator Paul asked unanimous consent, which was granted, to place Senate Bill No. 261 upon the calendar, without reference to a committee.

SENATE BILL NO. 262—By CHAMBERLIN.—Referred to Committee on Education.

SENATE BILL NO. 263—By NICHOLS of the Senate and GRISSO of the House.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 264—By JOHNSTON.

Senator Johnston asked unanimous consent, which was granted, to place Senate Bill No. 264 upon the calendar, without reference to a committee.

SENATE BILL NO. 265—By JOHNSTON.—Referred to Committee on Code and Code Revision.

SENATE BILL NO. 266—By JOHNSTON, TAYLOR, BRIGGS, REED, and CARMACK of the Senate and JONES, BABB and HENDERSON of the House.—Referred to Committee on Roads and Highways.



SENATE BILL NO. 267--By FISCHL of the Senate and CAVINS of the House.—Referred to Committee on Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 10—By COMMONS of the Senate and HARP and DOUTHAT of the House.—Referred to Judiciary Committee No. 1.

SENATE JOINT RESOLUTION NO. 11—By NICHOLS.

Senator Nichols asked unanimous consent, which was granted, to place Senate Joint Resolution No. 11 upon the calendar, without reference to a Committee.

SENATE JOINT RESOLUTION NO. 12—By NICHOLS.

Senator Nichols asked unanimous consent, which was granted, to place Senate Joint Resolution No. 12 upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 11—By CONNER, COPELAND, BILLINGS, ELLIS, MARSHALL, GRAHAM and COE.

Senator Fidler asked unanimous consent, which was granted, to place Engrossed House Bill No. 11 upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 139—By CHILDERS—Referred to Committee on State and County Affairs.

ENGROSSED HOUSE BILL NO. 132—By LEE-CRAFT, HAILE, BUSHYHEAD, BABB, McELHANEY, LINDSAY and EBNEY (Pontotoc)—Referred to Committee on Revenue and Taxation.

### THIRD READING

By unanimous consent, consideration of SENATE BILL NO. 21, by Logan, was deferred for this legislative day.

HOUSE BILL NO. 96 was read for the third time at length.

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

Ayes: Ballard, Carlile, Coppock, Curnutt, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Nance, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Chamberlin, Paul. Total, 2.

Not Voting: Briggs, Carmack, Daugherty, Fischl, Morrison, Nichols, Reed, Rizley. Total, 8.

Absent: Powers. Total, 1.

Excused: Clark, Commons, Logan, MacDonald, Moon, Rutherford. 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: Ballard, Carlile, Chamberlin, Coppock, Curnutt, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Briggs, Carmack, Daugherty, Fischl, Morrison, Nance, Sowards. Total, 7.

Absent: Powers. Total, 1.

Excused: Clark, Commons, Logan, MacDonald, Moon, Rutherford. 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, in open session, signed the engrossed copy of House Bill No. 96, and ordered the same transmitted to the Honorable House.

Senator Jennings presiding.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 15, Senate Bills Nos. 177, 247, and House Bills Nos. 261, 265 and 269 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Resolution No. 15 and ordered it referred for enrollment.

The Presiding Officer, in open session, signed Engrossed Senate Bills Nos. 177 and 247 and ordered, each, transmitted to the Honorable House for consideration.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 261, 265 and 269, all as amended, and ordered, each, returned to the Honorable House.

#### GENERAL ORDER

By unanimous consent, consideration of SENATE BILL NO. 50, by Nichols, and SENATE BILL NO. 59, by Rizley, of the Senate, and Cox, of the House, was deferred for this legislative day, the bills to retain their places upon the calendar.

SENATE RESOLUTION NO. 8, by Thomas, Willis and Coppock, was taken up for consideration.

Senator Garvin raised a question of "No quorum."

The Presiding Officer ordered the roll of the Senate called, the result being as follows:

Present: Ballard, Briggs, Coppock, Curnutt, Daugherty, Dixon, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Whitaker, Willis. Total, 25.

Absent: Carlile, Carmack, Chamberlin, Howard, Morrison, Paul, Powers, Waldrep, Wilbanks. Total, 9.

Excused: Clark, Commons, Fidler, Logan, MacDonald, Moon, Nance, Rizley, Rutherford, Stewart. Total, 10.

The Presiding Officer declared a quorum of the Senate was present.

Senator Ritzhaupt moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call of the Senate being ordered, the result was as follows:

Absent: Carlile, Carmack, Chamberlin, Fischl, Howard, Morrison, Paul, Powers, Ray, Reed, Waldrep, Wilbanks. Total, 12.

The Sergeant-at-Arms was instructed to notify all absent Senators of the proceedings had.

Senator Coppock moved that the Senate adjourn, to meet under the rules, which motion failed of adoption.

Senators Chamberlin, Reed, Ray, Fischl, Garvin, Paul, Wilbanks, Carlile, Waldrep, Carmack and Morrison, asked to be recorded "present," which was the order of the Chair.

SENATE RESOLUTION NO. 8, by Thomas, Willis and Coppock, was considered further, being read at length, as follows:

SENATE RESOLUTION NO. 8—By THOMAS, WILLIS and COPPOCK.

A RESOLUTION ASKING THE DIFFERENT INSTITUTIONS OF THE STATE TO ASSIST THE STATE SENATE IN MAKING AN INTELLIGENT APPROPRIATION IN THE VARIOUS INSTITUTIONS OF THE STATE BY SUBMITTING A MORE COMPLETE AND DETAILED, OR ITEMIZED, STATEMENT OF THEIR VARIOUS BUDGETS TO THE STATE SENATE.

WHEREAS, the existing economic conditions call for retrenchment and economy, and

WHEREAS, the State Senate of Oklahoma cannot intelligently appropriate with the customary budgets which have lump sums or total sums for employees, and

WHEREAS, it is essential that they have more



analytical information concerning various budgets of the institutions, and

WHEREAS, the institutions could greatly facilitate and aid the State Senate by submitting a more detailed and analytical statement of their budget.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA

That each institution submit to each member of the State Senate a detailed and itemized statement of their budget fully setting out the positions, the duties and the salary paid yearly to each and every employee of their institution and a complete itemized statement and purpose of every item of expense asked for in their budget.

Senator Memminger submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Resolution No. 8, by striking lines 7, 8, 9, 10, 11 and 12, page 2, and substituting the following: "that each institution submit to the Senate Appropriations Committee a statement, under proper headings, of expenditures made by such institution during the year, 1932, from funds appropriated by the legislature and from all revolving trust or other funds."

#### MEMMINGER.

Senator Thomas moved the adoption of Senate Resolution No 8, as amended.

Senator Ballard, as a substitute, moved that Senate Resolution No. 8, as amended, be referred to the Committee on Retrenchment and Reform, which motion was tabled, upon motion of Senator Curnutt.

Senator Ballard, as a substitute, moved that Senate Resolution No. 8 be referred to the Committee on Privileges and Elections, which motion failed of adoption.

The vote occurring on the Thomas motion, it was declared adopted.

Senator Memminger asked unanimous consent,

which was granted, to submit the following amendment to the title of Senate Resolution No. 8, which was adopted:

Mr. President: I move to amend the title of Senate Resolution No. 8, to read as follows: "A RESOLUTION ASKING THE DIFFERENT INSTITUTIONS OF THE STATE TO ASSIST THE STATE SENATE IN MAKING AN INTELLIGENT APPROPRIATION IN THE VARIOUS INSTITUTIONS OF THE STATE BY SUBMITTING A STATEMENT OF EXPENDITURES FOR YEAR 1932, FROM FUNDS APPROPRIATED BY THE LEGISLATURE AND FROM ALL REVOLVING, TRUST OR OTHER FUNDS."

MEMMINGER.

Senate Resolution No. 8, as amended, was referred for engrossment.

SENATE JOINT RESOLUTION NO. 8, by Ballard, was taken up for consideration.

Section 1 was read.

Upon motion of Senator Nichols, further consideration of Senate Joint Resolution No. 8 was indefinitely postponed.

SENATE BILL NO. 110, by Nichols, was taken up for consideration.

Section 1 was read.

Senator Ballard moved that further consideration of Senate Bill No. 110 be indefinitely postponed, which motion failed of adoption.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 110, line 6, page 1, by striking after the word, "exceeding," the remainder of said section, and inserting the words, "fifty years"

CURNUTT.

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

Upon motion of Senator Nichols, Senate Bill No. 110, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Nichols, the rules of the Senate were suspended and Senate Bill No. 110 was considered engrossed and placed upon third reading and final passage.

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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Daugherty, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Whitaker, Willis. Total, 29.

Nays: Wilbanks. Total, 1.

Not Voting: Morrison, Paul, Waldrep. Total, 3.

Absent: Powers. Total, 1.

Excused: Clark, Commons, Dixon, Fidler, Logan, MacDonald, Moon, Rizley, Rutherford, 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 question being, "Shall the title of the bill become the title of the Act?" Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 110, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

CHAMBERLIN.

Senate Bill No. 110 was referred for engrossment.

SENATE BILL NO. 111, by Nichols, was taken up for consideration.

Section 1 was read.

Senator Curnutt submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 111, line 4, page 2, by striking after the word, "than," and before the word, "years," the word, "ten," and inserting the words, "twenty-five"

CURNUTT.

Senator Wilbanks asked that the record show Senator Morrison, "excused," for the remainder of the morning session, which was the order.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 111, line 4, page 2, by striking after the word, "than," and before the word, "years," the word, "three"

CHAMBERLIN.

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

Upon motion of Senator Nichols, Senate Bill No. 111 was advanced to engrossment and third reading.

Upon motion of Senator Nichols, the rules of the Senate were suspended and Senate Bill No. 111 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 111 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Daugherty, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, Memminger, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.



Not Voting: Fischl, Thomas. Total, 2.

Absent: Powers. Total, 1.

Excused: Clark, Commons, Dixon, MacDonald, Moon, Morrison, Nance, Rutherford, Stewart. 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 title of the bill become the title of the Act?" Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 111, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

NICHOLS.

Senate Bill No. 111 was referred for engrossment.

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE JOINT RESOLUTION NO. 11—By HANKLA, entitled:

A Joint Resolution directing the Commissioners of the Land Office to transfer from the building fund into the proper funds of the Land Office, certain bonds and securities now held in said building fund and reimburse the building fund therefor, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Joint Resolution No. 11.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 187 — By KIGHT and BATSON, entitled:

An Act relating to the State School Land Department and to the duties and powers of the Commissioners of the Land Office, of the secretary to the Commissioners, fixing the salary of the secretary, providing for the sale of certain lands in the state, amending Sections 5455, 5458, 5495, 5508, 5522, 5527, 5630 and 5642, Oklahoma Statutes, 1931, repealing Sections 5497, 5498, 5499, 5504, 5505, 5506, 5507, 5508, 5512, 5520, 5521, 5530, 5531, 5532, 5534, to 5549, inclusive, 5551 to 5556 inclusive, 5561, 5562, 5565, 5566, 5567, 5572, 5573, 5574, 5576, 5577, 5580 to 5585 inclusive, 5593, 5597, to 5602 inclusive Oklahoma Statutes, 1931, and declaring an emergency, which was recalled by the House from your Honorable Body for the purpose of correction.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 236—By PHILLIPS (Okfuskee), entitled:

An Act amending Section 12656, Oklahoma Statutes 1931, relating to the duties, powers and authority of the State Board of Equalization; providing additional powers and authority as to equalization and adjustment of certain property; authorizing the Oklahoma Tax Commission to make investigations, hold hearings and make additional findings and recommendations relating to the

valuation and equalization of property subject to ad valorem taxation; providing for forms for listing property for ad valorem taxation; requiring information from local officers relating to the assessment of property; providing for hearings of county officials and aggrieved taxpayers; repealing conflicting Laws; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 236.

Senator Ballard asked unanimous consent, which was granted, to be "excused," for the remainder of this legislative day.

Upon motion of Senator Reed, the Senate recessed to meet at 1:30 p. m.

#### AFTERNOON SESSION

The Senate reassembled, at 1:30 p. m., with the President presiding.

Senator Coppock moved that the Senate adjourn, to meet under the rules, which motion failed of adoption.

Upon motion of Senator Paul, the Secretary of the Senate was instructed to purchase a gavel for the use of the President of the Senate.

Senator Howard asked that the record show him "excused," for the remainder of this legislative day, which was the order.

Senator Chamberlin presiding.

Senator Fidler made the observation that tomorrow is the anniversary of the birth of Abraham Lincoln and, out of respect to his memory, moved that the Senate recess for 5 minutes, which motion prevailed.

The Senate reassembled, with Senator Chamberlin presiding.

Senator Rizley moved that the call of the House be lifted, which motion failed of adoption.

The Presiding Officer ordered the roll called of the Senate, to ascertain the absentees. The result was as follows:

ABSENTEES: Coppock, Fischl, Garvin, Liggett, Memminger, Powers, Reed and Taylor.

The Sergeant-at-Arms was instructed to notify absent Senators of the proceedings.

Senators Coppock, Fischl, Garvin, Liggett, and Reed asked to be recorded, "present," which was the order.

#### GENERAL ORDER

By unanimous consent, consideration of SENATE CONCURRENT RESOLUTION NO. 13, by Stewart, was deferred for this legislative day.

Senator Stacey asked unanimous consent, to which objections were voiced, to take up for consideration SENATE BILL NO. 25, by Stacey.

Senator Stacey moved that Senate Bill No. 25 be taken up for consideration, which motion prevailed.

Section 1 was read.

Senator Stacey moved that Senate Bill No. 25 be set for Special Order, at 2:00 o'clock, p. m., Monday, February 13th, which motion prevailed.

SENATE BILL NO. 139, by Morrison and Rizley, was taken up for further consideration.

Senator Briggs, as a substitute for his former amendment, submitted on February 8th, submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 139, line 1, page 1, by striking the words and figures, "thirty (30)," and substituting the words and figures, "twenty-five (25)," and, in line 3, page 1, strike the word and figures, "ten (10)," and insert the word and figure, "eight (8)."

BRIGGS.



Senator Wilbanks submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 139, line 5, page 1, by inserting after the word, "Oklahoma," and before the word, "may," the following, "or any person above 21 years of age, of good moral character, who has at least two years' college work, preparatory to taking the regular pharmacy course, and who can furnish documentary evidence of having had 5 years' practical experience in the compounding of physicians' prescriptions in the State of Oklahoma."

WILBANKS.

Senator Ritzhaupt submitted the following amendment to the Wilbanks amendment:

Mr. President: I move to amend the Wilbanks amendment to Senate Bill No. 139, by striking the words, "two years' college work preparatory to taking the regular pharmacy course," and substituting the words, "two years of pharmacy course"

RITZHAUPT.

Senator Fischl, as a substitute motion, moved that Senate Bill No. 139 be recommitted to the Committee on Drugs and Pure Food, for the purpose of redrafting the bill.

The Chair holding that a motion to recommit was not debatable, it was, upon motion of Senator Paul, that discussion was permitted.

Senator Morrison moved to table the Fischl motion, which motion prevailed.

By unanimous consent, the Ritzhaupt amendment to the Wilbanks amendment was adopted.

The vote occurring on the Wilbanks amendment, as amended, it was declared adopted.

Senator Jennings moved that further consideration of Senate Bill No. 139 be indefinitely postponed, which motion, by unanimous consent, he withdrew.

Senator Ritzhaupt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 139, line 9, page 2, by adding after the word, "certificate," the words, "said certificate shall bear in bold, full faced red type, the words, 'undergraduate certificate' "

RITZHAUPT.

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

Section 2 was read.

Senator Morrison moved that the vote be reconsidered by which Section 1, as amended, was adopted, which motion prevailed.

Senator Ritzhaupt asked unanimous consent, which was granted, to withdraw his amendment to line 9, page 2.

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

Section 2 was re-read.

Senator Ritzhaupt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 139, line 9, page 2, by adding after the word, "certificate," the words, "said certificate shall bear in bold, full faced red type, the words, 'undergraduate certificate' "

RITZHAUPT.

Upon motion of Senator Morrison, Section 2, as amended, was adopted.

Section 3 was read.

Senator Briggs submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 139, line 5, page 3, by striking the words, "passage and approval," and inserting the following, "effective date"

BRIGGS.

Upon motion of Senator Morrison, Section 3, as amended, was adopted.

Upon motion of Senator Morrison, Senate Bill No. 139, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Morrison, Senate Bill No. 139, as amended, was ordered printed.

Senator Waldrep moved that Senators Fischl and Ray be added to the Investigation Committee of the Highway Department, authorized under Senate Resolution No. 3, by Dixon.

Senator Nichols raised a point of order, which was sustained, stating it would take unanimous consent or a suspension of the rules to revert to the order of business, under which the Waldrep motion could be made.

Senator Dixon moved that the rules of the Senate be suspended for the purpose of reverting to the order of business, "RESOLUTIONS AND NOTICES," which motion prevailed.

Senator Waldrep moved that Senators Fischl and Ray be added as members of the Investigation Committee of the Highway Department, authorized under Senate Resolution No. 3, by Dixon.

Senator Paul moved that the subject matter of the Waldrep motion be set for Special Order at 2:01 o'clock, p. m., Monday, February 13th.

Senator Garvin moved to table the Paul motion, which motion, by unanimous consent, he withdrew.

Senator Nance, as a substitute, moved that Senators Fischl, Ray, Pugh and Willis be added as members of the Investigation Committee, authorized under Senate Resolution No. 3, by Dixon.

Senator Nichols moved that the Nance motion be set for Special Order, at 2:00 o'clock, p. m., Monday, February 13th.

Senator Garvin moved to table the Nichols motion, which motion prevailed.

Senator Morrison moved to amend the Nance motion, by adding as members of the Investigation Committee, authorized under Senate Resolution No. 3, all members of the Senate, which motion was tabled, upon motion of Senator Nance.

The vote occurring on the Nance motion, it was declared adopted.

Senator Nichols moved, in view of the work of the Investigating Committees, that the Senate adopt the following plan:

Meet at 10 a. m.

Recess from 12 to 1 p. m.

Meet at 1 p. m., and work until 3:00 p. m.

Adjourn at 3:00 p. m., permitting Committees to work in afternoons and evenings.

The Nichols motion prevailed.

#### COMMITTEE REPORTS

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 8, Senate Bills Nos. 110 and 111 correctly engrossed; and Senate Resolution No. 15 and Senate Joint Resolution No. 7 correctly enrolled.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Resolution No. 8 and ordered it referred for enrollment; signed Engrossed Senate Bills Nos. 110 and 111 and ordered, each, transmitted to the Honorable House, for consideration; signed Enrolled Senate Resolution No. 15 and ordered it transmitted to the Secretary of State.

Senate Joint Resolution No. 7 was read at length for the fourth time, the enrolled copy signed by the Presiding Officer, in open session, and ordered transmitted to the Honorable House, for the signature of the Speaker.

By unanimous consent, the following Committee Re-



ports 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. 172, by Reed, Nance, Nichols, Paul of the Senate and Strickland of the House, entitled:

An Act repealing Section 8873, Oklahoma Statutes 1931, abolishing the State Plant Board, providing that the duties now performed by said Board shall hereafter be performed by the State Board of Agriculture, 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.

CARMACK, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 181, by Reed and Carmack of the Senate and Watson, Martin, Leecraft of the House, entitled:

An Act repealing Section 8753, Oklahoma Statutes, 1931, relating to the State Market Commission: creating the State Market Commission as a department in the State Board of Agriculture; providing that said department shall perform all the duties heretofore performed by the State Market Commission; et cetera,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 207, by Ritzhaupt, entitled:

An Act precluding more than one member of a family from being employed by any state officer, department, commission, bureau, or institution of the state of Oklahoma, providing a penalty for the 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, as amended.

LOGAN, Chairman.

Senator Nance served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which SENATE RESOLUTION NO. 8, by Thomas, was adopted.

Senator Thomas raised a point of order against the Nance notice, stating Senator Nance did not vote with the majority, at the time of the adoption of the resolution.

The Chair over-ruled the Thomas point of order, stating no record vote was made at the time of the adoption of the resolution.

The Presiding Officer rescinded a previous order, referring Engrossed Senate Resolution No. 8 for enrollment.

#### MESSAGE

The following Message from the Governor was received and read:

To the Fourteenth Legislature  
of the State of Oklahoma:  
Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED SENATE BILL NO. 2, by Committee on Revenue and Taxation, entitled:

AN ACT PROVIDING FOR THE WAIVING AND  
RELEASING OF THE INTEREST, PENALTIES,  
AND COSTS OF DELINQUENT AD VALOREM  
TAXES ON REAL AND PERSONAL PROPERTY  
DUE THE STATE, COUNTY, SCHOOL DISTRICT,  
TOWNSHIP OR ANY OTHER SUBDIVISION OF  
THE STATE UPON PAYMENT OF THE PRIN-  
CIPAL AMOUNT ON OR BEFORE DECEMBER 1,  
1933; AUTHORIZING AND DIRECTING COUNTY

TREASURERS TO ACCEPT SUCH PRINCIPAL AMOUNTS WITHOUT INTEREST, PENALTIES AND COSTS AND TO CANCEL AND STRIKE SAID INTEREST, PENALTIES AND COSTS FROM TAX ROLLS; PROVIDING THAT THIS ACT SHALL NOT AFFECT EXISTING TAX SALE CERTIFICATES HELD BY BONA FIDE PURCHASERS OR TAXES LEVIED AND ASSESSED FOR THE YEAR 1932, OR SUBSEQUENT YEARS; SUSPENDING THE OPERATION OF ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH FOR THE TERM OF THIS ACT AND PROVIDING FURTHER THAT IN CASE ANY SECTION, CLAUSE, SENTENCE, PARAGRAPH OR PART OF THIS ACT SHALL FOR ANY REASON BE ADJUDGED BY ANY COURT OF COMPETENT OR FINAL JURISDICTION TO BE INVALID, SUCH JUDGMENT SHALL NOT AFFECT, IMPAIR, OR INVALIDATE THE REMAINDER OF THIS ACT, AND DECLARING AN EMERGENCY,

which bill I have this day signed and approved.

WITNESS my hand this 11th day of February, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA: Wm. H. MURRAY.

Upon motion of Senator Curnutt, the Senate adjourned, to meet at 10:00 o'clock, a. m., Monday, February 13th, 1933.

## THIRTY-FIRST LEGISLATIVE DAY

Monday, February 13, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 40.

Absent: Carmack, Howard, Ray. Total. 3.

Excused: Moon. Total, 1.

The President 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. 68, by Wagner, entitled:

An Act repealing Sections 3413, 3414, 3415, 3416, 3417, 3418 and 3419 Oklahoma Statutes 1921, establishing a county court town at Coweta, Oklahoma, providing for the disposition of records of said 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 not pass.

LOGAN, Chairman.

Mr. President: We, your Committee on Education,



to whom was referred Engrossed House Bill No. 318, by Timmons, Kirkpatrick, Chambers, Eby (Tulsa), Boyer, Beard, and Logsdon, entitled:

An Act amending Section 7042, O. S. 1931, providing for the transfer and transportation of pupils in separate schools; repealing all 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.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 42, by Logan, entitled:

An Act abolishing the Eastern Oklahoma College at Wilburton, Cameron State School of Agriculture at Lawton, Connors State Agricultural College at Warner, The Murray State School of Agriculture at Tishomingo, the Northeastern Oklahoma Junior College at Miami, the Oklahoma Military Academy at Claremore, and the University Preparatory School and Junior College at Tonkawa; providing for the disposition of the property belonging to or used by said institutions, and repealing all Laws thereto,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the Committee Substitute be accepted and passed.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 202, by MacDonald, Ritzhaupt, and Chamberlin, entitled:

An Act providing for uniform tuition in certain state supported educational institutions for resident and non-resident students; providing for the collection on tuition, laboratory and other fees; providing for the expenditure of funds, etc., and declaring 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.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 218, by MacDonald, entitled:

An Act amending Section 6814, Oklahoma Statutes 1931, relating to the approval of school teachers' contracts, 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.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 220, by Pugh, entitled:

An Act amending Section 10481 of the Compiled Oklahoma Statutes 1921, relating to the dissolution and reorganization of consolidated and union graded school districts; repealing all Laws 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.

RITZHAUPT, Chairman.

#### FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 271—By LESTER.—An Act providing that the State Board of Public Affairs in purchasing fuel for state institutions shall give preference to fuel produced in the State of Oklahoma where the price paid therefor does not exceed by ten per cent the price of fuel produced outside the State of Oklahoma; 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. 268—By CARLILE.—Referred to Committee on Fees and Salaries.

SENATE BILL NO. 269—By NICHOLS.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 270—By REED.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 236—By PHILLIPS (Okfuskee).—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 187—By KIGHT and BATSON.—Referred to Committee on School Lands.

ENGROSSED HOUSE JOINT RESOLUTION NO. 11—By HANKLA.—Referred to Committee on School Lands.

## THIRD READING

Senator Logan asked unanimous consent, which was granted, to defer, for this legislative day, third reading of SENATE BILL NO. 21, by Logan.

## GENERAL ORDER

Senator Nichols moved that HOUSE BILL NO. 74, by Watson, be withdrawn from Judiciary Committee No. 2, and substituted for SENATE BILL NO. 50, by Nichols, which motion prevailed.

Senator Logan asked unanimous consent, which was granted, to take up, out of its regular order, SENATE BILL NO. 209, by Carlile and Logan.

Section 1 was read.

Senator Memminger submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 209, line 8½, page 1, by adding after the word, "invest-ment," line 8, and before the word, "and," the follow-

ing, "nor in any county warrants issued after the first nine months of any fiscal year."

MEMMINGER.

Senator Ballard, as a substitute, moved that further consideration of Senate Bill No. 209 be indefinitely postponed, which motion was tabled, upon motion of Senator Logan.

The vote occurring on the Memminger amendment, it was declared adopted.

Senator Stacey submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 209, by adding after the word, "investment," line 8, page 1, the words, "but in no case shall they pay more than the face value of said warrants."

STACEY.

Senator Logan asked unanimous consent, which was granted, to have the Stacey amendment precede the Memminger amendment.

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

Upon motion of Senator Logan, Senate Bill No. 209 was advanced to engrossment and third reading.

By unanimous consent, consideration was deferred on SENATE BILL NO. 59, by Rizley, of the Senate, and Cox, of the House, and SENATE CONCURRENT RESOLUTION NO. 13, by Stewart.

SENATE BILL NO. 56, by Fidler, was taken up for consideration.

Sections 1 and 2 were read and adopted, upon motions of Senator Fidler.

Upon motion of Senator Fidler, Senate Bill No. 56 was advanced to engrossment and third reading.

Senator Jennings asked unanimous consent, which was granted, to defer consideration of SENATE BILL NO. 29, by Jennings, without the bill losing its place on the calendar.



By unanimous consent, consideration of SENATE RESOLUTION NO. 9, by Rizley, was deferred.

SENATE CONCURRENT RESOLUTION NO. 14, by Fischl, Logan and Ritzhaupt, was taken up for consideration and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 14—By FISCHL and LOGAN and RITZHAUPT.

A RESOLUTION COMMENDING THE AMERICAN LEGISLATORS' ASSOCIATION.

WHEREAS, all experienced persons know that in each State, legislative problems continually increase, both in number and in complexity.

WHEREAS, it is obvious that in order to solve such problems most effectively, each legislature must give systematic, scientific and business-like consideration to the actual *facts* which have a bearing upon each question—to the extent that such facts have been determined by reliable research.

WHEREAS, each legislature must give similar consideration to the methods and experience of other jurisdictions in dealing with problems similar to its own.

WHEREAS, no such problems can be dealt with adequately until facilities are established to assist every inquiring legislator to secure the most accurate information and the most expert advice which are available.

WHEREAS, experience indicates the necessity for an interstate legislative reference bureau to serve as a clearing house of information between all of the legislative reference services which are now being conducted by numerous states, and also to serve as a clearing house of information between the legislatures and all other agencies which are engaged in the study and analysis of legislative problems, such as governmental departments, political science departments of universities, competent reputable associations, and all other sources of information.

WHEREAS, experience also indicates that in cer-

tain States which do not maintain substantial legislative reference services, there is an imperative need for such an interstate legislative reference bureau, which will assist the legislators of those States to secure whatever information they desire in analyzing the legislative problems which they must determine, and to make more readily accessible for them, without cost, the valuable material which is at all times available from the legislative reference libraries and bureaus of various other states, and from many other reliable sources.

WHEREAS, every individual legislator in the United States shares the responsibility for improving the present inadequate and unsatisfactory condition of the legislative processes, but neither any individual legislator, nor any group of legislators from one State, can bring about such improvement without the cooperation of legislators of other States.

WHEREAS, such an interstate legislative reference bureau cannot be maintained by any one State alone, without the cooperation of the legislatures of other States.

WHEREAS, in order to set the machinery in motion to secure the necessary cooperation of the forty-eight legislatures, members of each legislature are working together in the development of the project of the American Legislators' Association.

WHEREAS, the said American Legislators' Association has now established in the vicinity of the University of Chicago, the Interstate Legislative Reference Bureau, which by explicit pledge is without color of politics, partisanship or propaganda, is conducted without profit, and is engaged upon three principal purposes:

*First:* To procure promptly for all inquiring state legislators, and their agents, whatever information or advice they desire in connection with any legislative problem, primarily by assisting them to secure, without cost, the benefit of all researches

conducted by governmental departments, universities, associations, legislative reference bureaus, and other agencies throughout the United States.

*Second:* To conduct a systematic study of the legislative processes of each of the States, in order to ascertain the practices which contribute most to efficient and economical organization and procedure; and to render all possible assistance to each legislature—and to each legislative reference bureau—which is endeavoring to improve its organization.

*Third:* To publish for the benefit of all state legislators the monthly magazine, *State Government*, as well as special Bulletins, and thus to disseminate information which will be helpful to all conscientious students of legislation.

WHEREAS, the American Legislators' Association is promoting acquaintance and mutual understanding among all individuals and organizations officially concerned with the impartial and scientific functioning of the legislatures of the various States, by the organization of Standing Committees and Advisory Boards, and otherwise.

WHEREAS, the character and project of the American Legislators' Association have the endorsement, and its organization has the active cooperation, not only of its membership, which consists entirely of members and ex-members of state legislatures, but also of numbers of other responsible citizens, many of whom, having specialized knowledge, are serving on the Association's Advisory Boards.

NOW, THEREFORE, IT IS HEREBY RESOLVED; That the organization of the American Legislators' Association and of the Interstate Legislative Reference Bureau are hereby commended as legitimate and constructive efforts to assist the legislatures of the various States in the efficient performance of their work.

Upon motion of Senator Logan, Senate Concurrent Resolution No. 14 was adopted.

Senate Concurrent Resolution No. 14 was referred for engrossment.

### MESSAGES

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

GENTLEMEN:

This is to advise you that I have this day filed with the Secretary of State,

ENROLLED SENATE BILL NO. 55—By BRIGGS, CARMACK, CARLILE, FISCHL, WHITAKER, LESTER and RAY.

An Act creating a department of highways under supervision and control of a commission to be known and designated as the State Highway Commission of the State of Oklahoma, to be composed of four members; prescribing the manner and method of appointment, fixing tenure of office and salary of each of the members thereof; prescribing the powers and duties of said commission and members thereof; providing for the appointment and employment of a chief engineer prescribing his duties and power; providing for and authorizing employment by said commission, its secretary and engineer, of clerical help, laborers and other employes, and for the payment of salaries and wages therefor and the method and manner of payment of same; providing for the transportation expense and motor vehicles for use in travel of members, agents, servants and employees and fixing the maximum price to be paid therefor; repealing Sections 10072, 10073, 10074, 10075, 10076, 10077, 10078 and 10079 Oklahoma Statutes 1931, and declaring an emergency,

which bill having passed the Senate and House of Representatives was presented to me as Governor, February



6th, 1933, and held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this February 13th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with Secretary of State,

ENROLLED HOUSE BILL NO. 92—By MARTIN of the House and RITZHAUPT of the Senate.

A Bill to be entitled an Act making appropriations from the public building fund for additional buildings at the State Hospital for Negro Insane at Taft, and directing the State Board of Public Affairs to proceed immediately to let contract for such building and declaring an emergency,

which bill I have this day signed and approved.

Witness my hand this 13th day of February, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

GENERAL ORDER (Con't)

By unanimous consent, consideration of SENATE BILL NO. 175, by Nichols, was deferred.

SENATE BILL NO. 94, by Ballard, was taken up for consideration.

Sections 1 and 2 were read and adopted, upon motions of Senator Ballard.

Senator Ballard submitted the following amendment to the Enacting Clause, which was adopted:

Mr. President: I move to amend the Enacting Clause to Senate Bill No. 94, by striking the word, "Legislature," and inserting the words, "State of Oklahoma."

BALLARD.

Upon motion of Senator Ballard, Senate Bill No. 94 was advanced to engrossment and third reading.

Senator Nance moved that the Sergeant-at-Arms be instructed to advise the Special Oil Investigation committee that the Senate is in session and that the attendance of that Committee be compelled, which motion prevailed.

SENATE RESOLUTION NO. 9, by Rizley, relative to the investigation of the financial status of the School Land Department, etc., was taken up for consideration.

Senator MacDonald presiding.

Upon motion of Senator Commons, further consideration of Senate Resolution No. 9 was deferred until seven (7) legislative days from this date.

SENATE BILL NO. 175, by Nichols, was considered.

Section 1 was read.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 175, line 1, page 2, by striking the word and figure, "Section 2," and inserting the word and figures, "Section 530," and re-numbering the following sections.

CHAMBERLIN.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 175, line 5, page 2, by adding after the word, "therein," and before the word, "in," the following: "in any case hereafter appealed to the Supreme Court."

JENNINGS.

Senator Jennings asked unanimous consent, which was granted, to strike from his amendment, pending, the words, "to the Supreme Court."

The vote occurring on the Jennings amendment, as amended, it was declared adopted.

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

Sections 2 and 3 were read and adopted, upon motions of Senator Nichols.

Upon motion of Senator Nichols, Section 4 was ordered stricken.

Senator Nichols asked unanimous consent, which was granted, to amend the title of Senate Bill No. 175, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

Upon motion of Senator Nichols Senate Bill No. 175 was advanced to engrossment and third reading.

Upon motion of Senator Nichols, the rules of the Senate were suspended and Senate Bill No. 175 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 175 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Chamberlin, Commons, Coppock, Curnutt, Fischl, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 31.

Not Voting: Clark, Daugherty, Dixon, Fidler, Paul, Sowards, Stewart. Total, 7.

Absent: Carmack, Garvin, Howard, Ray, Wilbanks. Total, 5.

Excused: Moon. Total, 1.

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. 175 was ordered referred for engrossment.

SENATE CONCURRENT RESOLUTION NO. 15,

by Ballard, requesting the Governor, by martial law, to take over the property known as the Purcell-Lexington bridge, etc., was considered.

Senator Paul moved that a committee of 3 be appointed, to confer with the Governor, concerning Senate Concurrent Resolution No. 15, with instructions to report forthwith, further consideration of the resolution being deferred pending the report.

Upon motion of Senator Paul, the Senate recessed, to meet at 1:00 o'clock, p. m.

#### AFTERNOON SESSION

The Senate reassembled, with the President presiding.

Referring further to SENATE CONCURRENT RESOLUTION NO. 15, by Ballard:

Senator Ballard asked unanimous consent, which was granted, to add the name of "Paul," as a joint author of Senate Concurrent Resolution No. 15.

Senator Paul asked unanimous consent, which was granted, to withdraw his motion, submitted before the noon recess.

Senator Ballard moved that Senate Concurrent Resolution No. 15 be adopted.

Senator Stacey, as a substitute, moved that further consideration of Senate Concurrent Resolution No. 15 be indefinitely postponed.

Senator Paul, as a substitute for all pending motions, moved that further consideration of Senate Concurrent Resolution No. 15 be set for Special Order, at 2:00 o'clock, p. m., Wednesday week, February 22nd, which motion prevailed.

Senator MacDonald presiding.

#### SPECIAL ORDER

Upon motion of Senator Nichols, the Senate proceeded with the consideration of HOUSE BILL NO. 250, by Blocker, et al.



The Ballard amendment, to lines 3 and 4, page 1, submitted on February 10th, was re-read.

Senator Nance moved to table the Ballard amendment, which motion, by unanimous consent, he withdrew.

Senator Memminger, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 250, line 4, page 1, by adding after the figures, "\$600,000.00 Dollars," and before the word, "for," the following, "and an additional sum of \$150,000.00."

MEMMINGER.

Senator Memminger, as a substitute for his amendment, pending, submitted the following:

Mr. President: I move to amend House Bill No. 250, line 2, page 2, by adding a new section, as follows:

"Section 2. There is hereby appropriated out of any monies in the general revenue fund, not otherwise appropriated, the sum of \$150,000.00, in addition to the sum appropriated in Section 1, for the fiscal year ending June 30, 1933, to supplement the Special Common School Equalization Fund for said year, the same to be distributed in the same manner as the Special Common School Equalization fund." And by re-numbering the emergency section.

MEMMINGER.

Upon motion of Senator Curnutt, the previous question was ordered.

The vote occurring on the Memminger amendment, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Chamberlin, Clark, Commons, Daugherty, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Paul, Pugh, Sowards, Taylor, Whitaker. Total, 18.

Nays: Ballard, Curnutt, Fidler, Fischl, Hutchinson, Jennings, Logan, Nance, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep, Willis. Total, 16.

Not voting: Coppock, Dixon, Reed, Thomas. Total, 4.

Absent: Carmack, Garvin, Howard, Ray, Wilbanks. Total, 5.

Excused: Moon. Total, 1.

Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 250, line 1, page 2, by adding after the word, "fund," and before Section 2, the following: "Provided, however, that no teacher shall receive a salary scale of over \$100.00 per month, to be paid from this fund."

PAUL.

Senator Stewart moved that the vote be reconsidered by which the Paul amendment was adopted, which motion failed of adoption.

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

Upon motion of Senator Chamberlin, House Bill No. 250 was advanced to engrossment and third reading.

Upon motion of Senator Ballard, the following were added as joint authors of House Bill No. 250: Massey, of the House, and Senators Carlile, Nichols, Taylor, Logan, Sowards, Daugherty and Nance.

Upon motion of Senator Chamberlin, the rules of the Senate were suspended and House Bill No. 250 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 250 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fidler, Fischl, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritz-

haupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Whitaker, Willis. Total, 31.

Nays: Jennings. Total, 1.

Not voting: Commons, Dixon, Hutchinson, Stewart, Thomas, Waldrep. Total, 6.

Absent: Carmack, Garvin, Howard, Ray, Wilbanks. Total, 5.

Excused: Moon. 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fidler, Fischl, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Whitaker, Willis. Total, 31.

Nays: Jennings. Total, 1.

Not voting: Commons, Dixon, Hutchinson, Stewart, Thomas, Waldrep. Total, 6.

Absent: Carmack, Garvin, Howard, Ray, Wilbanks. Total, 5.

Excused: Moon. 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. 250, as amended, was referred for engrossment.

Senator Thomas asked unanimous consent, which was granted, to have the record show, had he been present at the time of third reading of HOUSE BILL NO. 250, he would have voted "Aye," on final passage.

Senator Thomas asked unanimous consent, which

was granted, to submit the following request, which, upon his motion, was granted:

To the Honorable President and  
Members of the Senate, of the  
State of Oklahoma:

R. L. Rickerd states that he is a resident of Kiowa County, Oklahoma; that he is President of the State Dairy Association; that he is 57 years of age; that he is the legislative representative of the State Dairy Association; that he is not paid any stipulated compensation for his services; that he makes this statement in compliance with the laws of the State, and petitions this 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.

R. L. RICKERD.

#### COMMITTEE REPORT

Senator Pugh asked unanimous consent, which was granted, to submit the following Committee Report:

Mr. President: We, your Special Committee, to whom was referred Senate Bill No. 51, by Pugh, entitled:

An Act fixing the salaries of all county officers on a population basis, according to the Federal Census of 1930,

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

PUGH, Chairman.

Upon motion of Senator Chamberlin, Senate Bill No. 51, as amended, was ordered printed.

#### GENERAL ORDER

By unanimous consent, consideration of SENATE BILL NO. 170, by Nance, of the Senate, and Johnson, of the House, was deferred.

SENATE BILL NO. 35, by Ritzhaupt and Rizley, was taken up for consideration.

Section 1 was read.



Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 35, line 4, page 1, by striking the word and figures, "January 1st, 1933," and inserting the word and figures, "March 1st, 1933."

CURNUTT.

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

Upon motion of Senator Ritzhaupt, Senate Bill No. 35 was advanced to engrossment and third reading.

Upon motion of Senator Ritzhaupt, the rules of the Senate were suspended and Senate Bill No. 35, as amended, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 35 was read for the third time at length.

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

Ayes: Carlile, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Nance, Paul, Powers, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Whitaker, Willis. Total, 27.

Nays: Ballard, Chamberlin. Total, 2.

Not voting: Briggs, Commons, Fischl, Morrison, Nichols, Pugh, Rutherford, Stewart, Waldrep. Total, 9.

Absent: Carmack, Garvin, Howard, Ray, Wilbanks. Total, 5.

Excused: Moon. 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: Carlile, Chamberlin, Clark, Coppock, Cur-

nutt, Daugherty, Dixon, Fischl, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 31.

Nay: Ballard: Total, 1.

Not voting: Briggs, Commons, Fidler, Pugh, Rutherford, Waldrep. Total, 6.

Absent: Carmack, Garvin, Howard, Ray, Wilbanks. Total, 5.

Excused: Moon. 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. 35 was referred for engrossment.

#### SPECIAL ORDER

SENATE BILL NO. 25, by Stacey, was taken up for consideration.

Section 1 was re-read.

Senator Stacey submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 25, lines 3 and 4, page 2, by striking line 3, after the word, "paved," and all of line 4.

STACEY.

The Presiding Officer announced there were matters on the President's desk, for the consideration of the Senate in executive session.

Upon motion of Senator Stewart, the Senate closed its doors and went into executive session.

\* \* \*

The Senate reassembled, in open session, with President Pro Tempore Stewart presiding.

#### MESSAGE

The following Message from the Governor was received and read:

February 13, 1933.

SPECIAL MESSAGE TO THE FOURTEENTH  
LEGISLATURE

To the Honorable, the Senate and the  
House of Representatives of the Fourteenth  
Legislature, of the State of Oklahoma:  
Gentlemen:

Senate Bill No. 55, having passed both Houses, signed by their officers and filed with The Governor, and remained in the Office of The Governor for five full days, has, automatically, under the Constitution, become the law. This bill, by its provisions, repealed all laws for the appointment of a Highway Commission, and wiped out of existence all the functions and personnel now holding positions under said Commission, and created an entirely new Commission, which new Commission is to be appointed by The Governor, and confirmed by The Senate. Hence, automatically, the Commission ceased.

I, therefore have, on this date, executed an Executive Order, providing that during the interim:

SAM R. HAWKS AND JOHN F. McKEEL,  
COMMISSIONERS;

THE SECRETARY, ED McDONALD; AND

THE ENGINEER, CHARLES L. WILSON,

shall continue in the office until appointments are made for their successors, and confirmed, and qualified, not to continue longer than the expiration of the present term of the Fourteenth Legislature; and that the former Commissioner, Lew H. Wentz, shall cease all function as such Commissioner, as provided under the law, INSTANTER; and I have appointed:

L. V. ORTON, OF PAWNEE, OKLAHOMA,  
to fill that vacancy, now existing, and that he take the place as one of the Commissioners, provided for by the Act, styled, "Senate Bill No. 55," to prevent any "lapse of official administration," or hiatus, in government.

FOR A TERM OF FOUR YEARS,  
and I do hereby submit the name of:

L. V. ORTON,  
for confirmation of The Senate, to become one of said  
Commissioners, as aforesaid, for the term of four years.

All of which is respectfully submitted, on this the  
13th day of February, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Upon motion of Senator Commons, the Senate ad-  
journed, to meet at 10:00 o'clock, a. m., Tuesday, Febru-  
ary 14th.



## THIRTY-SECOND LEGISLATIVE DAY

Tuesday, February 14, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Dixon, Ray. Total, 2.

Excused: Jennings. Total, 1.

The President 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 Judiciary Committee No. 2, to whom was referred Engrossed House Bill No. 74, by Watson, entitled:

An Act amending Section 1, Chapter 39, of the Session Laws of 1927, the same being Section 1424, of the Oklahoma Statutes, 1931, providing for the qualification of guardians as to residence.

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.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Privileges and Elections, to whom was referred House Bill No. 396,

by Cloyd, Beaver, Lindsey and Hart of the House, and Ballard and Paul of the Senate, entitled:

An Act creating nominating districts in the Nineteenth Senatorial District of the State of Oklahoma; providing the time for nominating Senators therein; providing that the candidates so nominated shall be voted for in the entire district at the general election; 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.

BALLARD, Chairman.

Mr. President: We, your Committee on Commerce and Labor, to whom was referred Senate Bill No. 151, by Daugherty, Fischl, Johnston and Reed, entitled:

An Act to supplement Chapter 72, Oklahoma Statutes 1931, known as the "Workmen's Compensation Law," by the enactment of supplemental Article 2 to said Chapter 72 containing Sections 1 to 23 inclusive, creating a fund to be known as "The State Insurance Fund" to be used for the payment of losses sustained on account of insurance and for assuring to the persons entitled thereto compensations provided by said Chapter 72, and providing for the manner of raising said fund, its custody, and disbursement, necessary employees, making an appropriation therefor, etc.,  
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.

Mr. President: We, your Committee on Privileges and Elections, to whom was referred Senate Bill No. 260, by Morrison, entitled:

An Act relating to the use of nicknames, abbreviations and corruptions of names by persons filing as candidates before any election 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.

BALLARD, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 250, Senate Concurrent Resolution No. 14, Senate Bills Nos. 35, 56, 94, 139, 175 and 209, each and all, correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 250, as amended, and Engrossed Senate Concurrent Resolution No. 14, and Engrossed Senate Bills Nos. 35 and 175 and ordered, each, transmitted to the Honorable House for consideration.

#### FIRST READING

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

SENATE BILL NO. 272—By WILBANKS of the Senate, and DARKS, of the House.—An Act amending Section 6070 Oklahoma Statutes 1931, relating to the condemnation and holding lots and land in fee simple for municipal waterworks and the protection thereof from contamination and pollution, and prescribing the manner in which such land shall be designated and condemned, and declaring an emergency.

SENATE BILL NO. 273—By PAUL.—An Act creating a common school district in each county in the State of Oklahoma; providing for the annexation of independent school districts; for liquidating outstanding indebtedness of each school district now existing; creating a common school board of education, providing for the election thereof and defining their duties; providing for the abolition of the present school district boundary lines; authorizing the creation of attendance districts

and the election of a board of trustees for each; abolishing the office of county superintendent of public instruction; maintaining present school districts and officials until June 30, 1934; repealing all Acts or parts of Acts in conflict herewith.

### SECOND READING

The following bill was read for the second time, and referred to the Committee indicated:

SENATE BILL NO. 271—By LESTER.—Referred to Committee on State and County Affairs.

Senator Lester asked unanimous consent, which was granted, to add the names of "BRIGGS and MEMMINGER," as joint authors of Senate Bill No. 271.

### THIRD READING

SENATE BILL NO. 21 was read at length.

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

Ayes: Briggs, Carmack, Commons, Coppock, Currutt, Hutchinson, Logan, Moon, Morrison, Powers, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Whitaker. Total, 16.

Nays: Ballard, Chamberlin, Clark, Garvin, Howard, Johnston, Liggett, Memminger, Nance, Nichols, Pugh, Taylor, Willis. Total, 13.

Not Voting: Carlile, Daugherty, Fidler, Fischl, Lester, MacDonald, Paul, Reed, Rutherford, Thomas, Waldrep, Wilbanks. Total, 12.

Absent: Dixon, Ray. Total, 2.

Excused: Jennings. Total, 1.

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.

SENATE BILL NO. 139 was read for the third time at length.

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

Ayes: Briggs, Carmack, Chamberlin, Clark, Com-



mons, Garvin, Howard, Hutchinson, Johnston, Lester, Logan, Memminger, Moon, Morrison, Nichols, Powers, Reed, Ritzhaupt, Rizley, Sowards, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 26.

Nays: Ballard, Coppock, Daugherty, Liggett, Nance, Pugh, Stacey. Total, 7.

Not Voting: Carlile, Curnutt, Fidler, Fischl, MacDonald, Paul, Rutherford, Thomas. Total, 8.

Absent: Dixon, Ray. Total, 2.

Excused: Jennings. 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: Ballard, Briggs, Chamberlin, Clark, Commons, Daugherty, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, Memminger, Moon, Morrison, Nance, Nichols, Powers, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Coppock. Total, 1.

Not Voting: Carlile, Carmack, Curnutt, Fidler, Fischl, MacDonald, Paul, Rutherford, Thomas. Total, 9.

Absent: Dixon, Ray. Total, 2.

Excused: Jennings. 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 copy of Senate Bill No. 139, and ordered the same transmitted to the Honorable House.

SENATE 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: Briggs, Chamberlin, Clark, Coppock, Daugherty, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, Memminger, Morrison, Nance, Nichols, Powers, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 28.

Nays: Ballard. Total, 1.

Not Voting: Carlile, Carmack, Commons, Curnutt, Fidler, Fischl, MacDonald, Moon, Paul, Rutherford, Waldrep, Willis. Total, 12.

Absent: Dixon, Ray. Total, 2.

Excused: Jennings. 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: Ballard, Briggs, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, Memminger, Moon, Morrison, Nance, Nichols, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Not Voting: Carlile, Carmack, Commons, Fidler, MacDonald, Paul. Total, 6.

Absent: Dixon, Ray. Total, 2.

Excused: Jennings. 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 copy of Senate Bill No. 209, and ordered the same transmitted to the Honorable House.

SENATE 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: Ballard, Carmack, Chamberlin, Coppock, Curnutt, Daugherty, Fidler, Garvin, Hutchinson, Johnston, Lester, Liggett, Logan, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Briggs, Carlile, Reed, Sowards. Total, 4.

Not Voting: Clark, Commons, Fischl, Howard, MacDonald, Nance, Paul, Taylor. Total, 8.

Absent: Dixon, Ray. Total, 2.

Excused: Jennings. Total, 1.

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

Senator Fidler asked unanimous consent, to which objections were voiced, to strike from Senate Bill No. 56 the emergency section.

Upon motion of Senator Chamberlin, the emergency section to Senate Bill No. 56 was ordered stricken.

The question being, "Shall the title of Senate Bill No. 56 become the title of the Act?" Senator Fidler submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 56, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

FIDLER.

Senate Bill No. 56, as amended, was referred for re-engrossment.

SENATE BILL NO. 94 was read for the third time at length.

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

Ayes: Ballard, Carlile, Chamberlin, Commons, Coppock, Curnutt, Fidler, Garvin, Hutchinson, Johnston, Lester, Logan, MacDonald, Moon, Nance, Nichols, Paul,

Powers, Reed, Rutherford, Taylor, Waldrep, Wilbanks, Willis. Total, 24.

Nays: Briggs, Carmack, Clark, Howard, Memminger, Pugh, Rizley, Stacey, Stewart, Whitaker. Total, 10.

Not Voting: Daugherty, Fischl, Liggett, Morrison, Ritzhaupt, Sowards, Thomas. Total, 7.

Absent: Dixon, Ray. Total, 2.

Excused: Jennings. Total, 1.

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

Senator Ballard asked unanimous consent, which was granted, to have the emergency section to Senate Bill No. 94 stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 94, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

BALLARD.

Senate Bill No. 94, as amended, was referred for re-engrossment.

President Pro Tempore Stewart presiding.

Senator Nance asked unanimous consent, which was granted, to withdraw from the Committee on Roads and Highways, HOUSE BILL NO. 161, by Sullivan, Cavins, et al, and place the bill upon the calendar.

#### MESSAGES

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

To the President of the Senate,  
Building

SIR:

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



*Thirty-second Day, Tuesday, Feb. 14, 1933* 701

ENROLLED HOUSE BILL NO. 96—By CLOYD,  
entitled:

An Act repealing Sections 1, 2, 3, 4, and 5, of Chapter 14, Article 18, Session Laws of Oklahoma 1909, the same being Sections 4010, 4011, 4012, 4013 and 4014, respectively, of Oklahoma Statutes 1931, relating to the holding of County Court at Lexington in Cleveland County, Oklahoma, and the procedure attendant thereto; 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,

R. M. McCOOL, Chief Clerk.

House Bill No. 96 was read at length 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,

Building

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. 261—By DANIEL.

An Act authorizing the Board of Trustees of the town of Ryan, Jefferson County, Oklahoma, to remit and refund all penalties or interest on delinquent paving taxes and assessments in School District No. 1 of said town, providing conditions therefor and authorizing and directing the County Treasurer of Jefferson County to collect said paving taxes and assessments without collecting said interest and penalties, and declaring an emergency

ENGROSSED HOUSE BILL NO. 265—By PHILLIPS of Okfuskee.

An Act repealing Chapter 127, Sections One and Two, Session Laws of 1929, the same being Section 8169, Oklahoma Statutes 1931, with reference to the salaries of County Commissioners of Okfuskee County, Oklahoma, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 269—By PHILIPS of Okfuskee.

An Act repealing Chapter 193, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, Session Laws 1925, the same being Sections 8170, 8171, 8172, 8173, 8174, 8175, 8176, 8177, 8178, 8179, 8180, 8181, 8182, 8183, 8184, 8185, 8186, 8187, 8188, 8189, 8190 and 8191, Oklahoma Statutes 1931, the same referring to the salaries of deputies to county officers in Okfuskee County, Oklahoma, and declaring an emergency, and that the same has been passed by the House, as AMENDED, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 320—By KING, LANDINGHAM and WATSON, entitled:

An Act dividing Creek County, Oklahoma, into three legislative nominating districts for the purpose of nominating candidates for the Legislature by the various legally constituted political parties, to become candidates in the general election to the House of Representatives of the State of Oklahoma, for the remainder of the decennial period ending on the 15th day after the general election in 1942.

ENGROSSED HOUSE BILL NO. 157—By CHILDERS, WORTHINGTON, SPECK and SUTHER-

LAND of the House, and CHAMBERLIN and CURNUTT of the Senate, entitled:

A Bill to be entitled An Act relating to the State Board of Accounting, the State Board of Barber Examiners, Board of Chiropractic Examiners, Board of Dental Examiners, State Board of Embalming of Oklahoma, State Board of Examiners of Architects, State Board of Examiners of Nurses, State Board of Medical Examiners, State Board of Pharmacy, State Board of Veterinary Medical Examiners, the State Bar, the State Board of Osteopathy and Building and Loan Board, Board of Optometry; providing for the payment of ten per cent of gross fees collected by each of said Boards into the state general revenue fund, fixing penalty for failure; providing that none of said Boards shall maintain an office in the state capitol building or conduct any examinations therein, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 441 — By WOOTEN and HILL, entitled:

An Act amending Section 8329, Oklahoma Statutes, 1931, abolishing the office of county evidence man in Seminole County; providing for the appointment of an additional Assistant County Attorney who shall be a resident of Konawa, Oklahoma, to prosecute cases which are tried at Konawa; setting his salary at fifty dollars per month; permitting him to engage in the private practice of law under certain conditions, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 157, 320 and 441.

To the President of the Senate,  
Building  
SIR:

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

ENROLLED SENATE JOINT RESOLUTION NO. 7—By RIZLEY, CHAMBERLIN, REED, and CLARK of the Senate, MALLORY, WINGO, JOHNSON (Comanche), PARKS, KIGHT, WILLIAMS, TODD, JONES, COX, FITZGERALD and JESSEE of the House, entitled:

Extending time of payment of all indebtedness due and owing to the Commissioners of the Land Office of the State of Oklahoma on purchase certificates and preference right leases heretofore made and issued, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Joint Resolution No. 7 was ordered referred to the Governor, for consideration.

#### SPECIAL ORDER

Senator Pugh asked unanimous consent, which was granted, to take up for immediate consideration SENATE BILL NO. 51, by Pugh.

Section 1 was read.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, line 1, page 2, by striking the figures, "47,750," in both places, and inserting the figures, "47,500," both places.

CURNUTT.

Senator Ballard submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No.



51, line 5, page 1, by striking after the figures, "\$1500.00," in line 5, all the balance of said line and figures, "\$1800.00," in line 6, and inserting the following: "17,000 to 25,000—\$1650.00."

BALLARD.

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

Section 2 was read.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, line 13, page 2, by striking the figures, "47,750," in both places, and inserting the figures, "47,500," in both places.

CURNUTT.

Upon motion of Senator Pugh, Section 2, as amended, was adopted.

Section 3 was read.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, line 7, page 3, by striking the figures, "47,750," in both places, and inserting the figures, "47,500," in both places.

Upon motion of Senator Pugh, Section 3, as amended, was adopted.

Section 4 was read.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, lines 1 and 2, page 4, by striking the figures, "47,750," in both places and inserting the figures, "47,500," in both places.

CURNUTT.

Upon motion of Senator Pugh, Section 4, as amended, was adopted.

Section 5 was read.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, line 13, page 4, by striking all of said line and inserting the following: "40,000 to 47,500—\$2400.00," and by changing the figures, "47,750," at beginning of line 14, to read, "47,500."

BRIGGS.

Upon motion of Senator Pugh, Section 5, as amended, was adopted.

Section 6 was read.

Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, line 8, page 5, by striking the figures, "\$3600.00," and inserting the figures, "\$2750.00."

NICHOLS.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, line 18, page 4, by inserting after the word, "follows," and before the figures, "10,000," the words, "In counties having a population of"

CURNUTT.

Senator Pugh asked unanimous consent, which was granted, to amend Sections 2, 3, 4, 5, 7 and 8, by inserting after the words, "shall be as follows," and before the figures, "10,000," the words, "In counties having a population of"

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, lines 6 and 7, page 5, by striking the figures, "47,750," in both places, and inserting the figures, "47,500," in both places.

CURNUTT.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, line 4, page 5, by striking the figures, "\$2200.00," and inserting the figures "\$2100.00."

CHAMBERLIN.

Upon motion of Senator Pugh, Section 6, as amended, was adopted.

Section 7 was read.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, line 15, page 5, by striking after the figures, "31,000," the figures, "\$2200.00," and inserting the figures, "\$2100.00."

CHAMBERLIN.

Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, line 18, page 5, by striking the figures, "\$3600.00," and inserting the figures "\$2500.00."

NICHOLS.

Upon motion of Senator Pugh, Section 7, as amended, was adopted.

Section 8 was read.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, lines 10 and 11, page 6, by striking on line 10, the figures, "47,750," and inserting the figures, "47,500," and by striking on line 11, page 6, the figures, "\$3000.00," and inserting the figures, "\$2700.00."

CURNUTT.

Senator Hutchinson submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 51, line 10, page 6, by changing the figures, "\$2400.00," to "\$2600.00."

HUTCHINSON.

Upon motion of Senator Nichols, the Senate recessed, to meet at 1:00 o'clock, p. m.

AFTERNOON SESSION

The Senate re-assembled at 1:00 p. m., with the President presiding.

Senators Dixon and Jennings asked to be recorded "present," which was the order.

President Pro Tempore Stewart presiding.

SPECIAL ORDER

SENATE BILL NO. 51, by Pugh, was taken up for further consideration.

Senator Curnutt, as a substitute for the Hutchinson amendment, submitted before the recess was taken, submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, lines 10 and 11, page 6, by striking the figures "47,500" in both places and inserting the figures "45,500" in both places.

CURNUTT.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, line 8, page 6, by striking after the figures "31,000" the figures "\$2,200.00" and inserting the figures "\$2,100.00."

CHAMBERLIN.

Upon motion of Senator Pugh, Section 8, as amended, was adopted.

Senator Pugh submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, by inserting the following as Section 9 and re-numbering the remaining Sections. "Section 9. If any section, sections or parts of this Act be held unconstitutional or void, such holding shall not affect the remaining portion of this Act."

PUGH.



Section 10 was read.

Senator Hutchinson submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 51, line 15, page 6, by changing the word "last" to "latest."

HUTCHINSON.

Senator Paul moved to table the Hutchinson amendment, which motion failed of adoption.

Senator Hutchinson, as a substitute for his amendment, pending, submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, line 15, page 6, by changing the word "last" to read "1930" and inserting between the word "census" and the word "or," the following: "or any succeeding decennial federal census."

HUTCHINSON.

Upon motion of Senator Pugh, Section 10, as amended, was adopted.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 51, by adding a new section as Section 11 and re-numbering the repealing clause. "Section 11. The salaries provided by this Act shall take effect and be in force at the beginning of the next term of office for which said salaries are set for said offices."

CURNUTT.

The vote occurring on the Curnutt amendment, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Howard, Hutchinson, Johnston, Logan, Morrison, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas. Total, 18.

Nays: Ballard, Briggs, Carlile, Carmack, Dixon,

Fidler, Garvin, Jennings, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Sowards, Stewart, Whitaker, Wilbanks. Total, 21.

Not voting: Fischl, Reed, Waldrep, Willis. Total, 4.

Absent: Ray. Total, 1.

Senator Curnutt moved that further consideration of Senate Bill No. 51 be indefinitely postponed.

Senator Morrison moved to table the Curnutt motion.

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

Senator Curnutt moved that the repealing clause to Senate Bill No. 51 be stricken, which motion was tabled upon motion of Senator Nance.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 51, by adding a new section as Section 11, and re-numbering the repealing clause. "Section 11. The salaries set by this Act shall be in force and take effect at the beginning of the next term of office of the respective offices for which salaries are set herein, except in cases of vacancies in any office. The person appointed to fill such vacancy shall receive the salary herein provided."

CURNUTT.

Senator Briggs asked unanimous consent, which was granted, to submit the following amendment to Section 1:

Mr. President: I move to amend Senate Bill No. 51, lines 1 and 2, page 1, by striking lines 1 and 2 and inserting the following: "Section 1. The County Clerk, Court Clerk, County Assessor, County Superintendent, County Treasurer, County Judge, County Sheriff and County Attorney of the various counties of the State shall, each, be paid an annual salary, in twelve equal monthly payments, according to the population of each respective county, as follows, to-wit:

**COUNTY CLERK.** The salary of the County Clerk shall be as follows:

In Counties having a population of 10,000 and under \$1,200.00; 10,000 to 14,500—\$1,300.00; 14,500 to 17,000—\$1,500.00; 17,000 to 22,000—\$1,650.00; 22,000 to 25,000—\$1,800.00; 25,000 to 27,770—\$1,900.00; 27,770 to 28,100—\$2,100.00; 28,100 to 30,000—\$1,900.00; 30,000 to 31,000—\$2,000.00; 31,000 to 32,000—\$1,700.00; 32,000 to 35,000—\$2,000.00; 35,000 to 40,000—\$2,050.00; 40,000 to 46,000—\$2,100.00; 46,000 to 47,500—\$2,400.00; 47,500 to 50,000—\$2,100.00; 50,000 to 55,000—\$2,150.00; 55,000 to 80,000—\$2,400.00; 80,000 to 150,000—\$3,000.00; 150,000 to 200,000—\$3,600.00; 200,000 and over \$4,000.00.

**COURT CLERK.** The salary of the Court Clerk shall be as follows: In Counties having a population of 10,000 and under \$1,200.00; 10,000 to 14,500—\$1,300.00; 14,500 to 17,000—\$1,500.00; 17,000 to 22,000—\$1,650.00; 22,000 to 25,000—\$1,800.00; 25,000 to 27,770—\$1,900.00; 27,770 to 28,100—\$2,100.00; 28,100 to 30,000—\$1,900.00; 30,000 to 31,000—\$2,000.00; 31,000 to 32,000—\$1,700.00; 32,000 to 35,000—\$2,000.00; 35,000 to 40,000—\$2,050.00; 40,000 to 46,000—\$2,100.00; 46,000 to 47,500—\$2,400.00; 47,500 to 50,000—\$2,100.00; 50,000 to 55,000—\$2,150.00; 55,000 to 80,000—\$2,400.00; 80,000 to 150,000—\$3,000.00; 150,000 to 200,000—\$3,600.00; 200,000 and over \$4,000.00.

**COUNTY ASSESSOR.** The salary of the County Assessor shall be as follows: In counties having a population of 10,000 and under \$1,200.00; 10,000 to 14,500—\$1,300.00; 14,500 to 17,000—\$1,500.00; 17,000 to 22,000—\$1,650.00; 22,000 to 25,000—\$1,800.00; 25,000 to 27,770—\$1,900.00; 27,770 to 28,100—\$2,100.00; 28,100 to 30,000—\$1,900.00; 30,000 to 31,000—\$2,000.00; 31,000 to 32,000—\$1,700.00; 32,000 to 35,000—\$2,000.00; 35,000 to 40,000—\$2,050.00; 40,000 to 46,000—\$2,100.00; 46,000 to 47,500—\$2,400.00; 47,500 to 50,000—\$2,100.00; 50,000 to 55,000—\$2,150.00; 55,000 to 80,000—\$2,400.00; 80,000 to 150,000—\$3,000.00; 150,000 and over \$4,000.00.

**COUNTY SUPERINTENDENT.** The salary of the County Superintendent shall be as follows: In counties having a population of 10,000 and under \$1,200.00; 10,000 to 14,500—\$1,300.00; 14,500 to 17,000—\$1,500.00; 17,000 to 22,000—\$1,650.00; 22,000 to 25,000—\$1,800.00; 25,000 to 27,770—\$1,900.00; 27,770 to 28,100—\$2,100.00; 28,100 to 30,000—\$1,900.00; 30,000 to 31,000—\$2,000.00; 31,000 to 32,000—\$1,700.00; 32,000 to 35,000—\$2,000.00; 35,000 to 40,000—\$2,050.00; 40,000 to 46,000—\$2,100.00; 46,000 to 47,500—\$2,400.00; 47,500 to 50,000—\$2,100.00; 50,000 to 55,000—\$2,150.00; 55,000 to 80,000—\$2,400.00; 80,000 to 150,000—\$3,000.00; 150,000 to 200,000—\$3,600.00; 200,000 and over \$4,000.00.

**COUNTY TREASURER.** The salary of the County Treasurer shall be as follows: In counties having a population of 10,000 and under \$1,200.00; 10,000 to 14,500—\$1,300.00; 14,500 to 17,000—\$1,500.00; 17,000 to 22,000—\$1,650.00; 22,000 to 25,000—\$1,800.00; 25,000 to 27,770—\$1,900.00; 27,770 to 28,100—\$2,100.00; 28,100 to 30,000—\$1,900.00; 30,000 to 31,000—\$2,000.00; 31,000 to 32,000—\$1,700.00; 32,000 to 35,000—\$2,000.00; 35,000 to 40,000—\$2,050.00; 40,000 to 47,500—\$2,400.00; 47,500 to 50,000—\$2,100.00; 50,000 to 55,000—\$2,150.00; 55,000 to 80,000—\$2,400.00; 80,000 to 150,000—\$3,000.00; 150,000 and above—\$4,000.00.

**COUNTY JUDGE.** The County Judge shall have a salary as follows: In counties having a population of 10,000 and under—\$1,500.00; 10,000 to 14,000—\$1,600.00; 14,000 to 16,000—\$1,800.00; 16,000 to 22,000—\$1,850.00; 22,000 to 25,000—\$2,000.00; 25,000 to 27,770—\$2,200.00; 27,770 to 28,100—\$2,400.00; 28,100 to 31,000—\$2,100.00; 31,000 to 32,000—\$1,800.00; 32,000 to 35,000—\$2,200.00; 35,000 to 38,000—\$2,250.00; 38,000 to 46,600—\$2,400.00; 46,600 to 47,500—\$3,000.00; 47,500 to 55,000—\$2,400.00; 55,000 to 75,000—\$3,000.00; 75,000 to 150,000—\$2,750.00; 150,000 to 200,000—\$4,000.00; 200,000 and over—\$5,000.00.



**COUNTY SHERIFF.** The salary of the County Sheriff shall be as follows: In counties having a population of 10,000 and under—\$1,500.00; 10,000 to 14,000—\$1,600.00; 14,000 to 16,000—\$1,800.00; 16,000 to 22,000—\$1,850.00; 22,000 to 25,000—\$2,000.00; 25,000 to 27,770—\$2,200.00; 27,770 to 28,100—\$2,400.00; 28,100 to 31,000—\$2,100.00; 31,000 to 32,000—\$1,800.00; 32,000 to 35,000—\$2,200.00; 35,000 to 38,000—\$2,250.00; 38,000 to 55,000—\$2,400.00; 55,000 to 75,000—\$3,000.00; 75,000 to 150,000—\$2,500.00; 150,000 to 200,000—\$3,600.00; 200,000 and over—\$4,000.00.

**COUNTY ATTORNEY.** The salary of the County Attorney shall be as follows: In counties having a population of 10,000 and under \$1,500.00; 10,000 to 14,000—\$1,600.00; 14,000 to 16,000—\$1,800.00; 16,000 to 22,000—\$1,850.00; 22,000 to 25,000—\$2,000.00; 25,000 to 27,770—\$2,200.00; 27,770 to 28,100—\$2,400.00; 28,100 to 31,000—\$2,100.00; 31,000 to 32,000—\$1,800.00; 32,000 to 35,000—\$2,200.00; 35,000 to 38,000—\$2,250.00; 38,000 to 47,500—\$2,400.00; 47,500 to 50,000—\$2,700.00; 50,000 to 55,000—\$2,400.00; 55,000 to 75,000—\$3,000.00; 75,000 to 150,000—\$3,600.00; 150,000 to 200,000—\$4,000.00; 200,000 and over—\$5,000.00,

the words and figures "Sections 2, 3, 4, 5, 6, 7, and 8" appearing in line 5, page 2; line 17, page 2; line 11, page 3; line 5, page 4; line 17, page 4; line 10, page 5; and line 3, page 6, respectively, being stricken, and by properly renumbering the following Sections.

BRIGGS.

Senator Thomas, as a substitute, submitted the following amendment, which was tabled upon motion of Senator Logan:

Mr. President: I move to amend Senate Bill No. 51, by reducing each salary, as herein provided in this Bill, twenty-five per cent.

THOMAS.

The vote occurring on the Briggs amendment, it was declared adopted.

Senator Willis asked unanimous consent, which was granted, to be added as a joint author of Senate Bill No. 51.

Upon motion of Senator Pugh, Senate Bill No. 51 was advanced to engrossment and third reading.

Upon motion of Senator Pugh, the rules of the Senate were suspended and Senate Bill No. 51 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 51 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fidler, Fischl, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Howard, Moon, Nance, Taylor. Total, 4.

Not voting: Daugherty, Dixon, Garvin, Sowards, Waldrep. Total, 5.

Absent: Ray. 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 title of the Bill become the title of the Act?" Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 51, by striking after the word "basis" all of lines 3 and 4 and the word "all" in the first line of the title and inserting in the enacting clause, after the word "of" and before the word "Oklahoma" the words "the State of."

BRIGGS.

Senate Bill No. 51, as amended, was referred for engrossment.

### SPECIAL ORDER

Senator Nichols asked unanimous consent, which was granted, to take up for consideration mortgage moratorium bills, set for Special Order at 2:00 o'clock, p. m.

Senator Nichols moved that the Senate work under a call of the House.

Senator MacDonald presiding.

The vote occurring on the Nichols motion, it was declared adopted.

The roll of the Senate was called, the result being as follows:

ABSENTEES: Morrison, Ray, Reed, Ritzhaupt, Rizley and Stewart.

The Sergeant-at-Arms was directed to notify absent Senators of the proceedings.

The following asked to be recorded, "present," which was the order: Senators Reed, Ritzhaupt, Rizley, Stewart and Morrison.

Senator Nance moved that the Senate proceed to the consideration of SENATE BILL NO. 76, by Nichols, Nance and Lester.

Senator Ballard, as a substitute, moved that the Senate proceed to the consideration of HOUSE BILL NO. 5, by Gibson, Fitzgerald, et al.

Senator Briggs, as a substitute for all pending motions, moved that further consideration of the mortgage moratorium bills be set for Special Order, at 10:00 o'clock a. m., on the next legislative day, which motion prevailed.

### CONFERENCE COMMITTEE REPORTS

Referring further to SENATE BILL NO. 28, by Nichols, Willis, Ray, Whitaker and Rizley, as amended in Conference:

SENATE BILL NO. 28, as amended in Conference, was read at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Nays: Ballard, Coppock, Moon, Powers. Total, 4.

Not voting: Garvin, Rutherford. Total, 2.

Absent. Ray. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Nays: Ballard, Coppock, Moon, Powers. Total, 4.

Not voting: Garvin, Rutherford. Total, 2.

Absent. Ray. 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. 28, together with Conference Committee Report, thereon, was ordered transmitted to the Honorable House for consideration.

The Presiding Officer announced matters were on the President's desk for the consideration of the Senate, in executive session.



Upon motion of Senator Commons, the Senate closed its doors and went into executive session.

The Senate reassembled, in open session, with President Burns presiding, who announced the Senate, in executive session, had advised and consented to the confirmation of the following executive nomination:

L. V. ORTON, of Pawnee, Oklahoma, for Membership, for the four year term, on the State Highway Commission.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 o'clock, a. m., Wednesday, February 15th.

## THIRTY-THIRD LEGISLATIVE DAY

Wednesday, February 15, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by President Pro Tempore Stewart.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Fidler. Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

### FIRST READING

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

SENATE BILL NO. 274—By RAY, RIZLEY, GARVIN, PUGH, LIGGETT, CARMACK, COMMONS, DIXON and WILLIS.—An Act to require all incorporated stock or mutual companies doing a life insurance business within the State of Oklahoma, to invest a part of the reserve set apart on account and for the final payment of policies of insurance written on the lives of citizens of Oklahoma, in Oklahoma and other securities and Oklahoma property, or in the bonds of the United States or any State of the United States; and to define Oklahoma securities and the property in which such investments may be made; and declaring an emergency.

SENATE BILL NO. 275—By TAYLOR and RITZ-

HAUPT.—An Act amending Sections 5039 and 5040 Oklahoma Statutes 1931 relating to the sterilization of certain inmates of certain institutions; making the provisions of Chapter 26, Article 2, Oklahoma Statutes 1931 applicable to idiocy, imbecility, feeble-mindedness, insanity, habitual criminals; and declaring an emergency.

SENATE BILL NO. 276—By JOHNSTON.—An Act fixing the legal and contract rate of interest in the State of Oklahoma; and declaring an emergency.

#### SECOND READING

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

SENATE BILL NO. 272—By WILBANKS of the Senate, and DARKS, of the House.—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 273—By PAUL.—Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 320—By KING, LANDINGHAM and WATSON.—Referred to Committee on Congressional and Legislative Re-Districting.

ENGROSSED HOUSE BILL NO. 157—By CHILDERs, WORTHINGTON, SPECK and SUTHERLAND of the House, and CHAMBERLIN and CURNUTT of the Senate.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 441 — By WOOTEN and HILL.

By unanimous consent, House Bill No. 441 was ordered placed upon the calendar, without reference to a Committee.

#### UNFINISHED BUSINESS

SENATE BILL NO. 25, by Stacey, was taken up for further consideration.

The Stacey amendment, submitted on February 13th, was re-read, and, upon his motion, adopted.

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

Upon motion of Senator Stacey, Senate Bill No. 25 was advanced to engrossment and third reading.

**GENERAL ORDER**

By unanimous consent, the following bills were taken up for consideration, out of their regular order.

SENATE BILL NO. 190, by Chamberlin, Commons, Morrison and Nichols:

Sections 1 and 2 were read and adopted, upon motions of Senator Chamberlin.

Upon motion of Senator Chamberlin, Senate Bill No. 190 was advanced to engrossment and third reading.

**MESSAGES**

The following Message from the Governor was received and read:

**TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:**

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State,

**ENROLLED SENATE JOINT RESOLUTION  
NO. 7—By RIZLEY, CHAMBERLIN, REED and  
CLARK of the Senate; MALLORY, WINGO, JOHN-  
SON (Comanche), PARKS, KIGHT, WILLIAMS,  
TODD, JONES, COX, FITZGERALD and JESSE of  
the House.**

Extending time of payment of all indebtedness due and owing to the Commissioners of the Land Office of the State of Oklahoma on purchase certificates and preference right leases heretofore made and issued, and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand this 14th day of February, A. D., 1933.

**BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.**

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



To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 37—By GLEN and SMALLEY, entitled:

An Act abolishing the Superior Court of Pottawatomie County; providing for the disposition of all cases pending in said court; providing effective date of Act; and declaring an emergency,

ENGROSSED HOUSE BILL NO. 451—By PHILIPS (Atoka), entitled:

An Act abolishing the office of County Engineer of Atoka County and providing the duties of said office shall be performed by the County Surveyor, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 37 and 451.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has reconsidered its vote by which it adopted Senate Amendment to:

HOUSE BILL NO. 261—By DANIEL, entitled:

An Act authorizing the Board of Trustees of the town of Ryan, Jefferson County, Oklahoma, to remit and refund all penalties or interest on delinquent paying taxes and assessments in School District No. 1 of said

town, providing conditions therefor and authorizing and directing the County Treasurer of Jefferson County to collect said paving taxes and assessments without collecting said interest and penalties; and declaring an emergency,

and asks your Honorable Body to recede therefrom.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Garvin, the Senate reconsidered the vote by which House Bill No. 261 was passed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not Voting: Coppock, Curnutt, Daugherty, Dixon, Howard, Moon, Powers, Reed, Rutherford, Taylor, Thomas. Total, 11.

Excused: Fidler. Total, 1.

Senator Garvin asked unanimous consent of the Senate, which was granted, to recede from Senate Amendment to Engrossed House Bill No. 261.

HOUSE BILL NO. 261 was read at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not Voting: Coppock, Curnutt, Daugherty, Dixon, Howard, Moon, Powers, Reed, Rutherford, Taylor, Thomas. Total, 11.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not Voting: Coppock, Curnutt, Daugherty, Dixon, Howard, Moon, Powers, Reed, Rutherford, Taylor, Thomas. Total, 11.

Excused: Fidler. 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.

Engrossed House Bill No. 261 was ordered returned to the Honorable House.

#### SPECIAL ORDER

The consideration of the report of the Committee on Rules and Procedure being set for Special Order, the matter was taken up for consideration, by sub-divisions.

#### ORDER OF BUSINESS:

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend the sub-division, "ORDER OF BUSINESS," by substituting for "Paragraph (f)," the following, "Reports of Standing Committees," and changing the alphabetical order accordingly.

#### COMMONS.

Upon motion of Senator Commons, the sub-division, ORDER OF BUSINESS, as amended, was adopted.

Upon motion of Senator Commons, the sub-division,

COMMENCEMENT OF DAILY SESSIONS, was adopted.

JOURNAL:

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend sub-division, JOURNAL, by striking in paragraph (b), the words, "Secretary of State," and inserting the words, "Secretary of the Senate."

COMMONS.

Upon motion of Senator Commons, the subdivision, JOURNAL, as amended, was adopted.

Upon motion of Senator Commons, the subdivision, PRESIDENT'S PRIVILEGE, was adopted.

ATTENDANCE OF MEMBERS:

Senator Memminger submitted the following amendment, which was adopted:

Mr. President: I move to amend the sub-division, ATTENDANCE OF MEMBERS, by adding the following paragraph: "Paragraph (d). The Senate shall, by a majority vote of the members present, have the authority to compel the attendance of absentees and require their presence in the Senate Chamber, and, while the absentees are being notified to attend, the Senate shall have power to proceed with business the same as at other times.

MEMMINGER.

Upon motions of Senator Commons, the subdivisions, SPECIAL ORDERS, OBJECTION TO READING A PAPER, and DEBATE, were adopted.

ROLL CALL AND VOTE RECORDED:

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend the sub-division, ROLL CALL AND VOTE RECORDED, by striking in Rule 9-a, thereof, the words, "when demanded by one or more members and seconded by eight or more members



of the Senate," and inserting in lieu thereof, the following: "when demanded by as many as three members of the Senate."

CHAMBERLIN.

Upon motion of Senator Commons, the sub-division, ROLL CALL AND VOTE RECORDED, as amended, was adopted.

Upon motions of Senator Commons, the sub-divisions, RECONSIDERATION and BILLS AND JOINT RESOLUTIONS, were adopted.

SECOND READING:

Senator Jennings submitted the following amendment, which was adopted:

Mr. President: I move to amend the sub-division, SECOND READING, by striking all of paragraph (b) thereof, and by re-lettering all subsequent paragraphs.

JENNINGS.

Upon motion of Senator Commons, the sub-division, SECOND READING, as amended, was adopted.

Upon motion of Senator Commons, the sub-divisions, THIRD READING, MOTION TO RE-COMMIT, BILLS REFERRED, TITLE OF BILL, CAPTION OF RESOLUTIONS, RESOLUTIONS, MOTIONS TO TABLE AMENDMENTS, AMENDMENTS—DIVISION OF A QUESTION, MANNER OF DIVIDING THE HOUSE, PRESERVATION OF ORDER, APPOINTMENT OF COMMITTEES, MOTIONS, PRECEDENCE OF MOTIONS, CHAIRMAN OF COMMITTEES, WHEN COMMITTEES SHALL MEET, CONFERENCE COMMITTEES AND REPORTS, PRIVILEGES OF THE SENATE, DECORUM OF MEMBERS, GENERAL ORDER, MANNER OF PUTTING QUESTIONS, PREVIOUS QUESTION, QUESTIONS OF ORDER, QUESTIONS OF PRIVILEGE, INTERRUPTIONS, and FILLING OF BLANKS, were adopted.

**AMENDMENT TO RULES:**

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend the sub-division, **AMENDMENT TO RULES**, by substituting therefor the following: "RULE 38. Any amendment of the permanent rules or new rules, before adoption, shall require the affirmative vote of a majority of those elected to and constituting the Senate."

**COMMONS.**

Upon motion of Senator Commons, the sub-division, **AMENDMENT TO RULES**, as amended, was adopted.

**DEBATE ON FINAL PASSAGE OF A BILL:**

Senator Memminger submitted the following amendment, which was adopted:

Mr. President: I move to amend the sub-division, **DEBATE ON FINAL PASSAGE OF A BILL**, by striking from Rule 39, the words, "by the Committee of the Whole," and inserting the words, "by a Committee."

**MEMMINGER.**

Upon motion of Senator Commons, the sub-division, **DEBATE ON FINAL PASSAGE OF A BILL**, as amended, was adopted.

Upon motions of Senator Commons, the subdivisions, **JEFFERSON'S MANUAL**, **ADJOURNMENT**, **PRIVILEGES OF THE PRESS TABLE**, **OFFICERS OF THE SENATE**, and **ENDORING OF PAPERS**, were adopted.

**STANDING COMMITTEES:**

Senator Commons submitted the following amendment, which was adopted:

I move to amend the sub-division, **STANDING COMMITTEES**, Rule 3, by substituting therefor the following:

"RULE 3. The following standing committees shall be elected by the Senate, and no additions shall be made

to any committee, except when a majority of the Senate agree thereto:

(1) Committee on Agriculture to consist of sixteen members.

(2) Committee on Appropriations to consist of twenty-eight members.

(3) Committee on Banks and Banking to consist of sixteen members.

(4) Committee on Code Revision to consist of seven members.

(5) Committee on Commerce and Labor to consist of twelve members.

(6) Committee on Committees to consist of eleven members.

(7) Committee on Congressional and Legislative Redistricting to consist of twenty members.

(8) Committee on Constitution and Constitutional Amendments to consist of ten members.

(9) Committee on Drugs and Pure Foods to consist of eleven members.

(10) Committee on Education to consist of twenty-two members.

(11) Committee on Enrolled and Engrossed Bills to consist of six members.

(12) Committee on Fees and Salaries to consist of eleven members.

(13) Committee on Federal Relations to consist of eight members.

(14) Committee on Fish and Game to consist of fifteen members.

(15) Committee on Hospitals and Charities to consist of eight members.

(16) Committee on Indian Affairs to consist of eleven members.

(17) Committee on Insurance to consist of twelve members.

(18) Committee on Irrigation, Drainage and Geological Survey to consist of six members.

(19) Committee on Judicial Redistricting to consist of eleven members.

(20) Committee on Judiciary No. 1 to consist of thirteen members.

(21) Committee on Judiciary No. 2 to consist of twelve members.

(22) Committee on Legal Advisory to consist of nine members.

(23) Committee on Livestock and Tenant Farming to consist of six members.

(24) Committee on Military Affairs to consist of eight members.

(25) Committee on Mines and Manufacturing to consist of ten members.

(26) Committee on Municipal Corporations to consist of ten members.

(27) Committee on Oil and Gas to consist of nineteen members.

(28) Committee on Penal Institutions to consist of Five members.

(29) Committee on Private Corporations to consist of six members.

(30) Committee on Privileges and Elections to consist of nine members.

(31) Committee on Prohibition Enforcement to consist of five members.

(32) Committee on Public Health to consist of eight members.

(33) Committee on Public Buildings to consist of nine members.

(34) Committee on Public Printing to consist of seven members.

(35) Committee on Public Service Corporations to consist of eleven members.



(36) Committee on Retrenchment and Reform to consist of thirteen members.

(37) Committee on Revenue and Taxation to consist of twenty-seven members.

(38) Committee on Roads and Highways to consist of twenty-five members.

(39) Committee on Rules and Procedure to consist of eight members.

(40) Committee on School Lands to consist of sixteen members.

(41) Committee on Senate and Legislative Affairs to consist of nine members.

(42) Committee on Soldiers' Relief to consist of fifteen members.

(43) Committee on State and County Affairs to consist of sixteen members.

(44) Committee on Ways and Means to consist of seven members.

#### COMMONS.

Upon motion of Senator Commons, the sub-division, **STANDING COMMITTEES**, as amended, was adopted.

Upon motions of Senator Commons, the sub-divisions, **INTRODUCTION OF BILLS, EXECUTIVE BUSINESS PROCEEDINGS ON NOMINATIONS, EXECUTIVE PROCEEDINGS FURNISHED TO THE GOVERNOR, SECRECY OF REMARKS ON NOMINATIONS, PENALTIES FOR VIOLATING THE CONFIDENCE OF THE SENATE, LOBBYING, COMMITTEE ON PRINTING, DUTIES OF COMMITTEES ON SENATE AND LEGISLATIVE AFFAIRS, DUTIES OF SERGEANT-at-ARMS, REPORT OF COMMITTEES, PRIVILEGES OF MEMBERS, POWERS OF THE PRESIDENT, DUTIES OF PRESIDENT PRO TEMPORE, POWERS OF COMMITTEE, AUTHORS OF BILLS TO BE GIVEN HEARINGS, DUTIES OF OFFICERS AND EMPLOYEES OF THE SENATE, APPROPRIATION**

AND REVENUE BILLS TAKE PRECEDENCE, were adopted.

AMENDMENT TO RULES:

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend the sub-division, AMENDMENT TO RULES (Rule 21), by substituting therefor the following: "RULE 21. Any amendment of the permanent rules or new rules, before adoption; shall require the affirmative vote of a majority of those elected to and constituting the Senate."

COMMONS.

Upon motion of Senator Commons, the sub-division, AMENDMENT TO RULES (Rule 21), was adopted, as amended.

Upon motions of Senator Commons, the sub-divisions, DISPOSITION OF BILLS and FINAL ENROLLMENT OF BILL, were adopted.

Upon motion of Senator Commons, the Joint Rules, authorized under Senate Concurrent Resolution No. 5, Legislature of 1921, and adopted by the 1931 session of the Legislature, were adopted.

Senator Nichols moved that the moratorium bills (Senate Bill No. 76, by Nichols, Nance, et al, Senate Bill No. 264 by Johnston, and House Bill No. 5, by Gibson, et al), be referred to a Committee of 5, to be appointed by the Presiding Officer, for the purpose of perfecting amendments to the bills, and that consideration of the measures be made a Special Order for 1:00 o'clock, p. m., this date.

The Nichols motion prevailed and the President Pro Tempore appointed, as such special Committee, Senators Nichols, Pugh, Waldrep, Johnston and Daugherty.

Senator Paul presiding.

MESSAGES

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 86—By PHILLIPS of Okfuskee and CLINE of Kay, entitled:

An Act amending Section 11274 of 1931 Statutes providing for the manner of giving notice in foreclosing chattel mortgage by advertisement, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 445—By SMALLEY and ABERNATHY, (Pottawatomie), entitled:

An Act amending Sections One and Two, Chapter 66, Article 19, Session Laws, 1931, relating to the county delinquent personal tax collector of Pottawatomie 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 86 and 445.

To the President of the Senate,  
Building  
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 Amendment to:

ENGROSSED HOUSE BILL NO. 250—By BLOCKER, BATSON, GARLAND, GRAY, LEECRAFT, PHILLIPS and CAVINS, entitled:

An Act making an appropriation from the general revenue fund to supplement the special common school

equalization fund for the fiscal year ending June 30, 1933, and providing for the distribution thereof, and declaring an emergency, and asks that a conference be granted thereon.  
Bill Attached.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Morrison, the request of the Honorable House, for a conference on Engrossed House Bill No. 250, was granted, the Presiding Officer appointing, as Senate conferees thereon, Senators Nance, Carlile and Ballard.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 271—By CHILDERS and BABB, entitled:

An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563, 12565, 12566, 12567, 12569, 12571, 12573, and 12529 Oklahoma Statutes, 1931, relating to, and providing for, the enforcement of the gasoline excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission; defining the term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto; defining embezzlement and perjury, for violation of this Act and prescribing penalties; further extending provision for injunction and giving the Commission authority in certain cases to declare the excise tax due and payable forthwith; authorizing exercise of discretion by Commission in issuance, extension, reinstatement, suspension and cancellation of licenses; declaring what may be admitted as evidence in certain



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cases; repealing conflicting laws 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.

Respectfully, R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 271.

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE BILL NO. 265—By PHILLIPS (Okfuskee) of the House, and WILBANKS of the Senate, entitled:

An Act repealing Chapter 127, Sections One and Two, Session Laws 1929, the same being Section 8169, Oklahoma Statutes 1931, with reference to the Salaries of County Commissioners in Okfuskee County, Oklahoma; and declaring an emergency.

ENROLLED HOUSE BILL NO. 269—By PHILLIPS (Okfuskee) of the House and WILBANKS of the Senate, entitled:

An Act repealing Chapter 193, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, Session Laws 1925, the same being Sections 8170, 8171, 8172, 8173, 8174, 8175, 8176, 8177, 8178, 8179, 8180, 8181, 8182, 8183, 8184, 8185, 8186, 8187, 8188, 8189, 8190, and 8191, Oklahoma Statutes 1931, the same referring to the salaries of deputies to county officers in Okfuskee County, Oklahoma; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 265 and 269 were, each, read at length for the fourth time, the enrolled copies signed by the Presiding Officer, in open session, and ordered returned to the Honorable House.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED SENATE BILL NO. 48—By PAUL, WALDREP and NICHOLS of the Senate, entitled:

An Act amending Section 28, Chapter 173 of the Session Laws, 1923, relating to the collection of paving assessments of cities and towns; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 48 were read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1: By adding Broaddus, Ebey (Pontotoc), Landingham, Beaver, Collins, Hart, Hill, Abernathy (Pottawatomie), Todd, Shoemaker and Hays, of the House, as joint authors.

ENGROSSED HOUSE AMENDMENT NO. 2: On page 1, line 4, of the title, after the semi-colon, insert the following language: "Repealing all Acts in conflict therewith."

ENGROSSED HOUSE AMENDMENT NO. 3: At the bottom of page 2, add a new section as follows: "Section 2. All laws and parts of laws in conflict herewith are hereby repealed."

Upon motion of Senator Nance, the Senate concurred in Engrossed House Amendments to Engrossed Senate Bill No. 48.

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SENATE BILL NO. 48, as amended, was read at length. The question being, "Shall Senate Bill No. 48, as amended pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Commons, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nay: Moon. Total, 1.

Not voting: Chamberlin, Clark, Coppock, Jennings, Powers, Reed, Rutherford, Sowards, Taylor, Thomas. Total, 10.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Commons, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nay: Moon. Total, 1.

Not voting: Chamberlin, Clark, Coppock, Jennings, Powers, Reed, Rutherford, Sowards, Taylor, Thomas. Total, 10.

Excused: Fidler. 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.

Engrossed Senate Bill No. 48, as amended, was referred for enrollment.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED SENATE BILL NO. 102—By RITZ-  
HAUPT and PUGH, entitled:

An Act prohibiting the payment to constables or other peace officers and justices of the peace of fees resulting in cases involving violation of traffic and highway laws, commonly called "speed laws" of the State of Oklahoma, providing a penalty therefor, and declaring an emergency.

ENGROSSED SENATE BILL NO. 78—By CHAMBERLIN, MEMMINGER, PUGH, MacDONALD and RIZLEY of the Senate; and ABERNATHY (Harmon) of the House, entitled:

An Act amending Sections 8 and 9 of Chapter 28 of Session Laws of 1925; authorizing building and loan associations of this State to borrow money; to become members of any corporation or agency established by the United States Government or by the State of Oklahoma; to buy and own shares of stock and/or the bonds of and deposit money in and borrow money from such agencies; also to pledge their assets to secure the payment of any money so borrowed; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bills Nos. 78 and 102 were, each, referred for enrollment.



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### 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 Military Affairs, to whom was referred Senate Bill No. 39, by Logan, entitled:

An Act amending Section 12040, Oklahoma Statutes 1931, relating to the granting of pensions to Confederate veterans 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 be referred to the Committee on *Soldiers' Relief*.

HUTCHINSON, Chairman.

Senate Bill No. 39 was ordered referred to the Committee on Soldiers' Relief, for further consideration.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 156 by Stacey, entitled:

An Act amending Section 4, of Article 11, of Chapter 66, of the Session Laws of 1931, being Section 12650 of the Compiled Laws of 1931, relating to the number of days in which boards of equalization and excise boards may receive pay in any one 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.

PUGH, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled bills begs leave to report Senate Bills Nos. 51, 56, and 94 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Bills Nos. 51 and 94 and ordered, each, transmitted to the Honorable House for consideration.

Senator Curnutt moved that the vote be reconsidered by which Senate Bill No. 56, by Fidler, was passed.

Senator Rizley, as a substitute, moved that further consideration of Senate Bill No. 56 be deferred until the author is present.

Senator Curnutt asked unanimous consent, which was granted, to defer the signing of Engrossed Senate Bill No. 56, until the author of the bill is present.

#### GENERAL ORDER

Senator Ballard asked unanimous consent, which was granted, to take up for consideration, out of its regular order, HOUSE BILL NO. 396, by Cloyd, Beaver, et al, of the House, and Ballard and Paul, of the Senate.

Section 1 was read and adopted, upon motion of Senator Ballard.

Upon motion of Senator Ballard, House Bill No. 396 was advanced to engrossment and third reading:

Senator Morrison asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 11, by Conner, Copeland, Billings, Ellis, Marshall, Graham and Coe.

Sections 1 to 18 were read and adopted, upon motions of Senator Morrison.

Upon motion of Senator Nance, House Bill No. 11 was advanced to engrossment and third reading.

Upon motion of Senator Fischl, SENATE BILL NO. 91, by Fischl, was ordered stricken from the calendar and re-referred to the Committee on Education.

Senator Rizley asked unanimous consent, which was granted, to strike SENATE BILL NO. 59, by Rizley, of the Senate, and Cox, of the House, from the calendar

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and re-refer the bill to the Committee on Public Health.

By unanimous consent, consideration of SENATE CONCURRENT RESOLUTION NO. 13, by Stewart, was deferred for this legislative day.

Senator Jennings asked unanimous consent, which was granted, to defer consideration of SENATE BILL NO. 29, by Jennings, the bill to retain its place upon the calendar.

Senator Nance asked unanimous consent, which was granted, to defer consideration of SENATE BILL NO. 170, by Nance, of the Senate, and Johnson, of the House, the bill to retain its place on the calendar.

By unanimous consent, consideration of SENATE BILL NO. 112, by Fidler, of the Senate, and Conner, of the House, was deferred.

SENATE BILL NO. 138, by Ritzhaupt, was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Ritzhaupt.

Section 2 was read.

Senator Hutchinson submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 138, by striking in lines 4 and 5, page 3, the words, "less than \$500.00 nor," and in lines 6 and 7, page 3, the words, "less than one year nor"

HUTCHINSON.

Upon motion of Senator Ritzhaupt, Section 2, as amended, was adopted.

Upon motion of Senator Ritzhaupt, Senate Bill No. 138, as amended, was advanced to engrossment and third reading.

SENATE RESOLUTION NO. 13, by Ritzhaupt (by request) was taken up for consideration and read at length, as follows:

SENATE RESOLUTION NO. 13—By RITZHAUPT  
By Request of O. B. Acton.

RESOLUTION COMMENDING FRANKLIN D. ROOSEVELT, THE HONORABLE PRESIDENT OF THE UNITED STATES, FOR HIS EVIDENT FRIENDSHIP FOR THE FARMERS, AND BESEECHING HIM TO EMPLOY AND USE EVERY METHOD AVAILABLE TO PRESERVE AND KEEP INTACT THE HOMES AND FARMS OF THE PEOPLE OF THE UNITED STATES.

WHEREAS, It is evident that Corporations and individuals who now have mortgages or legal lien on farms and homes will, just as soon as economic conditions improve, attempt to foreclose such mortgages and liens, and

WHEREAS, it will be impossible for such farm and home owners to meet their obligations.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

That the President of the United States call a Farm and Homes Congress to meet in Washington, D. C., as soon as practical after his Excellency, the President, takes office March 4, 1933, of debtors and creditors, so that they may get together and discuss loans and cash values with a view to establishing a basis of adjusting mortgages, and a method of refinancing loans. We would suggest that this conference consist of two delegates from each State, one to represent the creditors and the other to represent the debtors, the same to be elected by the State Organization of each, and their expenses financed by the same.

Upon motion of Senator Nance, Senate Resolution No. 13 was adopted.

Senate Resolution No. 13 was referred for engrossment.

SENATE BILL NO. 15, by Logan, was taken up for consideration.



Section 1 was read and adopted, upon motion of Senator Logan.

Upon motion of Senator Logan, Senate Bill No. 15 was advanced to engrossment and third reading.

Senator Jennings asked unanimous consent, which was granted, to defer consideration of SENATE BILL NO. 162, by Jennings, the bill to retain its place upon the calendar.

By unanimous consent, consideration of the following was deferred for this legislative day:

Senate Bills Nos. 14, by MacDonald, 33, by Pugh, 66, by Ballard and Wilbanks, and 83, by Johnston.

SENATE BILL NO. 18, by Logan, was considered. Section 1 was read.

Senator Logan submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 18, line 6, page 2, by striking the words, "Oklahoma City," and inserting the word, "Tecumseh."

LOGAN.

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

Section 2 was read and adopted, upon motion of Senator Logan.

Section 3 was read.

Senator Logan submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 18, line 6, page 3, by striking the words and figures, "Sections 5147 to 5153," and inserting the words and figures, "Sections 5148, 5149, 5150, 5151, 5152, 5153."

LOGAN.

Upon motion of Senator Logan, Section 3, as amended, was adopted.

Upon motion of Senator Logan, Senate Bill No. 18, as amended, was advanced to engrossment and third reading.

Senator Ritzhaupt asked unanimous consent, to which objections were voiced, to defer consideration of SENATE BILL NO. 237, by Ritzhaupt, Briggs, Logan, Taylor, et al.

Upon motion of Senator Ritzhaupt, Senate Bill No. 237 was set for Special Order, Thursday, February 16th, at 2:00 o'clock, p. m.

Upon motion of Senator Jennings, the Senate recessed to meet at 1:00 o'clock, p. m.

#### AFTERNOON SESSION

The Senate reassembled, at 1:00 o'clock, p. m., and was called to order by the President.

The President, on account of his illness, designated Senator MacDonald to preside over the Senate.

Senator MacDonald presiding.

Senator Garvin asked unanimous consent, which was granted, to have read a telegram, received by him, which, upon his motion, is herewith incorporated:

KMU56 125 GOVT—WASHINGTON DC 1235P

FEB 15 1933

KNOX L GARVIN, CHAIRMAN

STATE SENATE HIGHWAY INVESTIGATION  
COMMITTEE

REPLYING YOUR WIRE JUST RECEIVED REQUESTING ENGINEERS SWAN AND SMILEY TO APPEAR BEFORE THE SENATE HIGHWAY INVESTIGATION COMMITTEE ON SEVENTEENTH WE ARE VERY WILLING TO ASSIST YOUR COMMITTEE STOP WE WELCOME OPPORTUNITY TO GET BEFORE YOUR COMMITTEE AND THROUGH IT TO THE PEOPLE OF THE STATE THE CORRECT FACTS AND RECORDS AS TO THE FEDERAL AID HIGHWAY WORK STOP WE CANNOT HOWEVER ASSEMBLE IN OKLAHOMA CITY THE NECESSARY RECORDS BY FRIDAY SINCE WE DESIRE TO SEND A REPRESENTATIVE AND SUCH RECORDS AS MAY BE NECES-

SARY FROM THIS OFFICE STOP WE CAN HAVE OUR REPRESENTATIVES READY TO MEET YOUR COMMITTEE ON FRIDAY FEBRUARY TWENTY FOURTH STOP REQUEST THAT YOU SET HEARING FOR THAT DATE STOP PLEASE CONFIRM THIS AT ONCE SO THAT WE CAN MAKE NECESSARY ARRANGEMENTS.

MACDONALD.

1239P.

Senator Nichols, on behalf of the Special Committee, appointed to perfect amendments to SENATE BILL NO. 76, by Nichols, Nance, et al., SENATE BILL NO. 264, by Johnston, and HOUSE BILL NO. 5, by Gibson, et al., reported progress and asked unanimous consent, which was granted, to defer further consideration of the bills, by the Senate, until 1:00 o'clock, p. m., on the next legislative day.

#### GENERAL ORDER

SENATE BILL NO. 53, by Stacey, was considered.

Section 1 was read.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 53, lines 2 and 3, page 1, by striking after the word, "Commissioners," and before the word, "to"

CURNUTT.

Senator Ritzhaupt, as a substitute, moved that further consideration of Senate Bill No. 53 be indefinitely postponed.

Senator Thomas raised a point of order, which was sustained, against the Ritzhaupt motion, stating it followed discussion.

Upon motion of Senator Chamberlin, further consideration of Senate Bill No. 53 was indefinitely postponed.

SENATE BILL NO. 225, by Ritzhaupt, was considered.

Sections 1 and 2 were read and adopted, upon motions of Senator Ritzhaupt.

Senator Ritzhaupt moved that Senate Bill No. 225 be advanced to engrossment and third reading.

Senator Coppock, as a substitute, moved that further consideration of Senate Bill No. 225 be indefinitely postponed.

Senator Morrison, in lieu of all pending motions, moved that Senate Bill No. 225 be referred to the Committee on Fish and Game, which motion prevailed.

Senator Nichols asked unanimous consent, which was granted, to take up for consideration SENATE JOINT RESOLUTION NO. 1, by Nichols, to which objections were voiced.

Upon motion of Senator Nichols, the Senate proceeded to the consideration of Senate Joint Resolution No. 1.

Section 1 was read.

Senator Garvin submitted the following amendment:

Mr. President: I move to amend Senate Joint Resolution No. 1, line 12, page 2, by striking line 12.

GARVIN.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend the Garvin amendment by adding the words, "and correct the resolution to correspond to the amendment."

NANCE.

The vote occurring on the Garvin amendment, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Commons, Daugherty, Fischl, Garvin, Howard, Hutchinson, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Ray, Rutherford, Wilbanks. Total, 19.

Nays: Clark, Coppock, Curnutt, Jennings, John-



ston, Liggett, Powers, Pugh, Sowards, Stacey, Waldrep, Whitaker, Willis. Total, 13.

Not voting: Briggs, Carlile, Carmack, Chamberlin, Dixon, Reed, Ritzhaupt, Rizley, Stewart, Taylor, Thomas. Total, 11.

Excused: Fidler. Total, 1.

Senator Garvin submitted the following amendment:

Mr. President: I move to amend Senate Joint Resolution No. 1, line 11, page 2, by adding after the word, "mills," the following, "no part of the levy to be used for road purposes."

GARVIN.

Senator Curnutt moved to table the Garvin amendment, which motion prevailed.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend Senate Joint Resolution No. 1, line 1, page 4, by striking after the word, "District," the remaining portion of line 1, and all of lines 2, 3, 4, 5, 6, 7, 8 and 9, page 4.

JENNINGS.

Senators Nance and Ballard, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Joint Resolution No. 1, line 2, page 4, by adding after the word, "District," and before the word, "vote," on line 3, the words, "participating in such election," and by striking lines 5, 6, 7, 8 and 9.

NANCE and BALLARD.

Senator Ballard asked unanimous consent, which was granted, to amend the Nance-Ballard amendment, to read as follows:

Mr. President: I move to amend Senate Joint Resolution No. 1, line 3, page 4, by striking after the word, "increase," the remaining portion of said line and lines 4, 5, 6, 7, 8 and 9.

BALLARD.

Senator Moon submitted the following amendment:

Mr. President: I move to amend the Nance-Ballard amendment, by adding, "Provided the election shall be by ballot and conducted by the County Election Board, after 15 days' notice, posted in three public places in the school district, one of such notices to be posted on the front door of the schoolhouse."

MOON.

Senator Nichols, as a substitute for the Moon amendment, submitted the following:

Mr. President: I move to amend the Nance-Ballard amendment, by adding at the end thereof, the following: "Provided, however, shall pass proper laws, prescribing the manner and method of conducting said election."

NICHOLS.

Senator Curnutt moved to table the Nichols amendment, which motion failed of adoption.

The vote occurring on the Nichols amendment, to the Nance-Ballard amendment, it was declared adopted.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend the Nance-Ballard amendment, by adding, the following: "And provided, further, that limitation on the levy of such additional 10 mill levy may be made hereafter by the legislature."

WHITAKER.

Senator Jennings submitted the following amendment, which was adopted:

Mr. President: I move to amend the Nance-Ballard amendment, by striking the words, "participating in such election," and inserting the words, "voting at an election"

JENNINGS.

The vote occurring on the Nance-Ballard amendment, as amended, it was declared adopted.

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

Section 2 was read and adopted, upon motion of Senator Nichols.

By unanimous consent, the following names were added as joint authors of Senate Joint Resolution No. 1: Senators Nance, Lester, Reed, Ray, Paul, Sowards, Garvin and Whitaker.

Upon motion of Senator Nichols, Senate Joint Resolution No. 1 was advanced to engrossment and third reading.

Upon motion of Senator Morrison, Senate Joint Resolution No. 1, as amended, was ordered printed.

HOUSE CONCURRENT RESOLUTION NO. 14, by Mallory, was taken up for consideration, and read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 14—By MALLORY.

CONCURRENT RESOLUTION INVITING GOVERNOR MAX O. GARDNER OF NORTH CAROLINA TO DELIVER AN ADDRESS TO A JOINT SESSION OF THE OKLAHOMA LEGISLATURE.

WHEREAS: Ex-Governor Max O. Gardner of North Carolina is to be in Oklahoma City on the 17th of February and whereas Max O. Gardner was made Governor of North Carolina at a time when the farmers of that State faced universal bankruptcy and the business and the affairs of State were in chaotic condition.

AND WHEREAS, Max O. Gardner through indefatigable effort and wise statesmanship succeeded in putting the people and the State of North Carolina on the highway to economic recovery.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING THEREIN: That an invitation be extended to Max O. Gardner to address a joint Ses-

sion of the two Houses of the Legislature, that the Speaker of the House appoint a committee of three including himself and that the Senate appoint a like committee. The joint committee so appointed to extend such invitation to Governor Gardner and to make other necessary arrangements.

Upon motion of Senator Ballard, House Concurrent Resolution No. 14 was adopted.

The Presiding Officer, in open session, signed Engrossed House Concurrent Resolution No. 14 and ordered the resolution returned to the Honorable House.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 o'clock, a. m., Thursday, February 16th, 1933. \*



## THIRTY-FOURTH LEGISLATIVE DAY

Thursday, February 16, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Absent: Carmack, Dixon, Howard, Liggett. Total, 4.

Excused: Carlile, Fidler, Stewart. Total, 3.

The President announced a quorum present.

On account of the absence of Rev. W. M. Wilson, Senate Chaplain, Rev. Roy Rutherford, Pastor of the First Christian Church, this city, offered prayer.

### 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 Public Service Corporations, to whom was referred Senate Bill No. 223, by Morrison and Briggs, entitled:

An Act amending Section 1445, Revised Laws of Oklahoma 1910, being Section 5546 Compiled Oklahoma Statutes 1921 and Section 11976 Oklahoma Statutes 1931, relating to grants of right-of-way to the owners, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

MORRISON, Chairman.

Senator Nance submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 13, Senate Bill No. 18 correctly engrossed; and Senate Bills Nos. 48 and 102 correctly enrolled.

NANCE, Vice Chairman.

The President, in open session, signed Engrossed Senate Resolution No. 13 and ordered it referred for enrollment.

Senate Bills Nos. 48 and 102, were each read at length for the fourth time, the enrolled copies signed, in open session, by the President 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. 277—By COMMONS.—An Act relating to the purity of the waters of the State; amending Sections 2 and 9 of Chapter 166 of the 1917 Session Laws of Oklahoma, same being Sections 8974 and 8981, respectively, of the 1931 Compiled Oklahoma Statutes, to provide for analyses of water supplies, and repealing all Acts and parts of Acts in conflict therewith and declaring an emergency.

SENATE BILL NO. 278—By LOGAN and NICHOLS.—An Act providing for notice to property owners before execution of any tax deed, fixing a statute of limitations, repealing Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 279—By LOGAN and NICHOLS.—An Act providing an equity of redemption to mortgagors and declaring an emergency.

SENATE BILL NO. 280—By LOGAN.—An Act amending Sections 10133 and 10134, Oklahoma Statutes, 1931, relating to the regulation of aircrafts and pilots;

repealing all laws in conflict herewith and declaring an emergency.

SENATE BILL NO. 281—By CHAMBERLIN and COMMONS.—An Act amending Section 6389 of the Oklahoma Statutes, 1931, relating to the authority of the city council to levy and collect occupation and license tax; and declaring an emergency.

SENATE BILL NO. 282—By PUGH.—An Act repealing Section 7914, Oklahoma Statutes of 1931, relating to the salaries of county officers, deputies and assistants of Caddo County, Oklahoma, and declaring an emergency.

SENATE BILL NO. 283—By WILLIS of the Senate and HANKLA of the House.—An Act validating certain warrants issued by counties for county highway purposes during the fiscal year ending June 30th, 1931, providing for the payment thereof, and declaring an emergency.

SENATE BILL NO. 284—By BRIGGS of the Senate and HENDERSON of the House.—An Act validating the appointments of agents, servants, and employees of the State Highway Commission under previous existing statutes regulating the same prior to the effective date of Senate Bill No. 55 of the Fourteenth Legislature, authorizing said persons to perform the duties of their offices under existing law and empowering the State Highway Commission created by Senate Bill No. 55 to ratify, confirm and approve all Acts of such persons; and declaring an emergency.

SENATE BILL NO. 285—By GARVIN.—An Act authorizing the State Highway Commission to use funds in the State Highway Construction and Maintenance Fund to purchase the bridge property known as the Meridian Bridge located two miles west of Ryan, Oklahoma, on the Red River between Jefferson County, Oklahoma, and Clay County, Texas; and declaring an emergency.

## SECOND READING

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

SENATE BILL NO. 274—By RAY, RIZLEY, GARVIN, PUGH, LIGGETT, CARMACK, COMMONS, DIXON and WILLIS.—Referred to Committee on Insurance.

SENATE BILL NO. 275—By TAYLOR and RITZ-HAUPT.—Referred to Committee on Hospitals and Charities.

SENATE BILL NO. 276—By JOHNSTON.—Referred to Committee on Banks and Banking.

ENGROSSED HOUSE BILL NO. 271—By CHILDERs and BABB.—Referred to Committee on Oil and Gas.

ENGROSSED HOUSE BILL NO. 37—By GLEN and SMALLEY.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 451—By PHILIPS (Atoka).—Referred to Committee on State and County Affairs.

ENGROSSED HOUSE BILL NO. 86—By PHILIPS of Okfuskee and CLINE of Kay.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 445—By SMALLEY and ABERNATHY (Pottawatomie).—Referred to Committee on Revenue and Taxation.

## MESSAGE

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 306—By GARLAND and HAILE, entitled:



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An Act amending Section 9666, Compiled Oklahoma Statutes 1921 (omitted from 1931 Compiled Oklahoma Statutes), relating to the assessment of taxable property, providing for procedure for such assessment, penalty for non-assessment; repealing all 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 306.

Senator Fischl moved that HOUSE BILL NO. 161, by Sullivan, et al, be set for Special Order, at 2:00 o'clock, p. m., this date, which motion prevailed.

### THIRD READING

Senator Nichols asked unanimous consent, which was granted, to defer third reading of SENATE JOINT RESOLUTION NO. 1, by Nichols, et al, until the next legislative day.

SENATE BILL NO. 18 was read for the third time at length.

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

Ayes: Ballard, Briggs, Clark, Commons, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Logan, Moon, Morrison, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep. Total, 27.

Nays: Coppock. Total, 1.

Not Voting: Chamberlin, Daugherty, MacDonald, Memminger, Paul, Powers, Whitaker, Wilbanks, Willis. Total, 9.

Absent: Carmack, Dixon, Howard, Liggett. Total, 4.

Excused: Carlile, Fidler, 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.

Upon motion of Senator Logan, the emergency section to Engrossed Senate Bill No. 18 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Logan submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 18, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

LOGAN.

Senate Bill No. 18 was referred for re-engrossment. Senator Logan presiding.

Senator Ballard asked unanimous consent, which was granted, to defer third reading of HOUSE BILL NO. 396, by Cloyd, until the next legislative day.

#### GENERAL ORDER

HOUSE BILL NO. 74, by Watson, was considered. Section 1 was read.

Senator Waldrep submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 74, line 13, page 2, by adding after the word, "conducted," the following: "Provided further that where such domestic corporation or trust company has been appointed or is acting as such guardian of a minor or person of unsound mind, the county judge of such county is hereby authorized and empowered to remove such person or company as guardian and appoint some suitable person or company, who is at the time a resident, in good faith, of the county where such proceedings are pending."

WALDREP.

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

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Upon motion of Senator Nichols, House Bill No. 74 was advanced to engrossment and third reading.

Upon motion of Senator Nichols, the rules of the Senate were suspended and House Bill No. 74 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 74 was read for the third time at length.

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

Ayes: Ballard, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Rizley, Sowards, Stacey, Taylor, Thomas, Waldrep, Willis. Total, 28.

Not Voting: Briggs, Chamberlin, Daugherty, Memminger, Powers, Ritzhaupt, Rutherford, Whitaker, Wilbanks. Total, 9.

Absent: Carmack, Dixon, Howard, Liggett. Total, 4.

Excused: Carlile, Fidler, 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.

House Bill No. 74 was referred for engrossment.

Senator Pugh asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 33, by Pugh.

Section 1 was read.

Senator Hutchinson submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 33, line 2, page 2, by striking the words and figures, "sixty thousand (60,000)," and inserting the words and figures, "forty-five thousand (45,000)."

HUTCHINSON.

Senator Curnutt, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 33, lines 6, 7, 8 and 9, page 2, by striking after the word, "clerk," the remainder of said section.

CURNUTT.

President Burns presiding.

Upon motion of Senator Paul, the Senate recessed, to meet at 1:00 o'clock, p. m.

The Senate re-assembled at 1:00 p. m., with the President presiding.

Senators Carlile, Carmack and Dixon asked to be recorded present, which was the order.

MESSAGE

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

To the President of the Senate,  
Building

SIR:

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

ENGROSSED SENATE BILL NO. 247 — By PUGH, entitled:

An Act repealing Article 13, Chapter 35, of the Session Laws of 1931, same being Senate Joint Resolution No. 53, regulating the salaries of the County Commissioners of Caddo County, Oklahoma,  
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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 247 was ordered referred for enrollment.

GENERAL ORDER

Referring further to SENATE BILL NO. 33, by Pugh.

The vote occurring on the Curnutt Amendment, it



was declared failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Clark, Coppock, Curnutt, Hutchinson, Jennings, Johnston, Morrison, Ritzhaupt, Rizley, Stacey, Taylor, Waldrep. Total, 13.

Nays: Ballard, Carlile, Carmack, Chamberlin, Commons, Daugherty, Garvin, Lester, Nance, Nichols, Paul, Pugh, Ray, Sowards, Wilbanks. Total, 15.

Not Voting: Fischl, Logan, MacDonald, Memminger, Moon, Powers, Reed, Rutherford, Thomas, Whitaker, Willis. Total, 11.

Absent: Dixon, Howard, Liggett. Total, 3.

Excused: Fidler, Stewart. Total, 2.

Upon motion of Senator Ballard, the Hutchinson amendment was tabled.

Senator Taylor submitted the following amendment, which was tabled upon motion of Senator Pugh:

Mr. President: I move to amend Senate Bill No. 33, line 9, page 2, by adding after the word "Judge" the following: "provided the County Judge shall have had four years college work, thirty college hours of which is in pedagogy and sociology."

TAYLOR.

Senator Johnston submitted the following amendment, which by unanimous consent he withdrew:

Mr. President: I move to amend Senate Bill No. 33, by adding at the end of Section 1, the following: "This act shall not apply to any county of which the population is, by the Federal Census of 1930, between fourteen thousand and twenty thousand."

JOHNSTON.

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

Section 2 was read.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No.

33, by striking all of line 12, page 2, after the word "by" and the words "electors of such" in line 13, page 2, and inserting "the requisite number of petitioners shall bear double the ratio to the whole number of legal voters in such county, as is provided in the Constitution and laws of the State, for the submission of questions under the initiative and referendum in the State at large."

NANCE.

Upon motion of Senator Pugh, Section 2, as amended, was adopted.

Sections 3 and 4 were read and adopted upon motions of Senator Pugh.

Senator Curnutt moved that the vote be reconsidered by which Section 1 was adopted.

Senator Nance moved to table the Curnutt motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Coppock, Daugherty, Garvin, Hutchinson, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Rizley, Sowards, Stacey, Whitaker, Wilbanks. Total, 23.

Nays: Briggs, Clark, Curnutt, Jennings, Moon, Powers, Reed, Ritzhaupt, Rutherford, Taylor, Thomas, Waldrep. Total, 12.

Not Voting: Fischl, Logan, Morrison, Willis. Total, 4.

Absent: Dixon, Howard, Liggett. Total, 3.

Excused: Fidler, Stewart. Total, 2.

Upon motion of Senator Pugh, Senate Bill No. 33 was advanced to engrossment and third reading.

Senator Curnutt moved that further consideration of Senate Bill No 33 be indefinitely postponed, which motion was tabled upon motion of Senator Chamberlin.

#### SPECIAL ORDER

Senator Nichols moved that the Senate proceed with the consideration of the moratorium bills (SENATE

BILL NO. 76, by Nichols, Nance, et al; HOUSE BILL NO. 5, by Gibson, et al; and SENATE BILL NO. 264, by Johnston).

The Chair ruled the Nichols motion out of order, for the reason the Special Committee to which the Bills were referred had not reported.

Senator MacDonald moved that the proposed Nichols amendment to Senate Bill No. 76 be submitted and the Bill including the Nichols amendment be ordered printed and placed upon the calendar.

Senator Chamberlin presiding.

Senator Commons, as a substitute, moved that Senate Bill No. 76 be withdrawn from the Special Committee and immediately considered by the Senate.

Senator Ballard moved to amend the Commons motion, by striking the words and figures "Senate Bill No. 76" and inserting the words and figure "House Bill No. 5."

Senator Nance, in lieu of all pending motions, moved that Senate Bill No. 76, House Bill No. 5, and Senate Bill No. 264, be withdrawn from the Special Committee and taken up for consideration, which motion was adopted.

Senator Ballard moved that House Bill No. 5, by Gibson, et al, be taken up for consideration.

Senator Nichols, as a substitute, moved that Senate Bill No. 76 be taken up for consideration.

Senator Moon moved to table the Nichols motion, which motion by unanimous consent, he withdrew.

Senator MacDonald raised a point of order that the rules provided for the consideration of House Bills on this legislative day, which point was overruled by the Chair.

Senator Curnutt moved to table the Nance motion.

Senator Nichols raised a point of order, which was sustained, stating there was no Nance motion before the Senate.

The vote occurring on the Nichols motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Daugherty, Fischl, Garvin, Johnston, Lester, Nance, Nichols, Paul, Ray, Reed, Sowards, Stacey, Thomas, Waldrep. Total, 20.

Nays: Ballard, Clark, Curnutt, Dixon, Hutchinson, Jennings, MacDonald, Memminger, Moon, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Whitaker, Wilbanks, Willis. Total, 17.

Not Voting: Logan, Morrison, Taylor. Total, 3.

Absent: Howard, Liggett. Total, 2.

Excused: Fidler, Stewart. Total, 2.

Section 1 was read.

Senator Moon submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 76, line 1, page 2, by inserting after the word "estate" before the word "upon" the following: "at the time of the filing of suit" and by inserting in line 5, after the word "the," being the last word in said line 5, the word "said."

MOON.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 76, line 1, page 1, by striking Section 1 and substituting therefor, the following: "Section 1. That this act shall be in force and effect for a period of only two years from and after the date of the passage and approval of this Act.

The District Judge, or the Judge of the Superior Court of the County in which any real estate mortgage foreclosure, or any proceeding for the foreclosure of a deed of trust, or other instrument, the security of which is real estate, is hereby vested with the jurisdiction and discretion of granting a continuance of said cause, upon



his own motion, or upon application of the owner of said property, in person, or by his attorney, and upon such terms and for such time as said Judge may deem best, when it may be made to appear to the court that

(First) The owner shall pay, at any time before an order of sale issues, the accruing interest, and all taxes due upon said property; or;

(Second) At any time before judgment is rendered in said cause where the said owner shall pay, or cause to be secured, a reasonable rental for the time or term which said Judge shall order, said cause to be continued; or;

(Third) Where it shall appear that the value of the property is sufficient to satisfy the lien, together with the costs, and the owner shall pay, or otherwise secure the taxes due upon said land; a continuance may be granted."

JENNINGS.

Senator Nichols raised a point of order, against the Jennings amendment, which was overruled, stating the amendment was not germane to Senate Bill No. 76.

Senator Ballard moved that further consideration of Senate Bill No. 76 be indefinitely postponed.

Senator Garvin raised a point of order, which was overruled, stating on a former legislative day the Senate voted to adjourn each day at 3:00 p. m., that hour having arrived.

Upon motion of Senator Garvin, the Senate closed its doors and went into Executive Session.

The Senate, in open session, re-assembled and was called to order by Senator Chamberlin.

Senator Liggett asked to be recorded "present" which was the order.

By unanimous consent, discussion of the matters

under consideration in Executive Session was continued by the Senate in open session.

Senator Memminger moved that the Senate proceed with the consideration of the moratorium Bills, which motion was tabled upon motion of Senator Briggs.

Senator Morrison moved that the Highway Investigating Committee, authorized under Senate Resolution No. 3, be discharged.

Senator Moon, as a substitute, moved that the Highway Investigating Committee be requested to complete its work and make report to the Senate at 2:00 p. m., next Monday, February 20th, if possible.

Senator Fischl, in lieu of all pending motions, moved that the Highway Investigating Committee be excused from attendance in the Senate until Tuesday, February 21st, beginning with the next legislative day.

Senator Rutherford, as a substitute for all pending motions, moved that the Investigating Committees work during the forenoons and at no other time, which motion was ruled out of order by the Chair, stating a motion in lieu of all pending motions, was pending.

Senator Jennings moved that the Senate adjourn to meet under the rules, which motion failed of adoption.

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

Senator Nichols presiding.

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

The vote occurring on the Morrison motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Howard, Johnston, Lester, Morrison, Nance, Nichols, Paul, Reed, Sowards, Taylor, Thomas, Wal-drep, Whitaker, Willis. Total, 19.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon,

Fischl, Garvin, Hutchinson, Jennings, Liggett, Logan, MacDonald, Memminger, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Wilbanks. Total, 21.

Not voting: Daugherty, Moon. Total, 2.

Excused: Fidler, Stewart. Total, 2.

#### 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 Mines and Manufacturing, to whom was referred Senate Bill No. 184 by Commons, entitled:

An Act amending Section 11151, Oklahoma Statutes 1931, (Section 21, Chapter 42, Session Laws 1929), relating to the traveling way and filling of cans or tubs and repealing all Acts or parts of Acts 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.

JENNINGS, Chairman.

Mr. President: We, your committee on Mines and Manufacturing, to whom was referred Senate Bill No. 185, by Commons, entitled:

An Act amending Section 11146, Oklahoma Statutes 1931, (Section 16, Chapter 42, Session Laws 1929) relating to the duties of mine foremen,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

JENNINGS, Chairman.

#### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate that the Speaker has appointed Phillips (Atoka), Batson and Blocker as conferees on:

HOUSE BILL NO. 250—By BLOCKER, BATSON, GARLAND, GRAY, LEECRAFT, PHILLIPS and CAVINS, entitled:

An Act making an appropriation from the general revenue fund to supplement the special common school equalization fund for the fiscal year ending June 30, 1933, and providing for the distribution thereof, and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 462—By GRAHAM, COPELAND, BILLINGS, MARSHALL, ELLIS, COE and CONNER of the House, and FIDLER of the Senate, entitled:

An Act authorizing the City Council of the City of Oklahoma City, State of Oklahoma, to levy a special tax in addition to, in excess of, and beyond ad valorem tax levies for current expenses authorized by law, a special tax of not to exceed one-fourth of one mill for the purpose of making payments for premiums to certain exhibitors at the Oklahoma State Fair and Exposition, limiting the amount of funds thus to be raised, providing for the manner in which premiums to exhibitors shall be disbursed; and declaring an emergency.



ENGROSSED HOUSE BILL NO. 228—By PHILLIPS (Atoka), WORTHINGTON, and PAXTON, entitled:

An Act authorizing and directing the State Board of Public Affairs to establish, construct, equip and maintain and operate a substation of the Oklahoma State Penitentiary in Atoka County, Oklahoma, the initial structures thereof to be on lands near Stringtown, Oklahoma, owned by the State of Oklahoma and validating the purchase of the said the lands and the payment therefor out of the twine plant revolving fund of the Oklahoma State penitentiary, such substation to be used for prisoners sentenced to the Oklahoma State Penitentiary at McAlester before the coming into effect of this Act and prisoners sentenced to the said Penitentiary after the coming into effect of this Act whom the said Board shall believe should not be confined in the said penitentiary at McAlester because of their respective general conditions, especially those in tubercular condition or having other contagious diseases, and such other prisoners as the said Board shall deem it expedient to have cared for in the said substation; especially authorizing said Board to use the labor of the prisoners in constructing and equipping and in maintaining and operating the said substation; appropriating money from the Oklahoma State Penitentiary revolving fund and from said Penitentiary twine plant revolving fund for use in establishing, constructing, equipping and in maintaining and operating said substation; repealing the parts of House Bill No. 240 enacted by the Thirteenth Legislature which appropriated \$115,000.00 out of the general revolving fund and \$115,000.00 out of the twine plant revolving fund of the Oklahoma State Penitentiary for use for construction of additional cell houses or additions to cell houses or for the establishing of

substations and camps wherever prisoners may be most profitably used; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 228 and 462.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 468, by GRAHAM, CONNER, ELLIS, BILLINGS, COPELAND, MARSHALL and COE of the House and FIDLER and MORRISON of the Senate, entitled:

An Act relating to independent school districts containing a city having a population in excess of 75,000 inhabitants; fixing the number of and the time and manner of election and terms of office of the members and treasurer of the Board of Education thereof; providing for the extending of ward lines of such city containing a population in excess of 75,000 inhabitants to include for school purposes territory in such independent school district lying outside the limits of such city; legalizing and validating certain acts of the county superintendents of public instruction done or performed prior to January 1st, 1932, of counties within which such independent school district exists, and legalizing and validating all acts of boards of education done or performed pursuant to such acts of such county superintendents of public instruction having to do with disorganizing independent school districts, or uniting two or more independent school districts, or attaching to

any such independent school district, containing a city having such population, a part or the whole of any incorporated town or village; excepting from the provisions of this Act any such independent school district where the largest city therein has provided or may hereafter provide by city charter or ordinance enacted pursuant to such city charter, for the number, time and manner of the election of such board of education, and validating any such city charter provision or ordinance enacted pursuant thereto; repealing Section 6865, Oklahoma Statutes, 1931; and repealing Sections 6854 to 6859, inclusive, Oklahoma Statutes, 1931, insofar as they relate to independent school districts containing a city having a population in excess of 75,000 inhabitants; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 249—By TODD, entitled:

An Act amending Section 12399, Oklahoma Statutes 1931, relating to listing and assessing property of public service corporations; fixing January first as the assessment date; and providing for returns to be made to Oklahoma Tax Commission and declaring an emergency.

ENGROSSED HOUSE BILL NO. 319—By CLOYD, entitled:

An Act creating a court fund, providing procedure for the expenditure thereof, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 464—By DANIEL, entitled:

An Act providing that the County Superintendent of Health of Jefferson County, Oklahoma, shall be paid a salary of fifty dollars per month and, in addition thereto, be allowed his necessary expenses in the discharge of his duties 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 249, 319, 464 and 468.

To the President of the Senate,  
Building

SIR:

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

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 14—By MALLORY, entitled:

Concurrent Resolution inviting Governor Max O. Gardner of North Carolina to deliver an address to a joint session of the Oklahoma Legislature, and to advise you and through you, the Honorable Senate, that the same has been signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer, in open session, signed Enrolled House Concurrent Resolution No. 14 and ordered the resolution returned to the Honorable House.

To the President of the Senate,  
Building

SIR:

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

ENROLLED HOUSE BILL NO. 261—By DANIEL, entitled:

An Act authorizing the Board of Trustees of the Town of Ryan, Jefferson County, Oklahoma, to remit and refund all penalties or interest on delinquent paying taxes and assessments in school district No. 1 of said town, providing conditions therefor and authorizing and directing the county treasurer of Jefferson



County to collect said paving taxes and assessments without collecting said interest and penalties, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 261 was read at length 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,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 28—By NICHOLS, WILLIS, RAY, WHITAKER and RIZLEY, entitled:

An Act to provide for relief of the people who are unable to work and have not the means of supporting themselves, by furnishing them free garden seed, food, clothing, and fuel; making an appropriation in the aggregate sum of Six Hundred Thousand (\$600,000.00) Dollars; providing for the method of distribution of the seed, food, supplies, or cash to such persons in need; fixing criminal penalty for wrongful use of such seed and supplies; determining the method of distribution, and declaring an emergency,

together with conference report thereon, and to advise you, and through you, the Honorable Senate, that the Bill has been passed by the House AS AMENDED, by said report, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 28, together with Con-

ference Committee Report, thereon, was ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 113 — By RUTHERFORD and MORRISON, entitled:

An Act amending Section 2 of Chapter 79 of Session Laws 1927, and Section 4 of Chapter 79 of Session Laws of 1927; making provision for the number of members of boards of education of independent districts; providing for the time and manner of their election; providing for the length of their term of office; and providing for the number, time and manner of electing, and the length of the term of office of members of boards of education in independent districts having within them a charter city; and declaring an emergency.

ENGROSSED SENATE BILL NO. 152—By HOWARD of the Senate; and WAGNER and HUGHES of the House, entitled:

An Act amending Section 9038 Oklahoma Statutes, 1931, relating to restraining domestic animals; 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 AS AMENDED and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Further consideration of Engrossed Senate Bills Nos. 113 and 152, as amended, was deferred for this legislative day.

To the President of the Senate,  
Building: ,  
SIR:

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

ENROLLED SENATE BILL NO. 48—By PAUL, WALDREP and NICHOLS of the Senate, and BROADDUS, EBNEY (Pontotoc), LANDINGHAM, BEAVER, COLLINS, HART, HILL, ABERNATHY (Pottawatomie), TODD, SHOEMAKE, and HAYS of the House, entitled:

An Act amending Section 28, Chapter 173, of the Session Laws, 1923, relating to the collection of paving assessments of cities and towns; repealing all Acts in conflict therewith, and declaring an emergency.

ENROLLED SENATE BILL NO. 102—By RITZHAUPT and PUGH, entitled:

An Act prohibiting the payment to constables or other peace officers and justices of the peace of fees resulting in cases involving violation of traffic and highway laws, commonly called "speed laws" of the State of Oklahoma, providing a penalty therefor, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 48 and 102 were, each, ordered referred to the Governor, for consideration.

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

## THIRTY-FIFTH LEGISLATIVE DAY

Friday, February 17, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Rizley. Total, 1

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Rutherford asked that the record show him "excused," for the remainder of this legislative day, which was the order.

Senator MacDonald moved that the Highway Investigation Committee, authorized under Senate Resolution No. 3, by Dixon, be required to close its investigation and file its report with the Senate not later than Monday, February 20th, at 10:00 o'clock, a. m.

Senator MacDonald asked unanimous consent, which was granted, to amend his motion, by changing the hour of "10:00 o'clock, a. m.," to read, "1:00 o'clock, p. m.," and by adding the words, "and the committee be excused from Senate attendance until that time."

The vote occurring on the MacDonald motion, as amended, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Chamberlin, Commons, Daugherty, Howard, Johnston, Lester, Liggett, Mac-



Donald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 24.

Nays: Ballard, Clark, Coppock, Fidler, Fischl, Garvin, Hutchinson, Jennings, Logan, Moon, Powers, Ray, Ritzhaupt, Stacey. Total, 14.

Not Voting: Carmack, Curnutt, Dixon, Wilbanks. Total, 4.

Excused: Rizley, Rutherford. Total, 2.

By unanimous consent of the Senate, it was agreed to notify the members of the investigation committee, should a vote be taken on the passage of the moratorium bills.

Upon motion of Senator Howard, the Senate ordered that, when it adjourns today, it adjourn to meet under the rules, on Monday, February 20th.

Senator Nichols moved that the Senate refuse to adjourn, today, until it has passed some form of a moratorium bill.

Senator Whitaker raised a point of order, which was sustained, stating a motion to adjourn is always in order.

Senator Nichols moved that the Senate recess, when the hour of 5:00 p. m., has arrived, to meet at 7:00 o'clock, p. m., for the purpose of considering the moratorium bills, which motion failed of adoption.

#### 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 Senate Bill No. 58, by Nance of the Senate and Mooney of the House, entitled:

An Act regulating tax resales held by the County Treasurer and providing for the distribution of the pro-

ceeds of said sales and prescribing regulations for the conduct thereof;

and to whom was referred Senate Bill No. 214 by Chamberlin, Commons, Morrison, Nichols, Whitaker, MacDonald, and Nance, entitled:

An Act providing for the redemption of real estate sold to the county on account of delinquent ad valorem taxes, where the county still holds the title thereto; providing for the waiving and releasing of interest, penalties and costs of the same if the principal amount thereof is paid on or before Dec. 31, 1933; authorizing and directing county treasurers to accept such amount and to issue redemption certificates therefor; providing the manner and means of issuing said redemption certificates; providing that after such payment said real estate shall be placed on the tax rolls; providing that the amounts paid hereunder shall accrue to the common school fund of the county; suspending all Laws or parts of Laws in conflict herewith for the term of this Act and declaring an emergency;

beg leave to report that we had the same under consideration and herewith return the same with the recommendation the Committee Substitute for both bills herewith submitted do pass.

WHITAKER, Chairman.

Upon motion of Senator Nance, Senate Bills Nos. 58 and 214, together with Committee Substitute, were ordered printed in pamphlet form.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 61, by Curnutt of Senate and Johnston of House, entitled:

An Act amending Section 1, Chapter 278 Session Laws 1929 or Section 12527 Oklahoma Statutes 1931 relating to the levying of an excise tax on gasoline, reducing said levy; and amending Section 3, Chapter 278 Session Laws 1929 relating to distribution of said excise, etc., beg leave to report that we had the same under consid-

eration and herewith return the same with the recommendation that the bill appears to be a measure attempting to raise revenue and as such should originate in the House of Representatives under the provisions of the Constitution; and that it be withdrawn by the author.

WHITAKER, Chairman.

Upon motion of Senator Curnutt, Senate Bill No. 61 was ordered stricken from the records.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 69, by Waldrep, entitled:

An Act amending Section 6239, Oklahoma Statutes 1931, providing that the general ad valorem taxes may be paid without the payment of special or paying taxes requiring the County Treasurer to accept the general taxes without the special taxes, 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, for the reason that a Senate Bill has already passed both Houses, containing similar subject matter.

WHITAKER, Chairman.

Upon motion of Senator Whitaker, the adverse Committee Report on Senate Bill No. 69 was adopted.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 101, by Whitaker, entitled:

An Act amending Section 12,719, Oklahoma Statutes of 1931, relating to the payment and delinquency of ad valorem taxes,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass for the reason that the subject matter is already incorporated in another Senate Bill which has passed the Senate.

WHITAKER, Chairman.

Upon motion of Senator Whitaker, the adverse Committee Report on Senate Bill No. 101 was adopted.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 131, by Morrison, entitled:

An Act amending Section 1, Chapter 129, Session Laws, 1923-24, 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.

WHITAKER, Chairman.

Upon request of Senator Whitaker, further consideration of the adverse Committee report on Senate Bill No. 131 was deferred, until the author is present.

Mr. President: We, your Committee on Privileges and Elections, to whom was referred Senate Bill No. 133, by Nichols, entitled:

An Act regulating expenditures by candidates in primary elections, providing for filing reports of expenditures, prescribing penalties, both civil and criminal, for violations of the Act, 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. BALLARD, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 155, by Ray, entitled:

An Act providing that the County Treasurer shall receive county warrants the same as cash in payment of ad valorem taxes except the warrants must not exceed the amount of taxes and penalties to be paid; 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.

WHITAKER, Chairman.



Upon motion of Senator Whitaker, the adverse Committee report on Senate Bill No. 155 was adopted.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 160, by Jennings, entitled:

An Act repealing Sections 12,428, 12,429, 12,430, 12,431, 12,432, 12,433, 12,434, 12,435, 12,436, 12,437, 12,438, 12,439, 12,440, 12,441, 12,442, 12,443, 12,444, 12,445, 12,446, 12,447, 12,448, 12,449, Oklahoma Statutes, 1931, providing for the levy, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

WHITAKER, Chairman.

Upon motion of Senator Whitaker, the adverse Committee report on Senate Bill No. 160 was adopted.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 163, by Moon, entitled:

An Act providing for the appointment of a Marshal for the Corporation Commission of the State of Oklahoma, defining his powers and duties, fixing his compensation, 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.

LOGAN, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 169, by Taylor, entitled:

An Act providing for merchandise and store keepers license and prescribing the fee therefor; procedure for collecting, and penalty for violating the provisions thereof,

beg leave to report that we had the same under consideration and herewith return the same with the recom-

mendation that the bill appears to be a measure attempting to raise revenue and as such should originate in the House of Representatives under the provisions of the Constitution; and that it be withdrawn by the author.

WHITAKER, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 219, by Carlile, entitled:

An Act providing for the acceptance of state, county, municipal and school district warrants at par by the various County Treasurers of the state of Oklahoma in payment of ad valorem taxes; repealing all Acts and parts of Acts in conflict therewith, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

WHITAKER, Chairman.

Upon motion of Senator Whitaker, the adverse Committee report on Senate Bill No. 219 was adopted.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 258, by Whitaker and Nance, entitled:

An Act amending Section 12755, Oklahoma Statutes, 1931, relating to re-sale by the County Treasurer; providing the time, advertisement, and manner of conducting said sale; providing the minimum amount that may be bid at such sale; providing that the bid shall be in the name of the county in certain circumstances; 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.

WHITAKER, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 74 cor-

rectly engrossed; and Senate Resolution No. 13, Senate Bills Nos. 78 and 247 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 74, as amended, and ordered it returned to the Honorable House.

The President, in open session, signed Enrolled Senate Resolution No. 13 and ordered it transmitted to the Secretary of State.

Senate Bills Nos. 78 and 247 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the President 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. 286—By FIDLER of the Senate and COE of the House.—An Act relating to contracts by governing boards of counties, cities, towns, townships, and school districts for the recovery or discovery of funds belonging to such municipal subdivisions, and declaring an emergency.

SENATE BILL NO. 287—By DAUGHERTY.—An Act regulating procedure relating to the foreclosure of chattel mortgages, conditional sales contracts, or other liens upon personal property, and providing a moratorium.

SENATE BILL NO. 288—By CURNUTT.—An Act authorizing cities and towns owning and controlling lands, lots, or parcels of ground used for cemetery purposes to establish a fund to be known as The Cemetery Fund, to be used for the purpose of upkeep, care and beautifying said cemetery and authorizing the county excise board when requested so to do by the governing authorities of said city to make a levy of not to exceed one-half mill in addition to all other levies provided by

law and in addition to the six mill levy for general fund purposes for cemetery purposes, repealing all laws or parts of laws in conflict herewith, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 13—By LOGAN.—A Joint Resolution authorizing Eileen DeNoya Collins to file suit against the State of Oklahoma.

SENATE CONCURRENT RESOLUTION NO. 16—By LOGAN of the Senate and BLOCKER and PARKS of the House.—A Concurrent Resolution memorializing Congress to enact such legislation as is necessary to put all the lands owned by unrestricted Indians on the tax rolls of this State or to pay to the State of Oklahoma and to the various subdivisions thereof, the money equivalent of the amount of the taxes which would be received if these lands were placed on the tax rolls of this State.

SENATE RESOLUTION NO. 17—By PAUL.—A Resolution memorializing the Congress of the United States to take early action removing the federal gasoline tax, leaving the taxation of gasoline sales exclusively as a state function.

Senator Paul asked unanimous consent, which was granted, to take up for immediate consideration Senate Resolution No. 17.

Senate Resolution No. 17 was read at length, as follows:

SENATE RESOLUTION NO. 17—By PAUL.

A RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO TAKE EARLY ACTION REMOVING THE FEDERAL GASOLINE TAX, LEAVING THE TAXATION OF GASOLINE SALES EXCLUSIVELY AS A STATE FUNCTION.

BE IT RESOLVED BY the Senate, that

WHEREAS, the Congress of the United States of



America has imposed a tax upon all sales of gasoline; and

WHEREAS, the Federal government has at its discretion many and numerous means of raising revenue; and

WHEREAS, the taxation for revenue of gasoline sales has heretofore been allowed to the exclusive use of the several states; and

WHEREAS, this said gasoline tax is practically the only method given to the majority of the states to provide funds for the construction and maintenance of public roads and highways and to provide interest and principal payments on highway bond issues;

THEREFORE, BE IT RESOLVED by the State Senate of the Fourteenth Legislature of the State of Oklahoma, the House of Representatives jointly concurring therein:

That this legislative assembly petition and memorialize the Congress of the United States of America, now in session at Washington, D. C., that the Congress takes early action to remove the federal gasoline tax leaving the taxation of gasoline sales as exclusively a state function.

Upon motion of Senator Paul, Senate Resolution No. 17 was adopted.

Senate Resolution No. 17 was referred for engrossment.

## SECOND READING

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

SENATE BILL NO. 277—By COMMONS.—Referred Committee on Public Health.

SENATE BILL NO. 278—By LOGAN and NICHOLS.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 279—By LOGAN and NICHOLS.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 280—By LOGAN.—Referred to Committee on Commerce and Labor.

SENATE BILL NO. 281—By CHAMBERLIN and COMMONS.—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 282—By PUGH.—Referred to Committee on Fees and Salaries.

SENATE BILL NO. 283—By WILLIS of the Senate and HANKLA of the House.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 284—By BRIGGS of the Senate and HENDERSON of the House.

Senator Briggs asked unanimous consent, which was granted, to place Senate Bill No. 284 upon the calendar, without reference to a Committee.

SENATE BILL NO. 285—By GARVIN.—Referred to Committee on Roads and Highways.

ENGROSSED HOUSE BILL NO. 306—By GARLAND and HAILE.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 228—By PHILIPS (Atoka), WORTHINGTON, and PAXTON.—Referred to Committee on Penal Institutions and Appropriations.

ENGROSSED HOUSE BILL NO. 462—By GRAHAM, COPELAND, BILLINGS, MARSHALL, ELLIS, COE and CONNER of the House, and FIDLER of the Senate.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 249—By TODD.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 319—By CLOYD.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 468—By GRAHAM, CONNER, ELLIS, BILLINGS, COPELAND, MARSHALL and COE of the House and FIDLER and MORRISON of the Senate.

Senator Fidler asked unanimous consent, which was granted, to place House Bill No. 468 upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 464—By DANIEL.—Referred to Committee on Fees and Salaries.

### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 34—By KING (Coal), GRAY, TURNER and CAVITT.—Entitled:

An Act amending Section 12755 Oklahoma Statutes, 1931, authorizing record owners of real property to purchase land acquired by the county at resale upon payment of delinquent taxes and cost that has accrued thereon together with fees for publishing the Treasurer's notice of publication, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 460—By BROADDUS and SHOEMAKE.—Entitled:

An Act amending Section 6491, Oklahoma Statutes, 1931, providing for the appointment of the marshal and clerk of the city courts in all cities having a population of 25,000 and less than 55,000, as shown by last Federal census or any Federal census hereafter, and further amending Section 6502, Oklahoma Statutes 1931, with reference to the judges of said court, and fixing the amount of his bond, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 169—By O'NEILL. Entitled:

An Act abolishing the Superior Court of Garfield County; providing for the disposition of all cases pending in said court; fixing the effective date of this Act.

ENGROSSED HOUSE BILL NO. 363—By SHOE-MAKE.—Entitled:

An Act amending Section 6503, Oklahoma Statutes 1931, relating to Publication of Docket and fees in the city court; 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.

Respectfully,  
R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 34, 169, 363 and 460.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 477—By WHITFORD.—Entitled:

An Act repealing Sections 8159 to 8168, inclusive, Oklahoma Statutes, 1931; same being special salary Act relating to Nowata County only, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 485—By CHILDERS (Pushmataha).—Entitled:

An Act abolishing the office of county engineer of Pushmataha County and providing the duties of said office shall be performed by the County Surveyor, 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.

Respectfully,  
R. M. McCOOL, Chief Clerk.



The Presiding Officer announced First Reading of Engrossed House Bills Nos. 477 and 485.

SENATE BILL NO. 152, by Howard, of the Senate, and Wagner and Hughes, of the House, returned by the Honorable House, with amendments, on the last legislative day, was considered.

Engrossed House Amendment to Engrossed Senate Bill No. 152 was read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1: On page 1, line 12, strike the word, "Choctaw."

Upon motion of Senator Nance, the Senate concurred in House Amendment to Senate Bill No. 152.

Senate Bill No. 152, as amended, was read at length.

The question being, "Shall Senate Bill No. 152, as amended, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fidler, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Powers, Pugh, Reed, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 29.

Not voting: Coppock, Dixon, Jennings, Paul, Stewart. Total, 5.

Excused: Carlile, Carmack, Fischl, Garvin, Hutchinson, Rav, Ritzhaupt, Rizley, Rutherford, Willis. 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: Ballard, Briggs, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fidler, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Powers, Pugh, Reed, Ritz-

haupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 30.

Not voting: Coppock, Dixon, Jennings, Paul, Stewart. Total, 5.

Excused: Carlile, Carmack, Fischl, Garvin, Hutchinson, Ray, Rizley, Rutherford, Willis. 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, in open session, signed Engrossed House Amendment to Engrossed Senate Bill No. 152 and ordered the bill, as amended, referred for enrollment.

SENATE BILL NO. 113 by Rutherford and Morrison, returned by the Honorable House, with amendments, on the last legislative day, was considered.

Engrossed House Amendments to Engrossed Senate Bill No. 113 were read as follows:

ENGROSSED HOUSE AMENDMENT NO. 1: On page 1, line 22, between the words, "ordinance," and the word, "the," insert the following language: "enacted pursuant to the provisions of such charter"

ENGROSSED HOUSE AMENDMENT NO. 2: Page 2, line 17, between the words, "ordinance," and the word, "fixed," insert the following language: "enacted pursuant to the provisions of such charter."

Upon motion of Senator Waldrep, the Senate concurred in Engrossed House Amendments to Engrossed Senate Bill No. 113.

Senate Bill No. 113, as amended, was read at length.

The question being, "Shall Senate Bill No. 113, as amended, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Chamberlin, Clark, Curnutt, Fidler, Howard, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt,

Sowards, Stacey, Taylor, Waldrep, Whitaker, Wilbanks.  
Total, 30.

Not voting: Commons, Coppock, Daugherty, Dixon,  
Stewart, Thomas. Total, 6.

Excused: Carlile, Carmack, Fischl, Garvin, Hutch-  
inson, Rizley, Rutherford, Willis. 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 emer-  
gency measure?" the roll was called with the following  
results:

Ayes: Ballard, Briggs, Chamberlin, Clark, Curnutt,  
Fidler, Howard, Jennings, Johnston, Lester, Liggett,  
Logan, MacDonald, Memminger, Moon, Morrison, Nance,  
Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt,  
Sowards, Stacey, Taylor, Waldrep, Whitaker, Wilbanks.  
Total, 30.

Not voting: Commons, Coppock, Daugherty, Dixon,  
Stewart, Thomas. Total, 6.

Excused: Carlile, Carmack, Fischl, Garvin, Hutch-  
inson, Rizley, Rutherford, Willis. 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, in open session, signed Engrossed  
House Amendment to Engrossed Senate Bill No. 113  
and ordered the bill, as amended, referred for enroll-  
ment.

Senator Ballard moved that the Senate proceed to  
the consideration of HOUSE BILL NO. 5, by Gibson,  
et al.

Senator Chamberlin raised a point of order, which  
was sustained, stating the regular Order of Business—  
THIRD READING—had not been disposed of.

Senator Paul moved that the rules of the Senate be  
suspended for the purpose of making a motion to bring

up for consideration SENATE BILL NO. 76. by Nichols, Nance, et al, and relative bills, which motion prevailed.

Senator Ballard moved that the Senate proceed to the consideration of House Bill No. 5, by Gibson, et al.

The President ruled the Ballard motion out of order, as being contrary to the Paul motion, already adopted.

Senator Fidler presiding.

Senator Ballard moved that the Senate proceed to the consideration of House Bill No. 5, by Gibson, et al.

The Presiding Officer ruled the Ballard motion out of order, for the reason it was contrary to the Paul motion.

Senator Curnutt moved that the rules of the Senate be suspended and Senate proceed to the consideration of House Bill No. 5, by Gibson, et al.

The Curnutt motion prevailed, the Chair declaring the vote applied to that part of the motion, suspending the rules.

Senator Chamberlin moved that further consideration of House Bill No. 5, by Gibson, et al., be deferred until the next legislative day.

Senator Memminger moved to amend the Chamberlin motion by striking the words and figure, "House Bill No. 5, by Gibson, et al," and substituting therefor the words and figures, "Senate Bill No. 76 by Nichols, Nance, et al."

Senators Chamberlin and Memminger asked unanimous consent, which was granted, to withdraw their motions.

Senator Moon moved that, in view of the fact the rules of the Senate had been suspended, the Senate proceed to the consideration of House Bill No. 5, by Gibson, et al.

Senator Reed moved to table the Moon motion.

Senator Nichols, as a substitute for all pending motions, moved that the Senate take up for consideration Senate Bill No. 76, by Nichols, Nance, et al.



Senator Ballard raised a point of order against the Nichols motion, which was sustained, stating a motion in lieu of one to table is out of order.

The vote occurring on the Reed motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Daugherty, Fischl, Howard, Johnston, Lester, Logan, Nance, Nichols, Paul, Reed, Ritzhaupt, Sowards, Taylor, Waldrep. Total, 18.

Nays: Ballard, Clark, Curnutt, Fidler, Garvin, Hutchinson, Jennings, MacDonald, Memminger, Moon, Powers, Pugh, Stacey, Whitaker, Wilbanks, Willis. Total, 16.

Not voting: Commons, Coppock, Dixon, Liggett, Stewart, Thomas. Total, 6.

Excused: Morrison, Ray, Rizley, Rutherford. Total, 4.

The Presiding Officer ruled SENATE BILL NO. 76, by Nichols, Nance, et al, before the Senate for consideration.

Senator Jennings asked unanimous consent, which was granted, to submit the following amendment to his original amendment, considered on the last legislative day:

Mr. President: I move to amend the Jennings amendment, line 11, by adding a period, after the word, "best," and before the word, "when," and by inserting before the word, "when," the word, "or"

JENNINGS.

Senators Nance and Pugh, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 76, line 3, page 1, by inserting after the word, "estate," and before the word, "where," the following, "which is a homestead and occupied in good faith by the record owner."

NANCE and PUGH.

Senator Nichols, in lieu of all pending motions, submitted the following:

Mr. President: I move to amend Senate Bill No. 76, by adding immediately following Section 1, the following proviso:

“Provided that during the pendency of any action to foreclose a mortgage or other lien upon real estate, the record owner of such real estate shall be entitled to the possession of such property; Provided, however, that where the court or judge shall find that the real estate has been abandoned by the record owner, or is not occupied, in good faith, as a homestead, or is producing or capable of producing rentals or other revenue, a receiver may, in the discretion of the court or judge, be appointed to preserve, rent or operate such property, and the receipts and revenues arising therefrom shall be applied as the court or judge may direct.”

NICHOLS.

Senator Memminger submitted the following amendment:

Mr. President: I move to amend the Nichols amendment to Senate Bill No. 76, by adding after the word, “owner,” and before the word, “of,” the following: “if such record owner be the original mortgagor.”

MEMMINGER.

Upon motion of Senator Reed, the Memminger amendment was tabled.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend the Nichols amendment to Senate Bill No. 76, lines 8 and 9, by striking the words, “A receiver may, in the discretion of the Court or Judge, be appointed,” and inserting the words, “A receiver shall be appointed by the Court, upon proper application as now provided by law.”

CHAMBERLIN.

Senator Pugh asked unanimous consent, which was granted, to withdraw the Nance-Pugh amendment.

The vote occurring on the Nichols amendment, as amended, it was declared adopted.

Senator Briggs submitted the following amendment, which was tabled, upon motion of Senator Pugh:

Mr. President: I move to amend Senate Bill No. 76, by adding, following the Nichols amendment, the following: "Provided further that in all cases where application is made for the appointment of a receiver, the depreciation of the value of property involved, due to causes beyond the control of the owner in possession thereof, through destruction of improvements thereon, shall not be considered as grounds for appointing a receiver for any such property, where same is actually occupied as the home of the owner or is devoted to the same use as it was when the lien was created."

BRIGGS.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 76, line 3, page 1, by inserting after the words, "real estate," and before the word, "where," the words, "owned and occupied as a homestead."

CURNUTT.

Senator Nichols moved to table the Curnutt amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Chamberlin, Clark, Daugherty, Dixon, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Reed, Sowards, Stacey, Waldrep, Wilbanks. Total, 18.

Nays: Curnutt, Fidler, Jennings, Moon, Powers, Pugh, Whitaker. Total, 7.

Not Voting: Commons, Coppock, Logan, Paul, Stewart, Taylor, Thomas. Total, 7.

Excused: Carlile, Carmack, Fischl, Garvin, How-

ard, Hutchinson, Morrison, Ray, Ritzhaupt, Rizley, Ruth-  
erford, Willis. Total, 12.

Senator Chamberlin submitted the following amend-  
ment, which was adopted:

Mr. President: I move to amend Senate Bill No.  
76, line 5, page 2, after the word, "the," and before the  
word, "answer," by inserting the word, "original,"

CHAMBERLIN.

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

Section 2 was read.

Senator Moon submitted the following amendment,  
which was adopted:

Mr. President: I move to amend Senate Bill No.  
76, line 14, page 2, by inserting after the word, "prop-  
erty," and before the word, "upon," the following, "at  
the time of the filing of suit," and by inserting in line 1,  
page 3, after the word, "property," and before the  
word, "upon," the following, "at the time of the filing  
of suit"

MOON.

Senator Chamberlin submitted the following amend-  
ment, which was adopted:

Mr. President: I move to amend Senate Bill No.  
76, line 18, page 2, after the word, "the," and before  
the word, "answer," by inserting the word, "original"

CHAMBERLIN.

Upon motion of Senator Nichols, Section 2, as  
amended, was adopted.

Section 3 was read.

Senator Chamberlin submitted the following amend-  
ment, which was adopted:

Mr. President: I move to amend Senate Bill No.  
76, line 9, page 3, by inserting after the word, "the,"  
and before the word, "answer," the word, "original"

CHAMBERLIN.



Senator Moon submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 76, line 10, page 3, by inserting after the word, "property," and before the word, "upon," the words, "at the time of the filing of suit"

MOON.

Upon motion of Senator Nichols, Section 3, as amended, was adopted.

Section 4 was read.

Senator Moon submitted the following amendment, which was tabled, upon motion of Senator Reed:

Mr. President: I move to amend Senate Bill No. 76, by inserting a new section, to be known as Section 4, as follows: "Section 4. The provisions of this Act shall only apply to suits involving real property, when and where the record owner, together with his family, reside thereon and occupy the same in good faith as a homestead." And by re-numbering the following sections.

MOON.

Senator Moon submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 76, by inserting after Section 3, a new section, as Section 4, to be as follows: "Section 4. The provisions of this Act shall apply to property not used as a homestead, only if and when all delinquent taxes and special assessments have been paid, satisfied and redeemed by the owner of the property involved in the suit." And by re-numbering the following sections.

MOON.

Senator Moon asked unanimous consent, which was granted, to strike from his original amendment, the words, "and special assessments."

Upon motion of Senator Waldrep, the Moon amendment was tabled.

Senator Whitaker raised a question of "no quorum."

The Presiding Officer ordered a roll of the Senate called, after which he declared a quorum of the Senate was present.

Upon motion of Senator Nichols, Section 4 was adopted, as read.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 76, line 16 $\frac{1}{2}$ , page 3, by adding a new section, as follows: "Section 5. This Act shall not apply to the foreclosure on loans or liens on real estate, created after the effective date of this Act." And by renumbering the remaining sections.

#### BALLARD.

Senator Curnutt moved to table the Ballard amendment, which motion failed of adoption.

The vote occurring on the Ballard amendment, it was declared failed of adoption.

Upon motion of Senator Nichols, Senate Bill No. 76, was advanced to engrossment and third reading.

Upon motion of Senator Nichols, Senate Bill No. 76, as amended, was ordered printed, the amendments thereto to be shown in italics.

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return:

ENROLLED SENATE BILL NO. 78—By CHAMBERLIN, MEMMINGER, PUGH, MacDONALD, and RIZLEY of the Senate, and ABERNATHY (Harmon) of the House.—Entitled:

An Act amending Sections 8 and 9 of Chapter 28 of Session Laws of 1925; authorizing Building and Loan

Associations of this State to borrow money; to become members of any corporation or agency established by the United States Government or by the State of Oklahoma; to buy and own shares of stock and/or the bonds and deposit money in and borrow money from such agencies; also to pledge their assets to secure the payment of any money so borrowed; and declaring an emergency.

ENROLLED SENATE BILL NO. 247—By PUGH.  
—Entitled:

An Act repealing Article 13, Chapter 35, of the Session Laws of 1931, same being Senate Joint Resolution No. 53, regulating the salaries of the County Commissioners of Caddo County, 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 tem in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 78 and 247 were, each, referred to the Governor for consideration. .

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

HOUSE BILL NO. 42—By CLOYD.—Entitled:

An Act repealing Chapter 99 Session Laws of Oklahoma 1929, the same being Section 7961, Oklahoma Statutes 1931 relating to the office of assistant county superintendent of Cleveland County, and declaring an emergency,

which bill having passed the Senate and House of Representatives was presented to me February 10th and held by me, without my signature, for more than five

days, (Sundays excepted) whereby the same became a law.

Witness my hand, this February 17th, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE BILL NO. 201—By THOMAS of the Senate and TODD of the House:

An Act repealing Section 8409 of the Statutes of Oklahoma of 1931 relating to the salary and mileage of the board of county commissioners of Washita County, and declaring an emergency, which bill having passed the Senate and House of Representatives was presented to me February 10th and held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this February 17th, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have filed with the Secretary of State

ENROLLED SENATE BILL NO. 204—By NANCE of the Senate and MOONEY of the House.

An Act abolishing all township levies in the several townships in Cotton County, Oklahoma, and declaring an emergency, which bill having passed the Senate and House of Representatives was presented to me February 11th and held



by me, without my signature, for more than five days (Sundays excepted) whereby the same became a law.

Witness my hand, this February 17th, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have filed with the Secretary of State

ENROLLED SENATE BILL NO. 205—By NANCE of the Senate and MOONEY of the House

An Act abolishing the County Highway ad valorem tax levy in Cotton County, Oklahoma, and declaring an emergency,

which bill having passed the Senate and House of Representatives was presented to me February 11th and held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this February 17th, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

Senator Ballard moved that HOUSE BILL NO. 5, by Gibson, et al, be advanced to engrossment and third reading.

Senator Nance raised a point of order against the Ballard motion, which was overruled, stating consideration of House Bill No. 5 had been deferred for this legislative day.

Upon motion of Senator Paul, the Senate adjourned, to meet under the rules, on Monday, February 20th.

THIRTY-SIXTH LEGISLATIVE DAY  
Monday, February 20, 1933

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Pursuant to adjournment, the Senate 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Absent: Daugherty. Total, 1.

Excused: Liggett. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The President announced the sudden death of Senator Liggett's mother.

Senator Chamberlin moved that a Committee of 3 be appointed, for the purpose of drafting suitable resolutions on account of the death of Senator Liggett's mother, and to make such other necessary arrangements.

The motion prevailed and the President appointed as such Special Committee, Senators Chamberlin, Pugh and Ritzhaupt.

Senator Nichols moved that, when the Senate adjourns today, it adjourn to meet at 10:00 o'clock, a. m., on the next legislative day.

Senator Rutherford, as a substitute, moved that, when the Senate adjourns, today, it adjourn to meet at 1:30 p. m., on the next legislative day.

Senator Nance raised a point of order, against the Rutherford motion, which was sustained, stating the adopted Senate rules provide for convening at 1:30 p. m.

Senator Chamberlin, as a substitute, moved that the rules of the Senate be suspended and that, until otherwise ordered, when the Senate adjourns, each legislative day, it adjourn to meet at 10:00 o'clock, a. m., on the succeeding legislative day, and that the Oil Investigating Committee, authorized under Senate Resolution No. 2, by Stewart, be "excused" from Senate attendance during the morning sessions.

Senator MacDonald presiding.

Senator Jennings raised a point of order against the Chamberlin motion, citing Rule 18, which would require unanimous consent.

The Chair overruled the Jennings point of order.

Senator Commons moved the adoption of the previous question, which motion prevailed.

The vote occurring on the Chamberlin motion, it was declared adopted.

#### MESSAGE

The following Message from the Governor was received and read:

TO THE HONORABLE THE SENATE AND HOUSE  
OF REPRESENTATIVES OF THE FOUR-  
TEENTH LEGISLATURE OF THE STATE OF  
OKLAHOMA:

Gentlemen:

For the two-fold purpose of shedding some light on the credibility of certain witnesses before investigating committees, and for the purpose of recommending action on the part of the House and Senate, hereinafter stated, I respectfully submit the following facts relative to Mark Kleedon and R. A. McArthur, and their operations in oil transactions, as follows, to-wit:

"Mark Kleedon, used by U. S. District Attorney Herbert K. Hyde in procuring a purported dictograph record of a conversation relating to the investigation now being conducted by the State Senate, is now under indictment in the Federal Court at Ft.

Worth, Texas, charged with 9 counts of mail fraud. He has heretofore been convicted for mail frauds in Federal court.

“Kleedon, associated with R. A. McArthur in a company sometimes known as the R. A. McArthur Oil Company and as the Rio Neches and also the Petroleum Pipeline Company, has a long record with Federal Postal Authorities, as has R. A. McArthur.

“Quoting from the Bulletin of the Better Business Bureau of August 17, 1932:

‘McARTHUR & KLEEDON—INDICTED FOR MAIL FRAUD: R. A. McArthur and Mark Kleedon, of Oklahoma City and Texas, were indicted in Federal Court, Fort Worth, Texas, on July 9, 1932, for mail fraud on nine counts in connection with the Rio Neches Oil Promotion. This marks the culmination of a long, intensive investigation conducted by the Post Office authorities. Both McArthur and Kleedon have previously come in conflict with Federal authorities and have been the subject of previous Bureau Bulletins.’

“The Daily Oklahoman, on July 20, 1932, carried a story to the effect that McArthur and Kleedon had been indicted in Ft. Worth, Texas, on nine counts for mail fraud in connection with a company known as Investments Service, Inc. Kleedon and McArthur are now out on bond, pending trial.

“On November 8, 1930, the Supreme Court of New York restrained the sale of McArthur (Rio Neches) stock. (Daily Oklahoman—Nov. 9, 1930.—A.-P. Dispatch).

“On March 16, 1931, the Missouri securities department issued a warning that sale of McArthur securities would not be permitted in Missouri.



(Oklahoma City Times—March 16, 1931. A-P Dispatch.)

“R. A. McArthur, Kleedon’s associate both here and in Texas, is known under the alias of John B.

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McNeice, having used that alias during operations in Canada.

“Kleedon, himself, has been convicted in Federal Court for mail fraud. On April 15, 1929, Mark Kleedon was brought to trial in San Antonio, Texas, on an indictment charging the misuse of the mails in connection with a company known as the Spindle-top Syndicate. On April 18, 1929, a jury returned a verdict of guilty and Kleedon was sentenced to serve 18 months in the Federal Penitentiary at Leavenworth. By paying a fine of \$4,000.00, Kleedon was permitted to escape the service in the penitentiary.

“The complete records of Mark Kleedon and his associate, R. A. McArthur, alias John R. McNeice, are available in the office of the United States Post Office Inspector.”

The further fact of the conspiracies practiced by these men in the Oklahoma field; their attempt to break down the laws; and other transactions, unwholesome to the public weal, I hereby recommend that the Legislature pass a resolution asking the authorities of the United States to deport the said Mark Kleedon as an undesirable alien.

Done, this the 20th day of February, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Upon motion of Senator Commons, the Message of the Governor was ordered received and filed.

Upon motion of Senator Commons, the Senate Auditor was instructed to pay all necessary expenses, incurred in connection with the funeral of ex-Governor

Lee Cruce, including the expenses of the Military Attache, which motion prevailed.

#### NOTICES

Senator Stewart submitted a communication, addressed to the State Senate, dated at Ponca City, Box 682, over the signature of C. C. McCarty, inquiring as follows: "Don't you gentlemen believe there should be a law passed by your Honorable Body, whereby each child of the State should have an equal share of all tax money, equally divided so the child in the country won't be deprived of his schooling any more than the child in a rich tax district?"

Upon motion of Senator Paul, the Secretary of the Senate was directed to make reply to the McCarty inquiry, calling to his attention the introduction, today, of SENATE JOINT RESOLUTION NO. 14, by Paul, of the Senate, and Phillips (Atoka), Kight and Cloyd, entitled: A JOINT RESOLUTION PROVIDING FOR THE SUBMISSION OF A PROPOSED AMENDMENT TO THE CONSTITUTION OF OKLAHOMA, RELATING TO THE FREE PUBLIC SCHOOLS OF SAID STATE, ETC.

#### 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. 462, by Graham, Copeland, Billings, Marshall, Ellis, Coe and Conner of the House, and Fidler of the Senate, entitled:

An Act authorizing the City Council of the city of Oklahoma City, state of Oklahoma, to levy a special tax in addition to, in excess of, and beyond ad valorem tax levies for current expenses authorized by law, a special tax of not to exceed one-fourth of one mill, etc., beg leave to report that we had the same under consid

eration and herewith return the same with the recommendation that it do pass.

WHITAKER, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 282, by Pugh, entitled:

An Act repealing Section 7914, Oklahoma Statutes of 1931, relating to the salaries of county officers, deputies and assistants of Caddo 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.

PUGH, Chairman.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 113 and 152 correctly enrolled.

HOWARD, Vice Chairman.

Senate Bills Nos. 113 and 152 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the President, 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. 289—By CHAMBERLIN, COMMONS, MacDONALD and BRIGGS.—An Act to regulate the operation of vehicles on highways; defining the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; providing for the enforcement of this Act and for penalties for violations thereof; to make uniform the law relating to the subject matter of this Act and to repeal Section 10323, Oklahoma Statutes, 1931, and all other Acts or parts of

Acts in conflict herewith.

SENATE BILL NO. 290—By CHAMBERLIN of the Senate and WORTHINGTON of the House.—An Act providing for compensation to be paid to persons selected as temporary county judges or special county attorneys; providing that the board of county commissioners may pay a reasonable compensation therefor; fixing the maximum amount thereof; and declaring an emergency.

SENATE BILL NO. 291—By MOON.—An Act amending Section 9738 of Oklahoma Statutes, 1931, relating to corporations; repealing all laws in conflict therewith and declaring an emergency.

SENATE BILL NO. 292—By MOON.—An Act amending Section 9730 of Oklahoma Statutes 1931, relating to articles of incorporation; repealing all laws in conflict therewith and declaring an emergency.

SENATE BILL NO. 293—By MOON.—An Act amending Section 9725 of Oklahoma Statutes, 1931, relating to corporations.

SENATE BILL NO. 294—By CURNUTT.—An Act reapportioning the Congressional Districts of the State of Oklahoma, dividing the State into nine Congressional Districts, numbering said Districts from one to nine inclusive, designating the counties to be composed in each of said Districts, repealing Section 3376, Oklahoma Statutes, 1931.

SENATE JOINT RESOLUTION NO. 14—By PAUL of the Senate and PHILLIPS (of Atoka County), KIGHT and CLOYD of the House.—A Joint Resolution providing for the submission of a proposed amendment to the Constitution of Oklahoma relating to the free public schools of said State, and amending Section 1, Article 13, of the Constitution of the State of Oklahoma.

SENATE CONCURRENT RESOLUTION NO. 17—By CHAMBERLIN, COMMONS, NICHOLS and NANCE.—A Concurrent Resolution fixing the day and



hour of the sine die adjournment of the Regular Session of the 14th Legislature of the State of Oklahoma.

SECOND READING

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

SENATE BILL NO. 286—By FIDLER of the Senate and COE of the House.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 287—By DAUGHERTY.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 288—By CURNUTT.—Referred to Committee on Municipal Corporations.

SENATE JOINT RESOLUTION NO. 13—By LOGAN.—Referred to Committee on State and County Affairs.

ENGROSSED HOUSE BILL NO. 34—By KING (Coal), GRAY, TURNER and CAVITT.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 460 — By BROADDUS and SHOEMAKE.—Referred to Judiciary Committee No. 1.

ENGROSSED HOUSE BILL NO. 169 — By O'NEILL.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 363—By SHOEMAKE.—Referred to Committee on Fees and Salaries.

ENGROSSED HOUSE BILL NO. 477—By WHITFORD.—Referred to Committee on Fees and Salaries.

ENGROSSED HOUSE BILL NO. 485—By CHILDERS (Pushmataha).—Referred to Committee on Printing.

Senator Briggs moved, pursuant to the direction of the Senate on the last legislative day, that the Senate proceed to the consideration of the report of the Special Highway Investigation Committee, ordered to be submitted at 2:00 o'clock, p. m., today, that hour having arrived.

Senator Garvin, as Chairman of the Highway Investigation Committee, made the following statement:

Mr. President: I, as Chairman, beg to report that the Committee, having taken testimony until after 1:00 o'clock, today, and not having completed the taking of testimony of the witnesses subpoenaed, and not having had sufficient time to take the testimony and make the report, as ordered by the Senate, has no report to offer the Senate at this time.

GARVIN, Chairman.

Senator Briggs moved that the Special Highway Investigation Committee be directed to retire from the Senate, forthwith, make its report and file same within 30 minutes.

Senator Ballard, as a substitute, moved that further consideration of the Highway Investigation Committee and its report, thereon, be deferred until Saturday, February 25th.

Senator Nance raised a point of order against the Ballard motion, which was overruled, stating the Senate had ordered a report of the Committee at 2:00 p. m., this date, and to defer would require a suspension of the Senate rules.

Senator Nichols raised a point of order against the Ballard motion, which was overruled, stating the Investigation Committee, at 2:00 o'clock, p. m., becomes *functus officio*.

Senator Briggs moved to table the Ballard motion, which motion, by unanimous consent, he withdrew.

Senator Logan moved to amend the Ballard motion to read: That the Highway Investigation Committee be given until 1:30 o'clock, p. m., Friday, February 24th, to complete its investigation and that report be made on Saturday, February 25th.

The Presiding Officer announced matters were on the President's desk, for the consideration of the Senate in Executive Session.

Upon motion of Senator Briggs, the Senate closed its doors and went into executive session.

\* \* \*

The Senate reassembled, in open session, with Senator Chamberlin presiding, who announced the Senate, in executive session, had advised and consented to the confirmation of the following executive nominations:

**STATE HIGHWAY COMMISSION:**

H. N. ARNOLD, Buffalo, Harper County, Oklahoma, for a term of Six (6) years, as Commissioner.

LARKIN B. SELMAN, Walters, Cotton County, Oklahoma, for a term of Two (2) years, as Commissioner.

ED McDONALD, as Secretary and Commissioner.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 18 correctly engrossed and Senate Bill No. 28 correctly enrolled.

HOWARD, Vice Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Bill No. 18 and ordered it transmitted to the Honorable House.

Senate Bill No. 28 was read at length 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.

President Burns presiding.

**MESSAGE**

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

To the President of the Senate,  
Building  
SIR:

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

ENROLLED SENATE BILL NO. 28—By NICHOLS and WILLIS, RAY, WHITAKER, and RIZLEY of the Senate and LEECRAFT, SULLIVAN and CHILDERERS of the House, entitled:

An Act to provide for the relief of the people who are unable to work and have not the means of supporting themselves, by furnishing them free garden seed, food, clothing, and fuel; making an appropriation in the aggregate sum of Six Hundred Thousand (\$600,000.00) Dollars; providing for the method of distribution of the seed, food supplies, or cash to such persons in need; fixing criminal penalty for wrongful use of such seed and supplies; determining the method of distribution, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 28 was ordered referred to the Governor, for consideration.

#### GENERAL ORDER

Senator Fidler asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 468, by Graham, et al, of the House, and Fidler and Morrison, of the Senate.

Sections 1 to 9, inclusive, were read and adopted, upon motions of Senator Fidler.

Upon motion of Senator Ballard, House Bill No. 468 was advanced to engrossment and third reading.

Senator Carlile asked that the record show him "excused," for the balance of this legislative day, which was the order.

Upon motion of Senator Ballard, the rules of the Senate were suspended and House Bill No. 468 was considered engrossed and placed upon third reading and final passage.



HOUSE BILL NO. 468 was read for the third time at length.

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

Ayes: Ballard, Briggs, Clark, Commons, Curnutt, Fidler, Garvin, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Carmack, Chamberlin, Coppock, Dixon, Fischl, Howard, Logan, Nichols, Sowards, Thomas. Total, 10.

Absent: Daugherty. Total, 1.

Excused: Carlile, Liggett, Morrison. 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: Ballard, Briggs, Clark, Commons, Curnutt, Fidler, Garvin, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Carmack, Chamberlin, Coppock, Dixon, Fischl, Howard, Logan, Nichols, Sowards, Thomas. Total, 10.

Absent: Daugherty. Total, 1.

Excused: Carlile, Liggett, Morrison. 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, in open session, signed the engrossed

copy of House Bill No. 468, and ordered the same transmitted to the Honorable House.

Senator Briggs asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 284, by Briggs, of the Senate, and Henderson, of the House.

Section 1 was read and adopted, upon motion of Senator Briggs.

Section 2 was read.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 284, line 4, page 4, after the word, "law," by changing the period to a comma and adding the following: "All valid contracts entered into by the State Highway Commission, prior to the effective date of Senate Bill No. 55, are hereby continued in full force and effect, and all persons, firms, or corporations engaging in the performance of duties or obligations created or existing under and in pursuance to the terms and provisions of any such valid contract entered into by said State Highway Commission, prior to the effective date of said Senate Bill No. 55, shall continue the performance thereof under the supervision of the agents, servants and employees of the said State Highway Commission as the same existed prior to the said effective date of Senate Bill No. 55, and, when said personnel of the State Highway Commission is appointed and qualified so to do, it shall be and is hereby authorized to carry out and perform all obligations imposed upon the said State Highway Commission under the provisions of such contracts and to do and perform any and all acts necessary for the payment of any and all sums of money due under any such contract."

BRIGGS.

Upon motion of Senator Briggs, Section 2, as amended, was adopted.

Section 3 was read and adopted, upon motion of Senator Briggs.

Upon motion of Senator Briggs, Senate Bill No. 284 was advanced to engrossment and third reading.

Upon motion of Senator Briggs, the rules of the Senate were suspended and Senate Bill No. 284 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 284 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Nance, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Not voting: Coppock, Daugherty, Dixon, Fischl, Nichols, Sowards. Total, 6.

Excused: Carlile, Liggett, Morrison. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Nance, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Not voting: Coppock, Daugherty, Dixon, Fischl, Nichols, Sowards. Total, 6.

Excused: Carlile, Liggett, Morrison. 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 question being, "Shall the title of the bill become the title of the Act?" Senator Briggs submitted the following amendments, which were adopted:

Mr. President: I move to amend the title of Senate Bill No. 284, by adding after the word, "appointments," at the end of line 1 and before line 2, the words, "and employments"

BRIGGS.

Mr. President: I move to amend the title of Senate Bill No. 284, line 8, by inserting after the word, "Legislature," and before the word, "authorizing," the following, "continuing their employment and salaries or wages."

BRIGGS.

Mr. President: I move to amend the title of Senate Bill No. 284, line 14, by adding after the word, "person," and before the word, "and," the following: "providing for payment of the salaries and wages thereof."

BRIGGS.

Senate Bill No. 284, as amended, was referred for engrossment.

### COMMITTEE REPORT

Senator Chamberlin asked unanimous consent, which was granted, to submit the following Special Committee Report, which was adopted:

Mr. President: We, your Special Committee, appointed to draft an appropriate Resolution, expressing our respect and sympathy in memory of Mrs. Nettie B. Liggett, the mother of our fellow-senator, Claude Liggett, and to attend the funeral and cause proper floral offering to be made, beg leave to report that we have



drafted the following resolution, and submit the same, herewith, for adoption.

CHAMBERLIN, Chairman.

By unanimous consent, the following Senate Resolution was submitted, read at length, and, upon motion of Senator Chamberlin, adopted:

SENATE RESOLUTION NO. 18—By CHAMBERLIN, PUGH and RITZHAUPT.

SENATE RESOLUTION OF RESPECT AND SYMPATHY FOR AND IN MEMORY OF MRS. NETTIE B. LIGGETT, THE MOTHER OF OUR FELLOW-SENATOR, CLAUDE LIGGETT.

WHEREAS, the Senate of the Fourteenth Legislature has just been advised of the untimely death of Mrs. Nettie B. Liggett, the mother of our fellow-senator, Claude Liggett; and

WHEREAS, Senator Claude Liggett is a worthy member of the Fourteenth Legislature of the State of Oklahoma, and the members of the Senate are now desirous of extending their sympathy to him and his family, on account of their deep sorrow in the death of his mother,

NOW THEREFORE BE IT RESOLVED, that we, the members of the Oklahoma State Senate of the Fourteenth Legislature hereby express our deep sorrow at her death and extend our sympathy and condolence to Senator Claude Liggett and his family, and request that this Resolution be spread upon the Journal of the Senate, and that a copy be forwarded to relatives at Hobart, Oklahoma.

Senate Resolution No. 18 was referred for engrossment.

Senator Ballard asked unanimous consent, which was granted, to withdraw SENATE JOINT RESOLUTION NO. 5, by Ballard, from the Committee on Roads and Highways. and place it upon the calendar.

### GENERAL ORDER

Senator Pugh asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 282, by Pugh.

Section 1 was read and adopted, upon motion of Senator Pugh.

Upon motion of Senator Pugh, Senate Bill No. 282 was advanced to engrossment and third reading.

Upon motion of Senator Pugh, the rules of the Senate were suspended and Senate Bill No. 282 was considered engrossed and placed upon third reading and final passage.

SENATE 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Waldrep, Willis. Total, 30.

Not voting: Coppock, Fischl, Garvin, Moon, Nance, Nichols, Sowards, Thomas, Whitaker, Wilbanks. Total, 10.

Absent: Daugherty. Total, 1.

Excused: Carlile, Liggett, Morrison. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Paul, Powers, Pugh, Ray, Reed,

Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Waldrep, Willis. Total, 30.

Not voting: Coppock, Fischl, Garvin, Moon, Nance, Nichols, Sowards, Thomas, Whitaker, Wilbanks. Total, 10.

Absent: Daugherty. Total, 1.

Excused: Carlile, Liggett, Morrison. 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.

Senate Bill No. 282 was ordered referred for engrossment.

Senator Paul moved that the Senate proceed to the consideration of SENATE BILL NO. 76, by Nichols, Nance and Lester, under Third Reading, which motion, by unanimous consent, he withdrew.

Senator Curnutt moved that HOUSE BILL NO. 5, by Gibson, et al., be made a Special Order for 2:00 o'clock, p. m., on the next legislative day.

Senator Waldrep moved to table the Curnutt motion.

Senator Jennings raised a point of order, against the Curnutt motion, which was sustained, stating House Bill No. 5 had previously been made a Special Order and, therefore, retains that place on the calendar.

#### MESSAGE

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

To the President of the Senate,  
Building

SIR:

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

ENGROSSED HOUSE BILL NO. 250, by BLOCKER, BATSON, GARLAND, GRAY, LEECRAFT, PHILLIPS and CAVINS.—Entitled:

An Act making an appropriation from the general

revenue fund to supplement the special Common School Equalization Fund for the fiscal year ending June 30, 1933, and providing for the distribution thereof, and declaring an emergency, together with Conference Committee Report thereon, and to advise you, and through you, the Honorable Senate, that the Conference Committee Report has been adopted, and the bill has been passed by the House, AS AMENDED, by said report.

Respectfully,  
R. M. McCOOL, Chief Clerk.

Conference Committee Report on Engrossed House Bill No. 250 was read, as follows, and, upon motion of Senator Nance, adopted:

#### CONFERENCE COMMITTEE REPORT

To the Honorable Senate  
and

Honorable House of Representatives,  
of the State of Oklahoma.

Gentlemen:

We, your Conference Committee, appointed to confer on ENGROSSED HOUSE BILL NO. 250, by Blocker, Batson, Garland, Gray, Leecraft, Phillips and Cavins, have had under consideration the Senate Amendments to said bill, and, after due consideration thereof, beg leave to report as follows:

1st: That the House concur in Senate Amendment No. 1

2nd: That the Senate recede from Senate Amendment No. 2

3rd: That the House concur in Senate Amendment No. 3.

Respectfully submitted,

Homer Paul

J. C. Nance

Senate Conferees

Batson

Phillips (Atoka)

R. C. Blocker.

House Conferees

House Bill No. 250, as amended in Conference, was read at length.



The question being, "Shall House Bill No. 250, as amended in conference, pass?" the roll was called with the following results:

Ayes: Ballard, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Nance, Paul, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Briggs, Dixon, Garvin, Moon, Nichols, Ray, Reed, Sowards, Thomas, Waldrep. Total, 10.

Absent: Daugherty. Total, 1.

Excused: Carlile, Liggett, Morrison. 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: Ballard, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Nance, Paul, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Briggs, Dixon, Garvin, Moon, Nichols, Ray, Reed, Sowards, Thomas, Waldrep. Total, 10.

Absent: Daugherty. Total, 1.

Excused: Carlile, Liggett, Morrison. 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 question being, "Shall the title of the bill become the title of the Act?" Senator Paul moved that the title of the bill be corrected to conform with the bill, as amended, which motion prevailed.

House Bill No. 250, together with Conference Com-

mittee Report, thereon, was ordered returned to the Honorable House.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 17 correctly engrossed.

HOWARD, Vice Chairman.

The President, in open session, signed Engrossed Senate Resolution No. 17 and ordered it referred for enrollment.

#### SPECIAL ORDER

Senator Ballard asked unanimous consent, which was granted, to strike from the calendar, under Special Order, SENATE CONCURRENT RESOLUTION NO. 15, by Ballard.

Upon motion of Senator Logan, the Senate adjourned, to meet at 10:00 o'clock, a. m., Tuesday, February 21, 1933.

## THIRTY-SEVENTH LEGISLATIVE DAY

Tuesday, February 21, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 40.

Absent: Daugherty, Waldrep. Total, 2.

Excused: Liggett, Morrison. Total, 2.

The President 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 Fees and Salaries, to whom was referred Engrossed House Bill No. 364, by Jones, entitled:

An Act repealing Chapter 100, Sections 1 and 2, Session Laws, 1923, same being Sections 7910 and 7911, Oklahoma Statutes, 1931, repealing Chapter 121, Section 1, Session Laws, 1927, the same being Section 7908, Oklahoma Statutes, 1931, etc., all with reference to the salaries of deputies in county offices in Beckham 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.

PUGH, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Engrossed House Bill No. 464, by Daniel, entitled:

An Act providing that the County Superintendent of Healty and Jefferson County shall be paid a salary of fifty dollars per month, and, in addition thereto, be allowed his necessary expenses in the discharge of his duties, 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.

PUGH, Chairman.

Upon motion of Senator Garvin, further consideration of House Bill No. 464 was indefinitely postponed.

#### FIRST READING

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

SENATE BILL NO. 295—By PUGH and WILLIS.—An Act fixing the salaries of the County Commissioners in all the counties on a population basis.

SENATE BILL NO. 296—By POWERS.—An Act authorizing the cities and towns to cut weeds, or remove trash, garbage, refuse, waste, or rubbish from any lot, piece or parcel of ground within said city or town; and providing for the cost thereof, and assessing the same against the said lot, piece or parcel of ground; and making the cost thereof a lien against the same; and providing for the collection thereof; repealing all laws in conflict herewith, and declaring an emergency.

SENATE BILL NO. 297—By CHAMBERLIN.—An Act amending Section 7857, Oklahoma Statutes 1931, relating to the compensation of County Commissioners; repealing all Acts and parts of Acts in conflict herewith; and declaring an emergency.

#### SECOND READING

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



SENATE BILL NO. 289—By CHAMBERLIN, COMMONS, MacDONALD and BRIGGS.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 290—By CHAMBERLIN of the Senate and WORTHINGTON of the House.—Referred to Committee on Fees and Salaries.

SENATE BILL NO. 291—By MOON.—Referred to Committee on Private Corporations.

SENATE BILL NO. 292—By MOON.—Referred to Committee on Private Corporations.

SENATE BILL NO. 293—By MOON.—Referred to Committee on Private Corporations.

SENATE BILL NO. 294—By CURNUTT.—Referred to Committee on Congressional and Legislative Re-Districting.

SENATE JOINT RESOLUTION NO. 14—By PAUL of the Senate and PHILLIPS (of Atoka County), KIGHT and CLOYD of the House.—Referred to Committee on Constitution and Constitutional Amendments.

Senator Stacey asked unanimous consent, to which Senator Memminger objected, to withdraw SENATE BILL NO. 12, by Stacey, from the Committee on Banks and Banking and place the bill upon the calendar.

Upon motion of Senator Stacey, Senate Bill No. 12 was ordered withdrawn from the Committee on Banks and Banking and placed upon the calendar.

Senator Commons moved that the Senate recess for 10 minutes, which motion prevailed.

The Senate reassembled, with the President presiding.

Senator Ballard moved that the Senate work under a call of the House, which motion prevailed.

The President ordered a roll of the Senate called, which resulted as follows:

ABSENT: Carlile, Carmack, Clark, Coppock, Curnutt, Daugherty, Fischl, Garvin, Hutchinson, Memmin-

ger, Moon, Ray, Reed, Ritzhaupt, Sowards, Taylor, Walarep and Whitaker.

The Sergeant-at-Arms was directed by the President to notify all absent members of the Senate's proceedings.

The following asked to be recorded "present," which was the order.

Senators Carlile, Carmack, Clark, Coppock, Currutt, Fischl, Garvin, Hutchinson, Memminger, Moon, Ray, Reed, Ritzhaupt, Sowards, Taylor and Whitaker.

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 15—By COX, HENDERSON, WILLIAMS, JONES, ALBRIGHT, MALLORY, WINGO, WRIGHT, HINDS, HAILE, ALLEN, entitled:

Concurrent Resolution memorializing Congress to make it mandatory upon the Secretary of Agriculture of the United States to equitably allocate federal aid highway funds,

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 Pro Tem in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolution No. 15 was ordered printed and placed upon the calendar.

To the President of the Senate,

Building

SIR:

*Thirty-seventh Day, Tuesday, Feb. 21, 1933* 823

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

ENGROSSED HOUSE BILL NO. 257 — By REMUND, OTTESON, ABERNATHY (Harmon), BEARD, ARMSTRONG, CLINE, CLOYD, DOUTHAT, ELLIS, GARLAND, GRUNERT, GRAHAM, HINDS, JOHNSON, KENAN, LOGSDON, PHILLIPS (Okfus-kee), STRICKLAND (Marshall), SINGLETON, SMALLEY, WATSON, CAVITT, SULLIVAN, LEE-CRAFT, MALLORY, LINDSEY, BEAVER, GRAY, KING (Coal), BUSHYHEAD, MARSHALL, PAXTON and ROBERTS of the House and RAY, HUTCHINSON, CHAMBERLIN, CURNUTT, COMMONS, DAUGHERTY, DIXON, HOWARD, LOGAN, MacDONALD, MEMMINGER, MORRISON, RITZHAUPT, RUTHERFORD, and WHITAKER of the Senate, entitled:

An Act making appropriation for the operation and maintenance of the Soldiers' Tubercular Sanatorium, and declaring an emergency,

ENGROSSED HOUSE BILL NO. 486—By CAVINS and GRUNERT, entitled:

An Act repealing Sections 4002 to 4009, inclusive, Oklahoma Statutes 1931, relating to the County Court at the town of Wilson, Carter County, Oklahoma, 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 Pro Tem in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 257 and 486.

To the President of the Senate,

Building

SIR:

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

ENROLLED SENATE BILL NO. 113—By RUTHERFORD and MORRISON, entitled:

An Act amending Section 2 of Chapter 79 of Session Laws 1927, and Section 4 of Chapter 79 of Session Laws 1927; making provision for the number of members of boards of education of independent districts; providing for the time and manner of their election; providing for the length of their term of office; and providing for the number, time and manner of electing, and the length of the term of office of members of boards of education in independent districts having within them a charter city; and declaring an emergency,

ENROLLED SENATE BILL NO. 152—By HOWARD of the Senate and WAGNER and HUGHES of the House, entitled:

An Act amending Section 9038, Oklahoma Statutes, 1931, relating to restraining domestic animals, 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 113 and 152 were, each, ordered referred to the Governor, for consideration.

#### GENERAL ORDER

Senator Stacey asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 252, by Stacey.

Section 1 was read.

Senator Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 252, line 4, page 1, by adding after the word, "be," and



before the word, "the," the words, "or in the similitude of"

JOHNSTON.

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

Section 2 was read and adopted, upon motion of Senator Stacey.

Senator Stacey submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 252, by striking from the title the words, "MAKING IT GROUNDS FOR DISBARMENT OF ANY LAWYER WHO ENGAGES IN SUCH PRACTICES, AND DECLARING AN EMERGENCY."

STACEY.

Upon motion of Senator Stacey, Senate Bill No. 252 was advanced to engrossment and third reading.

SENATE CONCURRENT RESOLUTION NO. 13, by Stewart, was taken up for consideration and read at length.

Senators Pugh and Reed asked to be made joint authors of Senate Concurrent Resolution No. 13, which request was granted.

Senator Chamberlin moved the adoption of Senate Concurrent Resolution No. 13.

Senator Nichols, as a substitute, moved that further consideration of Senate Concurrent Resolution No. 13 be indefinitely postponed.

Senator Reed moved to table the Nichols motion, which motion was adopted.

Senator Nichols asked unanimous consent, which was granted, to submit the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Concurrent Resolution No. 13, by adding a new provision, as follows:

“Provided that Congress shall ask the Oklahoma Legislature to pass a mortgage moratorium bill.”

NICHOLS.

The vote occurring on the Chamberlin motion, it was declared failed of adoption.

Senator Nichols asked unanimous consent, which was granted, to take up for consideration SENATE JOINT RESOLUTION NO. 4, by Nichols.

Section 1 was read.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 4, line 6, page 2, by striking after the word, “of,” and before the word, “consolidate,” the words, “such electors,” and substituting in lieu thereof the words, “the qualified electors of each county affected”

WHITAKER.

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

Sections 2 and 3 were read and adopted, upon motions of Senator Nichols.

Upon motion of Senator Nichols, Senate Joint Resolution No. 4 was advanced to engrossment and third reading.

Senator Nichols asked unanimous consent, which was granted, to take up for consideration SENATE JOINT RESOLUTION NO. 11, by Nichols.

The preamble to Senate Joint Resolution No. 11 was read and adopted, upon motion of Senator Nichols.

Sections 1 and 2 were read and adopted, upon motions of Senator Nichols.

Upon motion of Senator Nichols Senate Joint Resolution No. 11 was advanced to engrossment and third reading.

Senator Chamberlin moved that the vote be reconsidered by which SENATE CONCURRENT RESOLU-

TION NO. 13, by Stewart, failed of adoption, which motion was adopted.

Senator Nichols asked unanimous consent, which was granted, to take up for consideration SENATE JOINT RESOLUTION NO. 12, by Nichols.

The preamble to Senate Joint Resolution No. 12 was read.

Senator Reed asked unanimous consent, which was granted, to amend the typewritten resolution, in the last line of the second paragraph, by striking the figures, "1931, 1933 and 1933," and inserting the figures, "1931, 1932 and 1933."

Senator Whitaker moved that further consideration of Senate Joint Resolution No. 12 be indefinitely postponed.

Senators Coppock and Hutchinson asked to be recorded "present," which was the order.

Senator Reed moved to table the Whitaker motion, which motion failed of adoption.

The vote occurring on the Whitaker motion, it was declared adopted.

Senator Nance introduced to the Senate Mr. Larkin B. Selman, of Walters, newly appointed member of the State Highway Commission.

Senator Nichols served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which further consideration of SENATE JOINT RESOLUTION NO. 12, by Nichols, was indefinitely postponed.

Senator Moon asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 163, by Moon.

Section 1 was read and adopted, upon motion of Senator Moon.

Upon motion of Senator Moon, Senate Bill No. 163 was advanced to engrossment and third reading.

Upon motion of Senator Moon, the rules of the Sen-

ate were suspended and Senate Bill No. 163 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 163 was read for the third time at length.

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

Ayes: Carmack, Chamberlin, Commons, Coppock, Curnutt, Garvin, Howard, Jennings, Johnston, Logan, MacDonald, Memminger, Moon, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 25.

Nays: Ballard, Hutchinson, Nichols, Whitaker. Total, 4.

Not Voting: Briggs, Carlile, Clark, Fischl, Lester, Nance, Paul. Total, 7.

Absent: Daugherty, Waldrep. Total, 2.

Excused: Dixon, Fidler, Liggett, Morrison, Rizley, Rutherford. 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: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Nays: Ballard, Rutherford. Total, 2.

Not Voting: Carlile, Fidler, Garvin, Nance, Rizley. Total, 5.

Excused: Liggett, Morrison. 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. 163 was referred for engrossment.

Senator Ballard served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 163 was passed.

Senator Moon raised a point of order against the Ballard notice, which was overruled, stating person voting in the minority could not lodge such notice.

Senator Curnutt asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 143, by Curnutt, of the Senate, and Sturgill and Johnson, of the House.

Section 1 was read.

Upon motion of Senator Ballard, the Senate recessed, to meet at 1:30 p. m.

#### AFTERNOON SESSION

The Senate reassembled, at 1:30 o'clock, p. m., with the President presiding.

Senators Daugherty and Waldrep asked to be recorded "present," which was the order.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 18, Senate Bills Nos. 76, 282, and 284 correctly engrossed; and Senate Resolution No. 17 correctly enrolled.

HOWARD, Vice Chairman.

The President, in open session, signed Engrossed Senate Resolution No. 18 and ordered it referred for enrollment.

The President, in open session, signed Engrossed Senate Bills Nos. 282 and 284 and ordered, each, transmitted to the Honorable House for consideration.

The President, in open session, signed Enrolled Senate Resolution No. 17 and ordered it transmitted to the Secretary of State.

Senator Logan asked unanimous consent, which was granted, to submit a communication, which, upon his motion, is herewith incorporated in the record:

TO THE HONORABLE SENATORS AND REPRESENTATIVES:

STATE OF OKLAHOMA

Gentlemen:

The following is a Resolution of sentiment of the tax payers of Okmulgee County, Oklahoma, as unanimously adopted at a Mass meeting held in Okmulgee County Court House on February 18, 1933.

#### RESOLUTION

WE, the Citizens of Okmulgee County, represented by five hundred in number, assembled in the Court House, to the capacity of the Court Room, being deeply impressed with the gravity of the situation which confronts our Country, and the burdensome load of the Farmers, Laborers, and other average citizens of the State, hereby resolve:

That we urge our Law Makers and other public servants to bend every effort and ability to giving relief to the people from the trials which they are now bearing.

We urgently request the Oklahoma Legislature now assembled to give us protection against mortgage foreclosures, particularly against homestead property.

Signed: Barclay Morgan, Chairman,

Elmer Croom, Secretary,

J. W. Irwin, Chairman,

Resolutions Committee.

#### GENERAL ORDER

Senator Whitaker asked unanimous consent, which was granted, to defer further consideration, temporarily, of SENATE BILL NO. 143, by Curnutt, of the Senate, and Sturgill and Johnson, of the House.

Senator Commons asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 184, by Commons.

Sections 1 and 2 were read and adopted, upon motions of Senator Commons.

Upon motion of Senator Commons, Senate Bill No. 184 was advanced to engrossment and third reading.

Senator Commons asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 185, by Commons.

Sections 1 and 2 were read and adopted, upon motions of Senator Commons.

Upon motion of Senator Commons, Senate Bill No. 185 was advanced to engrossment and third reading.

Senator Stacey asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 156, by Stacey.

Sections 1 and 2 were read and adopted, upon motions of Senator Stacey.

Upon motion of Senator Stacey, Senate Bill No. 156 was advanced to engrossment and third reading.

Senator Commons asked unanimous consent, which was granted, to take up for consideration HOUSE JOINT RESOLUTION NO. 19, by Beaman.

The preamble to House Joint Resolution No. 19 was read and adopted, upon motion of Senator Commons.

House Joint Resolution No. 19 was read in its entirety and, upon motion of Senator Commons, advanced to engrossment and third reading.

Senator Whitaker asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 462, by Graham, et al., of the House, and Fidler, of the Senate.

Sections 1, 2, 3 and 4 were read and adopted, upon motions of Senator Whitaker.

Upon motion of Senator Whitaker, House Bill No. 462 was advanced to engrossment and third reading.

Senator Chamberlin announced the funeral of Senator Liggett's mother would be held at Rocky, Oklahoma, at 2:00 o'clock, p. m., tomorrow.

Senator Curnutt asked unanimous consent, which was granted, to take up for further consideration SENATE BILL NO. 143, by Curnutt, of the Senate, and Sturgill and Johnson, of the House.

Senator Willis moved that further consideration of Senate Bill No. 143 be indefinitely postponed, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carmack, Clark, Coppock, Curnutt, Dixon, Garvin, Hutchinson, Johnston, Lester, Memminger, Moon, Nance, Paul, Powers, Pugh, Reed, Rizley, Sowards, Taylor, Thomas, Willis. Total, 22.

Nays: Briggs, Chamberlin, Commons, Daugherty, Fischl, Howard, Jennings, Logan, MacDonald, Ritzhaupt, Stacey, Stewart, Waldrep, Whitaker, Wilbanks. Total, 15.

Not voting: Carlile, Fidler, Nichols, Ray, Rutherford. Total. 5.

Excused: Liggett, Morrison. Total, 2.

Senator Nance moved that the vote be reconsidered by which the Willis motion was adopted.

Senator Curnutt attempted to serve notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which the Willis motion was adopted.

Senator Moon moved to table the Nance motion.

Senator Jennings raised a point of order against the Moon motion, citing subdivision (b) of Rule 10.

Senator Nance, in defense of the Moon motion, cited subdivision (c) of Rule 10.

The President declared the Moon motion out of order.

Senator Paul asked unanimous consent, which was granted, to have the record show the Curnutt notice was lodged.

### THIRD READING

Senator Nichols asked unanimous consent, to which Senator Ritzhaupt objected, to proceed to the considera-



tion of bills under third reading.

Senator Nichols moved that the Senate proceed to the consideration of SENATE BILL NO. 76, by Nichols, Nance and Lester, under third reading, which motion prevailed.

Senator Jennings raised a point of order against consideration of Senate Bill No. 76, stating HOUSE BILL NO. 5, by Gibson, et al., had been set for Special Order at at 2:00 p. m., that hour having arrived.

The President, in overruling the Jennings point of order, observed that the Senate had, by its vote on the Nichols motion, ordered consideration of Senate Bill No. 76, on third reading.

Senator Curnutt moved that the vote be reconsidered by which Senate Bill No. 76 was advanced to engrossment and third reading, which motion prevailed.

Senator Curnutt moved that the vote be reconsidered by which Section 2 was adopted.

Senator Dixon moved to table the Curnutt motion, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Carmack, Chamberlin, Clark, Commons, Dixon, Fischl, Johnston, Lester, Logan, Nance, Nichols, Paul, Reed, Sowards, Stacey, Stewart, Taylor, Waldrep. Total, 18.

Nays: Ballard, Briggs, Curnutt, Garvin, Howard, Hutchinson, Jennings, MacDonald, Memminger, Moon, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Thomas, Whitaker, Wilbanks, Willis. Total, 20.

Not voting: Carlile, Coppock, Daugherty, Fidler. Total, 4.

Excused: Liggett, Morrison. Total, 2.

The vote occurring on the Curnutt motion, it was declared adopted.

#### SPECIAL ORDER

Senator Ritzhaupt asked unanimous consent, which was granted, to defer Special consideration of SENATE

BILL NO. 237, by Ritzhaupt, et al., until Tuesday, February 28th.

THIRD READING (Con't)

Section 2 of Senate Bill No. 76 was re-read.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 76, line 5, page 3, by inserting after the word, "estate," and before the word, "the," the words, "owned and occupied as a homestead."

CURNUTT.

Senator Dixon presiding.

Senator Memminger, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 76, line 16, page 3, by adding after the word, "foreclosed," at the end of the section, the following: "Provided that during the pendency of any action to foreclose a mortgage or other lien upon real estate, the record owner of such real estate shall be entitled to the possession of such property; Provided, however, that where the court or judge shall find that the real estate has been abandoned by the record owner, or is not occupied, in good faith, as a homestead, or not being a homestead is producing or capable of producing rentals or other revenue, a receiver shall be appointed by the court, upon proper application as now provided by law; to preserve, rent or operate such property, and the receipts and revenues arising therefrom shall be applied as the court or judge may direct."

MEMMINGER.

Senator Pugh raised a point of order against the Memminger Amendment, which was overruled, stating the amendment was identical with a provision now in the Bill.

Senator Briggs, in lieu of all pending motions, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 76, line 8, page 2, by striking after the word, "foreclosed," and before the word, "during," and changing the lowercase "d" to a capital "D," after the word, "during," and strike the whole of the remainder of Section 1 and re-insert same as a new section, to be known as Section 3, and by renumbering following sections.

BRIGGS.

Senator Chamberlin raised a point of order against the Briggs amendment, which was sustained, stating it related to Section 1, not under consideration.

Senator Memminger asked unanimous consent, which was granted, to withdraw his amendment, now pending.

Senator Garvin moved the adoption of the previous question, which was the order.

The vote recurring on the Curnutt amendment, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, MacDonald, Moon, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Thomas, Whitaker, Willis. Total, 18.

Nays: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Dixon, Lester, Memminger, Nance, Nichols, Paul, Reed, Sowards, Stacey, Stewart, Taylor, Waldrep, Wilbanks. Total, 19.

Not voting: Carlile, Daugherty, Fidler, Logan, Ray. Total, 5.

Excused: Liggett, Morrison. Total, 2.

Senator Memminger submitted the following amendment, which failed of adoption.

Mr. President: I move to amend Senate Bill No. 76, line 16, page 3, by adding after the word, "foreclosed," at the end of the section, the following: "Provided that during the pendency of any action to foreclose a mortgage or other lien upon real estate, the

record owner of such real estate shall be entitled to the possession of such property; Provided, however, that where the court or judge shall find that the real estate has been abandoned by the record owner, or is not occupied, in good faith, as a homestead, or not being a homestead is producing or capable of producing rentals or other revenue, a receiver shall be appointed by the court, upon proper application as now provided by law; to preserve, rent or operate such property, and the receipts and revenues arising therefrom shall be applied as the court or judge may direct."

MEMMINGER.

Senator Whitaker moved that further consideration of Senate Bill No. 76 be deferred until HOUSE BILL NO. 5, by Gibson, et al., has been considered.

Senator Waldrep moved to table the Whitaker motion, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carmack, Chamberlin, Clark, Commons, Daugherty, Dixon, Johnston, Lester, Nance, Nichols, Paul, Reed, Sowards, Stacey, Stewart, Taylor, Waldrep. Total, 18.

Nays: Ballard, Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, MacDonald, Memminger, Moon, Powers, Pugh, Ray, Ritzhaupt, Thomas, Whitaker, Wilbanks, Willis. Total, 19.

Not voting: Carlile, Fidler, Logan, Rizley, Rutherford. Total, 5.

Excused: Liggett, Morrison. Total, 2.

Senator Chamberlin moved the adoption of the previous question which was the order.

The vote occurring on the Whitaker motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, MacDonald, Memminger, Moon,



Powers, Pugh, Ray, Ritzhaupt, Whitaker, Wilbanks, Willis. Total, 17.

Nays: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Dixon, Johnston, Lester, Nance, Nichols, Paul, Reed, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep. Total, 20.

Not voting: Carlile, Fidler, Logan, Rizley, Rutherford. Total, 5.

Excused: Liggett, Morrison. Total, 2.

Senator Nichols moved that Senate Bill 76 be advanced to engrossment and third reading.

Senator Curnutt raised a point of order against the Nichols motion, which was sustained, stating Section 2 had not been re-adopted.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 76 by adding a new section as follows: "This act shall not apply to foreclosure of loans or liens upon real estate, created after the effective date of this act."

BALLARD.

Senator Chamberlin, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 76, Line 16, Page 3, by changing the period after the word "foreclosed" and inserting a comma and by adding the following: "Provided that during the pendency of any action to foreclose a mortgage or other lien upon real estate, the record owner of such real estate shall be entitled to the possession of such property; Provided, however, that where the court or judge shall find that the real estate has been abandoned by the record owner, or is not occupied, in good faith, as a homestead, or is producing or capable of producing rentals or other revenue, a receiver shall be appointed by the court, upon proper application as now provided by law; to preserve, rent or operate such property, and the receipts and reve-

nues arising therefrom shall be applied as the court or judge may direct."

CHAMBERLIN.

Senator Ballard raised a point of order against the Chamberlin amendment, which was overruled, stating the amendment relates to Section 2, already adopted.

Senator Chamberlin moved the adoption of the previous question, which was the order.

The vote occurring on the Chamberlin amendment, it was declared adopted.

Upon motion of Senator Nichols, Section 2, as amended, was adopted.

Senator Moon submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 76, by adding a new section, to be known as Section 4, as follows: "Section 4. In the making of any mortgage, deed of trust or other lien, upon real estate, the maker thereof may, in writing, waive the provisions of this Act."

MOON.

Senator Briggs asked unanimous consent, which was granted, to amend the Moon amendment, by inserting the word, "Hereafter," at the beginning of Section 4, as proposed.

The vote occurring on the Moon amendment, as amended, it was declared adopted.

Upon motion of Senator Chamberlin, the Engrossing and Enrolling Department was ordered to properly re-number sections of Senate Bill No. 76.

Upon motion of Senator Nichols, Senate Bill No. 76, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Nichols, the rules of the Senate were suspended and Senate Bill No. 76 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 76 was read for the third time at length.

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

Ayes: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Dixon, Fischl, Howard, Johnston, Lester, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Waldrep, Wilbanks. Total, 26.

Nays: Ballard, Curnutt, Hutchinson, Jennings, Moon, Powers, Pugh, Ray, Rutherford, Thomas, Whitaker, Willis. Total, 12.

Not voting: Carlile, Fidler, Garvin, Rizley. Total, 4.

Excused: Liggett, Morrison. 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: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Dixon, Fischl, Howard, Hutchinson, Johnston, Lester, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Waldrep, Wilbanks, Willis. Total, 30.

Nays: Ballard, Curnutt, Jennings, Moon, Pugh, Ray, Rutherford, Thomas, Whitaker. Total, 9.

Not voting: Carlile, Fidler, Garvin. Total, 3.

Excused: Liggett, Morrison. 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. 76 was referred for re-engrossment.

The following explanations of votes were submitted:

Mr. President: I reluctantly vote against any meas-

ure which is said to be designed to effect relief for the distressed citizens of this State, but I am convinced that the passage of Senate Bill No. 76 will result in the immediate foreclosure of all mortgages in default and constitute a self-imposed sentence to a lingering economic death to be finally executed after the expiration of two years, while the passage of House Bill No. 5, with one liberalizing amendment, will afford genuine, proper and equitable relief without delay.

HUTCHINSON.

Mr. President: I have voted NO, upon the final passage of Senate Bill No. 76.

I am sincerely interested in the passage of a proper moratorium bill, but cannot subscribe to this measure. If valid, Senate Bill No. 76 will permit solvent debtors to withhold payment of mortgage indebtedness, and will grant the same relief to the owner of the skyscraper or industrial plant as to the owner of the most humble home.

This measure in my opinion will ultimately result in the destruction of home ownership throughout the State and will not inure to the benefit of our distressed people. House Bill No. 5 which is now pending on the calendar of the Senate, with proper amendments, will grant ample protection to the owner of the mortgaged homestead, who is unable to prevent his indebtedness from becoming delinquent. Its provisions will inure to the benefit of our people and will not lead to the ultimate disastrous results I anticipate from the passage of Senate Bill No. 76.

JENNINGS.

Mr. President: I am for a moratorium restricted to homes, but consider a moratorium, beyond that, dangerous, bringing havoc to credit.

THOMAS and CURNUTT.

#### MESSAGES

The following Message from the Honorable House



was received and read:  
To the President of the Senate,  
Building  
SIR:

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

ENROLLED HOUSE BILL NO. 468—By GRAHAM, CONNER, ELLIS, BILLINGS, COPELAND, MARSHALL and COE of the House and FIDLER and MORRISON of the Senate.—Entitled:

An Act relating to independent school districts containing a city having a population in excess of 75,000 inhabitants; fixing the number of and the time and manner of election and terms of office of the members and treasurer of the Board of Education thereof; providing for the extending of ward lines of such city containing a population in excess of 75,000 inhabitants to include for school purposes territory in such independent school districts lying outside the limits of such city; legalizing and validating certain acts of the county superintendents of public instruction done or performed prior to January 1st, 1932, or counties within which such independent school districts exist, and legalizing and validating all acts of boards of education done or performed pursuant to such acts of such county superintendents of public instruction having to do with disorganizing independent school districts, or uniting two or more independent school districts, or attaching to any such independent school district, containing a city having such population, a part or the whole of any incorporate town or village, excepting from the provisions of this Act any such independent school district where the largest city therein has provided or may hereafter provide by city charter or ordinance enacted pursuant to such city charter, for the number, time and manner of the election of such board of education, and validating any such city charter provision or ordinance

enacted pursuant thereto; repealing Section 6865, Oklahoma Statutes 1931; and repealing Sections 6854 to 6859, inclusive, Oklahoma Statutes, 1931, insofar as they relate to independent school districts containing a city having a population in excess of 75,000 inhabitants; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 468 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

Senator Stewart moved that the Senate adjourn to meet at 9:00 o'clock, a. m., Thursday, February 23d.

Senator Ballard, as a substitute, moved that, when the Senate adjourns today, it adjourn to meet at 10:00 o'clock, a. m., tomorrow, which motion was ruled out of order, as not being a proper substitute.

Senator Ballard, as a substitute, moved that the Senate adjourn, to meet at 10:00 o'clock, tomorrow.

Senator Whitaker moved to amend the Ballard motion, by striking the figures, "10:00," and inserting the figures, "1:30 p. m."

Senator Paul, as substitute for all pending motions, moved the Senate adjourn to meet at 10:00 o'clock, a. m., Thursday, February 23d, which motion prevailed.

## THIRTY-EIGHTH LEGISLATIVE DAY

Thursday, February 23, 1933

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Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 44.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Upon motion of Senator Whitaker, the Senate recessed to meet at 1:30 p. m., for the purpose of permitting the Committee on Revenue and Taxation to work.

### AFTERNOON SESSION

The Senate re-assembled at 1:30 p. m., and was called to order by the President.

President Pro Tempore Stewart presiding.

### COMMITTEE REPORTS

The following Committee Reports were submitted, the Bills ordered printed and placed upon the Calendar, unless otherwise indicated:

Mr. President: We, your Judiciary Committee, Division No. 2, to whom was referred Engrossed House Bill No. 86, by Phillips of Okfuskee and Cline of Kay, entitled:

An Act amending Section 11274 of 1931 Statutes providing for the manner of giving notice in foreclosing chattel mortgage by advertisement, 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 157, by Childers, Worthington, Speck and Sutherland of the House, and Chamberlin and Curnutt of the Senate, entitled:

An Act relating to the State Board of Accounting, the State Board of Barber Examiners, Board of Chiropractic Examiners, Board of Dental Examiners, State Board of Embalming of Oklahoma, State Board of Examiners of Architects, State Board of Examiners of Nurses, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WHITAKER, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Engrossed House Bill No. 168, by O'Neill and Eason, entitled:

An Act repealing Section 8010 Oklahoma Statutes 1931, relating to the salary of certain county officers and the number and salaries of certain deputy county officers in all counties of this state having a population of not less than 37,499 and not more than 37,750 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.

PUGH, Chairman.

Mr. President: We, your Committee on Oil and Gas, to whom was referred House Bill No. 271, by Childers and Babb, entitled:

An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563 and 12565 and 12566, 12567,



12569, 12571, 12573 and 12529 Oklahoma Statutes, 1931, relating to and providing for the enforcement of the gasoline excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission; defining the term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

GARVIN, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Engrossed House Bill No. 409, by Shoemaker, entitled:

An Act repealing Section 8131, Oklahoma Statutes 1931; relating to the mileage and per diem of County Commissioners in Muskogee County 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.

PUGH, Chairman.

Upon request of Senator Moon, House Bill No. 409 was ordered re-referred to the Committee on Fees and Salaries for further consideration.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Joint Resolution No. 13, by Logan, entitled:

A Joint Resolution authorizing Eileen Denoya Collins to file suit against the State 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.

LOGAN, Chairman.

Mr. President: We, your Committee on Judicial

Redistricting, to whom was referred Senate Bill No. 6, by Stewart, entitled:

An Act repealing Chapter 161, Session Laws, 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.

WILBANKS, Chairman.

Mr. President: We, your Committee on Code Revision, to whom was referred Senate Bill No. 221, by Chamberlin, entitled:

An Act providing, fixing and describing the legislative enactments that shall be printed and published in the Session Laws of each Legislature; 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.

JOHNSTON, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 271, by Lester, Briggs and Memminger, entitled:

An Act providing that the State Board of Public Affairs in purchasing fuel for state institutions shall give preference to fuel produced in the state of Oklahoma where the price paid therefor does not exceed by ten per cent the price of fuel produced outside the 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.

LOGAN, Chairman.

Mr. President: We, your Committee on Hospitals and Charities, to whom was referred Senate Bill No. 275, by Taylor and Ritzhaupt, entitled:

An Act amending Section 5039 and 5040 Oklahoma

Statutes 1931, relating to the sterilization of certain inmates of certain institutions; making the provisions of Chapter 26, Article 2, Oklahoma Statutes 1931, applicable to idiocy, imbecility, feeble-mindedness, insanity, etc., 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 Judiciary Committee, Division No. 2, to whom was referred Senate Bill No. 283, by Willis of the Senate, and Hankla of the House, entitled:

An Act validating certain warrants issued by counties for county highway purposes during the fiscal year ending June 30th, 1931, providing for the payment 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.

CHAMBERLIN, Chairman.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Joint Resolutions Nos. 1, 4, and 11, and Senate Bills Nos. 15, 25, 33, 76, 138, 156, 184, 185, 190, and 252, all correctly engrossed and Senate Resolution No. 18, correctly enrolled.

HOWARD, Vice-Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Bill No. 76, and ordered it transmitted to the Honorable House for consideration.

The President Pro Tempore, in open session, signed Enrolled Senate Resolution No. 18, and ordered it transmitted to the Secretary of State.

Senator Commons moved that the Senate work under a Call of the House, which motion prevailed.

Upon a roll call being ordered, the following absentees were noted:

Carmack, Coppock, Daugherty, Dixon, Nichols, Ray, Rizley, Rutherford and Waldrep.

The Sergeant-at-Arms was instructed to notify absent Senators of the Senate's proceedings.

#### FIRST READING

The following Bills and Resolution were introduced and read for the first time:

SENATE BILL NO. 298—By MacDONALD, BALLARD, BRIGGS, CHAMBERLIN, CLARK, COMMONS, DAUGHERTY, GARVIN, HOWARD, JOHNSTON, LESTER, LIGGETT, MEMMINGER, NANCE, NICHOLS, PAUL, PUGH, REED, SOWARDS, STACEY, STEWART, TAYLOR, THOMAS, WHITAKER and WILLIS.—An Act requiring moving picture machines or projectors operating in this state to be provided with equipment to be approved by the Underwriters Laboratories of the National Board of Fire Underwriters to insure the utmost possible means of automatically and instantly preventing fires resulting from the explosion or ignition of motion picture films; providing that such equipment shall be constantly maintained in an efficient working condition; providing penalties for violation of this Act; and declaring an emergency.

SENATE BILL NO. 299—By JOHNSTON.—An Act providing for issuing warrants of the counties and other municipal subdivisions of the State of Oklahoma, and providing that the same may be exchangeable for taxes and other debts, public and private, in the State of Oklahoma; and declaring an emergency.

SENATE BILL NO. 300—By JOHNSTON.—An Act safeguarding the public health of the people of the State of Oklahoma, and requiring examination and li-



censing of superintendents and operators in charge of the water supply and sewage disposal plants of cities, towns and villages; repealing all Acts in conflict therewith, and declaring an emergency.

SENATE BILL NO. 301—By JOHNSTON.—An Act entitled an Act giving a two year period from the passage and approval for actions for usury and declaring an emergency.

SENATE BILL NO. 302—By JOHNSTON.—An Act forbidding contracts to accelerate future payments upon default in payment of stipulated payments, defining the consequence of making such forbidden contract both in future and past agreements and declaring an emergency.

SENATE BILL NO. 303—By MOON.—An Act providing for municipalities, through their several boards of aldermen, councilmen, and commissioners, counties through their boards of commissioners, and the state through its several boards and agencies, all being duly authorized thereunto, to enter into agreements and contracts with or through agencies of the Federal Government stipulating by irrevocable ordinance or resolution as to loans, advancements, or funds procured from such federal agencies, in order to provide for self-liquidation of such loans or advancements without means of and/or supplemental to an ad valorem tax, providing the authority to secure such self-liquidation through other means than ad valorem tax, or as supplement thereto; and declaring an emergency.

SENATE BILL NO. 304—By MEMMINGER.—An Act amending Section 6731 of the Oklahoma Statutes of 1931 relating to the issuance of school district bonds; providing the manner of submitting the question of issuing the bonds to the voters of the school district; and declaring an emergency.

The following asked to be recorded present, which was the order: Senators Carmack, Coppock, Daugherty,

Dixon, Nichols, Ray, Rizley, Rutherford and Waldrep.

### SECOND READING

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

SENATE BILL NO. 295—By PUGH and WILLIS.

Senator Pugh asked unanimous consent, which was granted, to place Senate Bill No. 295 upon the Calendar without reference to a Committee.

SENATE BILL NO. 296—By POWERS.—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 297—By CHAMBERLIN.

Senator Pugh asked unanimous consent, which was granted, to place Senate Bill No. 297 upon the Calendar without reference to a Committee.

ENGROSSED HOUSE BILL NO. 257 — By REMUND, et al.

Senator MacDonald moved that House Bill No. 257 be placed upon the Calendar without reference to a Committee, which motion prevailed.

ENGROSSED HOUSE BILL NO. 486 — By CAVINS and GRUNERT.—Referred to Judiciary Committee No. 2.

Senator Fischl moved that the Senate proceed to consideration of HOUSE BILL NO. 161, by Sullivan, et al, which motion, by unanimous consent, he withdrew.

### THIRD READING

SENATE BILL NO. 25 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Curnutt. Total, 1.

Not Voting: Carlile, Coppock, Daugherty, Dixon, Fidler, Jennings, MacDonald, Ray, Rizley, Rutherford, Waldrep. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Curnutt. Total, 1.

Not Voting: Carlile, Coppock, Daugherty, Dixon, Fidler, Jennings, MacDonald, Ray, Rizley, Rutherford, Waldrep. 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 Bill No. 25, and ordered the same transmitted to the Honorable House.

SENATE 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Moon. Total, 1.

Not Voting: Coppock, Daugherty, Dixon, Fidler, Jennings, MacDonald, Ray, Rizley, Rutherford. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Moon. Total, 1.

Not Voting: Coppock, Daugherty, Dixon, Fidler, Jennings, MacDonald, Ray, Rizley, Rutherford. 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 Senate Bill No. 190, 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Moon. Total, 1.



Not Voting: Carmack, Coppock, Dixon, Fidler, Howard, Jennings, Morrison, Ray, Rizley, Rutherford, Waldrep. 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Moon. Total, 1.

Not Voting: Carmack, Coppock, Dixon, Fidler, Howard, Jennings, Morrison, Ray, Rizley, Rutherford, Waldrep. 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 Bill No. 15, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 138 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 34.

Not Voting: Carmack, Coppock, Dixon, Fidler,

Howard, Jennings, Ray, Rizley, Thomas, Waldrep.  
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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 34.

Not Voting: Carmack, Coppock, Dixon, Fidler, Howard, Jennings, Ray, Rizley, Thomas, Waldrep.  
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. 138, and ordered the same transmitted to the Honorable House.

SENATE JOINT RESOLUTION NO. 1 was read for the third time at length.

Senator Nichols asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 1, by striking the letter "s" on the word "amendments," line 13, page 5, and by striking the first six words in line 16, page 5.

NICHOLS.

Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Res-

olution No. 1, line 14, page 3, by inserting after the word "as" and before the word "pro" the word "hereafter."

NICHOLS.

By unanimous consent, the following amendment was submitted and adopted:

Mr. President: I move to amend Senate Joint Resolution No. 1, line 10, page 2, by striking after the word "dollar" the balance of the paragraph down to and including all of line 13, and inserting the following: "to be apportioned by the county, city, or town and school district by the county excise board until such time as the regular apportionment is otherwise provided by the Legislature."

BALLARD and WHITAKER.

Upon motion of Senator Paul, the vote was reconsidered by which Senate Joint Resolution No. 1 was advanced to engrossment and third reading.

Upon motion of Senator Paul, the vote was reconsidered by which Section 1 was adopted.

Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 1, by striking the letter "s" on the word "amendments," line 13, page 5, and by striking the first six words in line 16, page 5.

NICHOLS.

Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 1, line 14, page 3, by inserting after the word "as" and before the word "pro," the word "hereafter."

NICHOLS.

Senators Ballard and Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 1, line 10, page 2, by striking after the word "dollar" the balance of the paragraph down to and in-

cluding all of line 13, and inserting the following: "to be apportioned by the county, city, or town and school district by the county excise board until such time as the regular apportionment is otherwise provided by the Legislature."

BALLARD and WHITAKER.

Senator Fischl moved that Senate Joint Resolution No. 1 be referred to a Special Committee of six, for the purpose of re-drafting the Resolution, consideration thereof to be made a Special Order at 2:30 p. m., tomorrow.

The motion prevailed and the President appointed as such Special Committee, Senators Nichols, Fischl, Ballard, Nance, Johnston and Moon.

SENATE BILL NO. 33 was read for the third time at length.

Senator Curnutt moved that further consideration of Senate Bill No. 33 be indefinitely postponed, which motion was tabled, upon motion of Senator Pugh.

Senator Curnutt moved that Senate Bill No. 33 be re-referred to the Committee on State and County Affairs, for the purpose of re-drafting, which motion was tabled, upon motion of Senator Pugh.

Senator Curnutt moved that Senate Bill No. 33 be referred to a Special Committee of three, for the purpose of re-drafting, which motion was tabled, upon motion of Senator Pugh.

Senator Curnutt moved that the vote be reconsidered by which Senate Bill No. 33 was advanced to engrossment and third reading.

Senator Pugh moved to table the Curnutt motion, which motion failed of adoption.

The vote occurring on the Curnutt motion, it was declared adopted.

Senator Pugh moved that Senate Bill No. 33 be advanced to engrossment and third reading.

Senator Moon raised a point of order against the



Pugh motion, which was sustained, stating his motion would require a suspension of the rules.

Senator Paul moved that the rules of the Senate be suspended for the purpose of making a motion to reconsider the vote by which Senate Bill No. 33 was placed on General Order, which motion failed of adoption.

Senator Nichols presiding.

SENATE BILL NO. 252 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fischl, Howard, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Nays: Logan. Total, 1.

Not Voting: Clark, Dixon, Garvin, Hutchinson, MacDonald, Rutherford. Total, 6.

Excused: Fidler, Jennings. 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 252, and ordered the same transmitted to the Honorable House.

SENATE JOINT RESOLUTION NO. 4 was read for the third time at length.

Upon motion of Senator Moon, Senate Joint Resolution No. 4 was referred to a Special Committee, composed of Senators Nichols, Moon, Fischl, Ballard, Nance and Johnston, further consideration of the Resolution being set as a Special Order at 3:00 p. m., on the next legislative day.

SENATE JOINT RESOLUTION NO. 11 was read for the third time at length.

Senator Briggs moved that Serate Joint Resolution No. 11 be referred to a Special Committee, with instructions to re-draft and re-submit the Resolution in the form of a Senate Bill, which motion, by unanimous consent, he withdrew.

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

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 32.

Nays: Wilbanks. Total, 1.

Not Voting: Carlile, Curnutt, Dixon, Hutchinson, Logan, MacDonald, Ritzhaupt, Sowards, Waldrep. Total, 9.

Excused: Fidler, Jennings. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 32.

Nays: Wilbanks. Total, 1.

Not Voting: Carlile, Curnutt, Dixon, Hutchinson, Logan, MacDonald, Ritzhaupt, Sowards, Waldrep. Total, 9.

Excused: Fidler, Jennings. 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 Senate Joint Resolution No. 11, and ordered the same transmitted to the Honorable House.

Senator Chamberlin presiding.

SENATE BILL NO. 184 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 33.

Not Voting: Carlile, Curnutt, Dixon, Hutchinson, Logan, Nichols, Sowards, Stewart, Waldrep. Total, 9.

Excused: Fidler, Jennings. 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 184, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 185 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Tavior, Thomas, Whitaker, Wilbanks, Willis. Total, 34.

Not Voting: Carmack, Curnutt, Dixon, Hutchinson, Nichols, Reed, Sowards, Waldrep. Total, 8.

Excused: Fidler, Jennings. 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 185, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 156 was read for the third time at length.

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

Ayes: Briggs, Carlile, Chamberlin, Clark, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, Memminger, Moon, Morrison, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 30.

Nays: Ballard, Coppock. Total, 2.

Not Voting: Carmack, Curnutt, Dixon, Hutchinson, MacDonald, Nance, Reed, Sowards, Waldrep, Wilbanks. Total, 10.

Excused: Fidler, Jennings. 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: Briggs, Carlile, Chamberlin, Clark, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, Memminger, Moon, Morrison, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 30.

Nays: Ballard, Coppock. Total, 2.



Not Voting: Carmack, Curnutt, Dixon, Hutchinson, MacDonald, Nance, Reed, Sowards, Waldrep, Wilbanks. Total, 10.

Excused: Fidler, Jennings. 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 Senate Bill No. 156, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 396 was read for the third time at length.

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

Ayes: Ballard, Carlile, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Briggs, Carmack, Curnutt, Daugherty, Dixon, Hutchinson, Logan, Nance, Reed, Sowards, Waldrep. Total, 11.

Excused: Fidler, Jennings. 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: Ballard, Carlile, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Briggs, Carmack, Curnutt, Daugherty,

Dixon, Hutchinson, Logan, Nance, Reed, Sowards, Waldrep. Total, 11.

Excused: Fidler, Jennings. 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. 396, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 11 was read for the third time at length.

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

Ayes: Ballard, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fischl, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Not Voting: Briggs, Carmack, Dixon, Garvin, Logan, Nance, Reed, Sowards, Stewart. Total, 9.

Excused: Fidler, Jennings. 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: Ballard, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fischl, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Not Voting: Briggs, Carmack, Dixon, Garvin.

Logan, Nance, Reed, Sowards, Stewart. Total, 9.

Excused: Fidler, Jennings. 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. 11, and ordered the same transmitted to the Honorable House.

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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not Voting: Briggs, Dixon, Garvin, Hutchinson, Logan, Reed, Ritzhaupt, Sowards. Total, 8.

Excused: Fidler, Jennings. 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 Presiding Officer, in open session, signed the engrossed copy of House Joint Resolution No. 19, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 462 was read for the third time at length.

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

Ayes: Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritz-

haupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Ballard, Briggs, Curnutt, Dixon, Garvin, Hutchinson, Logan, Reed, Sowards, Stewart, Wal-drep. Total, 11.

Excused: Fidler, Jennings. 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: Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Ballard, Briggs, Curnutt, Dixon, Garvin, Hutchinson, Logan, Reed, Sowards, Stewart, Wal-drep. Total, 11.

Excused: Fidler, Jennings. 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. 462, and ordered the same transmitted to the Honorable House.

The Presiding Officer announced matters were on the President's desk for the consideration of the Senate, in executive session.

Upon motion of Senator Commons, the Senate closed its doors and went into executive session.

The Senate reassembled, in open session, with Senator Chamberlin presiding, who announced the Senate,



*Thirty-eighth Day, Thursday, Feb. 23, 1933* 865

in executive session, had advised and consented to the confirmation of the following executive nomination:

MEMBER OF THE BOARD OF REGENTS OF  
OKLAHOMA COLLEGE FOR WOMEN:

MISS MAUDE THOMAS, of Beaver, Oklahoma, for the unexpired term caused by the resignation of said Maude Thomas, and terminating July 1st, 1936.

#### MESSAGES

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

To the Secretary of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 506—By MARTIN, entitled:

An Act making an appropriation to pay the mileage and per diem of the Senate and House of Representatives of the Fourteenth Legislature, the salaries of officers and employees and contingent expenses thereof, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 506.

To the President of the Senate,  
Building  
SIR:

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

ENROLLED HOUSE BILL NO. 74—By WATSON, entitled:

An Act amending Section 1, Chapter 39, of the Session Laws of 1927, the same being Section 1424, of the Oklahoma Statutes, 1931, providing for the qualification of guardians as to residence.

ENROLLED HOUSE BILL NO. 250 — By BLOCKER, BATSON, GARLAND, GRAY, LEE-CRAFT, PHILLIPS, CAVINS, and MASSEY of the House and NANCE, NICHOLS, CARLILE, TAYLOR, DAUGHERTY and LOGAN of the Senate, entitled:

An Act making an appropriation from the general revenue fund to supplement the special common school equalization fund for the fiscal year ending June 30, 1933, and providing for the distribution thereof, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 74 and 250 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

The following Message from the Governor was received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE BILL NO. 28—By NICHOLS and WILLIS, RAY, WHITAKER and RIZLEY of the Senate and LEECRAFT, SULLIVAN and CHILDERS of the House.

An Act to provide for relief of the people who are unable to work and have not the means of supporting themselves, by furnishing them free garden seed, food,

clothing, and fuel; making an appropriation in the aggregate sum of Six Hundred Thousand (\$600,000.00) Dollars; providing for the method of distribution of the seed, food supplies, or cash to such persons in need; fixing criminal penalty for wrongful use of such seed and supplies; determining the method of distribution, and declaring an emergency, which bill I have this day signed and approved.

Witness my hand this 21st day of February, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
GENERAL ORDER

Senator Stewart asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 6, by Stewart.

Sections 1 and 2 were read and adopted, upon motions of Senator Stewart.

Upon motion of Senator Johnston, Senate Bill No. 6 was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and Senate Bill No. 6 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 6 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fischl, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 39.

Not Voting: Garvin, Logan, Morrison. Total, 3.

Excused: Fidler, Jennings. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fischl, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 39.

Not Voting: Garvin, Logan, Morrison. Total, 3.

Excused: Fidler, Jennings. 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. 6 was referred for engrossment.

#### SPECIAL ORDER

HOUSE BILL NO. 5, by Gibson, et al, was taken up for consideration.

Senator Nichols asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 5, line 9, page 2, by striking after the word, "best," and before the word, "when," the comma and inserting a period, and adding after the word, "best," and before the word, "when," the word, "or"

NICHOLS.

Senator Nance, as a substitute, moved that amendments recommended by Judiciary Committee No. 1 be rejected and House Bill No. 5 be considered in its original form, which motion, by unanimous consent, he withdrew.

Senator Nance, as a substitute, moved that Amend-



ment No. 1, recommended by Judiciary Committee No. 1, be rejected.

Senator Whitaker raised a point of order against the Nance amendment, which was sustained, stating the Committee Report cannot be amended by the Senate.

Senator Paul, as a substitute, moved that the vote be reconsidered by which the report of Judiciary Committee No. 1, submitted on February 8th, with reference to House Bill No. 5, was adopted, which motion prevailed.

Senator Moon moved that the report of Judiciary Committee No. 1, as to House Bill No. 5, with Committee amendments stricken, be adopted, which motion prevailed.

Section 1 was read and adopted, upon motion of Senator MacDonald.

Section 2 was read.

Senator Fischl submitted the following amendment, consideration of which, by unanimous consent, was deferred:

Mr. President: I move to amend House Bill No. 5, line 9, page 2, by changing the period, after the word, "best," to a semi-colon, and adding before the word, "when," the word, "also"

FISCHL.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 5, line 5, page 3, after the word, "continuance," by striking the word, "may," and inserting the word, "shall"

NANCE.

Senator Nichols submitted the following amendment:

Mr. President: I move to amend House Bill No. 5, line 11, page 2, by striking lines 11, 12, 13, and inserting the following: "(First) Where the property involved in a foreclosure is actually occupied in good faith as a

homestead, the cause shall be continued for the term of this Act; or,"

NICHOLS.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend the Nichols amendment, by inserting said amendment in line 10 $\frac{1}{2}$ , and re-numbering the sub-divisions, "(First), (Second) and (Third)," as subdivisions, "(Second), (Third) and (Fourth)."

CURNUTT.

The vote occurring on the Nichols amendment, as amended, it was declared adopted.

Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 5, by striking lines 14, 15, 16, 17 and up to and including the word, "continued," in line 18, page 2, and inserting in lieu thereof the following: "(Second) When the property is not actually occupied in good faith, as a homestead, or abandoned, or, except actually occupied homestead, is producing or capable of producing, rents or other income, the court or judge shall continue the case for the term of this act, and may appoint a receiver to preserve, rent and operate such property, and apply the receipts as the court may direct, during the time for which the cause is continued;"

NICHOLS.

Senator Paul asked unanimous consent, which was granted, to strike from the Nichols amendment (striking lines 14, 15, 16, etc., page 2), the following, "striking lines 14, 15, 16 and 17 and up to and including the word, "continued," in line 18, page 2, and inserting in lieu thereof the following:"

Senator Ballard moved that the Nichols amendment, be numbered as subdivision "(Fifth)," as follows: "(Fifth) When the property is not actually occupied

in good faith, as a homestead, or abandoned, or, except actually occupied homesteads, in producing or capable of producing, rents or other income, the court or judge shall continue the case for the term of this act, and may appoint a receiver to preserve, rent and operate such property, and apply the receipts as the court may direct, during the time for which the cause is continued."

Senator Paul asked unanimous consent, which was granted, to strike from the Nichols amendment (striking lines 11, 12 and 13, page 2) the words and figures: "by striking lines 11, 12 and 13, and inserting the following:"

Senator Nichols submitted the following amendment, which was tabled, upon motion of Senator Whitaker:

Mr. President: I move to amend House Bill No. 5, line 1, page 3, by striking lines 1, 2, 3, 4 and 5, and inserting in lieu thereof the following: "(Third) Where the property other than homesteads actually occupied in good faith, upon a showing by the mortgagee that it is being wasted and is insufficient to satisfy the lien, together with the cost and accrued, and accruing taxes, the court or judge shall continue the case for the term of this act and shall appoint a receiver to take charge of such property, preserve, rent or operate the same, and apply the receipts as the court or judge may direct, during the time for which the cause is continued.

Upon such showing as set out in the foregoing three divisions, a continuance shall be granted, subject to the conditions above specified."

NICHOLS.

Senator Commons submitted the following amendment:

Mr. President: I move to amend House Bill No. 5, line 5, page 3, by adding after the period the following: "Provided if any of the conditions exist in paragraph One (1), Two (2), Three (3), Four (4) and Five (5),

or either of them, it shall be the mandatory duty of the court to grant a continuance for the term of this Act.”

## COMMONS.

Senator Ballard moved to table the Commons amendment, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Clark, Coppock, Curnutt, Hutchinson, MacDonald, Memminger, Moon, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 18.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Howard, Johnston, Lester, Liggett, Logan, Nance, Nichols, Paul, Reed, Sowards, Stacey, Taylor, Waldrep. Total, 18.

Not voting: Daugherty, Dixon, Fischl, Garvin, Morrison, Ray. Total, 6.

Excused: Fidler, Jennings. Total, 2.

The vote occurring on the Commons amendment, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Howard, Johnston, Lester, Liggett, Logan, Nance, Nichols, Paul, Reed, Sowards, Stacey, Stewart, Taylor, Waldrep. Total, 19.

Nays: Ballard, Clark, Coppock, Curnutt, Hutchinson, MacDonald, Memminger, Moon, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Thomas, Whitaker, Willis. Total, 16.

Not voting: Daugherty, Dixon, Fischl, Garvin, Morrison, Ray, Wilbanks. Total, 7.

Excused: Fidler, Jennings. Total, 2.

Senator Hutchinson submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 5, line 18, page 2, by inserting after the word, “or,” the following: “Where it shall appear to the Court that



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such continuance is proper and equitable, or'' and by changing paragraph ''(Third),'' to read paragraph ''(Fourth).''

HUTCHINSON.

Upon motion of Senator Curnutt, the Senate adjourned, to meet at 10:00 o'clock, a. m., Friday, February 24th.

## THIRTY-NINTH LEGISLATIVE DAY

Friday, February 24, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by President Pro Tempore Stewart.

President Burns presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 40.

Absent: Powers, Sowards. Total, 2.

Excused: Garvin, Logan. Total, 2.

The President 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 Senate Bill No. 75, by Fidler, entitled:

An Act amending Section 5, Chapter 173 of the Session Laws of 1923, providing for actual notice to property owners by registered mail for a proposed improvement district in cities and towns 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.

NANCE, Chairman.

Mr. President: We, your Committee on Municipal Corporations, to whom was referred Senate Bill No. 197, by Nance, entitled:

An Act setting out the manner and procedure for a city to become an incorporated town, providing for the election of officers of said incorporated town, providing that the incorporated town shall assume the debts of said city 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.

NANCE, Chairman.

Mr. President: We, your Committee on Municipal Corporations, to whom was referred Senate Bill No. 234, by Rizley, entitled:

An Act authorizing the transfer of any surplus money in the sinking fund of any city or town to the general fund; prescribing the use to which said transferred funds shall be put; 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.

NANCE, Chairman.

Mr. President: We, your Committee on Municipal Corporations, to whom was referred Senate Bill No. 272, by Wilbanks of the Senate and Darks, of the House, entitled:

An Act amending Section 6070, Oklahoma Statutes 1931, relating to the condemnation and holding lots and land in fee simple for municipal waterworks and the protection thereof from contamination and pollution, and prescribing the manner in which such land shall be designated and condemned and declaring an emergency,  
beg leave to report that we had the same under consid-

eration and herewith return the same with the recommendation that it do pass.

NANCE, Chairman.

Mr. President: We, your Committee on Municipal Corporations, to whom was referred Senate Bill No. 281, by Chamberlin and Commons, entitled:

An Act amending Section 6389 of the Oklahoma Statutes, 1931, relating to the authority of the City Council to levy and collect occupation and license tax; 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.

NANCE, Chairman.

Mr. President: We, your Committee on Municipal Corporations, to whom was referred Senate Bill No. 288, by Curnutt, entitled:

An Act authorizing cities and towns owning and controlling lands, lots, or parcels of ground used for cemetery purposes to establish a fund to be known as the cemetery fund, to be used for the purpose of upkeep, care and beautifying said cemetery, and authorizing the County Excise Board when requested so to do by the governing authorities of said city to make a levy, etc; 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.

NANCE, Chairman.

Mr. President: We, your Committee on Municipal Corporations, to whom was referred Senate Bill No. 296, by Powers, entitled:

An Act authorizing the cities and towns to cut weeds, or remove trash, garbage, refuse, waste, or rubbish from any lot, piece or parcel of ground within said city or town; and providing for the cost thereof, and assessing the same against the said lot, piece or parcel



of ground and making the cost thereof a lien against the same; and providing for the collection thereof; 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.

NANCE, Chairman.

#### FIRST READING

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

SENATE BILL NO. 305—By RITZHAUPT, JENNINGS, JOHNSTON and REED.—An Act amending Section 7305, Oklahoma Statutes, 1931, and making the State Board of Agriculture the ex-officio Board of Regents of the Colored Agricultural and Mechanical University of Oklahoma, vesting the government of said University in said Board of Regents; and declaring an emergency.

SENATE BILL NO. 306—By SOWARDS of the Senate and GIBSON of the House.—An Act amending Section 5916, Oklahoma Statutes, 1931, and providing that the County Treasurer shall prorate the interest received by him on sinking fund investments pro rata to the County Sinking Fund, Road Bond Sinking and Sinking Fund of the school districts of which he is treasurer by law, according to the amount of funds of each invested by him on which the interest is received, and declared the legislative intent of said section.

SENATE BILL NO. 307—By MEMMINGER.—An Act relating to the fiscal agent of the State of Oklahoma.

SENATE BILL NO. 308—By PAUL.—An Act exempting gasoline used in farm tractors and stationary engines used upon farms from the payment of excise tax on gasoline; providing the method for securing such exemption; and declaring an emergency.

SENATE BILL NO. 309—By MORRISON.—An Act amending Section 1, Chapter 60, Session Laws of Oklahoma 1927 (Section 7114 Oklahoma Statutes 1931) authorizing military reservations to be attached to independent school districts for school purposes, providing procedure therefor, providing for the disposition of taxes for school purposes levied against railroads and other corporations and their franchises and property on said reservation, repealing all the laws in conflict therewith and declaring an emergency.

SENATE BILL NO. 310 — By MORRISON, BRIGGS, CHAMBERLIN, CURNUTT, COMMONS and NICHOLS.—An Act amending Section 543 Oklahoma Statutes, 1931, relating to stay of execution pending appeal, and providing that the taking of a written undertaking shall operate to stay execution in certain cases enumerated herein; and further providing that in cases where the judgment or final order directs the payment of money the party appealing may give such undertaking or may deposit with the Clerk of the Court the amount directed to be paid together with interest and costs, and providing for the disbursement of such deposit, and declaring an emergency.

#### SECOND READING

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

SENATE BILL NO. 298—By MacDONALD, BALLARD, BRIGGS, CHAMBERLIN, CLARK, COMMONS, DAUGHERTY, GARVIN, HOWARD, JOHNSTON, LESTER, LIGGETT, MEMMINGER, NANCE, NICHOLS, PAUL, PUGH, REED, SOWARDS, STACEY, STEWART, TAYLOR, THOMAS, WHITAKER and WILLIS.

Upon motion of Senator MacDonald, Senate Bill No. 298 was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 299—By JOHNSTON.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 300—By JOHNSTON.—Referred to Committee on Public Health.

SENATE BILL NO. 301—By JOHNSTON.—Referred to Committee on Banks and Banking.

SENATE BILL NO. 302—By JOHNSTON.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 303—By MOON.—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 304—By MEMMINGER.—Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 506—By MARTIN.—Referred to Committee on Appropriations.

Senator Nance moved that, when the Senate adjourns today, it adjourn to meet under the rules on Monday, February 27th.

Senator Memminger moved to amend the Nance motion, by striking the words and figures, "under the rules on Monday, February 27th," and inserting the words and figures, "Saturday, February 25th, at 10:00 o'clock, a. m.," which motion failed of adoption.

The vote occurring on the Nance motion, it was declared adopted.

#### GENERAL ORDER

SENATE CONCURRENT RESOLUTION NO. 13, by Stewart, was taken up for consideration and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 13—By STEWART of the Senate.

CONCURRENT RESOLUTION MEMORIALIZING CONGRESS THAT IT IS THE SENSE OF THE MEMBERS OF THE OKLAHOMA LEGISLATURE THAT THE GOVERNMENT OF THE UNITED STATES SHOULD PERFORM ITS SOLEMN PROMISE AND PLACE AMERICAN AGRICUL-

TURE ON THE BASIS OF EQUALITY WITH OTHER INDUSTRIES BY PROVIDING AN ADEQUATE SYSTEM OF CREDIT, AND THAT ADEQUATE LEGISLATION TO THAT END SHOULD BE ADOPTED AT THE EARLIEST POSSIBLE DATE.

WHEREAS, unless immediately relief is given hundreds of thousands of farmers will lose their farms and their homes and millions more will be forced into our cities and villages, and the army of unemployed will necessarily increase to alarming proportions; and

WHEREAS, the price of agricultural products during the past year has in fact been far below the cost of production; and

WHEREAS, there is no adequate way of refinancing existing agricultural indebtedness and the farms are at the mercy of their mortgagees and creditors throughout this State and Nation; and

WHEREAS, Senate Bill No. 1197 introduced in the Senate of the United States by Senator Lynn J. Frazier of North Dakota provides for the liquidating and refinancing of agricultural indebtedness and provides for a reduced rate of interest for the same through the Federal Farm Loan System and the Federal Reserve Bank System; and

WHEREAS, the provisions of this bill will have a vital effect upon the agricultural industry of the State of Oklahoma; and

WHEREAS, at the present time many loans relating to the agricultural industry should bear a reduced rate of interest; and

WHEREAS, agriculture is the basic industry of this country and there can be no sound business prosperity until agriculture is put on an equality with other industries;

NOW, THEREFORE BE IT RESOLVED, that it is the sense of your Memorialists, the members of the



Oklahoma Legislature, that the Congress of the United States should enact the provisions of the said Senate Bill No. 1197; and

BE IT FURTHER RESOLVED, that a copy of this Memorial, duly authenticated, be sent by the Secretary of State to the Senate and House of Representatives of the United States and to each of the Senators and Representatives of Oklahoma in Congress, and to Senator Lynn J. Frazier, the Senator who introduced the bill.

Senator Nance moved the adoption of Senate Concurrent Resolution No. 13.

Following discussion, upon motion of Senator Chamberlin, the previous question was ordered.

The vote occurring on the Nance motion, it was declared adopted.

Senate Concurrent Resolution No. 13 was referred for engrossment.

Upon motion of Senator Curnutt, the Senate recessed, to meet at 1:30 p. m.

#### AFTERNOON SESSION

The Senate reassembled at 1:30 p. m., with the President presiding.

Senator Sowards asked to be recorded "present," which was the order.

Senators Carlile and Fidler asked to be "excused," for the remainder of this legislative day, which was the order.

#### PETITION

A petition, signed by numerous citizens of Noble and other counties, was presented by Senator Johnston, urging "that you give your earnest attention to some plan for saving our schools. They have derived their main support from property tax. This system no longer works, etc."

The Johnston petition was ordered referred to the Committee on Revenue and Taxation.

## MESSAGES

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 74—By WATSON.

An Act amending Section 1, Chapter 39, of the Session Laws of 1927, the same being Section 1424 of the Oklahoma Statutes 1931, providing for the qualification of guardians as to residence,  
which bill I have this day signed and approved.

Witness my hand, this February 24, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 250 — By  
BLOCKER, BATSON, GARLAND, GRAY, LEE-  
CRAFT, PHILLIPS, CAVINS, and MASSEY of the  
House; and NANCE, NICHOLS, CARLILE, TAYLOR,  
DAUGHERTY, and LOGAN of the Senate.

An Act making an appropriation from the general revenue fund to supplement the special common school equalization fund for the fiscal year ending June 30, 1933, and providing for the distribution thereof, and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand, this February 24, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State

ENROLLED HOUSE BILL NO. 261—By DAN-  
IEL.

An Act authorizing the Board of Trustees of the  
town of Ryan, Jefferson County, Oklahoma, to remit and  
refund all penalties or interest on delinquent paving  
taxes and assessments in School District No. 1 of said  
town, providing conditions therefor and authorizing and  
directing the County Treasurer of Jefferson County to  
collect said paving taxes and assessments without col-  
lecting said interest and penalties,  
which bill having passed the Senate and House of Rep-  
resentatives was presented to me February 17th and  
held by me, without my signature, for more than five  
days, (Sundays excepted) whereby the same became a  
law.

Witness my hand, this February 24, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State

ENROLLED HOUSE BILL NO. 265—By PHIL-  
LIPS (Okfuskee) of the House and WILBANKS of the  
Senate, entitled:

An Act repealing Chapter 127, Sections One and  
Two, Session Laws of 1929, the same being Section 8169,  
Oklahoma Statutes 1931, with reference to the salaries  
of County Commissioners in Okfuskee County, Okla-  
homa, and declaring an emergency,  
which bill having passed the Senate and House of Rep-

representatives was presented to me February 16th and held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this February 24, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 269—By PHILIPS (Okfuskee) of the House and WILBANKS of the Senate, entitled:

An Act repealing Chapter 193, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, Session Laws, the same being Sections 8170, 8171, 8172, 8173, 8174, 8175, 8176, 8177, 8178, 8179, 8180, 8181, 8182, 8183, 8184, 8185, 8186, 8187, 8188, 8189, 8190 and 8191, Oklahoma Statutes 1931, the same referring to the salaries of deputies to county officers in Okfuskee County, and declaring an emergency, which bill having passed the Senate and House of Representatives was presented to me February 16th and held by me, without my signature, for more than five days. (Sundays excepted) whereby the same became a law.

Witness my hand, this February 24, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE BILL NO. 48—By PAUL, WALDREP and NICHOLS of the Senate, and BROAD-



DUS, EBEY (Pontotoc), LANDINGHAM, BEAVER, COLLINS, HART, HILL, ABERNATHY (Pottawatomie), TODD, SHOEMAKE and HAYS of the House.

An Act amending Section 28, Chapter 173, of the Session Laws, 1923, relating to the collection of paving assessments of cities and towns; repealing all Acts in conflict therewith and declaring an emergency, which bill having passed the Senate and House of Representatives was presented to me February 17th and held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this February 24, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE BILL NO. 78—By CHAMBERLIN, MEMMINGER, PUGH, MacDONALD and RIZLEY of the Senate; and ABERNATHY (Harmon) of the House.

An Act amending Sections 8 and 9 of Chapter 28 of Session Laws of 1925; authorizing building and loan associations of this state to borrow money; to become members of any corporation or agency established by the United States Government or by the state of Oklahoma; to buy and own shares of stock and/or the bonds of and deposit money in and borrow money from such agencies; also to pledge their assets to secure the payment of any money so borrowed; and declaring an emergency, which bill having passed the Senate and House of Representatives was presented to me February 17th and

held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this February 24, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE BILL NO. 102—By RITZ-  
HAUPT and PUGH.

An Act prohibiting the payment to constables or other peace officers and justices of the peace of fees resulting in cases involving violation of traffic and highway laws, commonly called "speed laws" of the state of Oklahoma, providing a penalty therefor, and declaring an emergency,  
which bill having passed the Senate and House of Representatives was presented to me February 17th and held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this February 24, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE BILL NO. 247—By PUGH.

An Act repealing Article 13, Chapter 35, of the Session Laws of 1931, same being Senate Joint Resolution No. 53, regulating the salaries of the County Commissioners of Caddo County, Oklahoma,

which bill having passed the Senate and House of Representatives was presented to me February 17th and held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this February 24, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
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 Revenue and Taxation, to whom was referred House Bill No. 249, by Todd, entitled:

An Act amending Section 12399, Oklahoma Statutes 1931, relating to listing and assessing property of public service corporations; fixing January First as the Assessment date; and providing for returns to be made to Oklahoma Tax Commission; 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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 306, by Garland and Haile, entitled:

An Act amending Section 9666, Compiled Oklahoma Statutes 1921 (omitted from 1931 Compiled Oklahoma Statutes), relating to the assessment, of taxable property, providing for procedure for such assessment, penalty for non-assessment, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WHITAKER, Chairman.

Mr. President: We, your Committee on Retrenchment and Reform, to whom was referred Senate Bill No. 149, by Briggs, entitled:

An Act to enable and authorize counties, cities, towns, townships, boards of education, school districts and all other municipalities in Oklahoma to refund their outstanding bonded indebtedness, 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.

NICHOLS, Chairman.

Mr. President: We, your Committee on Retrenchment and Reform, to whom was referred Senate Bill No. 150, by Briggs, entitled:

An Act amending Section 8571, Compiled Oklahoma Statutes, 1921, relating to levy of taxes for the sinking fund of municipalities,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

NICHOLS, Chairman.

Mr. President: We, your Committee on Public Service Corporations to whom was referred Senate Bill No. 157, by Lester, Chamberlin, Nance and Nichols, entitled:

An Act repealing Sections 3684, 3685, 3686, 3687, 3688, 3689, 3690 and 3691, Oklahoma Statutes, 1931, relating to the manufacture and distribution of ice; 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.

MORRISON, Chairman.

Senator Morrison advised the Senate that Senate Bill No. 157 had been inadvertently referred to the Committee on Public Service Corporations, when it



should have gone to the Committee on Commerce and Labor.

Senate Bill No. 157 was ordered referred to the Committee on Commerce and Labor.

Mr. President: We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 253, by Wilbanks (By Request), entitled:

An Act amending Section 9115, Oklahoma Statutes, 1931 relating to Banks borrowing money, limiting the amount of assets to be pledged as security for certain deposits and as collateral for bills payable and rediscounts, authorizing the pledging of certain assets of such Banks as security for postal savings funds, government funds, Indian funds under the control of the Federal Government, State funds of the State of Oklahoma, and for county, township, city, town, school district, and fraternal organization funds deposited in such Banks; fixing penalties for the 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.

MEMMINGER, Chairman.

#### SPECIAL ORDER

HOUSE BILL NO. 5, by Gibson, et al., was taken up for further consideration.

Senator MacDonald moved that the vote be reconsidered, by which the Nichols amendment to House Bill No. 5 was adopted.

Senator MacDonald asked unanimous consent, which was granted, to have the record on the Nichols amendments show them to be additional paragraphs, making a total of five subdivisions in Section 2.

Senator MacDonald asked unanimous consent, which was granted, to withdraw his motion, to reconsider the vote by which the Nichols amendment was adopted.

The Fischl amendment, submitted on the previous

legislative day, to line 9, page 2, was tabled, upon motion of Senator MacDonald.

Senator Briggs moved that House Bill No. 5 be referred to a Special Committee, composed of Senators Curnutt, Nichols, Nance, Commons and MacDonald, for the purpose of redrafting the bill to conform to the adopted amendment, consideration of which would be made a Special Order, on Monday, February 27th.

Senator MacDonald, as a substitute, moved that Section 2, as amended, be adopted, which motion prevailed. Section 3 was read.

Senator MacDonald moved the adoption of Section 3.

Senator Briggs, as a substitute, moved that Section 3 be stricken.

Senator MacDonald moved to table the Briggs motion, which motion failed of adoption.

The vote occurring on the Briggs motion, it was declared adopted.

Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 5, by creating a new section, as follows: "Section 3. The provisions of this Act are severable and, if any clause, sentence, paragraph or section hereof shall be held void, the decision of the court shall not affect or impair any of the remaining portions or provisions of the Act."

NICHOLS.

Upon motion of Senator MacDonald, House Bill No. 5 was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, House Bill No. 5, as amended, was ordered printed.

Senator Pugh asked that the record show him "excused" for the remainder of this legislative day, which was the order.

#### GENERAL ORDER

Senator Jennings asked that consideration of SENATE BILL NO. 29, by Jennings, be deferred for this

legislative day, the bill to retain its place upon the calendar, which was the order.

SENATE BILL NO. 181, by Reed and Carmack of the Senate, and Watson, et al., of the House, was taken up for consideration.

Sections 1, 2, 3, 4, 5, 6, 7 and 8 were read and adopted, upon motions of Senator Reed.

Section 9 was read.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 181, line 15, page 7, by striking the figures, "7000.00," in both places, and inserting the figures, "5000.00," in both places.

CURNUTT.

Senator Nance moved to reconsider the vote by which Section 2 was adopted, which motion prevailed.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 181, line 5, page 2, by inserting after the word, "Oklahoma," and before the word, "the," the following: "composed of the President and Members of the State Board of Agriculture," and on line 7, after the word, "Commission," strike the word, "un," and all of line 8, page 2.

NANCE.

Upon motion of Senator Nance, Section 2, as amended, was adopted.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 181, line 18, page 7, by striking the figures, "600.00," in both places, and inserting the figures, "400.00," in both places.

CURNUTT.

Senator Curnutt submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 181, line 13, page 7, by striking the figures, "4500.00," in both places.

CURNUTT.

Senator Paul submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 181, line 17, page 7, by striking the figures, "900.00," and inserting the figures, "750.00" in both places.

PAUL.

Senator Nance asked unanimous consent, which was granted, to amend the Paul amendment, by striking the figures, "750.00," and inserting the figures, "600.00."

The vote occurring on the Paul amendment, as amended, it was declared adopted.

Upon motion of Senator Reed, Section 9, as amended, was adopted.

Sections 10 and 11 were read and adopted, upon motions of Senator Reed.

Upon motion of Senator Reed, the Chief Clerk of the Enrolling and Engrossing department was ordered to correct all totals in Senate Bill No. 181, to conform with the adopted amendments.

Senator Briggs moved that the vote be reconsidered by which Section 7 was adopted, which motion prevailed.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 181, line 4, page 6, by inserting after the word, "marketed," the following proviso: "Provided no field agents shall be employed or salaries paid for services rendered, except when and where actually required to facilitate marketing of crops produced or grown within the State and, then, only for such period of time as marketing of said crops shall actually require."

BRIGGS.



Upon motion of Senator Briggs, Section 7, as amended, was adopted.

Senator MacDonald presiding.

Senator Nance asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator Moon:

Mr. President: I move to amend Senate Bill No. 181, page 8, by adding a new section: "Whenever the marketing commission is called upon to render inspection services, under the provisions of this Act, a fee of not less than the actual expense of the State shall be collected from the person requesting such inspection service. The State Board of Agriculture is hereby authorized to levy and collect a fee, authorized herein, provided in no event shall any person or persons be required to pay more than \$5.00 per car, or any smaller quantity."

NANCE.

Upon motion of Senator Reed, Senate Bill No. 181, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Reed, the rules of the Senate were suspended and Senate Bill No. 181, as amended, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 181 was read for the third time at length.

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

Ayes: Clark, Commons, Daugherty, Fischl, Howard, Jennings, Johnston, Lester, MacDonald, Moon, Paul, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Whitaker, Willis. Total, 19.

Nays: Ballard, Hutchinson, Memminger, Nance, Wilbanks. Total, 5.

Not voting: Briggs, Carlile, Carmack, Chamberlin,

Coppock, Curnutt, Dixon, Liggett, Morrison, Nichols, Ray, Rizley, Rutherford, Thomas, Waldrep. Total, 15.

Absent: Powers. Total, 1.

Excused: Fidler, Garvin, Logan, Pugh. 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.

Senator Reed served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 181 failed of passage.

By unanimous consent, consideration of the following was deferred for this legislative day, the bills to retain their positions on the calendar:

SENATE BILL NO. 172, by REED, et al.

SENATE BILL NO. 170, by Nance, of the Senate and Johnson, of the House.

SENATE BILL NO. 112, by Fidler, of the Senate, and Conner, of the House.

SENATE BILL NO. 162, by Jennings.

SENATE RESOLUTION NO. 14, by MacDonald.

SENATE BILL NO. 83, by Johnston.

SENATE BILL NO. 66, by Ballard and Wilbanks.

Senator Moon asked unanimous consent of the Senate, which was granted, to withdraw the notice lodged against the final passage of SENATE BILL NO. 163, by Moon.

Senator Nance presiding.

SENATE BILL NO. 218, by MacDonald, was taken up for consideration.

Section 1 was read.

Senator Taylor submitted the following amendment, which was tabled, upon motion of Senator MacDonald.

Mr. President: I move to amend Senate Bill No. 218, line 3, page 2, by adding after the word, "law," the following, "and be of good moral character."

TAYLOR.

Senator Ballard submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 218, line 1, page 1, by adding after the word and figure, "Section 1," the following: "Section 6814, Oklahoma Statutes, 1931, is hereby amended to read as follows: Section 6814."

BALLARD.

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

Upon motion of Senator MacDonald, Senate Bill No. 218 was advanced to engrossment and third reading.

Senator MacDonald asked that the record show him "excused," for the balance of this legislative day, which was the order.

Senator Whitaker asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 157, by Childers, et al., of the House, and Chamberlin and Curnutt, of the Senate.

Section 1 was read and adopted, upon motion of Senator Whitaker.

Section 2 was read.

Senator Jennings submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 157, line 16, page 2, by striking all of Section 2 and by re-numbering the following sections.

JENNINGS.

Sections 3, 4 and 5 were read and adopted, upon motions of Senator Whitaker.

Upon motion of Senator Chamberlin, House Bill No. 157 was advanced to engrossment and third reading.

Senator Chamberlin asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 221, by Chamberlin.

Section 1 was read.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 221, line 3, page 2, by changing the period after the word, "institution," to a comma and adding the following: "and except such concurrent resolutions, duly passed and adopted, which provide for the sine die adjournment of the legislature."

CHAMBERLIN.

Senator Rutherford asked that the record show him "excused," for the remainder of this legislative day, which was the order.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 221, line 4, page 1, by inserting after the word, "Governor," and before the word, "shall," the words, "or which become the law without the signature of the Governor"

CHAMBERLIN.

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

Section 2 was read and adopted, upon motion of Senator Chamberlin.

Upon motion of Senator Chamberlin, Senate Bill No. 221 was advanced to engrossment and third reading.

Senator Daugherty asked unanimous consent, to which objections were voiced, to have SENATE BILL NO. 287, by Daugherty, printed in advance of the Committee report thereon.

Upon motion of Senator Daugherty, Senate Bill No. 287 was ordered printed.

Senator Stewart asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 72, by Stewart.

Section 1 was read.

Senator Ballard requested that further considera-



tion of Senate Bill No. 72 be deferred, until the bill can be properly printed.

Senator Stewart moved that Senate Bill No. 72 be referred to a Special Committee of 5, for the purpose of redrafting the bill and ordering it properly printed.

The Stewart motion prevailed and the Chair appointed as such Special Committee, Senators Stewart, Whitaker, himself, at the request of Senators Stewart, Briggs and MacDonald.

Senator Chamberlin asked unanimous consent, which was granted to take up for consideration the committee substitute for SENATE BILLS NOS. 58, by Nance, of the Senate, and Mooney, of the House, and 214, by Chamberlin, Commons, Morrison, Nichols, Whitaker and MacDonald.

Senator Chamberlin asked unanimous consent, which was granted, to strike the words and figures, "for SENATE BILLS NOS. 58, by Nance, of the Senate, and Mooney, of the House," and substitute therefor the words and figures, "for SENATE BILL NO. 214, by Chamberlin, Commons, Morrison, Nichols, Whitaker and MacDonald."

Section 1 was read.

Senator Chamberlin asked unanimous consent, which was granted, to strike from the word, "taxation" line 8, page 3, the letter, "s."

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

Section 2 was read and adopted, upon motion of Senator Chamberlin.

Upon motion of Senator Chamberlin, Senate Bill No. 214, as amended, was advanced to engrossment and third reading.

Senator Chamberlin moved that SENATE BILL NO. 58, by Nance, of the Senate, and Mooney, of the

House, be printed and placed upon the calendar, which motion prevailed.

By unanimous consent SENATE BILL NO. 271, by Lester, was advanced to engrossment and third reading.

Senator Commons asked to be recorded, "excused," for the remainder of this legislative day, which was the order.

Senator Chamberlin moved that SENATE BILL NO. 157, by Lester, Chamberlin, Nance and Nichols, be ordered withdrawn from the Committee on Commerce and Labor and placed upon the calendar, which motion prevailed.

Senator Nichols moved that HOUSE BILL NO. 441, by Wooten and Hill, be withdrawn from the calendar and referred to the Committee on Retrenchment and Reform, which motion prevailed.

Senator Whitaker presiding.

By unanimous consent, SENATE BILL NO. 58, by Nance, of the Senate, and Mooney, of the House, was taken up for consideration.

Sections 1, 2 and 3 were read and adopted, upon motions of Senator Nance.

Section 4 was read.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 58, line 14, page 18, by striking after the word, "cash," the balance of said line, lines 15, 16 and down to and including the word, "date," line 17.

NANCE.

Upon motion of Senator Nance, Section 4, as amended, was adopted.

Section 5 was read.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 58,

line 3, page 20, by striking the word, "rents," and inserting the word, "money"

NANCE.

Upon motion of Senator Nance, Section 5, as amended, was adopted.

Section 6 was read and adopted, upon motion of Senator Nance.

Section 7 was read.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 58, line 5, page 21, by inserting after the word, "delinquent," and before the word, "due," the word, "taxes"

NANCE.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 58, by striking after the word, "estate," line 4, page 21, the balance of said line and lines 5 and 6, page 21.

NANCE.

Upon motion of Senator Nance, Section 7, as amended, was adopted.

Section 8 was read.

Senator Curnutt moved that Section 8 be stricken.

Senator Nance, as a substitute, submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 58, line 7, page 21, by striking the word, "loses," and inserting the words, "has lost"

NANCE.

Upon motion of Senator Nance, Section 8, as amended, was adopted.

Sections 9, 10, 11 and 12 were read and adopted, upon motions of Senator Nance.

Upon motion of Senator Nance, Senate Bill No. 58 was advanced to engrossment and third reading.

Senator Memminger asked unanimous consent, which

was granted, to reconsider the vote by which SENATE BILL NO. 271, by Lester, was advanced to engrossment and third reading.

Upon motion of Senator Jennings, the Senate adjourned to meet at 10:00 o'clock, Monday, February 27th, 1933.



## FORTIETH LEGISLATIVE DAY

Monday, February 27, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the President announced a quorum of the Senate was not present.

The President declared the Senate recessed to meet at 10:30 a. m.

The Senate reassembled, at 10:30 a. m., and was called to order by the President.

Upon roll call, the President announced a quorum of the Senate was not present.

The President declared the Senate recessed, to meet at 1:30 p. m.

### AFTERNOON SESSION

The Senate reassembled, at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Ray, Reed, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 38.

Absent: Paul, Powers, Pugh. Total, 3.

Excused: Daugherty, Logan, Ritzhaupt. Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator MacDonald presiding.

### MESSAGES

The following Message from the Governor was received and read and, upon motion of Senator Commons, ordered printed herein:

TO THE HONORABLE THE SENATE AND THE  
HOUSE OF REPRESENTATIVES OF THE  
FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

I desire to appear before you in Joint Session, ON  
THURSDAY, MARCH 2, 1933.

I respectfully request that you arrange for a joint  
session on said date, for said Message.

Respectfully submitted,

BY THE GOVERNOR: Wm. H. MURRAY.

Senator Commons moved that the Chair appoint a  
committee of 3, to confer with a like committee of the  
Honorable House, in arranging for the joint session, re-  
quested by the Governor.

The Commons motion prevailed, the Chair appoint-  
ing as the Special Committee, thereunder, Senators  
Commons, Chamberlin and Taylor.

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

To the President of the Senate,  
Building

SIR:

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

ENGROSSED HOUSE JOINT RESOLUTION  
NO. 27—By CLOYD, BATSON, ALBRIGHT and  
HART, entitled:

A Resolution extending the time of payment of auto-  
mobile license tax, waiving the penalties if paid pur-  
suant to the provisions of this Resolution, and declaring  
an emergency,

and to advise you, and through you, the Honorable Sen-  
ate, that the same has been passed by the House of Rep-  
resentatives and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Joint Resolution No. 27.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED HOUSE BILL NO. 171—By CLINE, BRAZELL, BROADDUS, CHAMBERS, PHILLIPS (Okfuskee), STURGELL, GIBSON, BEAMAN, WRIGHT, TODD, MOONEY, OTTESON, MALLORY, MISENHEIMER, BUSHYHEAD, MARSHALL, KING (Coal), PARKS, BEAVER, LOWRANCE, JONES, SHOEMAKE, KIGHT and SINGLETON.

An Act providing for the method of sale of property in mortgage, mechanics' lien or other lien foreclosures and on execution; providing for redemption of property by debtor, redemption by certain creditors of debtors; providing for issuance of certificates of purchase and of sheriff's deed; specifying terms, time and mode of redemption; providing for redemption of property sold in parcel, redemption of undivided interest, providing for issuance of sheriff's deed if property is unredeemed at end of redemption period to holder of certificate of purchase or his heirs; providing that real property once sold is not liable for sale for balance due; providing for purchaser of property or party entitled to deed under sale recovering damages for injuries or waste to property after sale; providing that holder of certificate of purchase may prevent waste or destruction of property, by securing injunction or having receiver appointed; providing for return of sale by sheriff, confirmation and order for sheriff's deed; providing that where property is bid in by or for prior creditor, sheriff shall not be entitled to charge any commission on said sale; providing that deed shall be sufficient evidence of the legality of the sale and the proceeding therein until the contrary be

proved and shall vest title in the purchaser; providing the method and manner of foreclosing mortgages for the purchase price of real estate before one-third ( $1/3$ ) of the purchase price of such real estate shall have been paid by the purchaser thereof and prescribing the redemption period in such cases; that Section 457, Oklahoma Statutes, 1931, shall not be applicable to sales made under the provisions of this Act; and all other Laws and parts of Laws in conflict herewith are hereby repealed, 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 Pro Tem in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 171.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 242 — By WRIGHT, CLINE, MORSE, BROADDUS, WORTHINGTON, WHITFORD, FRALEY, BOYER, KENAN, GRISSE, CHAMBERS, and KIRKPATRICK of the House and LOGAN and RUTHERFORD of the Senate, entitled:

An Act repealing Section 10204 Compiled Oklahoma Statutes, 1921, levying an ad valorem tax of one-fourth of one mill upon all property for state highway construction fund.

ENGROSSED HOUSE BILL NO. 305—By BATSON, GRAY, COX, BLOCKER, HENDERSON and LEECRAFT, entitled:

An Act amending Sections 10268, 10269, 10271,



10272, 10273, 10274, 10278, 10280, 10283, 10288, 10316, 10317, 10320 and 10323, Oklahoma Statutes 1931; defining motor vehicles, vehicles and other terms; levying license fees on such vehicles, when owned, possessed or operated within this state, licensing manufacturers and dealers in such vehicles, and prescribing method of computing such fees; defining the purposes of this Act; regulating the use of vehicles on the public highways of the state, and limiting certain of them as to width, length, height, weight and speed; providing for the computation and collection of such fees; authorizing rules and regulations pertaining thereto; providing for the disposition of the revenues derived under this Act; prescribing penalties for the violation hereof; repealing Sections 10270, 10275, 10276, 10277, 10279, 10281, 10282 and 10284, Oklahoma Statutes, 1931, and all Acts or parts of Acts in conflict herewith; providing that vehicles not licensed for the year 1933 and prior years, when this Act becomes effective shall be licensed hereunder; and declaring an emergency,

ENGROSSED HOUSE BILL NO. 416—By LEE-CRAFT, entitled:

An Act for the purpose of carrying out the provisions of Section 3, Article X, of the Constitution of Oklahoma, relating to the payment of the current expenses of the state government, when the same shall exceed the income from previous fiscal years; levying taxes for the payment of the outstanding warrant indebtedness of the state representing deficiencies for previous fiscal years; amending the provisions of Article 9 H, Chapter 20, and Article 11, Chapter 50, and Article 16, Chapter 66, Oklahoma Statutes 1931, and amendments thereto, relating, respectively, to motor carrier taxes, motor vehicle licenses, and to the excise tax on gasoline,

and to advise you, and through you, the Honorable Senate, that the same have been passed by the House of Rep-

representatives and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 242, 305 and 416.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 294—By HOGG and JONES, entitled:

An Act amending Section 12797, Oklahoma Statutes, 1931, relating to unlawful discriminations in the purchase or sale of commodities of general use and in the rendering of service to the public; 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 294.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 500—By DANIEL.

An Act authorizing the mayor and the city council of the city of Waurika, Jefferson County, Oklahoma, to remit and refund all penalties or interest on delinquent paving taxes and assessments in paving districts number 1, 2, and 3 of said city, providing conditions therefor and authorizing and directing the County Treasurer of

Jefferson County to collect said paving taxes and assessments without collecting said interest and penalties, and declaring an emergency,

ENGROSSED HOUSE JOINT RESOLUTION NO. 10—By MARSHALL, CONNER, GRAHAM, BATSON of the House, and LOGAN and FIDLER of the Senate.

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma, providing that the Legislature may enact laws authorizing cities to pension meritorious and disabled police officers, and amending Article 5 of said constitution by adding an additional section to be known as Section 61 of Article 5 of the Constitution of the State of Oklahoma,

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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 500, and Engrossed House Joint Resolution No. 10.

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE BILL NO. 11—By CONNER, COPELAND, BILLINGS, ELLIS, MARSHALL, GRAHAM and COE, entitled:

An Act creating a Court of Common Pleas in Oklahoma County, Oklahoma, defining the jurisdiction thereof, and creating the offices thereof and defining their powers and duties and providing for the appointment, election, qualifications, duties, powers, and compensation

of the judges and other officers thereof and providing for a pleading and practice and rules of procedure therein and all appeals and writs of error therefrom; providing for the transfer of causes from the District and County Court to said court and declaring an emergency.

ENROLLED HOUSE BILL NO. 396—By CLOYD, BEAVER, LINDSEY, and HART of the House, and BALLARD and PAUL of the Senate, entitled:

An Act creating nominating districts in the Nineteenth Senatorial District of the State of Oklahoma; providing the time for nominating Senators therein; providing that the candidates so nominated shall be voted for in the entire district at the general election; and declaring an emergency.

ENROLLED HOUSE JOINT RESOLUTION NO. 19—By BEAMAN, entitled:

A Resolution authorizing the Board of County Commissioners of Delaware County to include in its annual estimate of expenses a sum not to exceed an amount which a  $\frac{3}{4}$  mill levy upon all property in said county will raise and directing the excise board to make not to exceed a  $\frac{3}{4}$  mill levy in addition to the maximum amount allowed by existing law for the purpose of raising funds to be used and expended in payment of juries and witnesses and other expenses for carrying on District Court in Delaware County, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 11, 396 and House Joint Resolution No. 19 were, each, read at length 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,  
Building  
SIR:

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

ENROLLED HOUSE BILL NO. 462—By GRAHAM, COPELAND, BILLINGS, MARSHALL, ELLIS, COE and CONNER of the House and FIDLER of the Senate, entitled:

An Act authorizing the City Council of the City of Oklahoma City, State of Oklahoma, to levy a special tax in addition to, in excess of, and beyond ad valorem tax levies for current expenses authorized by law, a special tax of not to exceed one-fourth of one mill for the purpose of making payments for premiums to certain exhibitors at the Oklahoma State Fair and Exposition, limiting the amount of funds thus to be raised, providing for the manner in which premiums to exhibitors shall be disbursed; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 462 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

Senator Moon asked unanimous consent, which was granted, to withdraw SENATE BILL NO. 303, by Moon, from the Committee on Municipal Corporations and refer it to Judiciary Committee No. 1.

Senator Dixon moved that the Chair appoint a committee of 5, composed of Senators Ray, Thomas, Memminger, Reed and Fischl, to investigate an article which appeared in the last issue of the "Blue Valley Farmer,"

affecting and making direct charges against members of the Senate and other officials of the State.

The Dixon motion prevailed and the Chair declared the Special Committee to be composed of Senators Ray, Thomas, Memminger, Reed and Fischl.

Senator Nichols asked unanimous consent, to which objections were voiced, to have read a statement, with reference to the Oil Investigating Committee, authorized under Senate Resolution No. 2, by Stewart.

Senator Fidler moved that the rules of the Senate be suspended for the purpose of permitting the Nichols statement to be read, which motion was tabled, upon motion of Senator Curnutt.

Senator Nichols was recognized on a question of privileges of the Senate.

Senator Nichols moved that the statement be referred to the Oil Investigating Committee.

Senator Morrison presiding.

Senator Moon asked unanimous consent, to which objections were voiced, for the Committee on Revenue and Taxation to be "excused," for the remainder of this legislative day.

Senator MacDonald presiding.

Senator Commons, as a substitute for the Nichols motion, moved that the Senate proceed under the "Regular Order of Business," which motion prevailed.

#### COMMITTEE REPORTS

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

Mr. President: We, your Judiciary Committee No. 1, to whom was referred House Bill No. 111, by Massey and Daniel, entitled:

An Act amending Section 6873, O. S. 1931, relating to bond of independent school district treasurer and providing for the designation of the county treasurer as

treasurer of independent districts, providing a penalty, 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.

CURNUTT, Chairman.

Mr. President: We, your Committee on Constitution and Constitutional Amendments, to whom was referred Senate Joint Resolution No. 2, by Stacey, entitled:

A Resolution authorizing the submission of a proposed amendment to Section One, Article Twelve of the Constitution of the State of Oklahoma, to the people for their approval or rejection, for the purpose of amending the same by providing for a partial exemption from taxation of homesteads actually and continuously occupied by the owners as homes,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

MOON, Chairman.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Committee Substitute for Senate Bill No. 84, by Johnston, entitled:

An Act amending Section 1642, Oklahoma Statutes, 1931, defining and granting exemptions to heads of families in Oklahoma, 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.

CURNUTT, Chairman.

Mr. President: We, your Committee on Fish and Game, to whom was referred Senate Bill No. 70, by Briggs, entitled:

An Act giving the United States Forest Service authority to establish game refuges in the United States forests,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

HOWARD, Chairman.

Mr. President: We, your Committee on Fish and Game, to whom was referred Senate Bill No. 246, by Coppock, Howard and Clark, entitled:

An Act authorizing the hunting of big game in this state; fixing the license fee therefor; prescribing a penalty 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.

HOWARD, Chairman.

Mr. President: We, your Committee on Fish and Game, to whom was referred Senate Bill No. 248, by Coppock and Clark, entitled:

An Act amending Section 3, Chapter 24, Article 10, Session Laws, 1931, relating to the hunting of deer and wild turkey; 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.

HOWARD, Chairman.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Senate Bill No. 302, by Johnston, entitled:

An Act forbidding contracts to accelerate future payments upon default in payment of stipulated payments, defining the consequence of making such forbidden contract both in future and past agreements 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 printed and placed upon the calendar.

CURNUTT, Chairman.



Upon motion of Senator Commons, the request of Judiciary Committee No. 1 was ordered granted.

FIRST READING

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

SENATE BILL NO. 311—By COMMONS.—An Act amending Section 1360 Oklahoma Statutes, 1931, (Section 1355 C. O. S. 1921) repealing all Acts or parts of Acts in conflict therewith and declaring an emergency.

SENATE BILL NO. 312—By WILLIS and NANCE.—An Act authorizing public officials, persons, firms or corporations required to execute statutory bonds with surety companies as sureties to deposit state warrants in lieu thereof; repealing all laws in conflict herewith; and declaring an emergency.

SENATE BILL NO. 313—By MORRISON.—An Act relating to the letting of contracts by school districts for constructing and equipping school buildings, and permitting the contract price to be paid in bonds instead of money; and declaring an emergency.

SENATE BILL NO. 314—By REED.—An Act relating to the inspection of animals for slaughter and providing for the sanitary inspection of packing plants; providing for the ante-mortem and post-mortem inspection of animals slaughtered for human food and meat food products; granting authority to the boards of county commissioners of the several counties of the State of Oklahoma to appoint veterinary inspectors and assistant inspectors, describing their salaries, qualifications and duties, authorizing the payments of salaries, office and traveling expenses; providing for the disposition of animals or portions thereof found unfit for food consumption; authorizing the State Veterinarian to promulgate rules and regulations relating to the production of meats and meat food products and sanitation of premises and appliances used therefor; providing a penalty for failure to comply with the orders of the said

veterinary inspectors or assistant inspectors, and declaring an emergency.

SENATE BILL NO. 315—By COPPOCK.—An Act amending Section 2, Chapter 66, Article 2, Oklahoma Session Laws, 1931, relating to the collection of license fees and taxes; and declaring an emergency.

SENATE JOINT RESOLUTION NO. 15—By MOON.—A Joint Resolution authorizing the submission of a proposed amendment to the Constitution of the State of Oklahoma, amending Section Eight of Article Nine of said Constitution.

SENATE JOINT RESOLUTION NO. 16—By COPPOCK and CLARK.—A Resolution making it mandatory for the Oklahoma Tax Commission to furnish blanks for use of owners of motor vehicles in registering the same in the State of Oklahoma; providing that if any member of the Commission or any employee thereof shall refuse to furnish said application blanks such Act shall be cause for removal of said member from office or the discharge of such employee; and declaring an emergency.

## SECOND READING

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

SENATE BILL NO. 305—By RITZHAUPT, JENNINGS, JOHNSTON and REED.—Referred to Committee on Education.

SENATE BILL NO. 306—By SOWARDS of the Senate and GIBSON of the House.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 307—By MEMMINGER.—Referred to Committee on Banks and Banking.

SENATE BILL NO. 308—By PAUL.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 309—By MORRISON.—Referred to Committee on Education.

SENATE BILL NO. 310 — By MORRISON,

BRIGGS, CHAMBERLIN, CURNUTT, COMMONS and NICHOLS.—Referred to Judiciary Committee No. 1.

Senator Nance asked unanimous consent, which was granted, to have SENATE JOINT RESOLUTION NO. 1, by Nichols, Paul, Garvin, Whitaker, Sowards, Logan, Lester, Nance and Reed, printed.

The Presiding Officer announced there were matters on the President's desk, for the consideration of the Senate in Executive session.

Upon motion of Senator Commons, the Senate closed its doors and went into Executive session.

\* \* \*

The Senate reassembled, in open session, with Senator MacDonald presiding, who announced the Senate, in executive session, had advised and consented to the confirmation of the following executive nomination:

MAT McELROY, of Wilburton, Latimer County, Oklahoma, to become a Member of the State Industrial Commission, to succeed himself, and for the full term under the law.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 o'clock, a. m., Tuesday, February 28th, 1933.

## FORTY-FIRST LEGISLATIVE DAY

Tuesday, February 28, 1933

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Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by the President.

Upon roll call, all of the members were present.

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Absent: Powers. Total, 1.

Excused: Jennings. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Fidler asked unanimous consent, which was granted, that the Committee on Insurance be excused on account of public hearing having been set for this hour.

Senator Rizley asked that Senators Clark, Coppock, and Hutchinson be excused for a portion of this legislative day, which was the order.

### COMMITTEE REPORTS

The following Committee reports were submitted, the Bills ordered printed and placed upon the Calendar, unless otherwise indicated:

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Senate Bill No. 174, by Johnston, entitled:

An Act providing for submission to the courts claims for damages, also upon contracts as to claims and damages resulting from the administration of the high-



way department and the building of roads and highway improvements in the state, 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.

CURNUTT, Chairman.

Mr. President: We, your Committee on Code Revision, to whom was referred Senate Bill No. 265, by Johnston, entitled:

An Act establishing moratorium and providing ways, means and procedure for opening banks in charge of the State Banking Department 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.

JOHNSTON, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolution No. 13, Senate Bill No. 6, and Senate Bill No. 163, all correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 13, Engrossed Senate Bill No. 6, and Engrossed Senate Bill No. 163, and ordered each transmitted to the Honorable House.

#### FIRST READING

The following Bills were introduced and read for the first time:

SENATE BILL NO. 316—By RITZHAUPT.—An Act providing for bounty on black birds, hawks, crows and predatory animals; making an appropriation for the method of disbursing such appropriation and declaring an emergency.

SENATE BILL NO. 317—By RITZHAUPT.—An

Act exempting gasoline used in motor vehicles owned and operated by school districts from the payment of excise tax on gasoline; and declaring an emergency.

SENATE BILL NO. 318—By RITZHAUPT.—An Act requiring members of district school boards to give fidelity bonds; providing for the removal of such persons for failure to give such bonds; and declaring an emergency.

SENATE BILL NO. 319—By RITZHAUPT of the Senate and DAVIS of the House.—An Act authorizing certain persons to bring suit against Logan County for the recovery of moneys due for supplies furnished the poor and needy of said County; making it mandatory upon the District Judge to enter judgment upon proof of the correctness of such accounts; authorizing the levying of a tax to pay said judgment; and declaring an emergency.

SENATE BILL NO. 320—By RITZHAUPT.—An Act amending Section 1670 Oklahoma Statutes 1931, relating to the issuance of marriage license and declaring an emergency.

SENATE BILL NO. 321—By RITZHAUPT.—An Act amending Section 677 Oklahoma Statutes 1931, relating to the marriage of incompetent persons; providing that it shall be the mandatory duty of the Court wherein the guardianship is pending, upon being informed of the marriage of an incompetent over which there is a guardianship pending in his Court, to direct the guardian to bring action to cancel and annul such marriage; providing that such marriage shall be void but not to have the effect of rendering the issue of such marriage prior to its cancellation or annulment as illegitimate and declaring an emergency.

SENATE BILL NO. 322—By CARLILE, MORRISON, WALDREP and POWERS of the Senate and SPEAR and GLEN of the House.—An Act making mandatory, estimates, appropriations and levies sufficient to

purchase and pay for authorized legal publications and all mandatory accounting and recording books and records for county officers and boards; providing for proper procedure where appropriations for constitutional needs through unforeseen conditions are insufficient and declaring an emergency.

### SECOND READING

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

SENATE BILL NO. 311—By COMMONS.—Referred to Committee on Code Revision.

SENATE BILL NO. 312—By WILLIS and NANCE.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 313—By MORRISON.—Referred to Committee on Education.

SENATE BILL NO. 314—By REED.—Referred to Committee on Agriculture.

SENATE BILL NO. 315—By COPPOCK.—Referred to Committee on Fees and Salaries.

SENATE JOINT RESOLUTION NO. 15—By MOON.—Referred to Committee on Constitution and Constitutional Amendments.

SENATE JOINT RESOLUTION NO. 16—By COPPOCK and CLARK.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 242 — By WRIGHT, CLINE, MORSE, BROADDUS, WORTHINGTON, WHITFORD, FRALEY, BOYER, KENAN, GRISSO, CHAMBERS, and KIRKPATRICK of the House and LOGAN and RUTHERFORD of the Senate.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 305—By BATSON, GRAY, COX, BLOCKER, HENDERSON and LEECRAFT.—Referred to Committees on Revenue and Taxation and Roads and Highways.

ENGROSSED HOUSE BILL NO. 416—By LEE-

CRAFT.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 500—By DANIEL.

Senator Garvin asked unanimous consent, which was granted, to place House Bil No. 500 upon the Calendar without reference to a Committee.

ENGROSSED HOUSE JOINT RESOLUTION NO. 10—By MARSHALL, CONNER, GRAHAM, BATSON of the House and LOGAN and FIDLER of the Senate.—Referred to Committee on Constitution and Constitutional Amendments.

ENGROSSED HOUSE JOINT RESOLUTION NO. 27—By CLOYD, BATSON, ALBRIGHT and HART.

Senator Ballard asked unanimous consent, which was granted, to place House Joint Resolution No. 27 upon the Calendar without reference to a Committee.

ENGROSSED HOUSE BILL NO. 171—By CLINE, BRAZELL, BROADDUS, CHAMBERS, PHILLIPS (Okfuskee), STURGELL, GIBSON, BEAMAN, WRIGHT, TODD, MOONEY, OTTESEN, MALLORY, MISENHEIMER, BUSHYHEAD, MARSHALL, KING (Coal), PARKS, BEAVER, LOWRANCE, JONES, SHOEMAKE, KIGHT and SINGLETON.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 294—By HOGG and JONES.—Referred to Committee on Public Service Corporations.

#### AMENDMENT TO RULES

Senator Commons submitted the following amendment to the Senate Rules, which was adopted:

Mr. President: I move to amend Rule 8, by adding a new subdivision as follows: “(a-1) Provided, when considering Bills on General Order, no Senator shall consume more than five minutes without the unanimous consent of the Senate.”

COMMONS.



Senator Commons moved that the Senate recess for thirty minutes, which motion failed of adoption.

GENERAL ORDER

SENATE BILL NO. 133, by Nichols, was taken up for consideration.

Section 1 was read.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 133, line 11, page 2, by striking the figures "\$750.00" and inserting the figures "\$500.00."

BALLARD.

Senator Howard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 133, line 5, page 5, by changing the figures "\$100.00" at the end of the line to read "\$200.00."

HOWARD.

Senator Ballard submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 133, by striking Sections 1, 2, 3, 4, 5, and 6.

BALLARD.

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

Section 2 was read.

Senator Morrison submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 133, line 6, page 6, after the figures "\$1000.00" and before the word "by" by striking the word "and" and inserting the word "or."

MORRISON.

Upon motion of Senator Nichols, Section 2, as amended, was adopted.

Section 3 was read and adopted, upon motion of Senator Nichols.

Section 4 was read.

Senator MacDonald submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 133, line 2 page 8, by striking the word "tenth" and inserting the word "twentieth"; line 9, page 8, by striking the word "ten" and inserting the word "twenty"; line 14, page 8, by striking the word "thirtieth" and inserting the word "sixtieth"; line 3, page 9, by striking the word "thirty" and inserting the word "sixty."

MacDONALD.

Upon motion of Senator Nichols, Section 4, as amended, was adopted.

Upon motion of Senator Curnutt, the vote was reconsidered by which Section 4, as amended, was adopted.

Senator Curnutt submitted the following amendment, which by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 133, line 8, page 9, by striking after the word "within" and before the word "days" the word "five" and inserting the word "ten."

CURNUTT.

Senator Curnutt submitted the following amendment, which by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 133, line 12, page 9, by adding after the word "election" the following: "provided that where reports are filed with the State Election Board, candidates shall have ten days within which to file said reports."

CURNUTT.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 133, line 2, page 10, by striking the word "five" and inserting the word "ten."

MacDONALD.

Upon motion of Senator Nichols, Section 4, as amended, was adopted.

Sections 5 and 6 were read and adopted, upon motions of Senator Nichols.

Section 7 was read.

Senator Pugh submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 133, line 16, page 12, by adding after the word "value" and before the word "any" the following "or agreeing to secure a position or retain them in any position now held."

PUGH.

Senator Memminger submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 133, lines 3 and 4, page 13, by striking after the word "Any" and before the word "who" in line 3, the word "person" and inserting the word "candidate" and by adding after the word "or," line 4 and before the word "who" the following: "any person not a candidate."

MEMMINGER.

Senator Pugh submitted the following amendment, which was tabled upon motion of Senator Commons:

Mr. President: I move to amend Senate Bill No. 133, line 18, page 12, by adding after the word "polls" and before the word "to" the following: "for compensation or otherwise."

PUGH.

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 133, line 7, page 13, by striking after the figures "\$1,000.00" and before the word "by" the word "and" and inserting the word "or."

COMMONS.

Senator Morrison submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 133, line 11, page 14, by adding after the word "matter" the following: "provided that all said hearings by the said Election Boards shall be in the same manner as is provided by law, relative to contests before said Boards."

MORRISON.

Senator Commons presiding.

Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 133, line 2, page 13, by adding after the word "candidacy" and before the word "except" the words "except members of his own family."

NICHOLS.

Upon motion of Senator Nichols, Section 7, as amended, was adopted.

Senator Stewart submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 133, by adding a new Section as follows: "Any person or corporation who shall campaign for any candidate with his, its, or their employees, shall be guilty of a felony and upon conviction shall be punished by not less than one year and not more than five years in the State Penitentiary or by a fine of not less than one thousand dollars or more than five thousand dollars, or by both such fine and imprisonment."

STEWART.

Senator MacDonald asked unanimous consent, which was granted, that the Stewart amendment be referred to Senators Stewart, Nance and Ballard, for the purpose of perfecting the amendment, consideration of Senate Bill No. 133 being deferred temporarily.

SENATE BILL NO. 223, by Morrison and Briggs,



was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Morrison.

Upon motion of Senator Morrison, Senate Bill No. 223 was advanced to engrossment and third reading.

Referring further to SENATE BILL NO. 133, Senator Stewart submitted the following revised amendment:

Mr. President: I move to amend Senate Bill No. 133, by adding a new Section as follows: "Any officers or agent of a corporation who shall use the employees of a corporation to campaign for any candidate shall be guilty of a felony and upon conviction shall be punished by not less than one year and not more than five years in the State Penitentiary or by a fine of not less than one thousand dollars nor more than five thousand dollars or by both such fine and imprisonment."

STEWART.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend the Stewart amendment, by adding after the word "corporation" the words "or any official employed in a department of the State of Oklahoma, or any of its sub-divisions."

BALLARD.

Senator Paul moved to table the Ballard amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Commons, Johnston, Liggett, Logan, Morrison, Nance, Nichols, Paul, Rizley, Stewart. Total, 11.

Nays: Ballard, Curnutt, Howard, MacDonald, Memminger, Ritzhaupt, Stacey, Wilbanks, Willis. Total, 9.

Not Voting: Briggs, Carmack, Daugherty, Fischl, Lester, Pugh, Reed, Taylor, Thomas, Whitaker. Total, 10.

Absent: Powers. Total, 1.

Excused: Chamberlin, Clark, Coppock, Dixon, Fidler, Garvin, Hutchinson, Jennings, Moon, Ray, Ruth-  
erford, Sowards, Waldrep. Total, 13.

Senator Stewart asked unanimous consent, which was granted, to amend his original amendment by adding after the words "campaign for" and before the words "any candidate" the words "or against."

STEWART.

Senator Ballard, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 133, by adding the following: "no official agent or employee of any corporation shall be permitted to take part in any campaign or election in any way except to vote at said election and any person guilty of violating any provisions of this section shall be guilty of a felony and upon conviction shall be sentenced to serve a term in the State Penitentiary not exceeding five years."

BALLARD.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend the Ballard amendment, by adding after the word "corporation" the words "state, county, or other municipal corporation who is not a candidate for office."

CURNUTT.

A telegram from the City Officers of Purcell, requesting the State Senate to be present at the celebration of the opening of the free bridge at Purcell on March 4th, was received and read.

Upon motion of Senator Commons, the Senate recessed to meet at 1:30 p. m.

#### AFTERNOON SESSION

The Senate reassembled, at 1:30 p. m., and was called to order by the President.

SENATE BILL NO. 133 was taken up for further consideration.

Senator Curnutt asked unanimous consent, which was granted, to withdraw his amendment submitted to Senate Bill No. 133, prior to the recess.

Senator Curnutt submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend the Ballard amendment, by inserting after the word, "corporation," the following, "county or other municipal corporation, who is not a candidate for office"

CURNUTT.

Senator Curnutt submitted the following amendment, which was tabled, upon motion of Senator Paul:

Mr. President: I move to amend the Ballard amendment, by inserting after the word, "corporation," the words, "county or other municipal official or employee"

CURNUTT.

Upon motion of Senator Nance, the Ballard amendment was tabled.

Senator Curnutt moved to table the Stewart amendment, which motion failed of adoption.

Senator Memminger submitted the following amendment:

Mr. President: I move to amend the Stewart amendment, by adding after the word, "its," and before the word, "shall," the following: "or who contributes corporation funds to a campaign fund for any candidate"

MEMMINGER.

Senator Ray asked unanimous consent, to which objections were voiced, that the Special Committee, composed of Senators Ray, Thomas, Memminger, Reed and Fischl, appointed to investigate charges appearing in the last issue of the "Blue Valley Farmer," be excused for the remainder of this legislative day.

Senator Ray moved that the Special Committee,

above referred to, be excused for the remainder of this Legislative day, which motion was ruled out of order, on a point of order raised by Senator Nance, who stated a motion was pending before the Senate.

The vote occurring on the Memminger amendment, it was declared adopted.

Senator Chamberlin presiding.

### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED SENATE BILL NO. 284 — By BRIGGS of the Senate and HENDERSON of the House, entitled:

An Act validating the appointments of agents, servants, and employes of the State Highway Commission under previous existing statutes regulating the same prior to the effective date of Senate Bill No. 55 of the Fourteenth Legislature, authorizing said persons to perform the duties of their offices under existing law and empowering the State Highway Commission created by Senate Bill No. 55 to ratify, confirm and approve all Acts of such persons; 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, AS AMENDED, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 284 were read, as follows, and concurred in, upon motion of Senator Briggs:

AMENDMENT NO. 1. Page 1, Line 17: Strike



the word "is" following the word "law" and substituting therefor the word, "was."

AMENDMENT NO. 2. Page 3, Section 3, Lines 3 and 4: Strike the words "when the personnel is selected as provided by law and inducted into office."

AMENDMENT NO. 3. Page 2, Section 2, Line 14: Strike the word "is" and inserting in lieu thereof the word "was."

AMENDMENT NO. 4. Page 2, Section 2, Line 12: Strike the words "such time as."

AMENDMENT NO. 5. Page 2, Section 2, Line 10: Strike the word "continue" and substituting therefor the words, "have continued."

AMENDMENT NO. 6. Page 1, Lines 4 and 5: Strike the words "but one," and adding the letter "s" to the word "member" and inserting "who were duly confirmed by the Senate" after the word "commission," and before the word "and."

AMENDMENT NO. 7. Page 1, Line 14: Strike the words "to continue" and substituting the word "for."

Senate Bill No. 284, as amended, was read at length.

The question being, "Shall Senate Bill No. 284, as amended, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 34.

Not Voting: Carmack, Logan, Sowards, Waldrep, Whitaker. Total, 5.

Absent: Powers. Total, 1.

Excused: Clark, Coppock, Hutchinson, Jennings. 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: Ballard, Briggs, Carlile, Chamberlin, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 34.

Not Voting: Carmack, Logan, Sowards, Waldrep, Whitaker. Total, 5.

Absent: Powers. Total, 1.

Excused: Clark, Coppock, Hutchinson, Jennings. 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 Presiding Officer, in open session, signed Engrossed House Amendments to Senate Bill No. 284 and ordered the bill, as amended, referred for enrollment.

Referring further to SENATE BILL NO. 133:

Senator Stewart asked unanimous consent, to which objections were voiced, to withdraw his amendment to Senate Bill No. 133, now pending.

Upon motion of Senator MacDonald, the Stewart amendment was tabled.

Upon motion of Senator Nichols, Section 7, as amended, was adopted.

Senator Johnston submitted the following amendment, which was adopted, by unanimous consent:

Mr. President: I move to amend Senate Bill No. 133, by adding a new section, as follows: "Section 8. Except where otherwise specifically herein stated, the offenses, penalties and remedies in this Act contained

are not mandatory of but additional to those provided in other acts and sections of the laws of Oklahoma."

JOHNSTON.

Upon motion of Senator Nichols, original "Section 8," was ordered renumbered "Section 9."

Section 9 was read and adopted, upon motion of Senator Nichols.

Upon motion of Senator Nance, Senate Bill No. 133 was advanced to engrossment and third reading.

Senator MacDonald asked unanimous consent, which was granted, to take up for consideration HOUSE JOINT RESOLUTION NO. 27, by Cloyd, Batson, Albright and Hart.

Section 1 was read.

Senator Commons submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Joint Resolution No. 27, line 2, page 2, by changing the word, "June," to "May,"

COMMONS.

Senator Nance submitted the following amendment:

Mr. President: I move to amend House Joint Resolution No. 27, line 1, page 2, after the figures, "1933," by inserting the words, "and for all previous years"

NANCE.

Senator Nance asked unanimous consent, which was granted, to defer temporarily further consideration of House Joint Resolution No. 27.

#### COMMITTEE REPORT

Senator MacDonald asked unanimous consent, which was granted, to submit the following Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Appropriations, to whom was referred Engrossed House Bill No. 506, by Martin, entitled:

An Act making an appropriation to pay the mileage and per diem of the Senate and House of Representa-

tives of the Fourteenth Legislature, the salaries of officers and employees and contingent expenses 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.

MacDONALD, Chairman.

Senator MacDonald moved that the rules of the Senate be suspended, for the purpose of immediately considering House Bill No. 506, which motion prevailed.

Sections 1 and 2 were read and adopted, upon motions of Senator MacDonald.

Upon motion of Senator MacDonald, House Bill No. 506 was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and House Bill No. 506 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 506 was read for the third time at length.

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

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 34.

Not Voting: Briggs, Dixon, Sowards, Waldrep, Whitaker. Total, 5.

Absent: Powers. Total, 1.

Excused: Clark, Coppock, Hutchinson, Jennings. 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 emer-



gency measure?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 34.

Not Voting: Briggs, Dixon, Sowards, Waldrep, Whitaker. Total, 5.

Absent: Powers. Total, 1. \*

Excused: Clark, Coppock, Hutchinson, Jennings. 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 Presiding Officer, in open session, signed the engrossed copy of House Bill No. 506, and ordered the same transmitted to the Honorable House.

Senator Stewart asked unanimous consent, to which Senator MacDonald objected, to be permitted to make a motion relative to the purchase of postage.

Referring further to HOUSE JOINT RESOLUTION NO. 27:

By unanimous consent, the Nance amendment, submitted before consideration was temporarily deferred, was withdrawn.

Senators Nance and Morrison submitted the following amendment, which was adopted:

Mr. President: I move to amend House Joint Resolution No. 27, line 3, page 1, by inserting after the word, "vehicles," and before the word, "on," the words, "for the year 1933 and previous"

NANCE and MORRISON.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend House Joint Res-

olution No. 27, line 5, page 1, by inserting after the word, "penalties," the words, "on current and previous licenses"

NANCE.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend House Joint Resolution No. 27, line 1, page 2, by inserting after the figures, "1933," and before the word, "be," the words, "all previous years"

NANCE.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend House Joint Resolution No. 27, line 4, page 2, by inserting after the word, "hereof," the following, "Provided that all accrued and accruing penalties are hereby cancelled and the criminal statutes, affecting the non payment of license fees, are hereby suspended for the duration of this Act."

NANCE.

Senator Johnston asked unanimous consent, which was granted, to submit the following amendment to the Nance amendment, which was adopted:

Mr. President: I move to amend the Nance amendment, to line 1, page 2, by adding thereto, the following: "upon passenger cars list price of which does not exceed \$1200.00, and upon trucks of not to exceed two tons per axle load."

JOHNSTON.

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

By unanimous consent, the following named were added as joint authors of House Joint Resolution No. 27: Senators Reed, Paul, Nance and Howard.

Upon motion of Senator Nance, House Joint Resolution No. 27 was advanced to engrossment and third reading.

Upon motion of Senator Nance, the rules of the Senate were suspended and House Joint Resolution No. 27 was considered engrossed and placed upon third reading and final passage.

HOUSE JOINT RESOLUTION NO. 27 was read for the third time at length.

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

Ayes: Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fidler, Garvin, Howard, Johnston, Lester, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Briggs. Total, 1.

Not Voting: Ballard, Dixon, Fischl, Liggett, Moon, Rutherford, Sowards, Waldrep. Total, 8.

Absent: Powers. Total, 1.

Excused: Clark, Coppock, Hutchinson, Jennings. Total, 4.

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: Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fidler, Garvin, Howard, Johnston, Lester, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Briggs. Total, 1.

Not Voting: Ballard, Dixon, Fischl, Liggett, Moon, Rutherford, Sowards, Waldrep. Total, 8.

Absent: Powers. Total, 1.

Excused: Clark, Coppock, Hutchinson, Jennings.  
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.

House Joint Resolution No. 27 was ordered referred for engrossment.

President Burns presiding.

Senator Briggs asked unanimous consent, which was granted, to have HOUSE BILL NO. 305, by Batson, Gray, Blocker, Henderson and Leecraft, printed.

Senator Johnston asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 84, by Johnston.

Section 1 was read.

Senator Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 84, line 1, page 3, by adding the word, "and," after the word, "wagons"

JOHNSTON.

Senator Thomas moved that further consideration of Senate Bill No. 84 be indefinitely postponed, which motion, by unanimous consent, he withdrew.

Senator Johnston submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 84, line 15, page 3, by inserting after the word, "days," and before the word and figure, "Section 2," the following: "One (1) passenger automobile, not to exceed the value of \$100.00, and one (1) truck of not to exceed two and one-half tons carrying capacity."

JOHNSTON.

Senator Curnutt moved to table the Johnston amendment, which motion failed of adoption.

The vote occurring on the Johnston amendment, it was declared adopted.



Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 84, line 7, page 3, by inserting a sub-section as follows: "Fifteenth. One (1) flock of chickens, not exceeding 100 head." And by renumbering the remaining subsections.

WHITAKER.

Senators Clark, Coppock and Hutchinson asked to be recorded "present," which was the order.

Senator Curnutt moved that the vote be reconsidered by which the Johnston amendment, to line 15, page 3, was adopted, which motion prevailed.

Senator Curnutt moved to table the Johnston amendment, which motion was ruled out of order, by the President, for the reason such motion had previously been disposed of.

Senator Johnston asked unanimous consent, which was granted, that the name of Senator Daugherty be added as a joint author of Senate Bill No. 84.

Senator Howard submitted the following amendment, which was adopted:

Mr. President: I move to amend the Johnston amendment to line 15, page 3, by striking the figures, "100.00," and inserting the figures, "250.00."

HOWARD.

Senator Nichols moved that the vote be reconsidered by which the Howard amendment to the Johnston amendment was adopted.

Senator Ballard, as a substitute, moved that the Johnston amendment, as amended, be tabled, which motion prevailed.

Senator Briggs submitted the following amendment, which was tabled, upon motion of Senator Nichols:

Mr. President: I move to amend Senate Bill No. 84, line 15½, page 3, by inserting a new provision, as follows: "Seventeen. One motor vehicle, of a value not to exceed \$500.00, and, if a truck, of the manufac-

turer's list capacity of not to exceed one and one-half ton carrying capacity. Provided, no exemption shall be allowed for a motor vehicle, unless same is necessary for use in an occupation, trade or profession."

BRIGGS.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 84, line 14, page 2, by striking the words, "milk cows," and adding the following: "head of cattle"

BALLARD.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 84, line 1, page 1, by adding after the word and figure, "Section 1," the following: "Section 1642, Compiled Oklahoma Statutes, 1931, be and the same is hereby amended to read as follows: Section 1642."

BALLARD.

Senator Briggs submitted the following amendment, which was tabled, upon motion of Senator Chamberlin:

Mr. President: I move to amend Senate Bill No. 84, before line 16, page 3, by inserting a new paragraph before Section 2, as follows: "Exemptions to be allowed the heads of families under the provisions of this Act shall not, in any case, exceed in the aggregate the value of two thousand dollars, exclusive of the property covered by subdivisions 1, 2, 3, 4 and 6, and, if the value shall become an issue, the court in which same is an issue shall appoint three disinterested freeholders who shall view and appraise the value thereof in the same manner as is now provided for appraisal of property of estates of deceased persons, and, after appraisal thereof, if the value fixed by the appraisers exceeds the limitations hereof, the owner shall select therefrom the property which he or she desires and the remainder shall be subject to execution. Upon refusal to select, the court shall

thereupon certify the property which shall be subject to execution."

BRIGGS.

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

Section 2 was read and adopted, upon motion of Senator Johnston.

Upon motion of Senator Johnston, Senate Bill No. 84 was advanced to engrossment and third reading.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 284 correctly enrolled.

HOWARD, Vice Chairman.

Senate Bill No. 284 was read at length for the fourth time, the enrolled copy signed, in open session, by the President, and ordered transmitted to the Honorable House for the signature of the Speaker.

#### MESSAGES

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE JOINT RESOLUTION NO.  
19—By BEAMAN, entitled:

A Resolution authorizing the Board of County Commissioners of Delaware County to include in its annual estimate of expenses a sum not to exceed an amount which a  $\frac{3}{4}$  mill levy upon all property in said county will raise and directing the Excise Board to make not to exceed a  $\frac{3}{4}$  mill levy in addition to the maximum amount allowed by existing law for the purpose of raising funds to be used and expended in payment of juries

and witnesses and other expenses for carrying on district court in Delaware County, which bill I have this day signed and approved.

Witness my hand, this February 28th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 11—By CONNER, COPELAND, BILLINGS, ELLIS, MARSHALL, GRAHAM and COE, entitled:

An Act creating a court of common pleas in Oklahoma County, Oklahoma, defining the jurisdiction thereof, and creating the offices thereof and defining their powers and duties and providing for the appointment, election, qualifications, duties, powers and compensation of the judges and other officers thereof and providing for a pleading and practice and rules and procedure therein and all appeals and writs of error therefrom; providing for the transfer of causes from the district and county courts to said court and declaring an emergency, which bill I have this day signed and approved.

Witness my hand, this February 28th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE HONORABLE THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

Gentlemen:

I herewith return two Senate Bills, to-wit:

Senate Bill No. 113 and Senate Bill No. 152, with my veto and disapproval of each of them. Below, I give my reason for vetoing Senate Bill No. 113



“A BILL ENTITLED

AN ACT amending Section 2 of Chapter 79 of Session Laws 1927, and Section 4 of Chapter 79 of Session Laws of 1927; making provision for the number of members of Boards of Education of Independent Districts; providing for the time and manner of their election; providing for the length of their term of office; and providing for the number, time, and manner of electing, and the length of the term of office of members of Boards of Education in Independent Districts having within them a charter city; and declaring an emergency.”

You must assume that the Supreme Court has before it, and must needs take judicial cognizance of the United States census; and that the Honorable Court would also take cognizance of the laws and the public acts of officials in cities, to-wit, Tulsa, and, therefore could not escape the conclusion that it is a “special” Act, covered up by language.

I call the Legislature’s attention to Article 5, beginning with Section 46 of the Constitution, under the head of “Limitations,” which reads as follows:

“The Legislature shall not, except as otherwise provided in this Constitution, pass any local or special law authorizing: \* \* \* ‘regulating the affairs of counties, cities, towns, wards, or school districts; changing the names of persons or places; \* \* \* for the opening and conducting of elections, or fixing or changing the places of voting \* \* \*; creating offices or prescribing the powers and duties of officers, in counties, towns, election or school districts; \* \* \* regulating the management of public schools; the building or repairing of school houses, and the raising of money for such purposes;’ \* \* \*.”

This Bill violates directly or indirectly all of the foregoing recited clauses of the Constitution; and, in addition, it sets a bad precedent by an attempt of the Legislature to cure the mistakes and violations of the

statute, made for the purpose of electing school trustees; and it also attempts to settle by Legislative Act a law suit contrary to sound governmental principles. It is equivalent to an investigation into the transactions of a thief after his acts are discovered, who pleads guilty and begs for mercy, and then is liberated without further action or effort to punish for such violation.

The Legislature should never be called upon to pass any law violative of the letter or spirit of the Constitution; or any law violative of wholesome public policy; or any law correcting the mistakes or the failure to follow the statutes made and provided; or any law to settle a law suit, for the Legislature has an abundance of duties and obligations to enact general laws affecting the whole State; and the practice of these "Special Bills" is to be condemned in the strongest terms, and, particularly, effort to cure errors and mistakes such as this Bill attempts to do.

For the foregoing reasons, I hereby veto the said Senate Bill No. 113, and return it to Your Honorable Body with my disapproval thereof, with the foregoing as the reason therefor.

I also return Senate Bill No. 152:

"A BILL ENTITLED:

AN ACT amending Section 9038 Oklahoma Statutes, 1931, relating to restraining domestic animals; and declaring an emergency,"

for the reason that the same is a local or "Special Bill," governing one county and parts of two other counties; and, while it is one of those bills that the Legislature could pass, provided advertisement of intention of introducing the Bill, as provided, had been made, under the Constitution. There are certain local or "Special Bills" that cannot be passed, while others, as in the case of the Bill now under consideration, Senate Bill No. 152, provided advertisement of intention to introduce it had been made, as provided by the Constitu-

tion, but no such evidence is shown in this Bill, and certainly the people of Latimer County and the sections of the other two counties in question should have the right to contest before the Legislature, if they choose, and that can be made to them only by publication of such notice.

I am quite well aware of the fact that in local and "Special Bills," members of the Legislature cannot consider them on their merits, but accept what the members of the county or section will approve; and, therefore, it is left with the Governor solely to consider them; and, while I deeply regret to veto it, as it is sponsored by some of the most honorable men of the House and Senate, yet, in keeping with my oath and the Constitution, I cannot but, otherwise, return it with my veto and disapproval.

Permit me to call attention to the fact that the Courts of the State have enough to do to pass upon general laws, without taking up their time to pass upon these "Special" statutes, and only in case of the most cogent reason should a "Special" law be passed, and then only after all the requirements of the Constitution have been complied with.

So far, I have approved none of these "Special Bills." I have let certain ones become a law, where they were "Special Bills" repealing a "Special Bill," and which would save expense of local government; but, in every case where it would involve a contest of view of the citizenship of the county or section, and where it might increase the expense of local government, especially if the terms of the Constitution have not been complied with, I must, in good conscience, disapprove them.

Respectfully submitted, on this the 25th day of February, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Upon motion of Senator MacDonald, action by the

Senate on the executive vetoes of Senate Bills Nos. 113 and 152, was deferred until the next legislative day.

Senator Rutherford served notice on the Senate that he would, on the next legislative day, move that Senate Bill No. 113 be passed, notwithstanding the veto of the Governor.

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

President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 27, By MacDONALD, 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 30, 1934, and June 30, 1935, by functions of each department in accordance with the budget classifications adopted by the Governor,

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

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 27 were read, as follows:

AMENDMENT NO. 1. Page 2, Line 21:—Strike the figures \$1,500.00 in both columns, and substitute therefor, the figures \$1,800.00.

AMENDMENT NO. 1, A. Page 2, Line 22:—Strike the figures \$1,620.00 in both columns, and substitute therefor, the figures \$1,800.00.

AMENDMENT NO. 2. Page 3, Line 3:—Strike the



figures \$800.00 in both columns, and substitute therefor, the figures \$1,000.00.

AMENDMENT NO. 3. Page 3, Line 13:—Strike the figures \$2,880.00 in both columns, and substitute therefor, the figures \$3,000.00.

AMENDMENT NO. 4. Page 3, Line 25:—Strike the figures \$2,400.00 in both columns and substitute therefor the figures \$2,700.00.

AMENDMENT NO. 5. Page 3, Line 26:—Strike the figures \$1,320.00 in both columns and substitute therefor the figures \$1,500.00.

AMENDMENT NO. 6. Page 3, Line 29:—Strike the figures \$400.00 in both columns and substitute therefor the figures \$500.00.

AMENDMENT NO. 7. Page 3, Line 34:—Strike the figures \$200.00 and substitute therefor the figures \$100.00.

AMENDMENT NO. 8. Page 3, Line 35:—Strike the figures \$56,020.00 in the first column and substitute therefor the figures \$57,600.00; also strike the figures \$57,770.00 in the second column and substitute therefor the figures \$59,450.00.

AMENDMENT NO. 9. Page 4, Line 4:—Strike out the figures \$1,000.00 in both columns, and substitute therefor, the figures \$500.00.

AMENDMENT NO. 10. Page 4, Line 6:—Strike out the figures \$100.00 in both columns, and substitute therefor, the figures \$150.00.

AMENDMENT NO. 11. Page 4, Line 9:—Strike out the figures \$3,520.00 in both columns, and substitute therefor, the figures \$3,070.00.

AMENDMENT NO. 12. Page 4, Line 11:—Strike the figures \$1,800.00 in both columns, and substitute therefor, the figures \$2,700.00.

AMENDMENT NO. 13. Page 4, Line 12:—Strike the figures \$1,500.00 in both columns, and substitute therefor, the figures \$2,100.00.

AMENDMENT NO. 14. Page 4, Line 13:—Strike the figures \$2,200.00 in both columns, and substitute therefor, the figures \$2,400.00.

AMENDMENT NO. 15. Page 4, Line 14:—Strike the figures \$1,320.00 in both columns, and substitute therefor, the figures \$1,500.00.

AMENDMENT NO. 16. Page 4, Line 18:—Strike the figures \$2,700.00 in both columns, and substitute therefor, the figures \$3,000.00.

AMENDMENT NO. 17. Page 5, Line 8:—Strike out the figures \$19,982.50 in both columns, and substitute therefor, the figures \$21,442.50.

AMENDMENT NO. 18. Page 5, Line 11:—Strike the figures \$4,500.00 in both columns and substitute therefor, the figures \$5,100.00.

AMENDMENT NO. 19. Page 5, Line 14:—Strike the figures \$1,320.00 in both columns and substitute therefor, the figures \$1,620.00.

AMENDMENT NO. 20. Page 5, Line 17:—Strike the figures \$1,800.00 in both columns, and substitute therefor, the figures \$2,100.00.

AMENDMENT NO. 21. Page 5, Line 20:—Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 22. Page 5, Line 21:—Strike the figures \$1,320.00 in both columns, and substitute therefor, the figures \$1,620.00.

AMENDMENT NO. 23. Page 5, Line 23:—Strike the figures \$1,320.00 in both columns, and substitute therefor, the figures \$1,620.00.

AMENDMENT NO. 24. Page 5, Line 24:—Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 25. Page 5, Line 25:—Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 26. Page 5, Line 26: Strike

the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 27. Page 5, Line 38: Strike the figures \$26,515.00 in the first column and substitute therefor the figures \$30,615.00; also strike the figures \$27,015.00 in the second column and substitute therefor, the figures \$31,115.00.

AMENDMENT NO. 28. Page 6, Line 16: Strike the figures \$4,000.00 in both columns and substitute therefor, the figures \$4,250.00.

AMENDMENT NO. 29. Page 6, Line 17: Strike the figures \$2,750.00 in both columns, and substitute therefor, the figures \$3,000.00.

AMENDMENT NO. 30. Page 6, Line 18: Strike the figures \$1,800.00 in both columns, and substitute therefor, the figures \$2,000.00.

AMENDMENT NO. 31. Page 6, Line 20: Strike the figures \$1,380.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 32. Page 6, Line 23: Strike the figures \$1,620.00 in both columns, and substitute therefor, the figures \$1,800.00.

AMENDMENT NO. 33. Page 7, Line 32: Strike the figures \$557,476.00 in the first column, and substitute therefor, the figures \$558,596.00; also strike the figures \$294,955.00 in the second column and substitute therefor the figures \$296,075.00.

AMENDMENT NO. 34. Page 7, Line 34: Strike the figures \$4,500.00 in both columns and substitute therefor, the figures \$5,100.00.

AMENDMENT NO. 35, A. Page 7, Line 35: Strike the figures \$2,400.00 in both columns, and substitute therefor the figures \$1,800.00.

AMENDMENT NO. 35. Page 7, Line 37: Strike the figures \$1,320.00 in both columns and substitute therefor, the figures \$1,620.00.

AMENDMENT NO. 36. Page 7, Line 38: Strike

the figures and words included in the parenthesis and substitute therefor the words and figures (8 at \$3487.50 each); also strike the figures \$24,000.00 in both columns and substitute therefor the figures \$27,900.00.

AMENDMENT NO. 37. Page 8, Line 8: Strike the figures \$1,000.00 in both columns and substitute therefor, the figures \$1,250.00.

AMENDMENT NO. 38. Page 8, Line 12: Strike the figure \$49,090.00 in both columns and substitute therefor, the figures \$54,140.00.

AMENDMENT NO. 39. Page 8, Line 14: Strike the figures \$3,000.00 in both columns and substitute therefor, the figures \$3,060.00.

AMENDMENT NO. 40. Page 8, Line 17: Strike the entire line.

AMENDMENT NO. 41. Page 8, Line 22: Strike the entire line.

AMENDMENT NO. 42. Page 8, Line 24: Strike the figures \$250.00 in both columns, and substitute therefor, the figures \$200.00.

AMENDMENT NO. 43. Page 8, Line 25: Strike the entire line.

AMENDMENT NO. 44. Page 8, Line 26: Strike the entire line.

AMENDMENT NO. 45. Page 8, Line 27: Strike the figures \$9,670.00 in both columns, and substitute therefor, the figures \$5,500.00.

AMENDMENT NO. 46. Page 9, Line 11: Strike the figures \$4,000.00 in both columns, and substitute therefor, the figures \$4,250.00.

AMENDMENT NO. 47. Page 9, Line 12: Strike the figures \$2,000.00 in both columns, and substitute therefor, the figures \$2,100.00.

AMENDMENT NO. 48. Page 9, Line 13: Strike the figures \$1,500.00 in both columns, and substitute therefor, the figures \$1,620.00.

AMENDMENT NO. 49. Page 9, Line 14: Strike



the figures \$1,500.00 in both columns, and substitute therefor, the figures \$1,800.00.

AMENDMENT NO. 50. Page 9, Line 15: Strike the figures \$1,200.00 in both columns and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 51. Page 9, Line 27: Strike the figures \$2,000.00 in both columns, and substitute therefor, the figures \$3,000.00.

AMENDMENT NO. 52. Page 9, Line 29: Strike the figures \$1,500.00 in both columns, and substitute therefor, the figures \$1,800.00.

AMENDMENT NO. 53. Page 9, Line 32: Strike the figures \$1,500.00 and substitute therefor, the figures \$1,320.00; also strike the figures \$4,500.00 in both columns and substitute therefor the figures \$3,960.00.

AMENDMENT NO. 54. Page 9, Line 34: Strike the figures \$3,600.00 in both columns, and substitute therefor, the figures \$2,400.00.

AMENDMENT NO. 55. Page 10, Line 5: Strike the figures \$2,400.00 in both columns, and substitute therefor, the figures \$2,700.00.

AMENDMENT NO. 56. Page 10, Line 6: Strike the figures \$1,800.00 and substitute therefor, the figures \$1,920.00; also strike the figures \$3,600.00 in both columns and substitute therefor the figures \$3,840.00.

AMENDMENT NO. 57. Page 10, between Lines 6 and 7, insert the following: "Extra help for Veterinarians at not to exceed \$5.00 per day—\$5,400.00 for the fiscal year ending June 30, 1934, and \$5,400.00 for the fiscal year ending June 30, 1935.

AMENMENT NO. 58. Page 10, Line 9: Strike the figures \$2,400.00 in both columns and substitute therefor, the figures \$7,000.00.

AMENDMENT NO. 59. Page 10, Line 14: Strike the figures \$7,500.00 in both columns, and substitute therefor the figures \$10,000.00.

AMENDMENT NO. 60. Page 10, Line 32: Strike

the figures \$2,500.00 in both columns and substitute therefor the figures \$5,000.00.

AMENDMENT NO. 61. Page 11, between Lines 13 and 14, insert the following: "Stenographer—\$1,200.00 for the fiscal year ending June 30, 1934, and \$1,200.00 for the fiscal year ending June 30, 1935.

AMENDMENT NO. 62. Page 11, between lines 15 and 16, insert the following: "Premium on commissioners bond—\$950.00 for the fiscal year ending June 30, 1934.

AMENDMENT NO. 63. Page 11, Line 17: Strike the figures \$6,000.00 in both columns and substitute therefor, the figures \$4,000.00.

AMENDMENT NO. 64. Page 11, Lines 19 and 20: Strike both lines.

AMENDMENT NO. 65. Page 11, Line 23: Strike the figures \$2,000.00 in both columns, and substitute therefor, the figures \$4,000.00.

AMENDMENT NO. 66. Page 11, between Lines 23 and 24, insert the following: "Exhibits at Interstate Products Exposition and other State Fairs—\$1,000.00 for the fiscal year ending June 30, 1934, and \$1,000.00 for the fiscal year ending June 30, 1935.

AMENDMENT NO. 67. Page 11, Line 24: Strike the figures \$100,020.00 in the first column and substitute therefor the figures \$118,660.00; also strike the figures \$99,970.00 in the second column and substitute therefor the figures \$117,710.00.

AMENDMENT NO. 68. Page 11, Line 26: Strike the figures \$4,000.00 in both columns and substitute therefor, the figures \$4,250.00.

AMENDMENT NO. 69. Page 11, Line 29: Strike the figures \$1,200.00 and substitute therefor the figures \$1,320.00; also strike the figures \$2,400.00 in both columns and substitute therefor, the figures \$2,640.00.

AMENDMENT NO. 70. Page 11, Line 31: Strike the figures \$1,800.00 and substitute therefor the figures

\$2,100.00; also strike the figures \$7,200.00 in both columns and substitute therefor the figures \$8,400.00.

AMENDMENT NO. 71. Page 11, Line 33: Strike the figures \$12,000.00 in both columns and substitute therefor, the figures \$14,000.00.

AMENDMENT NO. 72. Page 12, Line 4: Strike the figures \$46,432.50 in both columns, and substitute therefor, the figures \$50,122.50.

AMENDMENT NO. 73. Page 12, line 6: Strike the figures \$3,000.00 in both columns, and substitute therefor, the figures \$3,060.00.

AMENDMENT NO. 74. Page 12, Line 8: Strike the figures \$1,200.00 in both columns, and substitute therefor the figures \$2,400.00.

AMENDMENT NO. 75. Page 12, Line 9: Strike the figures \$1,200.00 in both columns and substitute therefor, the figures \$1,500.00.

AMENDMENT NO. 76. Page 12, Line 18: Strike the figures \$1,200.00 in both columns and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 77. Page 12: Strike Lines 21 and 22.

AMENDMENT NO. 78. Page 12, Line 26: Strike the figures \$4,000.00 in both columns, and substitute therefor, the figures \$5,000.00.

AMENDMENT NO. 79. Page 12, Line 28: Strike the figures \$500.00 in both columns, and substitute therefor, the figures \$1,400.00.

AMENDMENT NO. 80. Page 12, Line 29: Strike the figures \$750.00 in both columns and substitute therefor, the figures \$1,100.00.

AMENDMENT NO. 81. Page 12, Line 31: Strike the figures \$500.00 in both columns and substitute therefor, the figures \$634.00.

AMENDMENT NO. 82. Page 12, Line 33: Strike the figures \$150.00 in both columns, and substitute therefor, the figures \$161.00.

AMENDMENT NO. 83. Page 12, Line 36: Strike the figures \$1,200.00 in both columns, and substitute therefor the figures \$1,800.00.

AMENDMENT NO. 84. Page 12, Line 37: Strike the figures \$26,330.00 in both columns, and substitute therefor the figures \$30,705.00.

AMENDMENT NO. 85. Page 13, Line 2: Strike the figures \$4,000.00 in both columns, and substitute therefor, the figures \$4,580.00.

AMENDMENT NO. 86. Page 13, Line 3: Strike the figures \$7,680.00 in both columns, and substitute therefor, the figures \$8,000.00.

AMENDMENT NO. 87. Page 13, Line 4: Strike the figures \$2,400.00 in both columns and substitute therefor, the figures \$2,700.00.

AMENDMENT NO. 88. Page 13, Line 6: Strike the figures \$2,400.00 in both columns, and substitute therefor, the figures \$2,700.00.

AMENDMENT NO. 89. Page 13, Line 7: Strike the figures \$1,800.00 in both columns, and substitute therefor the figures \$2,100.00.

AMENDMENT NO. 90. Page 13, Line 8: Strike the figures \$1,500.00 in both columns and substitute therefor, the figures \$1,800.00.

AMENDMENT NO. 91. Page 13, Line 9: Strike the figures \$1,320.00 in both columns, and substitute therefor, the figures \$1,620.00.

AMENDMENT NO. 92. Page 13, Line 10: Strike the figures \$1,200.00 in both columns and substitute therefor the figures \$1,320.00.

AMENDMENT NO. 93. Page 13, Line 11: Strike the figures \$1,200.00 in both columns and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 94. Strike Line 12 on Page 13.

AMENDMENT NO. 95. Page 13, Line 13: Strike



the figures \$1,320.00 in both columns and substitute therefor, the figures \$1,620.00.

AMENDMENT NO. 96. Page 13, Line 14: Strike the figures \$1,200.00 in both columns and substitute therefor the figures \$1,320.00.

AMENDMENT NO. 97. Page 13, Line 15: Strike the figures \$1,200.00 and substitute therefor, the figures \$1,320.00; also strike the figures \$2,400.00 in both columns, and substitute therefor, the figures \$2,640.00.

AMENDMENT NO. 98. Page 13, Line 21: Strike the figures \$2,500.00 in both columns and substitute therefor, the figures \$3,000.00.

AMENDMENT NO. 99. Page 13, Line 29: Strike the figures \$40,940.00 in both columns and substitute therefor, the figures \$43,540.00.

AMENDMENT NO. 100. Page 14, Line 5: Strike the words and figures included in the parenthesis and substitute therefor the words and figures (20 at \$900.00 each); also strike the figures \$25,920.00 in both columns, and substitute therefor, the figures \$18,000.00.

AMENDMENT NO. 101. Page 14, Line 8: Strike the figures \$1,500.00 in both columns and substitute therefor, the figures \$1,620.00.

AMENDMENT NO. 102. Page 14, Line 12: Strike the figures \$6,000.00 in both columns and substitute therefor, the figures \$12,500.00.

AMENDMENT NO. 103. Page 14, Line 13: Strike the figures \$15,000.00 in both columns and substitute therefor, the figures \$18,000.00.

AMENDMENT NO. 104. Page 14, Line 15: Strike the figures \$4,000.00 in both columns, and substitute therefor, the figures \$5,000.00.

AMENDMENT NO. 105. Page 14, Line 16: Strike the figures \$1,500.00 in both columns and substitute therefor, the figures \$1,800.00.

AMENDMENT NO. 106. Page 14, Line 17: Strike

the figures \$1,500.00 in both columns, and substitute therefor the figures \$1,750.00.

AMENDMENT NO. 107. Page 14, Line 18: Strike the figures \$76,240.00 in both columns and substitute therefor, the figures \$79,490.00.

AMENDMENT NO. 108. Page 17, Line 5: Strike the figures \$4,500.00 in both columns and substitute therefor, the figures \$5,100.00.

AMENDMENT NO. 109. Page 17, Line 9: Strike the figures \$1,200.00 in both columns and substitute therefor the figures \$1,320.00.

AMENDMENT NO. 110. Page 17, Line 22: Strike the figures \$2,000.00 in both columns and substitute therefor, the figures \$2,100.00.

AMENDMENT NO. 111. Page 17, Line 23: Strike the figures \$1,800.00 and substitute therefor, the figures \$2,000.00; also strike the figures \$3,600.00 in both columns and substitute therefor, the figures \$4,000.00.

AMENDMENT NO. 112. Page 17, Line 24: Strike the figures \$1,200.00 in both columns and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 113. Page 17, Line 27: Strike the figures \$68,340.00 in both columns and substitute therefor, the figures \$69,680.00.

AMENDMENT NO. 114. Page 18, Line 4: Strike the figures \$5,000.00 in both columns, and substitute therefor, the figures \$2,000.00.

AMENDMENT NO. 115. Page 18, Line 11: Strike the figures \$55,000.00 in both columns and substitute therefor, the figures \$52,000.00.

AMENDMENT NO. 116. Page 18, Line 13: Strike the figures \$1,800.00 in both columns and substitute therefor, the figures \$2,100.00.

AMENDMENT NO. 117. Page 18, Line 14: Strike the figures \$1,200.00 in both columns and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 118. Page 18, Line 19: Strike

the figures \$1,000.00 in both columns and substitute therefor, the figures \$1,250.00.

AMENDMENT NO. 119. Page 18, Line 20: Strike the figures \$500.00 in both columns and substitute therefor, the figures \$800.00.

AMENDMENT NO. 120. Page 18, Line 22: Strike the figures \$400.00 in both columns and substitute therefor, the figures \$650.00.

AMENDMENT NO. 121. Page 18, Line 23: Strike the figures \$6,475.00 in both columns and substitute therefor, the figures \$7,695.00.

AMENDMENT NO. 122. Page 19, Line 6: Strike the figures \$3,500.00 and substitute therefor the figures \$3,000.00; also strike the figures \$31,500.00 in both columns and substitute therefor, the figures \$27,000.00.

AMENDMENT NO. 123. Page 19, Line 16: Strike the figures \$112,600.00 in both columns and substitute therefor, the figures \$108,100.00.

AMENDMENT NO. 124. Page 19, Line 18: Strike the figures \$3,360.00 in both columns, and substitute therefor, the figures \$3,600.00.

AMENDMENT NO. 125. Page 19, Line 19: Strike the figures \$1,800.00 in both columns, and substitute therefor, the figures \$2,100.00.

AMENDMENT NO. 126. Page 19, Line 20: Strike the figures \$1,500.00 in both columns and substitute therefor, the figures \$1,800.00.

AMENDMENT NO. 127. Page 19, Line 21: Strike the figures \$1,500.00 in both columns and substitute therefor, the figures \$1,800.00.

AMENDMENT NO. 128. Page 19: Strike Line 23.

AMENDMENT NO. 129. Page 19, Line 33: Strike the figures \$13,310.00 in the first column, and substitute therefor, the figures \$12,950.00; also strike figures \$14,310.00 in the second column and substitute therefor the figures \$13,950.00.

AMENDMENT NO. 130. Page 20, Between Lines 12 and 13, insert the following: "Printing, other than office supplies                      \$3,000.00                      \$3,000.00"

AMENDMENT NO. 131. Page 20, Line 16: Strike the figures \$19,000.00 in both columns and substitute therefor, the figures \$22,000.00.

AMENDMENT NO. 132. Page 20, Line 18: Strike the entire line and substitute therefor, the following:

Judges (2 at \$6,275.00 and  
1 at \$5,100.00)                      \$17,650.00                      \$17,650.00

AMENDMENT NO. 133. Page 20, Line 20: Strike the figures \$1,320.00 and substitute therefor, the figures \$1,500.00; also strike the figures \$2,640.00 in both columns and substitute therefor, the figures \$3,000.00.

AMENDMENT NO. 134. Page 20, Line 28: Strike the figures \$23,740.00 in both columns, and substitute therefor, the figures \$23,750.00.

AMENDMENT NO. 135. Page 22, Line 11: Strike the figures \$510,000.00 in the first column and substitute therefor, the figures \$447,760.00; also strike the figures \$385,000.00 in the second column and substitute therefor, the figures \$447,760.00.

AMENDMENT NO. 136. Page 22, Line 12: Strike the figures \$514,500.00 in the first column and substitute therefor the figures \$452,260.00; also strike the figures \$389,500.00 in the second column and substitute therefor the figures \$452,260.00.

AMENDMENT NO. 137. Page 22: Strike lines 25, 26, 27, 28, 29 and 30, and substitute therefor, the following:

"Commissioners                      \$12,500.00                      \$12,625.00"

AMENDMENT NO. 138. Page 22, Line 31: Strike the figures \$2,000.00 in both columns, and substitute therefor, the figures \$2,700.00.

AMENDMENT NO. 139. Page 22, Line 32: Strike the figures \$1,500.00 in both columns, and substitute therefor, the figures \$1,620.00.



AMENDMENT NO. 140. Page 23, Line 2: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 141. Page 23, Line 3: Strike the figures \$1,500.00 in both columns, and substitute therefor, the figures \$1,800.00.

AMENDMENT NO. 142. Page 23, Line 5: Strike the figures \$5,000.00 in both columns, and substitute therefor, the figures \$7,500.00.

AMENDMENT NO. 143. Page 23, Line 6: Strike the figures \$3,500.00 in both columns, and substitute therefor, the figures \$4,000.00.

AMENDMENT NO. 144. Page 23, Line 7: Strike the figures \$2,500.00 in both columns, and substitute therefor, the figures \$3,500.00.

AMENDMENT NO. 145. Page 23, Line 9: Strike the figures \$2,400.00 in both columns, and substitute therefor, the figures \$3,800.00.

AMENDMENT NO. 146. Page 23, Line 11: Strike the figures \$1,000.00 in both columns, and substitute therefor, the figures \$1,200.00.

AMENDMENT NO. 147. Page 23, Line 14: Strike the figures \$3,000.00 in both columns, and substitute therefor, the figures \$3,500.00.

AMENDMENT NO. 148. Page 23, Line 15: Strike the figures \$1,800.00 in both columns, and substitute therefor, the figures \$2,400.00.

AMENDMENT NO. 149. Page 23, Line 16: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 150. Page 23, Line 18: Strike the figures \$2,400.00 in both columns, and substitute therefor, the figures \$3,000.00.

AMENDMENT NO. 151. Page 23, Line 19: Strike the figures \$2,400.00 in both columns, and substitute therefor, the figures \$3,000.00.

AMENDMENT NO. 152. Page 23, Line 20: Strike

the figures \$2,400.00 in both columns, and substitute therefor, the figures \$3,000.00.

AMENDMENT NO. 153. Page 23, Line 21: Strike the figures \$1,500.00 in both columns, and substitute therefor, the figures \$1,620.00.

AMENDMENT NO. 154. Page 23, Line 22: Strike the figures \$1,500.00 in both columns, and substitute therefor, the figures \$1,620.00.

AMENDMENT NO. 155. Page 23, Line 23: Strike the words and figures enclosed in the parenthesis and substitute therefor, the following: (3 at \$1,320.00); also strike the figures \$2,400.00 in both columns, and substitute therefor, the figures \$3,960.00.

AMENDMENT NO. 156. Page 23, Line 27: Strike the figures \$3,000.00 in both columns, and substitute therefor, the figures \$4,000.00.

AMENDMENT NO. 157. Page 23, Line 28: Strike the figures \$1,500 and substitute therefor, the figures \$1,800.00; also strike the figures \$3,000.00 in both columns, and substitute therefor, the figures \$3,600.00.

AMENDMENT NO. 158. Page 23, Line 29: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 159. Page 23, Line 30: Strike the figures \$1,500.00 in both columns and substitute therefor, the figures \$1,800.00.

AMENDMENT NO. 160. Page 23, Line 32: Strike the figures \$2,400.00 in both columns and substitute therefor, the figures \$3,000.00.

AMENDMENT NO. 161. Page 23, Line 33: Strike the figures \$1,200.00 in both columns and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 162. Page 24, Line 3: Strike the figures \$3,000.00 in both columns, and substitute therefor, the figures \$3,300.00.

AMENDMENT NO. 163. Page 24, Line 4: Strike

the figures \$1,800.00 in both columns, and substitute therefor, the figures \$2,400.00.

AMENDMENT NO. 164. Page 24, Line 5: Strike the figures \$1,500.00 in both columns, and substitute therefor, the figures \$1,620.00.

AMENDMENT NO. 165. Page 24 between the lines 5 and 6, insert the following:

Stenographer                      \$1,320.00      \$1,320.00

AMENDMENT NO. 166. Page 24, Line 7: Strike the entire line and substitute therefor, the following:

Conservation Officer (1 at  
\$2,700.00 and 7 at \$2,000.00)    \$16,700.00    \$16,700.00

AMENDMENT NO. 167. Page 24, Line 9: Strike the figures \$1,500.00 and substitute therefor, the figures \$1,800.00; also strike the figures \$6,000.00 in both columns and substitute therefor, the figures \$7,200.00.

AMENDMENT NO. 168. Page 24, between Lines 9 and 10, insert the following:

Stenographer                      \$1,200.00      \$1,200.00

AMENDMENT NO. 169. Page 24, between Lines 9 and 10, insert the following:

“Public utilities—appraisal,  
audit and litigation                      \$40,000.00      \$40,000.00”

AMENDMENT NO. 170. Page 24, Line 10: Strike the figures \$10,000.00 in both columns, and substitute therefor, the figures \$18,000.00.

AMENDMENT NO. 171: Page 24, Line 15: Strike the figures \$10,000.00 in both columns, and substitute therefor, the figures \$15,000.00.

AMENDMENT NO. 172. Page 24, Line 16: Strike the figures \$120,000.00 in both columns, and substitute therefor, the figures \$194,140.00 in the first column, and the figures \$194,265.00 in the second column.

AMENDMENT NO. 173. Page 24, Line 21: Strike the figures \$3,600.00 in both columns, and substitute therefor, the figures \$4,600.00.

AMENDMENT NO. 174. Page 24, Line 33: Strike the figures \$12,656.00 in both columns, and substitute therefor, the figures \$13,656.00.

AMENDMENT NO. 175. Page 25, Line 2: Strike the figures \$4,000.00 in both columns, and substitute therefor, the figures \$4,200.00.

AMENDMENT NO. 176. Page 25, Line 3: Strike the figures \$2,400.00 in both columns, and substitute therefor, the figures \$3,000.00.

AMENDMENT NO. 177. Page 25, Line 4: Strike the figures \$2,600.00 in both columns, and substitute therefor, the figures \$2,820.00.

AMENDMENT NO. 178. Page 25, between Lines 5 and 6, insert the following:

“Chief Clerk                      \$1,500.00      \$1,500.00

AMENDMENT NO. 179. Page 25, Line 6: Strike the figures \$3,000.00 in both columns, and substitute therefor, the figures \$4,000.00.

AMENDMENT NO. 180. Page 25, Line 11: Strike the entire line, and insert in lieu thereof, the following:

“Stenographers (3 at  
\$1,320.00)                      \$3,960.00      \$3,960.00”

AMENDMENT NO. 181. Page 25, Line 12: Strike the figures \$2,400.00 in both columns, and substitute therefor, the figures \$3,600.00.

AMENDMENT NO. 182. Page 25, Line 13: Strike entire line.

AMENDMENT NO. 183. Page 25, Line 15: Strike the figures \$9,000.00 in both columns, and substitute therefor, the figures \$11,500.00.

AMENDMENT NO. 184. Page 25, Line 23: Strike the figures \$53,300.00 in both columns, and substitute therefor, the figures \$60,580.00.

AMENDMENT NO. 185. Page 25, Line 26: Strike the figures \$3,840.00 in both columns, and substitute therefor, the figures \$4,000.00.

AMENDMENT NO. 186. Page 25, Line 28: Strike



the figures \$1,320.00 in both columns, and substitute therefor, the figures \$1,500.00.

AMENDMENT NO. 187. Page 25, Line 29: Strike the entire line.

AMENDMENT NO. 188. Page 25, Line 30: Strike the entire line.

AMENDMENT NO. 189. Page 25, insert after Line 28, the following:

“Bookkeeper                      \$1,500.00      \$1,500.00”

AMENDMENT NO. 190. Page 25, Line 32: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,500.00.

AMENDMENT NO. 191. Page 25, Line 33: Strike the figures \$1,800.00 and substitute therefor, the figures \$1,500.00; also strike the figures \$7,200.00 in both columns, and substitute therefor, the figures \$6,000.00.

AMENDMENT NO. 192. Page 26, Line 4: Strike the figures \$1,800.00 in both columns, and substitute therefor, the figures \$1,500.00.

AMENDMENT NO. 193. Page 26, Line 5: Strike the figures \$2,000.00 in both columns, and substitute therefor, the figures \$1,800.00.

AMENDMENT NO. 194. Page 26, Line 7: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,500.00.

AMENDMENT NO. 195. Page 26, Line 8: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$900.00.

AMENDMENT NO. 196. Page 26, Line 10: Strike the figures \$2,500.00 in both columns, and substitute therefor, the figures \$2,000.00.

AMENDMENT NO. 197. Page 26, Line 17: Strike the figures \$1,500.00 in both columns, and substitute therefor, the figures \$2,100.00.

AMENDMENT NO. 198. Page 26, Line 18: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,500.00.

AMENDMENT NO. 199. Page 26, Line 19: Strike the figures \$1,200.00 and substitute therefor, the figures \$1,320.00; also strike the figures \$2,400.00 in both columns and substitute therefor, the figures \$2,640.00.

AMENDMENT NO. 200. Page 26, Line 21: Strike the figures \$6,000.00 in both columns, and substitute therefor, the figures \$8,000.00.

AMENDMENT NO. 201. Page 26, Line 27: Strike the figure \$500.00 in both columns and substitute therefor the figures \$700.00.

AMENDMENT NO. 202. Page 26, Line 36: Strike the figures \$5,000.00 in both columns, and substitute therefor, the figures \$7,500.00.

AMENDMENT NO. 203. Page 26, Line 37: Strike the figures \$97,410.00 in both columns, and substitute therefor, the figures \$100,790.00.

AMENDMENT NO. 204. Page 27, Line 2: Strike the figures \$3,360.00 in both columns, and substitute therefor, the figures \$3,800.00.

AMENDMENT NO. 205. Page 27, Line 3: Strike the figures \$3,120.00 and substitute therefor, the figures \$3,600.00; also strike the figures \$6,240.00 in both columns, and substitute therefor, the figures \$7,200.00.

AMENDMENT NO. 206. Page 27, Line 4: Strike the figures \$1,800.00 in both columns, and substitute therefor, the figures \$2,100.00.

AMENDMENT NO. 207. Page 27, Line 5: Strike the figure 5 and substitute therefor, the figure 3; also strike the figures \$9,000.00 in both columns and substitute therefor, the figures \$5,400.00.

AMENDMENT NO. 208, Page 27, Line 7: Strike the figure 5 and substitute therefor, the figure 3; also strike the figures \$6,600.00 in both columns, and substitute therefor, the figures \$3,960.00.

AMENDMENT NO. 209. Page 27, between Lines 7 and 8, insert the following:

“Assistant Reporters (3 at \$1,200.00)	\$3,600.00	\$3,600.00”
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AMENDMENT NO. 210. Page 27, Line 8: Strike the figures \$1,320.00 in both columns, and substitute therefor, the figures \$1,500.00.

AMENDMENT NO. 211. Page 27, Line 9: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 212. Page 27, Line 10: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 213. Page 27, between Lines 10 and 11, insert the following:

“Assistant Docket Clerk	\$1,320.00	\$1,320.00
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AMENDMENT NO. 214. Page 27, between Lines 10 and 11, insert the following:

“Appeal Clerk	\$1,320.00	\$1,320.00”
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AMENDMENT NO. 215. Page 27, Line 11: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 216. Page 27, Line 12: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 217. Page 27, Line 15: Strike the figure 2 and substitute therefor, the figure 3; also strike the figures \$2,400.00 in both columns, and substitute therefor, the figures \$3,600.00.

AMENDMENT NO. 218. Page 27, Line 18: Strike the figures \$3,500.00 in both columns, and substitute therefor, the figures \$5,000.00.

AMENDMENT NO. 219. Page 27, Line 19: Strike the figures \$2,500.00 in both columns, and substitute therefor, the figures \$2,000.00.

AMENDMENT NO. 220. Page 27, Line 26: Strike the figures \$49,920.00 in both columns, and substitute therefor, the figures \$54,480.00.

AMENDMENT NO. 221. Page 27, Line 29: Strike

the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,380.00.

AMENDMENT NO. 222. Page 27, Line 30: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,380.00.

AMENDMENT NO. 223. Page 27, Line 34: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,380.00.

AMENDMENT NO. 224. Page 28: Strike Lines 36 to 43 inclusive, and substitute therefor, the following: "Printing and binding, other than office supplies, including printing and binding of Chronicles of Oklahoma, postage, and such other printing as binding of newspaper files, magazines, and other records for said society such as translations, copying manuscripts and pictures and for photostatic manuscripts, as may be approved by the Board of Directors and State Board of Affairs, \$3,600.00 for the fiscal year ending June 30, 1934, and \$3,600.00 for the fiscal year ending June 30, 1935."

AMENDMENT NO. 225. Page 28, Line 45: Strike the entire line, and substitute therefor the following: "Office supplies, Stationery, Telephone, Telegraph, Stamps and Postage, and other necessary communications, \$950.00 for the fiscal year ending June 30, 1934, and \$950.00 for the fiscal year ending June 30, 1935."

AMENDMENT NO. 226. Page 28, Line 47: Strike the entire line and substitute therefor, the following: "Equipment, including books and copied material, \$890.00 for the fiscal year ending June 30, 1934, and \$890.00 for the fiscal year ending June 30, 1935."

AMENDMENT NO. 227. Page 28, Line 48: Strike the figures \$19,880.00 in both columns, and substitute therefor, the figures \$20,420.00.

AMENDMENT NO. 228. Page 29, Line 9: Strike the figures \$4,000.00 in both columns, and substitute therefor, the figures \$4,250.00.



AMENDMENT NO. 229. Page 29, Line 13: Strike the figures \$1,500.00 in both columns, and substitute therefor, the figures \$1,620.00.

AMENDMENT NO. 230. Page 29, Line 14: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 231. Page 29, Line 15: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 232. Page 29, Line 31: Strike the figures \$1,800.00 in both columns, and substitute therefor, the figures \$2,100.00.

AMENDMENT NO. 233. Page 29, Line 32: Strike the figures \$1,200.00 and substitute therefor, the figures \$1,320.00; also strike the figures \$2,400.00 in both columns, and substitute therefor, the figures \$2,640.00.

AMENDMENT NO. 234. Page 29, Line 33: Strike the figures \$1,200.00 and substitute therefor, the figures \$1,320.00; also strike the figures \$4,800.00 in both columns, and substitute therefor, the figures \$5,280.00.

AMENDMENT NO. 235. Page 30, Line 3: Strike the figures \$1,800.00 in both columns, and substitute therefor, the figures \$3,000.00.

AMENDMENT NO. 236. Page 30, Line 6: Strike the figures \$1,500.00 in both columns, and substitute therefor, the figures \$1,620.00.

AMENDMENT NO. 237. Page 30, Line 7: Strike the figures \$1,320.00 in both columns, and substitute therefor, the figures \$1,500.00.

AMENDMENT NO. 238. Page 30, Line 8: Strike the figures \$1,200.00 and substitute therefor, the figures \$1,320.00; also strike the figures \$2,400.00 in both columns, and substitute therefor, the figures \$2,640.00.

AMENDMENT NO. 239. Page 30, Line 9: Strike the figures \$1,200.00 and substitute therefor, the figures \$1,320.00; also strike the figures \$6,000.00 in both columns, and substitute therefor, the figures \$6,600.00.

AMENDMENT NO. 240. Page 30, Line 11: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 241. Page 30, Line 13: Strike the figures \$2,100.00 in both columns, and substitute therefor, the figures \$2,500.00.

AMENDMENT NO. 242. Page 30, Line 14: Strike the figures \$1,200.00 in both columns, and substitute therefor, the figures \$1,320.00.

AMENDMENT NO. 243. Page 30, Line 15: Strike the figures \$200.00 in the last column, and substitute therefor, the figures \$600.00.

AMENDMENT NO. 244. Page 30, Line 16: Strike the figures \$94,620.00 in both columns, and substitute therefor, the figures \$99,230.00 in the first column, and the figures \$99,630.00 in the second column.

AMENDMENT NO. 245. At the end of the Bill add the following items:

#### STATE MARKET COMMISSION

Secretary	\$ 2,400.00	\$ 2,400.00
Stenographer	1,320.00	1,320.00
Field Agent, 3 at \$1800 each	5,400.00	5,400.00
Additional Field Agents	6,000.00	6,000.00
Contractual Services:		
General Repairs	50.00	50.00
Traveling	7,000.00	7,000.00
Transportation	50.00	50.00
Communication	900.00	900.00
Supplies:		
Office Supplies	700.00	700.00
Equipment:		
Office Equipment	125.00	125.00

TOTAL	\$23,945.00	\$23,945.00
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#### STATE PLANT BOARD

State Seed Analyst	\$ 2,700.00	\$ 2,700.00
Laboratory Analyst	1,800.00	1,800.00

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Traveling Seed Inspector	1,800.00	1,800.00
Stenographer	1,200.00	1,200.00
Contractual Services:		
General Repairs	20.00	20.00
Traveling	1,000.00	1,000.00
Communication	200.00	200.00
Supplies:		
Office Supplies	70.00	70.00
Laboratory Supplies	135.00	135.00
Equipment:		
Office Equipment	100.00	100.00
Fixed Charges:		
Affiliation Fee of Official		
Seed Analyst	10.00	10.00
	<hr/>	<hr/>
TOTAL	\$ 9,035.00	\$ 9,035.00
FOREST COMMISSION		
For salaries, support and maintenance of Commission	\$10,000.00	\$10,000.00
CONSERVATION COMMISSION		
For Salaries, support and maintenance,	\$ 4,500.00	\$ 4,500.00
SOLDIER'S RELIEF COMMISSION		
Salaries (this includes State Service officer and chief clerk, executive clerk and stenographer-bookkeeper)	\$ 5,100.00	\$ 5,100.00
Travel Expense (Per diem and travel of Commission, and travel expense of patients and employees)	2,600.00	2,600.00
Communication	500.00	500.00
Office Supplies	500.00	500.00
Office Equipment	150.00	150.00
Premium on Bonds	100.00	100.00

Child Welfare Assistance  
 (For aiding the minor dependents of destitute, disabled and deceased soldiers, sailors, nurses and marines, of the late world war, Philippine Insurrection and Boxer Rebellion; Provided this fund shall be expended by the Soldiers' Relief Commission in the maintenance and support of these minor dependents upon recommendation of any executive officer of the American Legion, upon a per capita basis not to exceed One (\$1.00) Dollar per capita per day. Only minor dependents, whose parents are, or were at time of demise, citizens of the State of Oklahoma for a period of three years, shall participate in the provisions of this fund; provided, that not to exceed Seven Thousand Five Hundred (\$7,500.00) Dollars of this appropriation for each of fiscal years shall be expended

for relief within any one county,	\$72,500.00	\$72,500.00
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Administration Relief:

Contingent Fund	500.00	500.00
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	\$81,950.00	\$81,950.00
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#### STATE INSURANCE BOARD

Secretary	\$ 2,500.00	\$ 2,500.00
Rate Expert	2,500.00	2,500.00
Stenographer	1,200.00	1,200.00
Extra Help	1,200.00	1,200.00

Contractual Services:



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General Repair	50.00	50.00
Traveling	600.00	600.00
Communication	400.00	400.00
Printing, other than office supplies,	500.00	500.00
Supplies:		
Office Supplies	250.00	250.00
Equipment:		
Office Equipment	75.00	75.00
TOTAL	\$ 9,275.00	\$ 9,275.00
OKLAHOMA SECURITIES COMMISSION		
Commissioner	\$2,700.00	\$2,700.00
Auditor	2,100.00	2,100.00
Stenographer-Clerk	1,500.00	1,500.00
Contractual Services:		
Traveling	375.00	375.00
Communication	600.00	600.00
Supplies:		
Office Supplies	375.00	300.00
Equipment:		
Office Equipment	25.00	25.00
Fixed Charges:		
Bond Premium	25.00	25.00
	\$7,700.00	\$7,625.00

Upon motion of Senator MacDonald, the Senate refused to concur in House Amendments to Senate Bill No. 27 and asked the Honorable House to grant a conference, thereon.

President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 60, by CUR-NUTT and WALDREP, entitled:

An Act making an appropriation to pay the salary of the Supreme Court Referees provided for by Section 3792 Oklahoma Statutes 1931, for the fiscal year ending June 30, 1933, 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 AS AMENDED, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 60 was read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1:  
Page 1, Section 1, lines 5 and 6, by striking the words, "at a salary not to exceed two hundred and fifty (\$250.00) dollars per month to," and substituting therefor the following, after the word, "the," on line 6: "for the purpose of paying the salaries of"

Senator Briggs presiding.

Senator Daugherty asked to be recorded "excused," for the remainder of this legislative day, which was the order.

Senator MacDonald moved that the Senate concur in House Amendment to Senate Bill No. 60, which motion prevailed.

Senate Bill No. 60, as amended, was read at length.

The question being, "Shall Senate Bill No. 60, as amended, pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Clark, Curnutt, Garvin, Johnston, Lester, Liggett, Logan, MacDonald, Moon, Morrison, Nichols, Paul, Pugh, Ritzhaupt, Sowards, Stacey, Waldrep, Whitaker, Wilbanks, Willis. Total, 23.

Nay: Howard. Total, 1.

Not voting: Ballard, Chamberlin, Commons, Coppock, Dixon, Fidler, Fischl, Hutchinson, Memminger,

Nance, Ray, Reed, Rizley, Rutherford, Stewart, Taylor, Thomas. Total, 17.

Absent: Powers. Total, 1.

Excused: Daugherty, Jennings. Total, 2.

The Bill having received the constitutional majority of all 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Fidler, Fischl, Garvin, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nay: Howard. Total, 1.

Not voting: Ballard, Commons, Coppock, Dixon, Hutchinson, Nance, Stewart. Total, 7.

Absent: Powers. Total, 1.

Excused: Daugherty, Jennings. 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 Engrossed House Amendment to Senate Bill No. 60 and ordered the bill, as amended, referred for enrollment.

President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 282—By PUGH, entitled:

An Act repealing Section 7914, Oklahoma Statutes of 1931, relating to the salaries of county officers, depu-

ties and assistants of Caddo County, Oklahoma; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 282 was ordered referred for enrollment.

President of the Senate,

Building

SIR:

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

ENROLLED SENATE BILL NO. 284—By BRIGGS of the Senate and HENDERSON of the House, entitled:

An Act validating the appointments and employments of agents, servants and employees of the State Highway Commission under previous existing statutes regulating the same prior to the effective date of Senate Bill No. 55, of the Fourteenth Legislature, continuing their employment and salaries or wages, authorizing said persons to perform the duties of their offices under existing law and empowering the State Highway Commission created by Senate Bill No. 55 to ratify, confirm and approve all acts of such persons; providing for payment of the salaries and wages thereof; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 284 was ordered referred to the Governor, for consideration.

Senator Whitaker asked unanimous consent, which



was granted, to withdraw Committee Report on SENATE BILL NO. 131, by Morrison, submitted on a previous legislative day, and re-refer the bill to the Committee on Revenue and Taxation, for further consideration.

GENERAL ORDER (Con't.)

SENATE BILL NO. 298, by MacDonald, et al., was taken up for consideration.

Sections 1 and 2 were read and adopted, upon motions of Senator MacDonald.

Upon motion of Senator Ballard, Section 3, being the emergency section, was ordered stricken.

Upon motion of Senator MacDonald, Senate Bill No. 298 was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and Senate Bill No. 298 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 298 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Garvin, Johnston, Lester, Liggett, Logan, MacDonald, Morrison, Nichols, Paul, Pugh, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Waldrep, Wilbanks, Willis. Total, 25.

Nay: Moon. Total, 1.

Not voting: Commons, Coppock, Dixon, Fidler, Fischl, Howard, Hutchinson, Memminger, Nance, Ray, Reed, Rizley, Rutherford, Thomas, Whitaker. Total, 15.

Absent: Powers. Total, 1.

Excused: Daugherty, Jennings. Total, 2.

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. 298 was ordered referred for engrossment.

Senator MacDonald moved that the vote be reconsidered by which HOUSE BILL NO. 506, by Martin, was passed, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Moon, Morrison, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 34.

Not voting: Coppock, Dixon, Hutchinson, Memminger, Nance, Rizley, Whitaker. Total, 7.

Absent: Powers. Total, 1.

Excused: Daugherty, Jennings. Total, 2.

Upon motion of Senator MacDonald, the vote was reconsidered by which House Bill No. 506 was advanced to engrossment and third reading:

Upon motion of Senator MacDonald, the vote was reconsidered by which Section 1 was adopted.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 506, by striking in Section 1, the words and figures, "Thirty Thousand (\$30,000.00)," and inserting the words and figures, "Forty-five Thousand (\$45,000.00)." MacDONALD.

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

Upon motion of Senator MacDonald, House Bill No. 506 was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and House Bill No. 506 was considered engrossed and placed on third reading and final passage.

HOUSE BILL NO. 506 was read at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Moon, Morrison, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 34.

Not voting: Coppock, Dixon, Hutchinson, Memminger, Nance, Rizley, Whitaker. Total, 7.

Absent: Powers, Total, 1.

Excused: Daugherty, Jennings. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Moon, Morrison, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 34.

Not voting: Coppock, Dixon, Hutchinson, Memminger, Nance, Rizley, Whitaker. Total, 7.

Absent: Powers, Total, 1.

Excused: Daugherty, Jennings. 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. 506, as amended, was referred for engrossment.

Senator Logan moved that the State Auditor be instructed to purchase \$10.00 worth of postage for each member of the Senate.

Senator Pugh, as a substitute, moved that the mem-

bers of the Senate be instructed to file a requisition for the required amount of postage, which motion failed of adoption.

Senator Chamberlin, as a substitute, moved that the Senate Auditor be instructed to purchase \$75.00 worth of postage and that outgoing mail for members of the Senate be stamped by the Auditor or Post-mistress, which motion failed of adoption.

The vote occurring on the Logan motion, it was declared adopted.

The Presiding Officer announced matters were on the desk of the President, requiring the attention of the Senate, in executive session.

Upon motion of Senator Commons, the Senate closed its doors and went into executive session.

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The Senate reassembled, in open session, with Senator Briggs presiding, who announced the Senate, in executive session, had advised and consented to the confirmation of the following executive nominations:

Wm. F. WARREN, of Ardmore, Oklahoma, Member and Secretary of the State Insurance Board, to succeed Wm. Murdock, resigned, for a term concurrent with that of the Governor.

W. J. BARNETT, Shawnee, Oklahoma, State Bank Commissioner, succeeding C. G. Shull, resigned, for a term of four years.

HUGH C. JONES, Hominy, Oklahoma, succeeding J. O. Mattison, resigned, Member of the State Board of Public Affairs, for a term concurrent with that of the Governor.

#### COMMITTEE REPORT

By unanimous consent, the following Committee Report was submitted, the bill ordered printed and placed upon the calendar:

Mr. President: We, your Committee on Revenue



and Taxation, to whom was referred House Bill No. 1, by Batson, Leecraft, and Landingham, entitled:

An Act providing for relief from ad valorem taxation by levying an annual normal tax and a surtax upon the net income of individuals, corporations, estates and trusts by levying an annual tax on National Banking Associations, State Banks and Trust Companies, 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.

WHITAKER, Chairman.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 o'clock, a. m., Wednesday, March 1st, 1933.

FORTY-SECOND LEGISLATIVE DAY  
Wednesday, March 1, 1933

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Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 44.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Upon the request of Senator Fidler, the Insurance Committee was excused for the purpose of Committee work.

COMMITTEE REPORTS

The following Committee Reports were submitted, the Bills ordered printed and placed upon the Calendar:

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Engrossed House Bill No. 409, by Shoemake, entitled:

An Act repealing Section 8131, Oklahoma Statutes 1931; relating to the mileage and per diem of county commissioners in Muskogee County 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.

PUGH, Chairman.

Mr. President: We, your Committee on Education,

to whom was referred Senate Bill No. 304, by Memminger, entitled:

An act amending Section 6731 of the Oklahoma Statutes of 1931 relating to the issuance of school district bonds; providing the manner of submitting the question of issuing the bonds to the voters of the school, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 305, by Ritzhaupt, Jennings, Johnston and Reed, entitled:

An Act amending Section 7305, Oklahoma Statutes 1931, and making the State Board of Agriculture the Ex Officio Board of Regents of the Colored Agricultural and Normal University of Oklahoma, vesting the 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.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 306, by Sowards of the Senate and Gibson of the House, entitled:

An Act amending Section 5916, Oklahoma Statutes, 1931, and etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

LOGAN, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 309, by Morrison, entitled:

An Act amending Section 1, Chapter 60, Session Laws of Oklahoma 1927, (Section 7114 Oklahoma Stat-

utes 1931) authorizing military reservations to be attached to independent school districts, providing procedure, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 313, by Morrison, entitled:

An Act relating to the letting of contracts by school districts for constructing and equipping school buildings, and permitting the contract price to be paid in bonds instead of money; 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.

RITZHAUPT, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Joint Resolution No. 27, House Bill No. 506, and Senate Bill No. 298, all correctly engrossed and Senate Bills Nos. 60 and 282 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate amendments to and House Joint Resolution No. 27, as amended, and ordered the Bill returned to the Honorable House.

The President, in open session, signed Engrossed Senate Amendment to and House Bill No. 506, as amended, and ordered it returned to the Honorable House.

The President, in open session, signed Engrossed Senate Bill No. 298 and ordered it transmitted to the Honorable House.

Senate Bills Nos. 60 and 282 were, each, read at



length for the fourth time, the enrolled copies signed in open session, by the President 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. 323—By WALDREP (By request).—An Act authorizing and empowering school boards and county excise boards to make transfer of certain school funds in school districts of this State, making other provisions with reference thereto, and declaring an emergency.

SENATE BILL NO. 324—By WALDREP, JOHN-STON and SOWARDS.—An Act authorizing municipal corporations owning or operating electric light plants and distribution systems to extend their lines or services beyond the corporate limits of the city, and to erect poles, lines, wires, apparatus, sub-stations, and to do other things necessary to provide electric service or to supply current to any other person, firm or corporation to the same extent as may be done within the limits of such corporation.

SENATE BILL NO. 325—By WALDREP.—An Act dividing Lincoln County into two nominating and electing districts for the purpose of electing members of the House of Representatives for the Fifteenth, Seventeenth and Eighteenth Sessions of the Legislature; and declaring an emergency.

SENATE BILL NO. 326—By WALDREP.—An Act providing for the payment of the salaries of judges of the superior courts and for the reporters of said courts, making other and further provisions with reference thereto, repealing all laws or parts of laws in conflict herewith and declaring an emergency.

SENATE BILL NO. 327—By MORRISON.—An Act amending Section 13, Chapter 41 of the Session Laws of 1919, which is Section 8713, of the Compiled

Oklahoma Statutes of 1921, or Section 4383 of the Compiled Oklahoma Statutes of 1931, relating to the practice of dentistry in the State of Oklahoma, making it unlawful to engage in certain unprofessional commercial advertising and declaring an emergency.

#### SECOND READING

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

SENATE BILL NO. 316—By RITZHAUPT.—Referred to Committee on Fees and Salaries.

SENATE BILL NO. 317—By RITZHAUPT.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 318—By RITZHAUPT.—Referred to Committee on Education.

SENATE BILL NO. 319—By RITZHAUPT of the Senate and DAVIS of the House.

Senator Ritzhaupt asked unanimous consent, which was granted, that Senate Bill No. 319 be placed upon the Calendar without reference to a Committee.

SENATE BILL NO. 320—By RITZHAUPT.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 321—By RITZHAUPT.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 322—By CARLILE, MORRISON, WALDREP and POWERS of the Senate and SPEAR and GLEN of the House.—Referred to Committee on State and County Affairs.

#### GENERAL ORDER

By unanimous consent SENATE RESOLUTION NO. 14, by MacDonald, was taken up for consideration and read at length, as follows:

SENATE RESOLUTION NO. 14—By MacDONALD.

A RESOLUTION REQUESTING THE GOVERNOR OF CALIFORNIA TO GIVE THE APPLICATION OF TOM MOONEY FOR AN UNCONDITIONAL PARDON CONSIDERATION, AND EARNESTLY REQUEST-

ING THAT HE RECONSIDER HIS ACTION HERETOFORE TAKEN.

BE IT RESOLVED By the Senate, that

WHEREAS, the conviction and imprisonment of Tom Mooney by the State of California is receiving National and International attention, by reason of the opinion of many public men, and by reason of the opinion of the public press, and,

WHEREAS, Men of prominence in the Church, the Judiciary, the editorial columns of the press, the Oklahoma State Federation of Labor, and many others, have expressed their conscientious and firm conviction in the innocence of Tom Mooney.

NOW, THEREFORE, BE IT RESOLVED by the Senate that the members of the Senate of the State of Oklahoma hereby place themselves on record as requesting and favoring the reconsideration of the matter of the pardon of Tom Mooney by His Excellency, the Governor of California, and respectfully praying that he, as Governor of that State, carefully consider anew the unconditional pardon of Tom Mooney.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor of the State of California, the President-elect, the Honorable Franklin D. Roosevelt, and to Tom Mooney at San Quinten, California.

Senator Johnston asked unanimous consent, which was granted, to be added as joint author of Senate Resolution No. 14.

Senator MacDonald moved the adoption of Senate Resolution No. 14.

Following discussion, Senator Chamberlin moved the adoption of the previous question, which was the order.

The vote occurring on the MacDonald motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Carmack, Clark, Commons, Fidler, Garvin,

Jennings, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Waldrep. Total, 19.

Nays: Ballard, Chamberlin, Curnutt, Daugherty, Howard, Hutchinson, Memminger, Moon, Nichols, Stacey, Taylor, Thomas, Willis. Total, 13.

Not Voting: Briggs, Carlile, Coppock, Dixon, Fischl, Logan, Paul, Powers, Rizley, Rutherford, Whitaker, Wilbanks. Total, 12.

Senate Resolution No. 14 was referred for engrossment.

Senator Stacey sent up the following explanation of his vote:

Mr. President: I know nothing about the guilt or innocence of Mooney, therefore cannot vote for the Resolution. Am willing to let California attend to its own business.

STACEY.

Senator Nichols moved that HOUSE BILL NO. 271, by Childers and Babb be set for Special Order at 2:00 p. m., tomorrow, which motion was declared adopted.

Senator Jennings raised a point of order against the announced result of the Nichols motion, citing Rule 6, which point of order was sustained.

Senator Ballard asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 111, by Massey and Daniels.

Section 1 was read.

President Pro Tempore Stewart presiding.

Upon motion of Senator MacDonald, Section 1 was adopted.

By unanimous consent the vote was re-considered by which Section 1 was adopted.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No.



111, line 10, page 3, by adding after the word "district" the following: "in any such independent district where no treasurer has been appointed or elected in accordance with the law."

BALLARD.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 111, line 15, page 3, by inserting after the word "elected" and before the word "the" the following: "or upon his failure to qualify or to furnish bond as herein required."

BRIGGS.

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

Upon motion of Senator Ballard, House Bill No. 111 was advanced to engrossment and third reading.

Upon motion of Senator Ballard, the rules of the Senate were suspended and House Bill No. 111 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 111 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Pugh, Reed, Rizley, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Carmack, Commons, Coppock, Fischl, Jennings, Liggett, Logan, Moon, Paul, Powers, Ray, Ritzhaupt, Rutherford, Thomas. 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 emer-

gency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Pugh, Reed, Rizley, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Carmack, Commons, Coppock, Fischl, Jennings, Liggett, Logan, Moon, Paul, Powers, Ray, Ritzhaupt, Rutherford, Thomas. 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.

House Bill No. 111 was referred for engrossment.

Senator Willis asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 283, by Willis of the Senate and Hankla of the House.

Section 1 was read.

Senator Willis submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 283, line 1, page 1, by substituting a new Section to read as follows: "Section 1. All warrants issued by any of the counties of this state for county highway purposes during the fiscal year ending June 30, 1931, and which are so issued within the amount appropriated, allowed and approved by the excise board in the financial statement of said county, are hereby validated, confirmed and approved; provided, also, that in all cases where there exists a difference between the amount allowed and approved by the excise board for said purposes and the certificate issued by said board or by the County Treasurer, then the estimated needs and the appropriation made by the excise board shall, in all respects, govern,

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and warrants issued in pursuance thereof are hereby validated."

WILLIS.

Senator Willis submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 283, by adding a new Section as follows: "Section 2. The Board of County Commissioners and the County Treasurer of any such county is hereby authorized and empowered to set aside out of any funds derived from the gasoline excise tax and motor vehicle license tax, a sufficient amount to cause any of said warrants remaining unpaid to be paid therefrom and said officers are hereby empowered to set aside said such tax from any of said funds during the ensuing fiscal year, or within the next fiscal year, an amount sufficient to pay and satisfy any or all of said warrants remaining unpaid and provided further, that such warrants shall be paid in the order of their presentation."

WILLIS.

Senator Briggs asked unanimous consent, which was granted, to amend the Willis amendment to Section 1, by re-writing the first sentence to read as follows: "Section 1. All warrants heretofore or hereafter issued by any of the counties of this state for county highway purposes during any fiscal year and which are so issued within the amount appropriated, allowed and approved by the excise board in the financial statement of said county, are hereby validated, confirmed and approved."

BRIGGS.

Senator Waldrep asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend the Willis amendment, adding a new Section 2, by striking the last word in the amendment, "presentation," and inserting the word, "registration."

WALDREP.

Senator Willis submitted the following amendment, which was adopted.

Mr. President: I move to amend Senate Bill No. 283, by re-numbering the emergency section as Section 3.

WILLIS.

Upon motion of Senator Briggs Senate Bill No. 283, as amended, was ordered printed and placed at the head of the Calendar, under General Order.

Senator Nance asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 197, by Nance.

Section 1 was read and adopted, upon motion of Senator Nance.

Section 2 was read.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 197, line 7, page 1, by striking the word "therefor."

CURNUTT.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 197, line 11, page 2, by inserting after the word, "held," the following: "or if there be no newspaper of general circulation in the city, then said notice or proclamation shall be published in a county newspaper of general circulation or if there be no newspaper of general circulation in such county, then the notice or proclamation shall be published by posting same at three conspicuous places in the city, the cost of said notice or proclamation to be paid for by the city holding said election."

NANCE.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 197, line 3, page 1, by inserting after the word "petition"



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and before the word "signed" the words, "or petitions."

BRIGGS.

Senator Whitaker submitted the following amendment, which by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 197, line 2, page 3, by striking after the words "shall be" the remainder of said line and lines 4 and 5 and the first two words in line 6, and inserting the following: "in the form and manner provided in Sections 5868 and 5869, C. O. S. 1931."

WHITAKER.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 197, line 3, page 2, by striking after the word "Article" in line 3, and before the word "at" in line 4, and inserting the following: "Such petition or petitions shall be in such form and language as may clearly express the desire of the petitioners to accomplish the purposes for which this Act was enacted."

BRIGGS.

Upon motion of Senator Nance, Section 2, as amended, was adopted.

Sections 3 and 4 were read and adopted, upon motions of Senator Nance.

Section 5 was read.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 197, line 1, page 4, by striking the words "one assessor" and in line 2 strike the words "one justice of the peace."

NANCE.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 197, line 4, page 4, by striking the figures "1935" and inserting the words "of the next odd numbered year."

CURNUTT.

Upon motion of Senator Nance Section 5, as amended, was adopted.

Section 6 was read.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 197, lines 12 and 13, page 4, by striking the words "Board of County Commissioners" and inserting the words "County Election Board."

CURNUTT.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 197, by striking all of lines 15, 16, 17, and 18, page 4, and the first four words on line 1, page 5.

CURNUTT.

Upon motion of Senator Nance, Section 6, as amended, was adopted.

Section 7 was read and adopted, upon motion of Senator Nance.

Upon motion of Senator Nance, Senate Bill No. 197 was advanced to engrossment and third reading.

President Pro Tempore, Stewart, announced the appointment of the following named, as members of the Conference Committee on SENATE BILL NO. 27, by MacDonald: Senators MacDonald, Curnutt, Nance, Nichols and Memminger.

#### SPECIAL COMMITTEE REPORT

Senator Commons submitted the following Special Committee Report, which was adopted, upon his motion:

Mr. President: We, your Special Committee to arrange with the Honorable House for a Joint Session of the Legislature for the purpose of receiving the Governor's second message, beg to advise that your Committee has met with a like Committee from the Honorable House and after having the same under consideration beg to advise that we recommend the House and

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Senate go in Joint Session in the House of Representatives' Chamber Thursday, March 2nd, 1933, at 1:30 P. M.

#### COMMONS.

Senator Commons moved that a committee of three be appointed to notify the Governor of the arrangements for the Joint Session.

The Commons motion prevailed and the Chair appointed as such Special Committee, Senators Commons, Whitaker and Sowards.

#### MESSAGE

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 200 — By  
HUGHES of Mayes County.

An Act repealing Section 8121, Compiled Oklahoma Statutes, 1931, relating to the per diem and mileage of County Commissioners of Mayes County and declaring an emergency,

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

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 200.

Upon motion of Senator Coppock, the Senate recessed to meet at 1:30 p. m.

#### AFTERNOON SESSION

The Senate, at 1:30, was called to order by the President.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bills Nos. 5, 157, and Senate Bills Nos. 58, 84, 133, 214, 218, 221 and 223 correctly engrossed.

LIGGETT, Chairman.

#### MESSAGE

The following Message from the Governor was received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE BILL NO. 284 — By  
BRIGGS of the Senate and HENDERSON of the House.

An Act validating the appointments and employments of agents, servants and employees of the State Highway Commission under the previous existing Statutes regulating the same prior to the effective date of Senate Bill No. 55, of the Fourteenth Legislature, continuing their employment and salaries or wages, authorizing said persons to perform the duties of their offices under existing law and empowering the State Highway Commission created by Senate Bill No. 55 to ratify, confirm and approve all acts of such persons; providing for the payment of the salaries and wages thereof, and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand, this March 1st, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator MacDonald presiding.

#### RESOLUTIONS AND NOTICES

Senator Ritzhaupt asked unanimous consent, which was granted, to introduce the following resolution:



SENATE RESOLUTION NO. 19—By RITZHAUPT: A Resolution respectfully requesting the State Highway Commission to resume construction work on Highway No. 62 halted by reason of the fact that a committee of the Senate was conducting an investigation of the work of the State Highway Commission.

Senator Ritzhaupt asked unanimous consent, to which Senator Carmack objected, to take up SENATE RESOLUTION NO. 19 for immediate consideration.

Senator Ritzhaupt moved that the rules of the Senate be suspended for the purpose of immediately considering Senate Resolution No. 19, which motion was tabled upon motion of Senator Carmack.

#### SPECIAL COMMITTEE REPORTS

Senator Nichols submitted the following Special Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Special Committee, to whom was referred Senate Joint Resolution No. 4, by Nichols, entitled:

This is a Joint Resolution providing for the submission of a proposed amendment to the Constitution of the state of Oklahoma relating to Article XVII thereof, concerning counties by adding a section providing for the consolidation of counties in said state, and the procedure to be followed therein, beg leave to report that we have had the same under consideration and herewith return a substitute for the same with the recommendation that it do pass.

NICHOLS, Chairman.

Upon motion of Senator Nichols, Senate Joint Resolution No. 4, as amended, was ordered printed, the Resolution to retain its place on the Calendar under Special Order.

Senator Nichols asked unanimous consent, which was granted, to submit the following Special Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Special Committee, to whom was referred Senate Joint Resolution No. 1, by Nichols, Paul, Garvin, Whitaker, Sowards, Logan, Lester, Nance, Reed and Ray, entitled:

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma, relating to Section 9, Article 10, of said Constitution,

beg leave to report that we have had the same under consideration and herewith return the same with the recommendation that Committee substitute therefor, attached hereto, do pass.

NICHOLS, Chairman.

Senator Commons asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 215, by Briggs.

Section 1 was read and adopted, upon motion of Senator Commons.

Upon motion of Senator Commons, Senate Bill No. 215 was advanced to engrossment and third reading.

Senator Johnston asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 174, by Johnston.

Section 1 was read.

Senator Jennings moved that further consideration of Senate Bill No. 174 be indefinitely postponed.

Senator Commons moved the adoption of the previous question, which was the order.

The vote occurring on the Jennings motion, it was declared adopted.

Senator Paul presiding.

#### SPECIAL ORDER

SENATE JOINT RESOLUTION NO. 1, by Nichols, Paul, et al, was taken up for consideration.

Section 1 was read.

Senator Curnutt submitted the following amendment, which was tabled upon motion of Senator Ballard:

Mr. President: I move to amend Senate Joint Resolution No. 1, line 17, page 3, by adding after the word "legislature" the words "provided that this amendment shall not take effect prior to June 30, 1935, unless the legislature provided for some other source of revenue."

CURNUTT.

Senator Curnutt submitted the following amendment, which was tabled upon motion of Senator Ballard:

Mr. President: I move to amend Senate Joint Resolution No. 1, line 8, page 2, by inserting after the words "school district" and before the word "by" the word "townships."

CURNUTT.

Upon motion of Senator Ballard, Section 1 was adopted.

Senator Curnutt moved that the vote be re-considered by which Section 1 was adopted, which motion was tabled upon motion of Senator Moon.

Section 2 was read and adopted, upon motion of Senator Nichols.

Section 3 was read.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 1, line 5, page 5, by adding after the word "majority" and before the word "of" the word "vote" and by striking line 6 and inserting the words "become effective."

BALLARD.

Upon motion of Senator Nichols, Section 3, as amended, was adopted.

Upon motion of Senator Nichols, Senate Joint Resolution No. 1, as amended, was advanced to engrossment and third reading.

Senators Carlile and Fischl asked to be added as joint authors of Senate Joint Resolution No. 1, which was the order.

Upon motion of Senator Nance, the rules of the Senate were suspended and Senate Joint Resolution No. 1, as amended, was considered engrossed and placed upon third reading and final passage.

SENATE JOINT RESOLUTION NO. 1 was read for the third time at length, as follows:

SENATE JOINT RESOLUTION NO. 1—By NICHOLS, PAUL, GARVIN, WHITAKER, SOWARDS, LOGAN, LESTER, NANCE, REED, RAY, FISCHL and CARLILE.

A JOINT RESOLUTION PROVIDING FOR THE SUBMISSION OF A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF OKLAHOMA, RELATING TO SECTION 9, ARTICLE 10, OF SAID CONSTITUTION.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. That the following proposed amendment to Section 9, Article 10, of the Constitution of Oklahoma, shall be referred to the people of the State of Oklahoma for their ratification or rejection, at the next general election held in the State of Oklahoma, or at any special election called therefor by the Governor, said proposed amendment to be in lieu of Section 9, Article 10, of the Constitution of Oklahoma, being as follows, to-wit:

“Section 9. Except as herein otherwise provided, the total taxes for all purposes, on an ad valorem basis, shall not exceed, in any taxable year, fifteen (15) mills on the dollar, to be apportioned between county, city, town and school district, by the County Excise Board, until such time as the regular apportionment is otherwise provided for by the Legislature.



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“No ad valorem tax shall be levied for state purposes, nor shall any part of the proceeds of any ad valorem tax levy upon any kind of property in this state be used for state purposes; provided, however, any county of the state may make an additional ad valorem levy, not exceeding three (3) mills on the dollar valuation, on any property within the county, for separate schools for white and negro children, such aid or money raised therefor to be apportioned as provided by law; provided further, the annual ad valorem tax rate for school purposes may be increased, in any school district, by an amount not to exceed ten (10) mills on the dollar valuation, upon all property in the district, on condition that a majority of the qualified voters of such district voting at an election, vote for such increase, provided, however, that the legislature shall by proper laws prescribe the manner and method of conducting said election, but until such legislative provision is made, said levy may be made and said election held as now provided by law; and provided further, that limitations on the levy of such additional 10 mill levy may be made hereafter by the legislature.

“Provided, also, an additional levy may be made each year, in the state and in the various subdivisions thereof, on all personal and real property subject to ad valorem taxes, to reasonably take care of bonded and other valid indebtedness of the state and its various subdivisions existing at the time this amendment is adopted and becomes effective, but such necessary additional levy or assessment on such property to take care of such indebtedness existing and owing by the state and its subdivisions at such time shall in no event exceed levy or assessment for which such property would have been liable under the Constitution and laws of the state

as same existed immediately prior to the adoption of this amendment. No provision hereof shall be construed to tax churches or schools."

SECTION 2. Said proposed amendment shall be submitted as provided by law, in the following form:

"Shall the proposed amendment be adopted?

☐

YES

☐

NO"

SECTION 3. Said proposed amendment to the Constitution of the State of Oklahoma shall, upon receiving a majority vote of all electors voting at said election, become effective.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Commons, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Rizley, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks. Total, 30.

Nays: Clark, Coppock, Curnutt, Jennings, Liggett, Powers, Rutherford, Taylor. Total, 8.

Not Voting: Chamberlin, Hutchinson, Logan, Ritzhaupt, Waldrep, Willis. Total, 6.

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

Senate Joint Resolution No. 1 was ordered referred for engrossment.

Senator MacDonald moved that the Senate proceed to the consideration of bills under Third Reading.

Senator Reed, having served notice that he would, moved, as a substitute, that the vote be reconsidered by which SENATE BILL NO. 181, by Reed and Carmack, of the Senate, and Watson, et al, of the House,

failed of passage, which motion prevailed.

Senator Whitaker moved that the rules of the Senate be suspended and that HOUSE BILL NO. 1, by Batson, Leecraft, et al, be set a Special Order at 2:30 p. m., on the next legislative day, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Clark, Commons, Daugherty, Dixon, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks. Total, 31.

Nays: Ballard, Coppock, Curnutt, Fidler, Jennings, Moon, Rutherford, Stewart. Total, 8.

Not Voting: Chamberlin, Hutchinson, Logan, Waldrep, Willis. Total, 5.

Upon motion of Senator MacDonald, the Senate proceeded to the consideration of bills under Third Reading.

### THIRD READING

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: Ballard, Carlile, Carmack, Clark, Commons, Coppock, Curnutt, Daugherty, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks. Total, 32.

Nays: Briggs, Howard, Taylor. Total, 3.

Not Voting: Chamberlin, Dixon, Fidler, Hutchinson, Logan, Rizley, Rutherford, Waldrep, Willis. Total, 9.

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

as same existed immediately prior to the adoption of this amendment. No provision hereof shall be construed to tax churches or schools."

SECTION 2. Said proposed amendment shall be submitted as provided by law, in the following form:

"Shall the proposed amendment be adopted?

☐ YES

☐ NO"

SECTION 3. Said proposed amendment to the Constitution of the State of Oklahoma shall, upon receiving a majority vote of all electors voting at said election, become effective.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Commons, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Rizley, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks. Total, 30.

Nays: Clark, Coppock, Curnutt, Jennings, Liggett, Powers, Rutherford, Taylor. Total, 8.

Not Voting: Chamberlin, Hutchinson, Logan, Ritzhaupt, Waldrep, Willis. Total, 6.

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

Senate Joint Resolution No. 1 was ordered referred for engrossment.

Senator MacDonald moved that the Senate proceed to the consideration of bills under Third Reading.

Senator Reed, having served notice that he would, moved, as a substitute, that the vote be reconsidered by which SENATE BILL NO. 181, by Reed and Carmack, of the Senate, and Watson, et al, of the House,



failed of passage, which motion prevailed.

Senator Whitaker moved that the rules of the Senate be suspended and that HOUSE BILL NO. 1, by Batson, Leecraft, et al, be set a Special Order at 2:30 p. m., on the next legislative day, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Clark, Commons, Daugherty, Dixon, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks. Total, 31.

Nays: Ballard, Coppock, Curnutt, Fidler, Jennings, Moon, Rutherford, Stewart. Total, 8.

Not Voting: Chamberlin, Hutchinson, Logan, Waldrep, Willis. Total, 5.

Upon motion of Senator MacDonald, the Senate proceeded to the consideration of bills under Third Reading.

### THIRD READING

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: Ballard, Carlile, Carmack, Clark, Commons, Coppock, Curnutt, Daugherty, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks. Total, 32.

Nays: Briggs, Howard, Taylor. Total, 3.

Not Voting: Chamberlin, Dixon, Fidler, Hutchinson, Logan, Rizley, Rutherford, Waldrep, Willis. 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: Ballard, Carlile, Carmack, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 33.

Nays: Briggs, Howard, Moon. Total, 3.

Not Voting: Chamberlin, Coppock, Dixon, Fidler, Hutchinson, Rutherford, Waldrep, Willis. 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.

Senator Moon served notice that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 218 was passed.

#### SPECIAL COMMITTEE REPORT

Senator Ray asked unanimous consent, which was granted, to submit the following Special Committee Report, which was read:

Mr. President: We, your Committee, appointed on February 27th, 1933, under and by virtue of the adoption of the following motion:

"Senator Dixon moved that the Chair appoint a Committee of 5, composed of Senators Ray, Thomas, Memminger, Reed and Fischl, to investigate an article which appeared in the last issue of the "Blue Valley Farmer," affecting and making direct charges against members of the Senate and other officials of the State," (Senate Journal page 1195),

beg leave to report that we have investigated said article and the truth of the charges contained therein and herewith submit the following report together with a transcript of our proceedings and the testimony taken by

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your committee, with the recommendation that the report of your Honorable Committee be approved by the Honorable Senate.

W. O. RAY, Chairman.

Report of Select Committee composed of Senators Ray, Reed, Thomas, Memminger and Fischl appointed by the Honorable Senate of the Fourteenth Legislature of the State of Oklahoma on the 27th day of February, 1933, to investigate the following article which appeared in the Blue Valley Farmer under date of February 23, 1933:

"These are the men backing the oil investigation through Morton Rutherford, J. Woody Dixon, Jennings, Fidler, and Senator Ross Rizley; and doubtless their money goes into a general pot for the printing of the Oklahoma "Oil Journal," so-called, and also aids in "procuring" witnesses for the investigation.

IMPORTANT:—The foregoing senators and some other high binders had a meeting on Friday night in which sat also Lt. Gov. Robert Burns and Lew Wentz. The purpose of the meeting was to get up \$150,000.00 to "procure" witnesses and bribe the Legislature to impeach the Governor, and to destroy the proration laws; not finding the cash, decided to reduce the amount to \$100,000.00. Lew Wentz wanted no "stock or securities" in the enterprise, and refused to contribute. Then the plan was to run enough "hot" oil to raise the money, but injunction of 23 "rebel" companies cut off that supply."

Mr. President: Your Committee met upon February 28th, 1933, in pursuance of said motion and as directed by the Senate and after organizing, by the selection of Senator Ray as Chairman, called upon His Excellency, Wm. H. Murray, the Governor of Oklahoma, and after a discussion of said article, your Committee was handed the following written statement by the Governor:

STATE OF OKLAHOMA  
EXECUTIVE DEPARTMENT

February 28, 1933

TO THE HONORABLE COMMITTEE OF THE  
SENATE HAVING UNDER INVESTIGATION  
ON BEHALF OF LT. GOVERNOR BURNS, SEN-  
ATORS DIXON, RUTHERFORD, AND OTHERS,  
RELATIVE TO THE STATEMENTS MADE IN  
THE BLUE VALLEY FARMER TOUCHING  
THE RAISING OF \$150,000.00, IN THE MATTER  
OF INVESTIGATIONS, ET CETERA:

Gentlemen:

I wish to make this statement and explanation:

If, as you say, the gentlemen above referred to, deny the statements made, and feel aggrieved at the publication, I made this proposition to Your Honorable Committee:

That the gentlemen in question make a joint affidavit, subscribed and sworn to by them denying all the matters and things recited in the affidavit, in detail, that they did not, during the month of February, 1933, connive, as alleged, in the statement printed in the Blue Valley Farmer; or, if Your Committee will furnish me a statement jointly signed by them, giving any denial or other explanation relative thereto, I shall gladly print the same on the first page of the Blue Valley Farmer. I mention "affidavit" because it would be more compelling of belief in that form.

Certainly I do not wish to injure any person, whatever be his attitude to me, and shall print any denial or explanation they desire to make.

My statement was not made upon gossip, but upon a report of a personal, special, investigator, whose reports in the past I had cause to believe are true; however, he may have suffered under a mistaken identity, and certainly I should be glad to believe that the gentlemen in question have not at any time during this session,



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or before, connived at an effort to embarrass or impeach the Governor; and, as stated before, their statement, under oath, or made upon their honors, will be printed in the Blue Valley Farmer with equal prominence as the statement made against them.

Respectfully submitted,

Wm. H. Hurray, Governor."

and were advised by Governor Murray that he had nothing further to say with reference to the matter.

Your Committee thereupon called before it Lieutenant Governor Robert Burns, Senators W. C. Fidler, Morton Rutherford, Geo. H. Jennings, J. Woody Dixon and Ross Rizley and read to them the statement which your Committee received from the Governor and after discussion of the matter, they declined to make any written statement relative thereto but requested that they be put under oath and examined. Thereupon, your Committee placed the parties above named under oath and took their testimony with reference to said matter.

Your Committee begs to report that, as shown by a transcript of the testimony taken by it, which is returned herewith, all the parties whose names were mentioned in said article with the exception of Mr. Wentz, who is out of the state and could not be called before your committee, denied under oath the truth of said statement.

Your committee thereupon again called upon the Governor of the State and asked him for the name of the special investigator from whom he obtained the information upon which said article was based and the Governor advised the committee that on account of the circumstances surrounding the entire matter that he would not reveal the name of the investigator or the person from whom he obtained his information.

Your committee begs leave to report that it has exhausted all the information available in the discharge of its duties and from the testimony taken by it and

the proceedings had and the conferences had by your committee with the Governor of the state, your committee is of the opinion that His Excellency Wm. H. Murray, Governor of the State of Oklahoma, was informed and believed that such meeting, as outlined in said article, had actually taken place, but your committee is thoroughly convinced that such information received by the Governor was untrue and constituted misinformation. Your committee is thoroughly convinced that at no time or place have Lieutenant Governor Burns and Senators Fidler, Dixon, Rutherford, Jennings and Rizley or either or any of them met or congregated for the purpose or with the design of discussing the impeachment of the present Governor of the State of Oklahoma or for the purpose of attempting to destroy the proration laws or for the purpose of discussing the raising of funds for those purposes and that at no time or place have the Lieutenant Governor Burns, or Senators Fidler, Dixon, Rutherford, Jennings or Rizley or either or any of them met or congregated with a view of discussing or furthering any kind of a movement looking toward the impeachment of the present Governor of Oklahoma or the destroying of the proration laws and that the information which was conveyed to the Governor of Oklahoma, as above stated, was wholly unfounded and untrue in every particular.

Your committee is further of the opinion that such article was based upon misrepresentation and misinformation furnished Governor Murray. That such article constituted a serious reflection upon the reputations of Lieutenant Governor Burns and Senators Fidler, Dixon, Rutherford, Jennings and Rizley, all of whom your committee knows, by reason of acquaintance and association, over a period of years, and by reason of the testi-

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mony taken before it, are men of honor and integrity.

Respectfully submitted,

W. O. RAY,  
LOUIS A. FISCHL,  
ED M. REED,  
C. B. MEMMINGER,  
GROVER THOMAS.

Upon motion of Senator Ray, the report of the Special Committee was adopted, as read.

THIRD READING

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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Garvin, Howard, Jennings, Johnston, Lester, Liggett, Logan, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 34.

Not voting: Carmack, Coppock, Fidler, Fischl, Hutchinson, MacDonald, Rizley, Rutherford, Waldrep, Willis. 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Garvin, Howard, Jennings, Johnston, Lester, Liggett, Logan, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 34.

Not voting: Carmack, Coppock, Fidler, Fischl,

Hutchinson, MacDonald, Rizley, Rutherford, Waldrep, Willis. 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 Senate Bill No. 221, and ordered the same transmitted to the Honorable House.

Senator Reed requested that SENATE BILL NO. 181 be taken up for consideration.

Senator Ballard raised a point of order against the Reed motion, previously adopted, which was sustained, stating the purpose of such motion would have required a suspension of the rules.

Senator Reed moved that the rules of the Senate be suspended for the purpose of reconsidering the vote by which Senate Bill No. 181 failed of passage, which motion failed of adoption.

Upon motion of Senator Chamberlin, the vote was reconsidered by which SENATE BILL NO. 214 was advanced to engrossment and third reading.

Upon motion of Senator Chamberlin, the vote was reconsidered by which Section 1 was adopted.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 214, line 14, page 3, by adding a comma after the word, "same," and before the word, "and," and inserting the following: "therein directing the Board of County Commissioners to execute upon a form, to be prescribed by the State Examiner and Inspector, a deed from the county to the person rightfully redeeming the same;" and, in line 16, page 3, by changing the comma, after the word, "assessor," to a period and adding the following: "Thereupon the Board of County Commissioners shall execute such deed and deliver it to the person rightfully redeeming the same, who shall record it in the office



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of the County Clerk." And on line 16, page 3, by striking the words, "and thereupon," and inserting the words, "after the issuance of the special certificate of redemption and receipt," and on lines 7 and 8, page 2, by striking the words, "previous to such tax sale or resale"

CHAMBERLIN.

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

Upon motion of Senator Chamberlin, the vote was reconsidered by which Section 2 was adopted.

Senator Chamberlin submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 214, line 4, page 4, by striking all of Section 2 and inserting the following: "Section 2. This Act is cumulative and shall be an additional method to the provisions and remedies now provided by existing law, for the term hereof."

CHAMBERLIN.

Upon motion of Senator Chamberlin, Section 2, as amended, was adopted.

Upon motion of Senator Chamberlin, Senate Bill No. 214 was advanced to engrossment and third reading.

Upon motion of Senator Ballard, the rules of the Senate were suspended and Senate Bill No. 214 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Coppock, Dixon, Fidler, Howard,

Hutchinson, Liggett, Moon, Rizley, Rutherford, Sowards, Taylor, 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Coppock, Dixon, Fidler, Howard, Hutchinson, Liggett, Moon, Rizley, Rutherford, Sowards, Taylor, 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.

Senate Bill No. 214 was referred for engrossment.

Senator MacDonald presiding.

Senator Whitaker moved that third reading and final passage of SENATE BILL NO. 58 be deferred for one legislative day, which motion was tabled, upon motion of Senator Paul.

Senator Nance asked unanimous consent, which was granted, to reconsider the vote by which Senate Bill No. 58 was advanced to engrossment and third reading.

#### GENERAL ORDER

Senator Reed asked unanimous consent, which was granted, to take up for immediate consideration SENATE BILL NO. 58, by Nance, of the Senate, and Mooney of the House.

Senators Nance and Whitaker moved that the vote be reconsidered by which Section 2 was adopted, which motion prevailed.

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Senators Nance and Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 58, line 9, page 16, by inserting after the words, "from the," and before the words, "annual tax re-sale," the following: "use, management and/or sale of property acquired in the name of the county at any"

NANCE and WHITAKER.

Upon motion of Senator Nance, the vote was reconsidered by which Section 4 was adopted.

Mr. President: I move to amend Senate Bill No. 58, line 10, page 19, by adding a new sentence at the end of said line, as follows: "Said property shall be sold to the highest bidder and the Board of County Commissioners shall execute a deed conveying title to the purchaser of such property, upon the payment of the purchase price."

NANCE.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 58, line 12, page 18, by striking the word, "shall," and inserting the words, "or more may at any time deemed advisable by the Board of County Commissioners"

NANCE.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 58, line 14, page 18, by inserting after the word, "cash," and before the word, "the," in line 17, the following: "The said Board of County Commissioners may include in said sale any part of or all of said real estate"

BRIGGS.

Upon motion of Senator Nance, Section 4, as amended, was adopted.

Upon motion of Senator Nance, Senate Bill No. 58 was advanced to engrossment and third reading.

Upon motion of Senator Nance, the rules of the Senate were suspended and Senate Bill No. 58 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SENATE BILL NO. 58 was read at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Jennings, Liggett. Total, 2.

Not voting: Ballard, Curnutt, Daugherty, Dixon, Fidler, Logan, Moon, Rizley, Rutherford, 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 question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Jennings, Liggett. Total, 2.

Not voting: Ballard, Curnutt, Daugherty, Dixon, Fidler, Logan, Moon, Rizley, Rutherford, Stewart. 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.



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The question being, "Shall the title of the bill become the title of the Act?" Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 58, by adding thereto the words, "AND DECLARING AN EMERGENCY."

PAUL.

Senate Bill No. 58, as amended, was referred for re-engrossment.

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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Paul, Powers, Pugh, Ray, Reed, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 30.

Not voting: Clark, Coppock, Dixon, Fidler, Fischl, Hutchinson, Logan, Moon, Nichols, Ritzhaupt, Rizley, Rutherford, Waldrep, Wilbanks. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Paul, Powers, Pugh, Ray, Reed, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 30.

Not voting: Clark, Coppock, Dixon, Fidler, Fischl, Hutchinson, Logan, Moon, Nichols, Ritzhaupt, Rizley, Rutherford, Waldrep, Wilbanks. 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 question being, "Shall the title of the Bill become the title of the Act?" Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 223, by adding thereto the words, "AND DECLARING AN EMERGENCY."

BRIGGS.

Senate Bill No. 223 was referred for re-engrossment.

Senator Reed moved that the Senate work under a call of the House, which motion, by unanimous consent, he withdrew.

SENATE BILL NO. 84 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker. Total, 30.

Nays: Jennings, Memminger, Willis. Total, 3.

Not voting: Clark, Coppock, Dixon, Fidler, Hutchinson, Logan, Moon, Rizley, Rutherford, Waldrep, Wilbanks. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Mor-

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rison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker. Total, 30.

Nays: Jennings, Memminger, Willis. Total, 3.

Not voting: Clark, Coppock, Dixon, Fidler, Hutchinson, Logan, Moon, Rizley, Rutherford, Waldrep, Wilbanks. 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 84, and ordered the same transmitted to the Honorable House.

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: Briggs, Carlile, Carmack, Commons, Curnutt, Daugherty, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Stewart, Taylor, Willis. Total, 23.

Nays: Ballard, Chamberlin, Howard, Memminger, Stacey, Thomas, Waldrep, Whitaker. Total, 8.

Not voting: Clark, Coppock, Dixon, Fidler, Hutchinson, Logan, Moon, Powers, Reed, Rizley, Rutherford, Sowards, Wilbanks. 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 133, and ordered the same transmitted to the Honorable House.

Senator Stacey sent up the following explanation of his vote:

Mr. President: I could not vote for Senate Bill No. 133 because it is aimed solely at small offenders

and allows the big offenders to escape. The Ballard amendment should have been adopted.

STACEY.

HOUSE 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Liggett, Stacey. Total, 2.

Not voting: Clark, Coppock, Daugherty, Dixon, Fidler, Hutchinson, Jennings, Logan, Moon, Rizley, Rutherford, Stewart. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Liggett, Stacey. Total, 2.

Not voting: Clark, Coppock, Daugherty, Dixon, Fidler, Hutchinson, Jennings, Logan, Moon, Rizley, Rutherford, Stewart. 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 Presiding Officer, in open session, signed the



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engrossed amendments to and Engrossed House Bill No. 5, and ordered the same transmitted to the Honorable House.

Senator Stacey sent up the following explanation of his vote:

Mr. President: I voted against House Bill No. 5, because it is in conflict with Senate Bill No. 76, already passed.

STACEY.

Senator Reed moved that the rules of the Senate be suspended, for the purpose of reconsidering the vote by which SENATE BILL NO. 181 failed of passage, which motion was adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis, Total, 29.

Nays: Ballard, Jennings, Memminger, Wilbanks. Total, 4.

Not voting: Carmack, Clark, Coppock, Daugherty, Dixon, Fidler, Hutchinson, Logan, Moon, Rizley, Rutherford. Total, 11.

Upon motion of Senator Reed, the vote was reconsidered by which Senate Bill No. 181 failed of passage, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Nays: Ballard, Memminger, Wilbanks. Total, 3.

Not voting: Clark, Coppock, Daugherty, Dixon, Fidler, Hutchinson, Jennings, Logan, Moon, Rizley, Rutherford. Total, 11.

SENATE BILL NO. 181 was read at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Nays: Ballard, Memminger, Wilbanks. Total, 3.

Not voting: Clark, Coppock, Daugherty, Dixon, Fidler, Hutchinson, Jennings, Logan, Moon, Rizley, Rutherford. 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 pass?" the roll agency measure?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Nays: Ballard, Memminger, Wilbanks. Total, 3.

Not voting: Clark, Coppock, Daugherty, Dixon, Fidler, Hutchinson, Jennings, Logan, Moon, Rizley, Rutherford. 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. 181 was referred for engrossment.

Senator Briggs asked unanimous consent, to which Senator Paul objected, to take up for consideration SENATE BILL NO. 70, by Briggs, under general order.

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HOUSE BILL NO. 157 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nay: Jennings. Total, 1.

Not voting: Clark, Coppock, Daugherty, Dixon, Fidler, Fischl, Hutchinson, Logan, Moon, Reed, Rizley, Rutherford. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nay: Jennings. Total, 1.

Not voting: Clark, Coppock, Daugherty, Dixon, Fidler, Fischl, Hutchinson, Logan, Moon, Reed, Rizley, Rutherford. 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 Presiding Officer, in open session, signed the engrossed amendments to and Engrossed House Bill No. 157, and ordered the same transmitted to the Honorable House.

### GENERAL ORDER

Senator Briggs asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 70, by Briggs.

Section 1 was read and adopted, upon motion of Senator Briggs.

Upon motion of Senator Briggs, Senate Bill No. 70 was advanced to engrossment and third reading.

Upon motion of Senator Briggs, the rules of the Senate were suspended and Senate Bill No. 70 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 70 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Dixon, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Clark, Coppock, Daugherty, Fidler, Fischl, Hutchinson, Jennings, Logan, Moon, Rizley, Rutherford, Sowards, Stewart. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Dixon, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.



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Not voting: Clark, Coppock, Daugherty, Fidler, Fischl, Hutchinson, Jennings, Logan, Moon, Rizley, Rutherford, Sowards, Stewart. 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 question being, "Shall the title of the Bill become the title of the Act?" Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 70, by adding thereto the following: "AND DECLARING AN EMERGENCY."

BRIGGS.

Senate Bill No. 70, as amended, was 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 Judiciary Committee No. 1, to whom was referred House Bill No. 39, by Cloyd, entitled:

An Act declaring that the practice of law shall include certain defined activities, and providing additional remedies for the prevention of the practice of law, without license and authority,

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.

CURNUTT, Chairman.

Mr. President: We, your Committee on Insurance, to whom was referred Senate Bill No. 118, by Commons, entitled:

An Act amending Section 10519 Oklahoma Statutes 1931 (Section 6728 C. O. S. 1921); and declaring an emergency,

beg leave to report that we had the same under consid-

eration and herewith return the same with the recommendation that it do pass.

FIDLER, Chairman.

Mr. President: We your Judiciary Committee No. 1, to whom was referred Committee Substitute for Senate Bill No. 132, by Henry S. Johnston, entitled:

An Act amending Section 1645 Oklahoma Statutes 1931 defining and specifying the exemptions from attachment and execution for persons who are not at the head of a family; 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.

CURNUTT, Chairman.

Senator Nance presiding.

Senator Commons moved that the Senate proceed to the consideration of House Bills on General Order, which motion prevailed.

Senator Whitaker asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 249, by Todd.

Section 1 was read and adopted, upon motion of Senator Whitaker.

Upon motion of Senator Whitaker, House Bill No. 249 was advanced to engrossment and third reading.

Upon motion of Senator Whitaker, the rules of the Senate were suspended and House Bill No. 249 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 249 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carmack, Chamberlin, Commons, Curnutt, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul,

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Powers, Pugh, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 26.

Not voting: Carlile, Clark, Coppock, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Logan, Moon, Morrison, Ray, Reed, Rizley, Rutherford, Taylor, Wal-drep. Total, 18.

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 Commons, the emergency section to House Bill No. 249 was ordered stricken.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 249, by striking the words, "AND DECLARING AN EMERGENCY."

BALLARD.

House Bill No. 249, as amended, was referred for engrossment.

By unanimous consent, HOUSE CONCURRENT RESOLUTION NO. 13, by Cox and Williams, was taken up for consideration and read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 13—By COX and WILLIAMS.

A RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO INCLUDE IN THE PLAN FOR AN ADEQUATE FLOOD CONTROL OF THE MISSISSIPPI RIVER AREA THE CONSTRUCTION OF FLOOD CONTROL RESERVOIRS ON THE DRY CIMARRON RIVER WITHIN THE STATE OF OKLAHOMA, AND STATE OF NEW MEXICO.

WHEREAS, The Congress of the United States on May 15, 1928, passed a flood control act for the pur-

pose of controlling the devastating floods in the lower Mississippi River, and

WHEREAS, Stream control, not only in the lower Mississippi Valley, but throughout the watershed of the entire Mississippi River, is necessarily part of an adequate plan to solve this situation; and

WHEREAS, control by reservoirs of tributary streams for the purpose of withholding and controlling flood and waste water as well as for irrigation and other beneficial uses is a necessary part of any adequate plan for the control of the Mississippi Valley, and

WHEREAS, the Dry Cimarron River in the States of New Mexico and Oklahoma is a tributary of the Mississippi River and annually contributes large and disastrous amounts of water to the Mississippi River under flood conditions; and

WHEREAS, the Hydrographic survey of the Dry Cimarron River in New Mexico, made by the State of New Mexico, shows three damsites for flood control reservoirs, which are sufficient and adequate for the control of water arising in New Mexico; and

WHEREAS, it is a matter of common knowledge that damsites might be with propriety constructed on the Dry Cimarron River in Oklahoma, which would have for their purposes the control of flood waters and it is further apparent that such flood control reservoirs would be sufficient and adequate for the control of water arising in both the states of New Mexico and Oklahoma which finds its way to the Mississippi River,

NOW, THEREFORE, BE IT RESOLVED BY THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, THAT

SECTION 1. The State of Oklahoma does hereby request the Congress of the United States and all bureaus and departments of the Federal Government connected with flood control to include in the plans for Mis-



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Mississippi Valley flood control, the construction of adequate flood control reservoirs on the Dry Cimarron River in the States of New Mexico and Oklahoma, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Representatives of Oklahoma in the National Congress.

Senator Johnston asked unanimous consent, which was granted, to be added as a joint author of House Concurrent Resolution No. 13.

Upon motion of Senator Ballard, House Concurrent Resolution No. 13, as amended, was adopted.

House Concurrent Resolution No. 13, as amended, was referred for engrossment.

Senator Thomas moved that the Senate adjourn, to meet under the rules, which motion failed of adoption.

President Burns presiding.

Senator Whitaker asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 306, by Garland and Haile.

Sections 1 and 2 were read and adopted, upon motions of Senator Whitaker.

Upon motion of Senator Whitaker, House Bill No. 306 was advanced to engrossment and third reading.

Upon motion of Senator Whitaker, the rules of the Senate were suspended and House Bill No. 306 was considered engrossed and placed upon third reading and final passage.

Senator Whitaker moved that third reading and final passage of House Bill No. 306 be deferred for this legislative day.

Senator Paul moved to table the Whitaker motion, which motion failed of adoption.

The vote occurring on the Whitaker motion, it was declared adopted.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled bills begs leave to report Senate Resolution No. 14 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Resolution No. 14 and ordered it referred for enrollment.

MESSAGE

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 190 — By STURGELL and JOHNSON, entitled:

An Act authorizing the Board of County Commissioners of any County to lease grounds, and buildings for county free fair purposes, authorizing a tax levy of not to exceed one half ( $\frac{1}{2}$ ) mill to be made for paying for leasing and maintaining such grounds and buildings, and prescribing details of the lease, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 190.

Upon motion of Senator MacDonald, the Senate adjourned, to meet at 10:00 o'clock. a. m., Thursday, March 2nd, 1933.

## FORTY-THIRD LEGISLATIVE DAY

Thursday, March 2, 1933

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Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Absent: Ray. Total, 1.

The President 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. 32, by Ballard, Ritzhaupt, Paul, Clark, Johnston, Fischl, and Dixon, entitled:

An Act requiring the State Highway Commission of Oklahoma to construct a free bridge over the South Canadian River at a point between Lexington, Oklahoma, and Purcell, Oklahoma; making an appropriation of three hundred and fifty thousand (\$350,000.00) dollars out of any funds in the State Highway Department construction and maintenance funds, etc., etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be printed and placed on the calendar.

BRIGGS, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred Senate Bill No. 211, by Curnutt, entitled:

An Act amending Section 10280, Oklahoma Statutes, 1931, relating to the registration by manufacturer or dealer of motor vehicles in the state of Oklahoma, repealing all laws or parts of laws in conflict, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the same be printed and placed on the calendar.

BRIGGS, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred Senate Bill No. 212, by Curnutt and Fischl, entitled:

An Act amending Section 10282, Oklahoma Statutes 1931, relating to the operation of foreign commercial vehicles upon the highways of the state of Oklahoma, repealing all laws or parts of laws in conflict, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the same be printed and placed on the calendar.

BRIGGS, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred Senate Bill No. 242, by Ritzhaupt, entitled:

An Act exempting motor vehicles which have not been in use for a period of one year from taxation or payment of license fee under certain conditions; et cetera, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

BRIGGS, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred Senate Bill No. 263,



by Nichols of the Senate, and Grisso of the House, entitled:

«An Act creating a state aeronautical fund in the state treasury; providing for the expenditure of the same; prescribing the manner and method of payment of such tax; authorizing the State Highway Commission to expend the same in aid of aviation; and authorizing said commission to—etc., etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

BRIGGS, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred Senate Bill No. 266, by Johnston, Taylor, Briggs, Reed and Carmack of the Senate, and Jones, Babb and Henderson of the House, entitled:

An Act providing for and creating an auto-theft fund in the state treasury from funds collected under the provisions of Chapter 43, Session Laws 1925, making appropriation of and providing for the expenditure of monies from said fund by the State Highway Commission, 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 by Committee Substitute.

BRIGGS, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred Senate Bill No. 289, by Chamberlin, Commons, MacDonald, and Briggs, entitled:

An Act to regulate the operation of vehicles on highways; defining the power of local authority to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; providing for the enforcement of this Act and for pen-

alties for violation thereof; to make uniform the law relating to the subject matter of this Act and to repeal Section 10323, Oklahoma Statutes, 1931, and all other, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

BRIGGS, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 111 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 111, as amended, and ordered it returned to the Honorable House.

#### FIRST READING

The following Bills and Resolution were introduced and read for the first time:

SENATE BILL NO. 328—By MORRISON.—An Act authorizing school districts to make a more economic provision for persons of school age who are unable to attend distant schools, providing for regulation and supervision of the authorized courses by the State Board of Education, providing for the acceptance of grades and credits awarded in such courses, and providing for a tuition charge for such courses.

SENATE BILL NO. 329—By JOHNSTON.—An Act amending Section 782 of the Compiled Oklahoma Statutes of 1921, the same being Section 3 of Article 25 of Chapter 3, that is, Section 531 of the Compiled Oklahoma Statutes of 1931, relating to appeals in Courts of record of Oklahoma, and extending the time therefor as to persons under disability and prescribing procedure, and declaring an emergency.

SENATE BILL NO. 330—By JOHNSTON.—An Act amending Section 6522 Revised Laws 1910, Compiled Oklahoma Statutes 1921, Section 1431, Oklahoma Statutes 1931, Section 1419, so as to provide for personal service of notice of hearing of petition for appointment of guardian of person or estate of minors upon parents of minor or person having such minor in their care in County and such notice as the Judge of the County Court may deem reasonable to be given to the other relatives of the minor residing in the County and repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 18 —By STEWART, MORRISON, COMMONS, WHITAKER and CURNUTT.—A Senate Concurrent Resolution of respect and sympathy for and in memory of the Honorable Thomas J. Walsh, United States Senator from Montana.

### SECOND READING

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

SENATE BILL NO. 323—By WALDREP (By request).—Referred to Committee on Education.

SENATE BILL NO. 324—By WALDREP, JOHNSTON and SOWARDS.—Referred to Committee on Municipal Corporations.

SENATE BILL NO. 325—By WALDREP.—Referred to Committee on Privileges and Elections.

SENATE BILL NO. 326—By WALDREP.—Referred to Committee on Fees and Salaries.

SENATE BILL NO. 327—By MORRISON.—Referred to Committee on Public Health.

ENGROSSED HOUSE BILL NO. 200 — By HUGHES of Mayes County.—Referred to Committee on Fees and Salaries.

ENGROSSED HOUSE BILL NO. 190—By STUR-

GILL and JOHNSON.—Referred to Committee on State and County Affairs.

### THIRD READING

By unanimous consent, third reading of SENATE BILLS NOS. 197, by Nance, and 215, by Briggs, was deferred.

Senator Whitaker asked unanimous consent, which was granted, to defer third reading of HOUSE BILL NO. 306.

### GENERAL ORDER

SENATE BILL NO. 283, by Willis of the Senate, and Hankla, of the House, was taken up for consideration.

Upon motion of Senator Chamberlin, Senate Bill No. 283 was advanced to engrossment and third reading.

Senator Chamberlin asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 157, by Lester, Chamberlin, Nance, and Nichols.

Section 1 was read and adopted, upon motion of Senator Chamberlin.

Upon motion of Senator Chamberlin, Senate Bill No. 157 was advanced to engrossment and third reading.

Senator Whitaker asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 258, by Whitaker and Nance.

Sections 1 and 2 were read and adopted, upon motions of Senator Whitaker.

Upon motion of Senator Whitaker, Senate Bill No. 258 was advanced to engrossment and third reading.

Senator Garvin asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 271, by Childers and Babb.

Section 1 was read and adopted, upon motion of Senator Nichols.

Section 2 was read and adopted, upon motion of Senator Garvin.



Section 3 was read.

Senator Curnutt submitted the following amendment, which was tabled upon motion of Senator Garvin:

Mr. President: I move to amend House Bill No. 271, line 2, page 6, by inserting after the word "distributor" and before the word "to" the words: "and no gasoline sold in this state shall be exempt from tax.

CURNUTT.

Senator Coppock moved that further consideration of House Bill No. 271 be deferred for twenty-four hours.

Senator Chamberlin presiding.

Senator Logan, as a substitute, moved that House Bill No. 271 be made a Special Order at 11 a. m., on the next legislative day.

Senator Nance raised a point of order against the Logan motion, which was sustained, stating his motion would require a suspension of the rules.

Senator Logan, as a substitute, moved that the rules be suspended and that House Bill No. 271 be set for Special Order at 11 a. m., of the next legislative day, which motion failed of adoption.

Senator Rizley, as a substitute, moved that further consideration of House Bill No. 271 be postponed until some future legislative day.

Senator Curnutt, in lieu of all pending motions, moved that the rules of the Senate be suspended and House Bill No. 271 be set for Special Order, consideration of which should immediately follow final consideration of House Bill No. 1, by Batson, Leecraft and Landingham.

Upon motion of Senator Curnutt, the previous question was ordered.

The vote occurring on the Curnutt motion, it was declared failed of adoption.

The vote occurring on the Rizley motion, it was declared failed of adoption.

The vote occurring on the Coppock motion, it was declared failed of adoption.

Senator Thomas submitted the following amendment, which by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 271, line 14, page 8, by inserting after the word “—ship” and before the word “or” the words “school district.”

THOMAS.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend House Bill No. 271, line 16, page 8, by adding after the word “defined” the following: “provided that nothing herein shall prohibit or prevent any incorporated town or city from levying occupation taxes on filling stations.”

CURNUTT.

Senator Nichols moved to table the Curnutt amendment, which motion failed of adoption.

Senator Jennings, as a substitute, submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 271, line 15, page 8, by adding after the word “any” and before the word “tax” the word “excise.”

JENNINGS.

Senator Curnutt submitted the following amendment, which failed of adoption:

Mr. President: I move to amend House Bill No. 271, line 8, page 8, by inserting after the word “be” and before the word “sentenced” the words “guilty of a felony and be fined not less than \$100.00 nor more than \$500.00, or be.”

CURNUTT.

Senator Curnutt submitted the following amendment, which by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 271, line 8, page 8, by inserting after the word “be” and

before the word "sentenced" the words, "fined not less than \$50.00 nor more than \$250.00, or" and by striking all of lines 11 and 12.

CURNUTT.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend House Bill No. 271, line 8, page 8, by inserting after the word "be" and before the word "sentenced" the following: "fined not less than \$50.00 nor more than \$250.00 or" and by striking all of lines 11 and 12 and add at the end of line 10, the words: "or both such fine and imprisonment."

CURNUTT.

Senator Rizley, as a substitute, submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 271, page 8, by striking after the word "Penitentiary" all the balance of lines 9, 10, 11, and 12, and inserting the following: "at hard labor for a term not to exceed five years or by a fine of not less than \$100.00 or more than double the amount of the fines so embezzled as aforesaid, or by both such fine and imprisonment."

RIZLEY.

Further consideration of House Bill No. 271 was deferred temporarily.

Senator Chamberlin presiding.

#### MESSAGES

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

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE JOINT RESOLUTION

NO. 27—By CLOYD, BATSON, ALBRIGHT and HART, entitled:

A Resolution extending the time of payment of automobile license tax, waiving the penalties if paid pursuant to the provisions of this Resolution; and declaring an emergency, and asks for a conference thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Nichols, the Senate granted the request of the Honorable House, for a conference on Engrossed House Joint Resolution No. 27, the Presiding Officer appointing as Senate conferees, thereunder, Senators Nance, Ballard and Powers.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 157—By CHILDERS, WORTHINGTON, SPECK and SUTHERLAND of the House; and CHAMBERLIN and CURNUTT of the Senate.

An Act relating to the State Board of Accounting, the State Board of Barber Examiners, Board of Chiropractic Examiners, Board of Dental Examiners, State Board of Embalming of Oklahoma, State Board of Examiners of Architects, State Board of Examiners of Nurses, State Board of Medical Examiners, State Board of Pharmacy, State Board of Veterinary Medical Examiners, the State Bar, the State Board of Osteopathy and Building and Loan Board, Board of Optometry; providing for the payment of ten per cent of gross fees collected by each of said Boards into the state general revenue fund, fixing penalty for failure; providing that none of said Boards shall maintain an office in the



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state Capitol building or conduct any examinations therein, and declaring an emergency, and that the same has been passed by the House of Representatives, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 194—By GRAHAM, CONNER, BILLINGS, ELLIS, COPELAND, MARSHALL and COE of the House and FIDLER and MORRISON of the Senate.

An Act providing for the disorganization of independent school districts for the purpose of annexing the territory disorganized to an adjacent independent school district; providing the procedure for such disorganization and annexation; authorizing the county superintendent to give notice of any such proposed disorganization and annexation and to complete such disorganization and annexation after notice; providing for appeals; fixing the status of the warrant and bonded indebtedness of each district affected; providing that such annexation shall not affect the number of members of the Board of Education; fixing the status of all territory annexed; providing the manner in which electors may become candidates for treasurer or member of the Board of Education; validating and legalizing annexations heretofore made and requiring strict procedure after January 1, 1934; providing for a treasurer and board of education in such independent school districts; providing for the manner of their nomination and election; abolishing run-off primary in such school districts; providing that special elections for the purpose of voting bonds or increasing the general tax levy shall be solely in charge of the

board of education; providing for the payment of the expenses of such elections 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 194.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 506—By MARTIN.

An Act making an appropriation to pay the mileage and per diem of the Senate and House of Representatives of the Fourteenth Legislature, and salaries of officers and employees and contingent expenses thereof, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 5—By GIBSON, FITZGERALD, WOOTEN, LANDINGHAM, PHILLIPS (Okfuskee), BEAMAN, BRAZELL, BENNETT, SMALLEY, BOYER, BLOCKER, WAGNER, MALLORY, JOHNSON (Comanche), CONNER, MUNSON, ROBERTS, HINDS, GRAY, PALMER, LEECRAFT, BROADDUS and BEAVER.

An Act vesting the District and Superior Court Judges of the state of Oklahoma with certain discretionary powers in permitting the continuance of actions for the foreclosure of real estate mortgages or other liens or encumbrances affecting real estate, under certain conditions, and specifying such conditions, and declaring an emergency,

and asks for a conference thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Commons, the Senate granted the request of the Honorable House, for a conference on Engrossed House Bill No. 506, the Presiding Officer appointing as Senate conferees, thereunder, Senators MacDonald, Briggs and Curnutt.

Senator Commons moved that the request of the Honorable House, for a conference on Engrossed House Bill No. 5, be granted and the Presiding Officer appoint Senate conferees, thereunder.

The Commons motion prevailed, the Presiding Officer appointing as Senate conferees, thereunder, Senators Nichols, Whitaker and Liggett.

Senator Curnutt moved that Senators Ballard and Pugh be added as members of the Senate Conference Committee on Engrossed House Bill No. 5.

Senator Briggs, as a substitute, moved that the vote be reconsidered by which the request of the Honorable House, for a conference on Engrossed House Bill No. 5, was granted and conferees named, which motion prevailed.

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 76—By NICHOLS, NANCE and LESTER.

An Act regulating procedure relating to the foreclosure of mortgages and other liens upon real estate; designating the time for filing answer in foreclosure suits; and for the hearing and determination of such actions; and declaring an emergency, and to advise you, and through you, the Honorable Senate, that the same has been passed by the House of Rep-

representatives, AS AMENDED, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 76 were read, as follows:

AMENDMENT NO. 1. By adding the following names as joint authors:

“Gibson, Fitzgerald, Wooten, Landingham, Phillips (Okfuskee), Beaman, Brazell, Bennett, Smalley, Boyer, Blocker, Wagner, Mallory, Johnson (Comanche), Conner, Munson, Roberts, Hinds, Gray, Palmer, Lee-craft, Broadbuss, Beaver and Kight.”

AMENDMENT NO. 2. That the title to said act be amended to read as follows:

“An Act regulating procedure relating to the foreclosure of mortgages and other liens upon real estate; designating the time for filing answer in foreclosure suits; providing for discretion in the Judges of the District and Superior Courts for continuances of said causes under certain conditions, and for the appointment of a receiver; providing for a waiver of the benefits of said act upon a conveyance or encumbrance of said property without the consent of the mortgagee, and excepting from the provisions of said act foreclosure of labor, mechanic or material liens existing upon the passage and approval of this act, and providing for an emergency.”

AMENDMENT NO. 3. That Sections One, Two and Three of said bill be stricken, and in lieu thereof the following section, to be known as Section 1, be inserted:

“Section 1. In all actions now pending in the courts of this State, for the foreclosure of mortgages or other liens upon real estate, where the answer of the defendant or defendants has not been filed, such defendant or defendants shall not be held to answer therein



until the expiration of nine (9) months after the date of the service of summons upon the defendant who is the record owner of the real estate, at the time of the filing of suit upon which the mortgage or other lien is sought to be foreclosed, and

“In all actions hereafter filed in the courts of this State for the foreclosure of mortgages or other liens upon real estate, the defendant or defendants shall not be held to answer therein until the expiration of nine (9) months after the date of the service of summons upon the defendant who is the record owner of the property at the time of the filing of suit upon which the mortgage or other lien is sought to be foreclosed, and

“In all actions now pending in the courts of this State, for the foreclosure of mortgages or other liens upon real estate, in which the answer of defendant or defendants has already been filed, no trial shall be had, and no court of this state shall render judgment therein, until the expiration of nine (9) months after the passage and approval of this act, upon which the mortgage or other lien is sought to be foreclosed.”

AMENDMENT NO. 4. That Section Two be as follows:

“For a period of two (2) years from and after the approval of this Act, the District Judge, or the Judge of the Superior Court of the County in which any real estate mortgage foreclosure, or any proceedings for the foreclosure of a deed of trust, or other instrument, the security of which is real estate, is hereby vested with the jurisdiction and discretion of granting a continuance of said cause, upon his own motion, or upon application of the owner of said property, in person, or by his attorney, and upon such terms and for such time as said Judge may deem best.”

AMENDMENT NO. 5. That Section Three be made to read as follows:

“The Judge of said Court shall continue said cause

for such time as he may deem best, or when it may be made to appear to the Court that:

(First), The owner shall pay, at any time before confirmation of sale, the accruing interest and all taxes due upon said property; or:

(Second), At any time before confirmation of sale, where the said owner shall pay or cause to be secured, a reasonable rental for the time or term for which said Judge shall order said cause to be continued; or:

(Third), At any time before confirmation of sale, where it shall appear that the value of the property is sufficient to satisfy the lien, together with the cost, and the owner shall pay or otherwise secure the taxes due upon said land."

AMENDMENT NO. 6. That Section 4 thereof be stricken, and in lieu thereof, Section 4 of this act shall read as follows:

"The Court, or Judge of the District or Superior Courts of said State may appoint a receiver of said property, except when the same may be a homestead, to preserve, rent and operate said property, or to prevent waste, where the occupant thereof is wilfully injuring or destroying the improvements on any property sought to be foreclosed, and apply the receipts as the Court may direct, during the time for which said cause is continued."

AMENDMENT NO. 7. That Section 5 of said act be made to read as follows:

"That whenever the record owner of the real estate, at the time of the passage and approval of this act, shall convey or transfer said property at any time hereafter, or in any way encumber the same without the written consent of the mortgagee, the provisions of this act shall not apply. Provided, further, any attempt to waive or contract in violation of the provisions of this act are void and are without legal effect."

AMENDMENT NO. 8. That Section 6 be made to read as follows:

“That the provisions of this act shall not operate to affect the liens or remedies to enforce said liens of labor, mechanic’s or material lien-holders existing upon the passage and approval of this act.”

AMENDMENT NO. 9. That Section 5 of Senate Bill 76 be amended so as to be designated Section 7.

AMENDMENT NO. 10. That Section 6 of said act be amended so as to be designated Section 8.

AMENDMENT NO. 11. That Section 7 of said Act be amended so as to be designated Section 9.

Upon motion of Senator Commons, the Senate refused to concur in Engrossed House Amendments to Engrossed Senate Bill No. 76, and requested a conference thereon.

Senator Curnutt moved that the Senate Conference Committee on Engrossed Senate Bill No. 76 be composed of four members of the Senate.

Senator Nichols, as a substitute, moved that the Senate Conference Committee on Engrossed Senate Bill No. 76 be composed of five members.

Senator Briggs raised a point of order against the Curnutt and Nichols motions, which was sustained, stating a conference on Engrossed Senate Bill No. 76 had not been granted by the Honorable House.

Senator Commons moved that the Honorable House be requested to appoint a Joint Conference Committee, composed of five members, to confer with a like Conference Committee of the Senate, in the consideration of the Engrossed House Amendments to Engrossed Senate Bill No. 76 and Engrossed Senate Amendments to Engrossed House Bill No. 5.

Senator Curnutt moved, as an amendment to the Commons motion, that the Joint Conference Committees be composed of four members from each House, which motion failed of adoption.

The vote occurring on the Commons motion, it was declared adopted.

To the President of the Senate,  
Building

SIR:

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

ENROLLED SENATE BILL NO. 60—By CUR-  
NUTT and WALDREP, entitled:

An Act making an appropriation to pay the salary of the Supreme Court Referees provided for by Section 3792, Oklahoma Statutes 1931, for the fiscal year ending June 30, 1933, and declaring an emergency.

ENROLLED SENATE BILL NO. 282—By PUGH,  
entitled:

An Act repealing Section 7914, Oklahoma Statutes of 1931, relating to the salaries of county officers, deputies and assistants of Caddo County, Oklahoma, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 60 and 282 were, each, referred to the Governor, for his consideration.

#### AFTERNOON SESSION

The Senate re-assembled at 1:15 p. m., and was called to order by President Pro Tempore Stewart.

Upon motion of Senator Commons, the President Pro Tempore appointed Senators Paul, Whitaker and Powers, as a Special Committee to inform the Honorable House that the Senate is ready to meet them in Joint Session, at 1:30 p. m.

The Senate was declared at ease for five minutes.

The Senate re-assembled with the President Pro Tempore presiding.



Senator Paul, on behalf of the Committee appointed to notify the Honorable House that the Senate is ready to meet them in Joint Session at 1:30 p. m., announced the duty performed.

The report was ordered received and the Committee discharged.

The President Pro Tempore announced the hour of 1:30 p. m., having arrived, the Senate would repair to the House Chamber.

### JOINT SESSION

The Joint Session was called to order by President Pro Tempore Stewart.

Upon a roll call of the Senate being ordered, the result was as follows:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Absent: Fidler, Ray. Total, 2.

The President Pro Tempore announced a quorum of the Senate present.

The Speaker declared a quorum of the Honorable House present.

President Pro Tempore Stewart presented Governor William H. Murray to the Joint Session, who delivered the following message:

Mr. President of the Senate, Speaker of the House, and Gentlemen of the Fourteenth Legislature, on account of a few things having arisen since I drafted this message, I wish to speak on these matters really before I read the message:

First, I wish to call attention to the fact that we have a definite program, and a large part of that pro-

gram is in the Senate, not acted upon. I shall not know what to do but otherwise mark time during the next two years, if that program is not carried out. I had hoped that it would be speedily enacted, and then other things in this session, other measures could be adopted, and that we could take care of the Schools in the State, that are going to suffer in the next two years. I have urged both the Senate and House to complete this program. If you will reverse the position, as regarding yourselves, and citizens living down in the sticks or the towns of the State, with someone there taking your place, and you were to read in the papers, that they had made an appropriation for this session, and that you had exhausted that appropriation, and had not enacted either one of the General Appropriation bills as yet, and had not enacted them, and that you were about to enact another bill for this service, just ask yourselves, what would you think about it. You will discover that the logical conclusion would be, that they at home are thinking just the way you would think, if you would reverse your position. I think that is enough to call that matter to your attention.

Now as you know the revenues of this State are in a deplorable condition. I promised the people last fall that the appropriations of this Legislature would not exceed \$23,000,000.00, for the biennium. That includes the funds for building purposes, and that will not be taken from the General Revenue fund. I am ready to announce now that the total appropriation of every character and kind put together will not exceed \$21,000,000.00. I will veto my own salary, before I will let it go above \$21,000,000.00. That will be a tremendous saving of over eleven million over the Legislature of two years ago. It will be fourteen million as compared with the Twelfth Legislature. Now, when you do that, we shall then be in the "red" a little over \$500,000.00, with the present revenue in sight. That came about

by appropriating, which I approved, your appropriating \$600,000.00 for weak schools for the present year. Had that been eliminated, we would have balanced the budget, but we could not afford to do that. Now there is a bill to provide for the paying off of the State debt, that itself will save some taxes, it will enable us in the future to do more for the common schools. One of the methods is to take over the automobile and gasoline tax, and convert it, I know there is a lot of you gentlemen that oppose it, who think all there is—is in roads, but as important as roads are, they are not the most important thing. While they are thinking of their roads, and the heads of these educational institutions are thinking of their institutions, and of the country schools of their interests, and each Department thinking of how much he is going to get, the Governor of the State, if he be wise, to tell them every one—that he is thinking of them altogether, and I have been thinking about that from the beginning, and have ever since, that has been my intention and I have tried to formulate a policy that will take care of them altogether at the same time, considering a reasonable reduction in the public debt, and to get through without being in the “red,” side of the ledger, then the next question is how to take care of the schools, if we put through this program, placing a tax on cigars, cigarettes, cosmetics and other unnecessary luxuries, by the first of next January, we shall know how much we will have to have for common schools, and if it is not enough, we will have to look somewhere else in order to get the money in order that every school in this State shall run a reasonable length of time; and I want to say to this Legislature, that the next question is how to take care of the schools, if we put through this program, that is, if we secure enough funds to keep them running up to the first of January, we shall know how much we will have to have for our common schools, and if it is not enough, we will have to go somewhere

else to get the money, so that every school in this State shall run a reasonable length of time. They are closed in Alabama already. Let it not be said of Oklahoma let it not be said that we cannot run our schools, even in the midst of the most terrific panic that was ever known. But if you do not carry out this program, there will be no way for you to know, now it will be for me then to call an extra-ordinary session at any time in the next two years, at which time you may do more good than to spend the money. I want to urge therefore, that you gentlemen will analyze this situation, as I know it, and let's march forward.

One thing I want to call to your attention, and that is, you will realize that the last reserve, that the last thing in civilization is the farm, in truth, history shows that civilization began with the plow, and when the plow ends, all civilization will end. With the speculator wrecking the banks of the country, and wish to say that they deserve no more consideration than a common gambler, not as much as a crap shooting negro, and with the speculators bleeding the people of all they can, if the farm alone will survive, civilization can and will survive, and with that in view, and in view of the fact that the counties has been taking over a lot of land, sold for taxes, I suggest you prepare a bill, that when the county or state gets final title, that all of these lands be turned over to the School Land Department, with a bill, providing that the appraisers of the School Land Department shall appraise that land, and divide it into tracts from five to forty acres, cutting the land up into tracts, the best land in five acre tracts, others in ten, twenty, and forty acres, depending on the fertility of the soil, with a provision that they make selection of the most probable men who will keep their contracts up, and make it into a farm home, both in the country and in the city, let the State through that Commission make a contract with any man that goes on that land, that



they will immediately proceed to occupy and live on it, cultivate it, pay the taxes on it every year, and at the end of twenty years, he shall be given a clear deed, without paying anything but the taxes. That will insure careful attention of the men that will be put on it, and that will put it on the tax roll, and that will also aid every taxpayer, that will establish farm homes, and become one of the elements of re-habilitation. I have had a number of my Relief Superintendents to ask their men, how many of them would like to go to the country, where they could obtain five or ten acres. At Tulsa, we had that proposition up, and about 75 per cent would gladly go. We had one old dinky, said if he could get five acres, and if he had a Georgia stock and a mule, that he would be the happiest man in the State. That in my opinion, would be worth much more to the State than to try to sell the land.

There is another question to which I want to refer. Some mention has been made about the payment of Mrs. Ed Andrus for thirteen months services. I call your attention to the fact that the men before him had their wives in that Institution, and were paid, but because there is one of these laws, the fundamental decisions, or fundamental rights under law, that a wife is not related to her husband, I do not think that was held to be a fact in the final matter. I had a long talk with Dr. Griffin, when I went into office, asking about his experience in a similar institution, and he said, Governor, whatever you do, never put in an Orphans' home or an Institution like mine or the one at Enid, any woman as assistant except the wife of the man in charge. And if you will visit that institution, you will know why. At the Orphans' home, they pay their wives, but it just happened that they had the right to select the help, that particular party fires and also selects the help. Up there the Superintendent selects the help, and this law was not invoked to take care of a situation in

the manner in which Mrs. Andrus was employed. The law should be changed, and she is needed upon the part of the State, and should be paid, the State needed her services.

Now this message will not sound like you expected it to, perhaps. I have two purposes in this message, fundamentally and propaganda, showing the beginning and finally the question toward the settlement of criminality. This is made in view of more honor, more morals, and more integrity. I do not ask in this, this particular here, to put this in the statute, now after you analyze them fully, I do think the first one, you ought to put it in force, I believe if you had a juvenile statute covering this question of these mischievous boys, you would take thousands of them out of Pauls Valley and out of Granite.

I have endeavored to give the reasons for the widespread criminality, and I give one way that is working, but there is another one, this one I did not write into the subject matter, I am going to give it to you now, the widespread criminality wave over the United States is due to the invention, that is the use of the safety razor. Forty years ago, we all had a razor strop hanging on the wall, and when we youngsters erred, in that generation, and none of you know more well of the hurting or burning that was felt from the impact of a razor strop on the torrid zone. The subject is Crime, its prevention, the capture, conviction, and reform of the criminal.

TO THE HONORABLE SENATORS AND REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

I appear before you for the second time for the express purpose of discussing with you a subject of vital importance—the subject of CRIME:—ITS PREVENTION, THE CAPTURE, CONVICTION, AND REFORM OF THE CRIMINAL.

In discussing this important question, I shall use the plainest, simplest English, for CRIME cannot be prevented by sentimental or imagery of rhetoric; or by ornate oratory, but it must be solved out of the experience of mankind. I here propose nothing new, for like punishment has existed for centuries of the past. In part it has existed for a hundred years in the State of Delaware, around which state the hi-jackers of the East travel; for they dread the "whipping-post" of Delaware more than Sing Sing of New York.

The public morals have broken down for the reason that private morals and honor, and, to a great degree, integrity, have broken down; that is, these virtues of the individual which together constitute character; the public has ceased largely through economic necessity and environment to regard morals and honor of little value.

Much of our CRIME grows out of the neglect of parents in training their children in that they do not teach them what the word "N-O" means; and they set the example of teaching them to be "over-persuaded," or to become wheedled into wrongdoing by their method of training, by permitting the child to persuade them after they have said "No," and by yielding to their children's whims, and by their own effort to have their children do right by persuasion, thus teaching them to yield to persuasion.

The economic fiber of the public has broken down and these together, threaten not only organized government but civilization itself.

There lies between us and universal anarchy the law—only the law. Once it is broken down, civilization will have been broken down, together with all institutions of government—all that our fathers fought for; all that our statesmen have striven for will wash away in this devastating flood.

This condition causes the wise critically to analyze the cause and the remedy; and seek the removal of the

cause, even though he must needs face opposition of a fanatical, foolish public opinion.

From my observation and experience, it appears that there are some men honest and honorable under any and all conditions, but I doubt whether this number exceeds 10 per cent; while there are some men, under any and all conditions, who are dishonest; and, again, this would not exceed 10 per cent of the people. The residue in these things are "negative" in character—they are negatively honest or negatively dishonest; or rather, they would prefer to be one or the other, and become such, depending upon their environment and the character strength of their associates. Hence the action of this larger per cent of "negative characters" depends upon economic condition, custom, and environment, rendering it distressful, for their safety and that of their families, causes them to forget the moral precepts and training for honor and virtue, which I fear, for many people, have been too little entirely.

The CRIMINAL is made in childhood; indeed, begins before birth; and, likewise, with the honest individual. Any person who has the characteristics of avariciousness, or love of gain; secretive in his disposition; lack of regard for the rights of others; and low in conscientious scruples, is always a thief, a robber, or a swindler, if given an opportunity. Therefore, a man possessing two of these traits of character, marrying a woman with the other two, if the off-spring partakes of these characteristics of both, their children will be porch-climbers, hi-jackers, thieves, and swindlers. But, sometimes, one or more of these traits of character skip a generation and produce a "throw-back," under the laws of heredity, pointed out by Mendel, the Dutch monk; and a thief, a robber, and a scoundrel is born into the world; and this is the explanation of the occasional "black sheep" appearing now and then in a noble family—merely a "throw-back" to some combination of



traits of a noble family; and, for the same reason, you find noble men and women now and then in a base family.

The training of the children of negative characters, to prevent the making of future criminals, must begin with the babe in the cradle, by instilling into the mind through the crooning of the mother, lisp-ing lullabies, instilling in the mind of her babe the sense of shame, for the "sense of shame" is the primary lesson of virtue and honor among men and women. Failure to develop this sense of shame is the parent's failure of obligation and duty. The continuation of such parental training, year after year, continued through several generations of the same family, will eventually, as pointed out by Luther Burbank, produce a heredity; but, alas, for a generation or more, the indulgence of mother and father in gratifying the appetites, whims, tempers, and passions of loved ones, lead to a youth incorrigible, and makes necessary a public institution for confinement and correction. The doctor will inform you that the indulgence of the mother in the appetites of her children has erected little mounds on every hill whereupon is found a cemetery; and the lack of moral training that brings out a sense of shame, a conception of virtue, and honor, together with the neglect of the father, who, too often, sets the example, has made necessary increased expenditure for penal institutions throughout the land.

The best proof of the effect of environment is the truth that a fraction more than ninety-two per cent of the several hundred boys in the Incurable Institution at Pauls Valley came from Oklahoma City and Tulsa alone—two environments where the struggle for a living grows more severe; where the child becomes calloused to beggary and questionable conduct; nor are all of these boys from the families of the poor—many are the children of the well-to-do—in this last case doubt-

less arising from their parents, in an effort to show their contempt for such laws as the prohibition statutes, continue to bring to their homes strong drink, and flaunt it before their children until the modern girl has reached the stage that when she meets her "sweetie" at the door, has the usual greeting: "What have you got on your hip?" and usually it is a flask.

This loosening of public and private morals grows out of the World War. Experience teaches us that such has proven true in every war of the world; even in the little French and Indian War of the Colonies, the loose restraint of the "Bundling" System of Courtship was broken up because of the destruction of shame, that led to immorality. This system was never in vogue in the South, existing only in the New England States. It spread through Ohio, Indiana, Illinois, Wisconsin, and Iowa, where it was broken up in consequence of the great Civil War. It still exists in the Dutch Colonies of Pennsylvania, but no where else. (See "Manners and Customs of Men and Women of the Colonies.")

Now, to correct this growing evil, other methods of criminal punishment must be devised. If the youth have no sense of shame, no sense of honor, no regard for the decent opinions of mankind, then you cannot reach that youth by any method except through the physical senses—through fear, or dread of pain, which exist in the breast of all animal creation, including man.

The boy grows up around the city; either the children of the rich are allowed to run wild, or the boy of a widow or crippled father who cannot keep their eyes upon them at all times. They engage in sundry supposed sports of mischief. At first, they are chased by the policeman, until eventually they do not fear the "law," until, at last, they steal something or break into a store. They are picked up then by the officer, found guilty in a court, and, because of tender years, are sent

to an Incurable Institution for reform; but really too late.

The solicitude of the parent for the child oftentimes is too late. Recently, a lady came to my home, and said she: "Governor, I want to ask your advice as a father, not as Governor. You have four honorable boys; I have one, and he has recently got into trouble, and now in jail." I asked her how old her boy was. She said he was twenty. My reply was that she was eighteen years too late, and my advice would be useless, and I declined to advise her. Alas, our institutions at Pauls Valley and Granite are filled with boys whose parents were too late from sixteen to twenty-four years in their solicitude about their boys' conduct.

Therefore, in my opinion, the Legislature should pass a "Juvenile Criminal Malicious-Mischief Act," and, upon conviction, provide that the boy shall be brought into the court, and soundly thrashed with not less than ten, nor more than fifty lashes, with no clothes on the back, except a shirt, by the parent or guardian. For the second offense, put him into an open court-yard in stocks, with his hands and feet fastened, to take for a day or so the scorn, jeers, and paper wads of his associates. These punishments will greatly affect him—much more than a year at the Institution or in jail and the cost for hickories and stocks will be negligible.

Then, for a greater age of youth, there should be a whipping on the bare back of 39 lashes. If this fail, for the second offense, double the number of lashes.

This could be extended to all crimes of petty theft, violation of public decency, wife beating, neglect of children, violation of the prohibition law, reckless or drunken driving (but not fast driving); porch climbing, sneak thief, and, indeed, all crimes that require punishment for as many as two years or less.

These punishments, in my opinion, will do more to lessen the necessity of detection, punishment, and pre-

vention of criminals than all the criminal statutes now in vogue, as the cost would certainly be small.

For hardened criminals, high-powered criminals—and, indeed, some of the brightest minds of the country are in the penitentiary—for hi-jacking and robbery with firearms, I would provide, upon conviction, a reasonable term of years of confinement, not so many as now, but provide, upon entering the penitentiary, that they should receive from 39 to 100 lashes with a cat-o'-nine tail, on their bare backs; and, when they left the penitentiary, either by parole or expiration of time, they should be given another whipping of the same kind, that they might remember for a while where they had been, and to have no desire to return.

If they continue in this form of criminality, which is among the worst, after the third offense, give them the death penalty.

As stated before, a man without honor, without pride of name or character for himself or his family, and without respect for the decent opinions of mankind, can be reached in no other way except through the physical senses, and particularly that of fear—the cold-blooded fear of death, which makes even the atheist, when reaching that portal, willing to pray to his God.

In the early period of the American Colonies, and, indeed, up to a half century ago, the child was constantly taught shame for wrongdoings; to respect father and mother; to respect the aged; to respect the weak and helpless, and to aid them; to respect authority and those holding positions of honor and dignity; but, alas, both the parent and the school teacher have, in recent years, overlooked these essential preachments until few respect anybody or anything. This, however, is not a new period in the world. If you will turn to 2nd Peter, 2nd Chapter, and begin at the 10th verse, you will find a vivid description of what we have today. St. Peter says:

“But chiefly them that walk after the flesh in



the lust of uncleanness, and despise government, presumptuous are they; self willed; they are not afraid to speak evil of dignities."

The 12th verse states what ought to be done with them in these words:

"But these as natural brute beasts, made to be taken and destroyed, speak evil of the things that they understand not; and shall utterly perish in their own corruption."

In the matter of reforming criminals, the practice has been to send them to the penitentiary, give them a number of years, then parole or pardon them; and, in this state, it has been customary to give an "expiration" pardon; that is, pardon every man who had served his full term. That, I have never done, for the reason that it does not follow that because the convict has served his term that he had reformed at all; indeed, he may have been made worse. For that reason, in the two years, while I have liberated more than 1,100, I have pardoned but ten.

I believe strongly, because, from experience, I have results upon which to base a judgment, and, hence, a wholesome belief, in leaves of absence and paroles.

And this brings up for discussion the reform of the criminal: In nearly all cases of short term convicts, the experience is that the four, five, or six first months is the term almost unbearable. They can scarcely sleep. Later, after a year or two, they become calloused, and many of them later begin to like the place. I have found that if you give a short term convict a leave of absence, after he has served four to six months, for six months or a year, and then put him back for four months, it will serve a greater purpose for reform than had he served all the while. I find also that few of them can receive a full parole in the beginning; but, by giving them three to four months, requiring a weekly or monthly report to the Parole Attorney, and then extending their time for

six months or a year, continuing their reports, with another extension for a year, if their conduct has been circumspect; then, after a year or two, they may be given a full parole. I have found also that a larger per cent "stand up" under this discipline who go to the country to live, after they are out of the penitentiary; even those who are used to the city, turned out under my requirement that they should go to the country, have "stood erect"; while the great body who go back to the towns and especially to their old haunts, fail to keep their leaves of absence or paroles; and this can be best understood when you will remember that the convict who goes back to his old home, whether in the country or the city, is shunned by the righteous citizenship; and, craving the company of his fellows, he is obliged to associate with the "toughs" of his community; while, if he go to a new community, where he is unknown, he has an opportunity for fellowship with people of character who aid him to "stand erect."

This is abundantly proven in out-of-state, or "Banishment," paroles.

This is the reason why fewer church members of all the churches fall by the wayside. The member in good standing with his church is fortified with the brotherhood; and, speaking in the terms of society and government, this is the blessing of churches to society. As I have observed before, I am not an authority on how to get to Heaven, but I do know that religion is essential to society, and to the liberty of the citizen guided by law; and the stricter the church is upon its membership, the less likely for one of their flock to become a criminal; but, alas, church membership too often is determined by the amount "dropped in the hat." This connected with the course of the average parent, is the cause of the threatened engulfing of civilization itself by the criminals of the land.

A great responsibility rests upon the parent to instill

a sense of shame and of honor, sobriety and rectitude; upon the teacher to train the pupil how to think and to solve philosophical truths for themselves rather than, as now, to train them what to think; and upon the pulpit, to thunder the doctrine of righteous living, and like the Essene who gave the world His name as a symbol of the doctrine of rectitude—"Live the life"—for only by "living the life," and not the profession of the mouth, can be vouchsafed virtue and honor of manhood and womanhood.

To give you an instance within my experience of how different punishments affect a criminal, I relate this story:

While living in El Gran Chaco, Bolivia, South America, a peon tenant on my Concession, by the name of Sideaco, killed his neighbor's steer and appropriated the meat to his own use and benefit, having buried the hide to cover up his crime. Under the law of Bolivia, the court may vary the punishments. Sideaco was apprehended, given four months in the penitentiary at Tarijux which was six days' journey; over, up and down mountains; but, as a part of his punishment, he had to walk all the way six days and carry that old putrid hide on his back. After his service, and the hide had been kept in water, he had to carry it back. Passing over these mountains by switchback trails, in order to reach the top, 13,000 feet or more, even a mule had to rest at every turn of the switchback trail, and one gets very tired and perspires freely. After Sideaco had taken his punishment, I ventured one day to ask him about his prison experience. Speaking in his Spanish, he said: "Senor Patron, the imprisonment was fine; good place to sleep and plenty to eat; but, oh, my! Senor, that old hide! I would get hot and tired, and, at noon I could not eat. Getting so hungry, I was obliged to eat, and would start anew, and would vomit all I had eaten. My,

Senor, I would rather spend a lifetime in the penitentiary than to carry that old hide again."

That story illustrates the necessity of reaching the criminal by some of his physical sense. All the thought of the criminal's life was a place to sleep and plenty to eat, and that is all many of our prisoners think of.

I gave a convict in Osage county recently a leave to attend the burial of one of his family, and some of his friends proposed to give him aid to get a parole. He replied, he did not want to get out; that he had a good place to sleep and plenty to eat, and enough to do to occupy his time, and that was as good as he wanted.

I submit that this kind of criminal punishment will, in the end, do more harm to law and order than it will do good.

Some new device to correct the evil-doing of men must be devised by law, and, in doing so, we must turn a deaf ear to all the mollicoddles and dreamers and book criminologists, uplifters and fanatics. A short while ago, a lady, one of the noblest in the state, proposed to me that the way to lessen the number of convicts was to provide publishing in the newspapers an intention of marriage for six months before the marriage should take place. What a fool idea, to embarrass a timid boy and girl who can scarcely stand the taunts of their friends after marriage to have to undergo the ordeal of six months' taunts before marriage! How could that affect the character even of their first born? And the world is full of just such silly ideas, "in the name of humanity and uplift"; and that has ruined the world—the idea that the child should not be punished by a genteel switching, included. They were taught in Bible times: "Spare the rod and spoil the child." It has, in modern times, dotted our lands with prisons and prison camps. Is it not wiser to husband and counsel the philosophy of the experiences of man during all of the years of effort to climb along the Highway of Time than to counsel the



sentimentalism of mollycoddles, of modern times, which arises from a system of education, teaching people what to think rather than how to think?

If the present tendency of "mollycoddles and up-lifters" continue, the logical result will be that, in the year 1950 we may expect to read Press dispatches, as follows:

"Tulsa—(Special)—John Doe, convicted of hijacking, was given a banquet, in which all of the civic organizations participated, to wish him well and to pledge their support for a parole and pardon that he may return from the penitentiary, to which he has been convicted."

Followed with "Specials" from Okmulgee, Muskogee, Eufaula, and other towns in route to the penitentiary.

This, I say, is the tendency of the times relative to the handling of convicts, and will be the logical sequence, if this doctrine is permitted to prevail.

Having in the foregoing dealt with the making of criminals, the punishment, the reform of the criminal, we now come to the detection and capture of the criminal; and, as a better means than now used, I recommend the creation of a "State Rangers System" for Oklahoma, and this may be found in House Bill No. 389 and Senate Bill No. 237, pending in these respective Houses of the Legislature. You might desire to cut down the number of Rangers, but the system set up in these two bills is fundamentally sound, taking into consideration the Texas Rangers System, with its abundant experience of 100 years; the Mounted Police of Pennsylvania, and that of Canada.

The purpose of these Bills is to take the place of the Criminal Bureau, and to place the appointments upon a basis that will insure better service, because of better qualifications. As provided in the Bill, they should first have sound hearts, lungs and eyes; sound eyesight, that

they may see on all sides at once; sound hearts, that they may survive under excitement; sound lungs, to give them buoyancy and vigor, and banish fear. They should never be permitted to engage in politics nor to express their choice, publicly or privately, on candidates. They should be deadshots, trustworthy and brave.

The virtue of the Ranger System over that of the sheriff is that they can arrest anywhere in the state with or without a warrant; they are dead-shots, and, if they kill a criminal resisting arrest, they have no fear of punishment, except, if in the wrong, they will be dismissed from the service.

It has another virtue, and that is, they do not depend upon the popularity of the families to which the criminals may belong for re-election; they have no family or business connections in the county, which often occurs with the sheriff, and they are usually not known in the county; and, therefore, are not defeated in their efforts by informers to the criminals in hiding. This last reason was the cause of the failure to capture "Pretty Boy" Floyd; and, while we have run him out of the state for six or eight months, yet he had been captured, long ago, had there been a Ranger System like that of Texas or the Mounted Police of Canada. Robberies of various kinds would quickly diminish in number. The system would pay for itself in "dollars and cents," to say nothing of the greater and more cogent reason of upholding the law, and, unless we uphold the law, American civilization will break down and universal anarchy prevail.

Respectfully submitted,

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Upon motion of Senator Commons the Joint Session was dissolved.

\* \* \* \*

The Senate re-assembled in the Senate Chamber,

with President Pro Tempore Stewart presiding.

Upon motion of Senator Commons, both the oral and prepared Messages of the Governor were ordered printed in the Journal, as shown above.

Senator Daugherty asked unanimous consent, to which objections were voiced, to withdraw SENATE BILL NO. 287, by Daugherty, from Judiciary Committee No. 1 and place the Bill upon the Calendar.

Senator Daugherty moved that Senate Bill No. 287 be withdrawn from Judiciary Committee No. 1 and placed upon the Calendar, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Coppock, Daugherty, Howard, Johnston, MacDonald, Moon, Nichols, Pugh, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Whitaker, Wilbanks. Total, 16.

Nays: Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Garvin, Lester, Liggett, Morrison, Nance, Paul, Powers, Rizley, Rutherford, Thomas, Willis. Total, 18.

Not voting: Ballard, Dixon, Fischl, Hutchinson, Jennings, Logan, Memminger, Sowards, Waldrep. Total, 9.

Absent: Ray. Total, 1.

Senator Garvin asked unanimous consent, which was granted, to take up for further consideration HOUSE BILL NO. 271, by Childers and Babb.

Upon motion of Senator Nance, Section 3, as amended, was adopted.

Section 4 was read.

Senator Rizley submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 271, by adding after line 3, page 10, the following: "The above provisions shall not apply to quantities of less than fifteen gallons."

RIZLEY.

Upon motion of Senator Garvin, Section 4, as amended, was adopted.

Section 5 was read.

Senator Curnutt raised a point of order against further consideration of House Bill No. 271, stating House Bill No. 1 had been made a Special Order for 2:30 on this legislative day.

The Chair ruled the Curnutt point of order "not well taken," for the reason the hour of 2:30 had passed, it now being 3:30 p. m.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend House Bill No. 271, line 8, page 12, by striking after the word "any" on line 8, all the balance of said line down to and including the word "other," in line 11.

BALLARD.

Senator Nichols presiding.

Senator Curnutt, as a substitute, submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 271, line 10, page 12, by striking the word and figures "15" and inserting the word and figures "30."

CURNUTT.

Senator Wilbanks submitted the following amendment:

Mr. President: I move to amend House Bill No. 271, line 4, page 14, by adding after the word "Commission" the following: "Provided, however, that in cases where the distributor has been in business for at least three months, such bond shall not be fixed at more than twice the amount of the tax paid by said distributor over a period of three months just preceding the date of fixing the amount of said bond, and

Provided further, that in cases where a distributor or proposed distributor has not been in business for three months, the amount of said bond shall not exceed twice the amount of the tax that said distributor or pro-



posed distributor could reasonably be expected to pay over a period of three months, and

Provided further, that any distributor or proposed distributor who feels that the Tax Commission has been unreasonable or arbitrary in fixing the amount of his bond or not specifying the sureties, securities or collateral for said bond, may apply to the District Court of his district in an equitable proceeding and have the amount of his bond, the sureties, securities or collateral therefor fixed and determined by the District Court and the decision of said Court in such matter shall be binding on the Tax Commission."

WILBANKS.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend the Wilbanks amendment to House Bill No. 271, by striking the third paragraph thereof.

CURNUTT.

Upon motion of Senator Commons, the previous question was ordered.

The vote occurring on the Curnutt amendment, it was declared failed of adoption.

Upon motion of Senator Commons, the Wilbanks amendment was tabled.

President Burns presiding.

#### MESSAGES

Senator Paul asked unanimous consent, which was granted, that the House Message on Engrossed House Bill No. 396, be read and considered.

The following Message from the Honorable House was read:

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to

transmit herewith the message from the Governor vetoing:

ENROLLED HOUSE BILL NO. 396—By CLOYD, BEAVER, LINDSEY and HART of the House and BALLARD and PAUL of the Senate.

An Act creating nominating districts in the Nineteenth Senatorial District of the State of Oklahoma; providing the time for nominating Senators therein; providing that the candidates so nominated shall be voted for in the entire District at the general election; and declaring an emergency, which bill was passed by the Fourteenth Legislature, and vetoed by the Governor, and to advise you, and, through you, the Honorable Senate, that under the provisions of Section 11, Article 6, of the Constitution of the State of Oklahoma, the House has reconsidered and passed said bill over the Governor's veto by two-thirds vote of all the members elected to and constituting the House, said vote being as follows: Ayes, 85, Nays, 12, Excused 3, Absent 18; Emergency: Ayes 95, Nays 3, Excused 3, Absent 17.

And to further advise you, that the proceedings thereunder have been spread of record in the Journal of the Honorable House, and the said bill is herewith transmitted for the consideration of your Honorable body, under the provisions of Section 11, of Article 6, of the Constitution of the State of Oklahoma.

I am directed by the Honorable House to request that after consideration of the bill and proceedings of the Senate, that the House be informed of the action of the Honorable Senate in connection with said bill.

Respectfully,

R. M. McCOOL, Chief Clerk.

The following Message from the Governor, concerning House Bill No. 396, was read:

TO THE HONORABLE HOUSE OF REPRESENTA-

TIVES AND THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

Gentlemen:

I return House Bill No. 396, entitled:

AN ACT creating nominating districts in the Nineteenth Senatorial District of the State of Oklahoma; providing the time for nominating senators therein; providing that the candidates so nominated shall be voted for in the entire district at the general election; and declaring an emergency.

The same is returned because it is a local, or special, bill, and no advertisement was had or made, as provided by the Constitution.

Many "special" bills are absolutely prohibited by the Constitution. In a few instances, such bills are authorized by the Constitution, but the Constitution provides in all such cases certain advertising, and that cannot be dispensed with; and, therefore, it is folly on the part of the Governor to approve such bills and force them to go through the courts, consuming the time of the Court, to have them, in the end, declared unconstitutional.

Respectfully submitted, on this the 28th day of February, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Ballard moved that, notwithstanding the veto of the Governor, House Bill No. 396 become a law.

The question being, "Shall House Bill No. 396, notwithstanding the veto of the Governor, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Moon, Morrison, Nichols, Paul, Powers, Ritzhaupt, Rizley, Rutherford,

Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 36.

Not voting: Fischl, Howard, Memminger, Nance, Pugh, Reed, Sowards. Total, 7.

Absent: Ray. Total, 1.

The Bill, notwithstanding the veto of the Governor, 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 House Bill No. 396, notwithstanding the veto of the Governor, become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Hutchinson, Jennings, Johnston Lester, Liggett, Logan, MacDonald, Moon, Morrison, Nichols, Paul, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 36.

Not voting: Fischl, Howard, Memminger, Nance, Pugh, Reed, Sowards. Total, 7.

Absent: Ray. Total, 1.

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

Pursuant to Section 11, Chapter 6, of the Constitution of the State of Oklahoma, the President declared House Bill No. 396 passed by the Senate, notwithstanding the veto of the governor, and the proceedings thereunder ordered spread of record in the Journal of the Senate.

Enrolled House Bill No. 396 was ordered returned to the Honorable House.

Senator Daugherty asked to be "excused," for the remainder of this legislative day, which was the order.



Referring further to HOUSE BILL NO. 271:

Senator Ritzhaupt submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 271, line 4, page 20, by striking after the word, "bond," all of lines 4 and 5 and substituting the following: "in the same amount provided for in other cases requiring bond, provided the applicant is not the same who had previously violated any of the civil or criminal provisions of this Act.

RITZHAUPT.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 271, line 2, page 15, by striking the word and figures, "fifteen (15)," and inserting the word and figures, "thirty (30)."

CURNUTT.

Senator Jennings submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 271, line 1, page 16, by adding after the word, "who," and before the word, "violates," the words, "knowingly and with intent to evade the excise tax on gasoline"

JENNINGS.

Senator MacDonald asked unanimous consent, to which objections were voiced, that the Senate Conferees, under Engrossed House Bill No. 506, composed of Senators MacDonald, Briggs and Curnutt, be "excused," for the purpose of a conference on the bill.

Senator MacDonald moved that the Senate Conferees, under Engrossed House Bill No. 506, be "excused," for 15 minutes.

Senator Rizley, as a substitute, moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., Friday, March 3d., which motion by unanimous consent, he withdrew.

Senator Curnutt, as a substitute, moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., Friday, March 3d., which motion, by unanimous consent, he withdrew.

The vote occurring on the MacDonald motion, it was declared adopted.

Senator Garvin moved that further consideration of House Bill No. 271 be deferred until the next legislative day, which motion prevailed.

#### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to inform you, and, through you, the Honorable Senate, that the House has granted a conference on:

ENGROSSED SENATE BILL NO. 27—By MacDonald.

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 30, 1934, and June 30, 1935, by functions of each department in accordance with the budget classification adopted by the Governor.

and the Speaker of the House has appointed as House Conferees: JESSEE, GLENN, KIGHT, SINGLETON and PHILLIPS (Atoka).

Respectfully,

R. M. McCOOL, Chief Clerk.

The President appointed as Senate conferees, under Engrossed Senate Bill No. 27, Senators MacDonald, Curnutt, Nichols, Nance and Memminger.

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To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 20—By GRAHAM, ANGLIN, MRS. DAVIS, KING (Creek), BATSON, BOYER, LOGSDON, SULLIVAN, and COE of the House; FIDLER, RUTHERFORD, RAY and DIXON of the Senate, entitled:

A resolution of condolence over the death of Senator Thomas J. Walsh of Montana, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

By unanimous consent, Engrossed House Concurrent Resolution No. 20 was taken up for immediate consideration, being read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 20—By GRAHAM, ANGLIN, MRS. DAVIS, KING (Creek), BATSON, BOYER, LOGSDON, SULLIVAN, and COE of the House; FIDLER, RUTHERFORD, RAY, and DIXON of the Senate.

A Resolution of Condolence over the Death of Senator Thomas J. Walsh of Montana.

God, in His infinite wisdom, has this day seen fit to call to Him, Senator Thomas J. Walsh, of Montana, and one of nation's outstanding citizens. During his years of public service, Senator Walsh rendered invaluable service both to the citizens of the country and the Democratic Party.

He was recently appointed Attorney-General in the cabinet of President-elect Franklin D. Roosevelt, and

in our opinion the next President will find it difficult to replace this great lawyer and citizen, whose outstanding ability, unimpeachable integrity, and Christian qualities were known throughout the world.

The nation mourns its loss. The State of Oklahoma bows its head in sorrow.

Now, Therefore, Be it Resolved by the House of Representatives of the Oklahoma Legislature, the Senate Concurring Therein:

That we express our appreciation of the loss to the Nation, the Democratic Party and to the State.

Be it further resolved that we extend our heartfelt sympathy to his widow in her bereavement and that a copy of these resolutions be enrolled upon parchment and delivered to her. Also that a copy be sent to Oklahoma's delegation in the United States Senate for presentation to that body.

By unanimous consent, the following named were added as joint authors of Engrossed House Concurrent Resolution No. 20: Senators Morrison, Commons, Whitaker, Curnutt, MacDonald and Nichols.

Upon motion of Senator Chamberlin, House Concurrent Resolution No. 20, as amended, was adopted.

House Concurrent Resolution No. 20, as amended, was referred for engrossment.

To the President of the Senate,  
Building  
SIR:

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

ENROLLED HOUSE BILL NO. 157—By CHILDERS, WORTHINGTON, SPECK and SUTHERLAND of the House, and CHAMBERLIN and CURNUTT of the Senate, entitled:

An Act relating to the State Board of Accounting, the State Board of Barber Examiners, Board of Chiropractic Examiners, Board of Dental Examiners, State



Board of Embalming of Oklahoma, State Board of Examiners of Architects, State Board of Examiners of Nurses, State Board of Medical Examiners, State Board of Pharmacy, State Board of Veterinary Medical Examiners, the State Bar, the State Board of Osteopathy and Building and Loan Board, Board of Optometry; providing for the payment of ten per cent of gross fees collected by each of said boards into the State General Revenue Fund, fixing penalty for failure; providing that none of said board shall maintain an office in the State Capitol building or conduct any examination therein 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,

R. M. McCOOL, Chief Clerk.

House Bill No. 157 was read at length for the fourth time, the enrolled copy signed, in open session, by the President, and ordered returned to the Honorable House.

#### GENERAL ORDER

Senator Commons asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 118, by Commons.

Section 1 was read.

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 118, line 1, page 1, by adding after the period and before the word, "In," the following: "Section 10,519, Oklahoma Statutes, 1931, (Section 6728-1921) is amended to read as follows: Section 10,519."

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

Section 2 was read and adopted, upon motion of Senator Commons.

Upon motion of Senator Commons, Senate Bill No. 118 was advanced to engrossment and third reading.

Upon motion of Senator Commons, the rules of the Senate were suspended and Senate Bill No. 118 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 118 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Fidler, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not Voting: Clark, Daugherty, Dixon, Fischl, Garvin, Howard, Moon, Paul, Stewart. Total, 9.

Absent: Ray. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Fidler, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not Voting: Clark, Daugherty, Dixon, Fischl, Garvin, Howard, Moon, Paul, Stewart. Total, 9.

Absent: Ray. 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. 118 was ordered referred for engrossment.

### MESSAGE

The following Special Message from the Governor was received and read:

TO THE HONORABLE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

Gentlemen:

Herewith, I transmit a copy of a Bill for a proposed enactment into law, governing the financial situation as it relates to banks and trust companies, to meet the emergency now existing.

This Bill was drawn with the collaboration of the Bank Commissioner, the bank attorney, a national banker of repute, and a national bank examiner, together with others having interest especially in the state banks and trust companies, approved by the Governor, after consideration and analysis. It is complete, in our opinion, in every form, and necessary to be enacted immediately to meet the financial stress upon the country.

Therefore, I respectfully urge the Legislature to pass it in as short a time as possible, without the change of a dot of an "i" or the cross of a "t."

By introduction in one House, having it read, and read the second day, and passed the third day; and transmitted to the other House, and read, it may be enacted, under the Constitution, within five days, which is the shortest period in which it can be enacted.

I urge therefore that every rule that might interfere with its speedy enactment be suspended, that it might become a law so quickly as is possible, under the requirements of the Constitution.

Respectfully submitted, on this the 2nd day of March, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

FIRST READING

Senator Memminger asked unanimous consent, which was granted to introduce the following bill, which was read for the first time:

SENATE BILL NO. 331, by Committee on Banks and Banking, of the Senate, and Committee on Banks and Banking, of the House, entitled:

AN ACT PROVIDING FOR THE PROTECTION OF BANKS AND TRUST COMPANIES ORGANIZED UNDER THE LAWS OF THE STATE OF OKLAHOMA, AND FOR THE PROTECTION OF THE DEPOSITORS AND CREDITORS THEREIN, EMPOWERING THE BANK COMMISSIONER OF THE STATE OF OKLAHOMA, WITH THE APPROVAL OF THE GOVERNOR OF OKLAHOMA, TO REGULATE THE WITHDRAWAL OF DEPOSITS FROM BANKS AND TRUST COMPANIES OF THIS STATE, PROVIDING FOR RECEIVING NEW DEPOSITS, AND FOR THE INVESTMENT OF SUCH DEPOSITS, REPEALING ANY LAW IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

Upon motion of Senator MacDonald, 400 copies of Senate Bill No. 331 were ordered printed.

MOTION LODGED TO RECONSIDER

Senator MacDonald moved that the vote be reconsidered by which SENATE BILL NO. 218, by MacDonald, was passed, which motion was tabled, upon motion of Senator Briggs.

The President, in open session, signed Engrossed Senate Bill No. 218 and ordered it transmitted to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and



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Enrolled bills begs leave to report Senate Bill No. 197 correctly engrossed.

LIGGETT, Chairman.

### THIRD READING

SENATE BILL NO. 197 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fidler, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Hutchinson, Rizley. Total, 2.

Not Voting: Daugherty, Dixon, Fischl, Howard, Logan, Memminger, Moon, Morrison, Stewart, Taylor. Total, 10.

Absent: Ray. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fidler, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Hutchinson, Rizley. Total, 2.

Not Voting: Daugherty, Dixon, Fischl, Howard, Logan, Memminger, Moon, Morrison, Stewart, Taylor. Total, 10.

Absent: Ray. 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 copy of Senate Bill No. 197, and ordered the same transmitted to the Honorable House.

#### GENERAL ORDER

Senator Johnston asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 265, by Johnston.

Section 1 was read.

Senator Johnston moved that the rules of the Senate be suspended and Senate Bill No. 265 be read at length before being considered, which motion prevailed.

By unanimous consent, further consideration of Senate Bill No. 265 was deferred for this legislative day.

Upon motion of Senator MacDonald, the Senate adjourned, to meet at 10:00 o'clock, a. m., Friday, March 3d, 1933.

## FORTY-FOURTH LEGISLATIVE DAY

Friday, March 3, 1933

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Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Daugherty, Fischl, Liggett. Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### PETITIONS AND MEMORIALS

Senator Pugh submitted a petition signed by home owners of Caddo County, urging passage of a Bill limiting ad valorem tax on real estate, which was read.

### COMMITTEE REPORTS

The following Special Committee Report was submitted and the Bill ordered printed and placed upon the Calendar:

Mr. President: We, your special committee, to whom was referred Senate Bill No. 72 by Stewart, entitled:

An Act amending Section 2, Chapter 282, Oklahoma Session Laws 1929, relating to the homestead of certain farm lands acquired by counties of Oklahoma at tax sales; providing the procedure therefor, and declaring an emergency,  
do hereby respectfully recommend that the same do pass, as amended.

STEWART, Chairman.

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. 242, by Wright, Cline, Morse, Broadbuss, Worthington, Whitford, Fraley, Boyer, Kenan, Grisso, Chambers and Kirkpatrick of the House and Logan and Rutherford of the Senate, entitled:

An Act repealing Section 10204, Compiled Oklahoma Statutes, 1921, levying an ad valorem tax of one-fourth of one mill upon all property for state highway construction fund,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WHITAKER, Chairman.

Mr. President: We, your Committee on Public Health, to whom was referred Senate Bill No. 59, by Rizley of the Senate and Cox of the House, entitled:

An Act authorizing and directing the State Board of Medical Examiners to issue a license to Mrs. E. E. Bundy, of Boise City, Oklahoma, to practice medicine, 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.

THOMAS, Chairman.

Senator MacDonald moved the adoption of the Adverse Committee Report on Senate Bill No. 59.

Senator Ritzhaupt moved, notwithstanding the Adverse Committee Report on Senate Bill No. 59, that it be printed and placed upon the Calendar, which motion prevailed.

Mr. President: We, your Committee on Public Health, to whom was referred Senate Bill No. 277, by Commons, entitled:



An Act relating to the purity of the water of the state; amending Secs. 2 and 9 of Chapter 166 of the 1917 Session Laws of Oklahoma, same being Sections 8974 and 8981, respectively, of the 1931 Compiled Oklahoma Statutes, to provide for analyses of water supplies, and 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 as amended.

THOMAS, Chairman.

Mr. President: We, your Committee on Public Health, to whom was referred Senate Bill No. 300 by Johnston, entitled:

An Act safeguarding the public health of the people of the state of Oklahoma, and requiring examination and licensing of superintendents and operators in charge of the water supply and sewage disposal plants of cities, towns and villages; 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 not pass for the reason that it is incorporated in Senate Bill Number 277; the same being recognized and agreeable to the Honorable Henry S. Johnston.

THOMAS, Chairman.

Upon motion of Senator Johnston, the Adverse Committee Report on Senate Bill No. 300 was adopted.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Concurrent Resolution No. 13, House Bill No. 249, Senate Joint Resolution No. 1, Senate Bills Nos. 58, 70, 214, and 223, all correctly engrossed and Senate Resolution No. 14, correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendment to and Engrossed House Concurrent Resolution No. 13, as amended, and Engrossed Senate Amendment to and Engrossed House Bill No. 249, as amended, and ordered each returned to the Honorable House.

The President, in open session, signed Engrossed Senate Joint Resolution No. 1, and Engrossed Senate Bills Nos. 58, 70, 214, and 223, and ordered, each, transmitted to the Honorable House for consideration.

The President, in open session, signed Enrolled Senate Resolution No. 14 and ordered it transmitted to the Secretary of State.

#### FIRST READING

The following Bill and Resolution were introduced and read for the first time:

SENATE BILL NO. 332—By PAUL.—An Act creating the “Oklahoma Conservation Department” for the purpose of taking over the functions and performing the duties of the State Game and Fish Commission, State Forestry Commission, and State Conservation Commission, of the State of Oklahoma; prescribing the functions of the Oklahoma Conservation Department; providing for the appointment of the officers thereof; defining the duties of such officers and fixing the salaries; repealing all Laws in conflict herewith; and declaring an emergency.

SENATE JOINT RESOLUTION NO. 17—By STACEY of the Senate and ROBERTS of the House.—A Resolution consenting, authorizing and empowering Elbert C. Haywood to sue the State of Oklahoma for damages sustained by him while engaged as a member of the National Guards, and while engaged with others in suppressing a riot at the County Jail in Chickasha, Oklahoma, on the 30th day of May, 1930.

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## SECOND READING

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

SENATE BILL NO. 328—By MORRISON.—Referred to Committee on Education.

SENATE BILL NO. 329—By JOHNSTON.—Referred to Committee on Code Revision.

SENATE BILL NO. 330—By JOHNSTON.—Referred to Committee on Code Revision.

SENATE BILL NO. 331—By COMMITTEE ON BANKS AND BANKING, of the Senate and COMMITTEE ON BANKS AND BANKING, of the House.

Upon motion of Senator Chamberlin, Senate Bill No. 331 was ordered printed and placed upon the Calendar without reference to a Committee.

ENGROSSED HOUSE BILL NO. 194—By GRAHAM, CONNER, BILLINGS, ELLIS, COPELAND, MARSHALL and COE of the House and FIDLER and MORRISON of the Senate.

Senator Morrison asked unanimous consent, which was granted, to place House Bill No. 194 upon the Calendar without reference to a Committee.

Senator Nichols moved that SENATE BILL NO. 269, by Nichols, be withdrawn from the Committee on Fees and Salaries and placed upon the Calendar, which motion prevailed.

## MESSAGES

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

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the Speaker has appointed CHAMBERS, COX and GRAHAM as House Conferees on:

ENGROSSED HOUSE BILL NO. 506—By MARTIN, entitled:

An Act making an appropriation to pay the mileage and per diem of the Senate and House of Representatives of the Fourteenth Legislature, the salaries of officers and employees and contingent expenses thereof, and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the Speaker has appointed BROADDUS, PHILLIPS (Okfuskee) KIGHT, DUKE and WILLIAMS, as House Conferees on:

ENGROSSED HOUSE BILL NO. 5—By GIBSON, FITZGERALD, WOOTEN, LANDINGHAM, PHILLIPS (Okfuskee), BEAMAN, BRAZELL, BENNETT, SMALLEY, BOYER, BLOCKER, WAGNER, MALLORY, JOHNSON (Comanche), CONNER, MUNSON, ROBERTS, HINDS, GRAY, PALMER, LEECRAFT, BROADDUS and BEAVER, entitled:

An Act vesting the District and Superior Court Judges of the state of Oklahoma with certain discretionary powers in permitting the continuance of actions for the foreclosure of real estate mortgages or other liens or encumbrances affecting real estate, under certain conditions, and specifying such conditions, and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to



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return herewith and to inform you, and through you, the Honorable Senate, that the Speaker has appointed BROADDUS, PHILLIPS (Okfuskee), DUKE, WILLIAMS and KIGHT as House Conferees on:

ENGROSSED SENATE BILL NO. 76 — By NICHOLS, NANCE and LESTER, entitled:

An Act regulating procedure relating to the foreclosure of mortgages and other liens upon all real estate; designating the time for filing answer in foreclosure suits; and for the hearing and determination of such actions; and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President appointed as Senate Conferees for the consideration of Engrossed House Bill No. 5 and Engrossed Senate Bill No. 76, Senators Nichols, Pugh, Carlile, Johnston, and MacDonald.

Senator Curnutt moved that Senator Whitaker be added as a member of the Senate Conference Committee, under Engrossed House Bill No. 5 and Senate Bill No. 76.

Senator MacDonald asked unanimous consent that the name of Senator Whitaker be substituted for his, as a member of the Senate Conference Committee on Engrossed House Bill No. 5 and Engrossed Senate Bill No. 76.

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

Senator MacDonald asked unanimous consent, which was granted, to withdraw his request.

Senator Commons moved that the name of Senator Whitaker be substituted for the name of Senator MacDonald, as a member of the Senate Conference Committee, under Engrossed House Bill No. 5 and Engrossed Senate Bill No. 76, which motion prevailed.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 506—By MARTIN, entitled:

An Act making an appropriation to pay the mileage and per diem of the Senate and House of Representatives of the Fourteenth Legislature, the salaries of officers and employees and contingent expenses thereof, and declaring an emergency, together with Conference Committee Report thereon, and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted, and the bill has been passed by the House, AS AMENDED, by said report.

Respectfully,

R. M. McCOOL, Chief Clerk.

The following Conference Committee Report was read and, upon motion of Senator MacDonald, adopted: To the Honorable Senate and Honorable House of Representatives of the State of Oklahoma:

Gentlemen:

We, your Conference Committee, appointed to confer on ENGROSSED HOUSE BILL NO. 506, by Martin, have had under consideration the Senate Amendment to said bill, and, after due consideration thereof, beg leave to report as follows:

1st. That the House concur in Senate Amendment No. 1.

2nd. That Section 2, line 12, be amended by striking the words and figures "Fifty Thousand Dollars (\$50,000.00)" and substituting therefor the following: "Fifty-five Thousand Dollars (\$55,000.00)."

Respectfully submitted,  
MacDonald,                      Chambers,  
Briggs,                          Cox,  
Curnutt,                        Graham,  
Senate Conferees.      House Conferees.

House Bill No. 506, as amended in Conference, was read at length.

The question being, "Shall House Bill No. 506, as amended in conference, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Jennings, Johnston, Lester, MacDonald, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Logan, Memminger, Moon, Ray, Rutherford. Total, 11.

Absent: Daugherty, Liggett. 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 House Bill No. 506, as amended in conference, become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Jennings, Johnston, Lester, MacDonald, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Logan, Memminger, Moon, Ray, Rutherford. Total, 11.

Absent: Daugherty, Liggett. 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. 506, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

By unanimous consent, the Senate proceeded to the consideration of Bills under General Order.

#### GENERAL ORDER

Upon the request of Senator Morrison, HOUSE BILL NO. 194, by Graham, et al, was taken up for consideration.

Sections 1 to 13, inclusive, were read and adopted, upon motions of Senator Morrison.

Upon motion of Senator MacDonald, House Bill No. 194 was advanced to engrossment and third reading.

Senator MacDonald asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 39, by Cloyd, of the House, and Stacey, of the Senate.

Section 1 was read.

Senator Chamberlin presiding.

Senator Briggs moved that further consideration of House Bill No. 39 be deferred until the Bill, with amendments in italics, can be printed, which motion prevailed.

Senator MacDonald moved that HOUSE BILL NO. 257, by Remund, et al, be taken up for consideration, which motion prevailed.

Section 1 was read.

Senator MacDonald submitted the following amendment, which was adopted, by unanimous consent:

Mr. President: I move to amend House Bill No. 257, line 3, page 1, by adding after the word "appropriated" and before the word "for," the words: "for the operation and maintenance of the Soldiers Tubercular Sanitarium."

MacDONALD.



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

Upon motion of Senator MacDonald, House Bill No. 257, was advanced to engrossment and third reading.

Senator Memminger moved, when the Senate adjourns on this legislative day, that it adjourn to meet at 10:00 a. m., on Saturday, March 4, which motion prevailed.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Concurrent Resolution No. 20 and Senate Bills Nos. 118 and 181, correctly engrossed.

HOWARD, Vice-Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendment to and Engrossed House Concurrent Resolution No. 20, as amended, and ordered it returned to the Honorable House.

The Presiding Officer, in open session, signed Engrossed Senate Bills Nos. 118 and 181, and ordered each transmitted to the Honorable House for consideration.

Senator Johnston asked unanimous consent, to which Senator Garvin objected, to take up for consideration SENATE BILL NO. 265, by Johnston.

HOUSE BILL NO. 271, by Childers and Babb, was considered further:

Section 5 was re-read.

Senator Wilbanks submitted the following amendment:

Mr. President: I move to amend House Bill No. 271, line 4, page 14, by adding after the word "Commission," the following: "Provided that any distributor or proposed distributor who feels that the Tax Commission has been unreasonable or arbitrary in fixing the amount of his bond or in specifying the sureties, securities or collateral for said bond, may apply to the

District Court of his district in an equitable proceeding and have the amount of his bond, the sureties, securities or collateral therefor fixed and determined by the District Court and the decision of said Court in such matter shall be binding upon the Tax Commission."

WILBANKS.

Senator Jennings, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 271, line 5½, page 20, by adding a new paragraph, as follows:

(1) Provided that from any order of the Tax Commission cancelling or refusing the issuance, reinstatement or extension of a license, or duplicate license, the aggrieved party may take an appeal to the Supreme Court by giving the Commission written notice of such appeal, and within 30 days thereafter filing in the Supreme Court a certified copy of the record made before the Commission, and the Supreme Court is empowered to determine the appeal on said record or after such further hearings as in the discretion it may deem proper; and after said notice of appeal is given the Supreme Court may in its discretion grant supersedeas pending appeal upon the filing of a bond in such sum and with such surety or sureties as it may require. The Supreme Court may, in its discretion, likewise grant an appeal and supersedeas from an order of the Commission suspending a license or Duplicate license."

And by re-lettering the following paragraph as paragraph (m)

JENNINGS.

Senator Briggs, as a substitute for all motions, submitted the following amendment:

Mr. President: I move to amend the Wilbanks amendment to House Bill No. 271, by adding after the word "Commission" at the end of said amendment, the following: "Provided further, in no case shall any

bond be approved with personal sureties not acceptable to the Oklahoma Tax Commission."

BRIGGS.

Senator Jennings raised a point of order against the Briggs amendment to the Wilbanks amendment, as being one in lieu of all pending, which point was sustained.

Senator Briggs, in lieu of all pending motions, submitted the following amendment:

Mr. President: I move to amend House Bill No. 271, line 4, page 4, by adding after the word "Commission," the following: "Provided that any distributor or proposed distributor who feels that the Tax Commission has been unreasonable or arbitrary in fixing the amount of his bond or in specifying the sureties, securities or collateral for said bond, may apply to the District Court of his district in an equitable proceeding and have the amount of his bond, the sureties, securities or collateral therefor fixed and determined by the District Court and the decision of said Court in such matter shall be binding upon the Tax Commission. Provided further, in no case shall any bond be approved with personal sureties not acceptable to the Oklahoma Tax Commission."

BRIGGS.

Upon motion of Senator Garvin, the Briggs amendment was tabled.

Upon motion of Senator Briggs, the Jennings amendment was tabled.

Senator Johnston asked unanimous consent, which was granted, to withdraw as a member of the Senate Conference Committee appointed under Engrossed House Bill No. 5 and Engrossed Senate Bill No. 76.

Senator Curnutt moved that Senator Ritzhaupt be added as a member of the Conference Committee under Engrossed House Bill No. 5 and Engrossed Senate Bill No. 76.

Senator Nance, as a substitute, moved that Senator Waldrep be added as a member of the Senate Conference Committee under Engrossed House Bill No. 5 and Engrossed Senate Bill No. 76.

Senator Ballard, as a substitute for all pending motions, moved that the Chair be permitted to name the fifth member of the Senate Conference Committee under Engrossed House Bill No. 5 and Engrossed Senate Bill No. 76.

Senator Curnutt raised a point of order against the Ballard motion, which was sustained, stating the Senate Rules provide the purpose of his motion.

Senator Curnutt, as a substitute for all pending motions, moved that the Senate Conference Committee under Engrossed House Bill No. 5 and Engrossed Senate Bill No. 76, be composed of four members.

The Presiding Officer ruled the Curnutt motion out of order, for the reason that it would require a re-consideration of the vote whereby the House agreed to the Senate request for the appointment of five members from each House, as a Joint Conference Committee.

Senator Curnutt, as a substitute for all pending motions, moved that the vote be re-considered by which the Senate adopted a motion appointing five members as the Senate Conference Committee under Engrossed House Bill No. 5 and Engrossed Senate Bill No. 76, which motion was tabled upon motion of Senator Waldrep.

Upon motion of Senator Rizley, the Senate recessed, to meet at 1:30 p. m.

#### AFTERNOON SESSION

The Senate reassembled, at 1:30 p. m., and was called to order by the President.

Senators Daugherty and Fischl asked to be recorded "present," which was the order.

Senator MacDonald presiding.

Senator Chamberlin asked unanimous consent,



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which was granted, that Senator Johnston re-assume his place as a Senate Conferee under Engrossed House Bill No. 5 and Engrossed Senate Bill No. 76.

### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 415—By McELHANEY and MISENHEIMER.

An Act amending Section 4806, Oklahoma Statutes, 1931, relating to licenses for hunting and fishing and declaring an emergency.

ENGROSSED HOUSE BILL NO. 559 — By WORTHINGTON.

An Act repealing Section 8359, Oklahoma Statutes, 1931; same being special salary Act relating to Tillman County only, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 564—By GIBSON.

An Act repealing Chapter 197, Section 1 of the Session Laws of 1923, the same being Section 10171, Oklahoma Statutes 1931, the same referring to road supervisors and extension lines in Lincoln County, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 415, 559 and 564.

To the President of the Senate,  
Building  
SIR:

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

ENROLLED HOUSE BILL NO. 506—By MARTIN, entitled:

An Act making an appropriation to pay the mileage and per diem of the Senate and House of Representatives of the Fourteenth Legislature, the salaries of officers and employees and contingent expenses thereof, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 506 was read at length, for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

#### GENERAL ORDER

Senator Memminger asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 331, by Committees on Banks and Banking of the Senate and House of Representatives.

Section 1 was read and adopted, upon motion of Senator Memminger.

Section 2 was read.

Senator Memminger moved the adoption of Section 2.

Following discussion, it was upon motion of Senator Memminger that the previous question was ordered.

The vote occurring on the Memminger motion, it was declared adopted.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 331, line 15, page 4, by adding a new section, to be known as Section 3, as follows: "Section 3. Provided, however, that when depositors are authorized to withdraw a certain per cent of their deposit and banks are ordered to pay said percentages, said bank, making such payment, shall be entitled to draw from the bank in which its reserve is deposited such per cent as will equal the per cent of total deposit that the bank paying out is ordered to pay."

CURNUTT.

Upon motion of Senator Memmiger, the Curnutt amendment was tabled.

Senator Stewart submitted the following amendment, which was tabled, upon motion of Senator Memminger:

Mr. President: I move to amend Senate Bill No. 331, by inserting a new section, to be known as Section 3, as follows: "Section 3. In all cases where a bank, operating under a moratorium, shall declare a dividend, the bank within the state, acting as a depositor for said bank, operating under said moratorium, shall be required to release, upon request, an amount equal of a per cent the funds under control of said bank."

STEWART.

Section 3 was read.

Senator Curnutt submitted the following amendment, which was tabled, upon motion of Senator Memminger:

Mr. President: I move to amend Senate Bill No. 331, line 4, page 5, by striking after the word, "the," the words, "bank or trust company"

MEMMINGER.

Senator Stewart submitted the following amendment, which was tabled, upon motion of Senator Memminger:

Mr. President: I move to amend Senate Bill No

eration and herewith return the same with the recommendation that it do pass. NANCE, Chairman.

President Burns presiding.

Mr. President: We, your Committee on Code Revision, to whom was referred Senate Bill No. 329, by Johnston, entitled:

An Act amending Section 782 of the Compiled Oklahoma Statutes of 1921, the same being Section 3 of Article 25 of Chapter 3, that is, Section 531 of the Compiled Oklahoma Statutes of 1931, relating to appeals in courts of record of Oklahoma, and extending the time therefor as to persons under disability and prescribing procedure, 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.

JOHNSTON, Chairman.

Senator Thomas submitted the following Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Employment, beg leave to submit the following supplemental report and recommendation:

We recommend Rev. Holmes Nichols of El Reno as Chaplain to take the place of Rev. W. M. Wilson, whose time expired March 3, 1933.

THOMAS, Chairman.

#### MESSAGE

The following Message from the Governor was received and read:

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 506—By MARTIN, entitled:

An Act making an appropriation to pay the mileage



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and per diem of the Senate and House of Representatives of the Fourteenth Legislature, the salaries of officers and employees and contingent expenses thereof, and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand, this March 3d, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Upon motion of Senator Commons, the Senate adjourned to meet at 10:00 o'clock, a. m., Saturday, March 4th, 1933.

Howard, Logan, Memminger, Moon, Reed, Rizley, Sowards, Taylor. Total, 12.

Absent: Liggett. Total, 1.

Senator Johnston submitted the following amendment, which was tabled, upon motion of Senator Whitaker:

I move to amend the Wilbanks amendment to House Bill No. 271, by adding the following: "by filing written request therefor in like manner and with like effect as in cases coming under the law of eminent domain."

JOHNSTON.

The vote occurring on the Wilbanks amendment, it was declared adopted.

Upon motion of Senator Garvin, Section 5, as amended, was adopted.

Sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 were read and adopted, upon motions of Senator Garvin.

Upon motion of Senator Garvin, House Bill No. 271 was advanced to engrossment and third reading.

Senator Wilbanks presiding.

Senator Paul moved that HOUSE BILL NO. 1, by Batson and Leecraft, be made a Special Order for 2:00 o'clock, p. m., Monday, March 6th.

Senator Whitaker, as a substitute, moved that House Bill No. 1 be made a Special Order for 1:00 o'clock, p. m., Monday, March 6th.

Senator Jennings raised a point of order against the Whitaker and Paul motions, which was overruled, stating when a bill is once set for Special Order, it retains such place on the calendar, until disposed of.

The vote occurring on the Whitaker motion, it was declared adopted.

### COMMITTEE REPORTS

By unanimous consent, the following Committee Reports were submitted, the bills ordered printed and placed upon the calendar, unless otherwise indicated:

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Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 132, by Leecraft, Haile, Bushyhead, Babb, McElhaney, Lindsay, and Ebey (Pontotoc), entitled:

An Act amending Section 12,678, Oklahoma Statutes 1931, and relating to taxes levied by the county excise boards,

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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 236, by Phillips (Okfuskee), entitled:

An Act amending Section 12656, Oklahoma Statutes 1931, relating to the duties, powers and authority of the State Board of Equalization; providing additional powers and authority as to equalization and adjustment of certain property; etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WHITAKER, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred Senate Bill No. 87, by Rutherford of the Senate; and Kirkpatrick and Ellis of the House, entitled:

An Act abolishing the office or employment of tag agent; providing that motor vehicle license tags shall be issued and sold in the various counties of the state by the County Treasurer, his regular salaried deputies and special deputies appointed under provisions of this Act, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

BRIGGS, Chairman.

Upon motion of Senator Briggs, the adverse Committee report on Senate Bill No. 87 was adopted.

The following Majority Committee Report was submitted:

Mr. President: We, your Committee on Roads and Highways, to whom was referred Senate Bill No. 92, by Hutchinson, Rizley, Paul, Jennings, Ballard, and Wilbanks of the Senate; Wright, Wilmot and Williams, of the House, entitled:

An Act amending Sections 10268, 10269, and 10288, Oklahoma Statutes, 1931, relating to motor vehicle registration, providing that County Treasurers shall register all motor vehicles in their respective counties, providing for distribution of all funds collected, etc., etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

BRIGGS, Chairman.

The following Minority Committee Report was submitted:

Mr. President: We, a Minority of your Committee on Roads and Highways, to whom was referred Senate Bill No. 92, by Hutchinson, Rizley, Paul, Jennings, Ballard and Wilbanks, of the Senate, and Wright, Wilmot and Williams of the House, entitled:

An Act amending Sections 10,268, 10,269, and 10,288 Oklahoma Statutes, 1931, relating to motor vehicle registration, and providing that county treasurer shall register all motor vehicles in their respective counties, providing for distribution of all funds collected, and repealing all acts and parts of acts in conflict herewith, and declaring an emergency,  
beg leave to report that we had the same under consid-



eration and herewith return the same with the minority recommendation that it do pass.

BALLARD,	WILBANKS,
RIZLEY,	PAUL,
RUTHERFORD,	FIDLER.
HUTCHINSON,	

Senator Briggs moved the adoption of the Majority Committee Report.

Senator Ballard, as a substitute, moved the adoption of the Minority Committee Report, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Clark, Coppock, Dixon, Fidler, Fischl, Garvin, Hutchinson, MacDonald, Memminger, Paul, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Wilbanks, Willis. Total, 20.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Johnston, Lester, Morrison, Nichols, Pugh, Ray, Reed, Sowards, Waldrep, Whitaker. Total, 16.

Not voting: Daugherty, Howard, Jennings, Logan, Moon, Nance, Taylor. Total, 7.

Absent: Liggett. Total, 1.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 100, by Hutchinson and Rizley, entitled:

An Act providing for the issuance of Oklahoma relief certificates and relief certificate stamps by the State Treasurer for the relief of the unemployed and of certain aged, infirm and poverty stricken citizens of this state, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WHITAKER, Chairman.

Senator Whitaker asked unanimous consent, which was granted, that Senate Bill No. 100, having been printed, that it be not ordered re-printed.

Mr. President: We, your Committee on Agriculture, to whom was referred Senate Bill No. 108, by Coppock, entitled:

An Act amending Section 8775, Oklahoma Statutes 1931, relating to appropriations by county commissioners for the purpose of co-operating with the United States Department of Agriculture in farmers' demonstration work and home economics, etc.,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CARMACK, Chairman.

Mr. President: We, your Committee on Agriculture, to whom was referred Senate Bill No. 119, by Carmack and Chamberlin, entitled:

An Act providing that this Act may be indexed and cited as "The Cooperative Marketing Association Act"; authorizing the formation of non-profit, cooperative associations, with or without capital stock; 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.

CARMACK, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 129, by Jennings, entitled:

An Act providing a method of contesting alleged illegal ad valorem tax levies; requiring the county excise board to file all appropriations and levies made with the county clerk; fixing the time and method of filing a protest; conferring jurisdiction upon, etc.,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the same be printed and placed on the calendar for the consideration of the Senate.

WHITAKER, Chairman.

Mr. President: We, your Committee on Agricul-

ture, to whom was referred Senate Bill No. 140, by Carmack, entitled:

An Act amending Section 8225, Oklahoma Statutes, 1931, providing that members of the Board of Agriculture other than the president thereof, shall receive six dollars per diem for the time actually engaged in the performance of their duties, and, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CARMACK, Chairman.

Mr. President: We, your Committee on Agriculture, to whom was referred Senate Bill No. 196, by Chamberlin, entitled:

A Bill to be entitled an Act amending Section 1, Chapter 227, Session Laws 1929, and repealing all 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 not pass.

CARMACK, Chairman.

Senator Chamberlin moved that, notwithstanding the adverse Committee Report on Senate Bill No. 196, it be printed and placed upon the calendar, which motion prevailed.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 235, by Fidler of the Senate and Conner of the House, entitled:

An Act amending Section 12306 Oklahoma Statutes 1931, providing for an affidavit and bond guaranteeing the interest on tax protests, repealing all 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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Public Health, to whom was referred Senate Bill No. 250, by Paul, Waldrep and Jennings, by request, entitled:

An Act to promote and preserve the health of the citizens of Oklahoma and providing for decent and proper burial of the dead human bodies; creating the Oklahoma State Board of Funeral Directors and Embalmers; providing for the appointment and qualifications of the members and fixing their duties and compensation; describing the manner and method by which rules and regulations for embalming and burial of the dead human bodies are to be made, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the Committee substitute for same do pass.

THOMAS, Chairman.

Mr. President: We, a majority of your Committee on Insurance, to whom was referred Senate Bill No. 274, by Willis, Ray, Rizley, Garvin, Pugh, Liggett, Carmack, Commons and Dixon, entitled:

An Act to require all incorporated stock or mutual companies doing a life insurance business within the state of Oklahoma, to invest a part of the reserve set apart on account and for the final payment of policies of insurance written on the lives of citizens of Oklahoma, in Oklahoma and other securities and Oklahoma property, or in the bonds of the United States or any state of the United States; and to define Oklahoma securities and the property in which such investments may be made; and declaring an emergency,

beg leave to report that we had the same under consideration and herewith return the same with the recom-



mendation that it be printed and placed on the calendar.

WILLARD SOWARDS,	D. H. POWERS,
Chairman,	STEWART,
W. O. RAY,	CHAMBERLIN,
GARVIN,	JOHN A. MacDONALD.

Mr. President: We, your Committee on Agriculture, to whom was referred Senate Bill No. 314, by Reed and Nichols, entitled:

An Act relating to the inspection of animals for slaughter and consumption as human food; providing for sanitary inspection of packing plants and for ante-mortem and post-mortem examination of such animals; authorizing Boards of County Commissioners to appoint veterinary inspectors and assistant inspectors; fixing their salaries, qualifications and duties; authorizing payment of salaries, office and traveling expenses; providing for disposition of animals or portions thereof found unfit for human food; authorizing the state veterinarian to promulgate rules and regulations relating to said inspections and examinations; etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CARMACK, Chairman.

Mr. President: We, your Committee on Municipal Corporations, to whom was referred Senate Bill No. 324, by Waldrep, Sowards and Johnston, entitled:

An Act authorizing municipal corporations owning or operating electric light plants and distribution systems to extend their lines or services beyond the corporate limits of the city, and to erect poles, lines, wires, apparatus, sub-stations, and to do other things necessary to provide electric service or to supply current to any other person, firm or corporation to the same extent as may be done within the limits of such corporation, beg leave to report that we had the same under consid-

eration and herewith return the same with the recommendation that it do pass. NANCE, Chairman.

President Burns presiding.

Mr. President: We, your Committee on Code Revision, to whom was referred Senate Bill No. 329, by Johnston, entitled:

An Act amending Section 782 of the Compiled Oklahoma Statutes of 1921, the same being Section 3 of Article 25 of Chapter 3, that is, Section 531 of the Compiled Oklahoma Statutes of 1931, relating to appeals in courts of record of Oklahoma, and extending the time therefor as to persons under disability and prescribing procedure, 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.

JOHNSTON, Chairman.

Senator Thomas submitted the following Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Employment, beg leave to submit the following supplemental report and recommendation:

We recommend Rev. Holmes Nichols of El Reno as Chaplain to take the place of Rev. W. M. Wilson, whose time expired March 3, 1933.

THOMAS, Chairman.

#### MESSAGE

The following Message from the Governor was received and read:

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 506—By MARTIN, entitled:

An Act making an appropriation to pay the mileage

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and per diem of the Senate and House of Representatives of the Fourteenth Legislature, the salaries of officers and employees and contingent expenses thereof, and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand, this March 3d, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Upon motion of Senator Commons, the Senate adjourned to meet at 10:00 o'clock, a. m., Saturday, March 4th, 1933.

## FORTY-FIFTH LEGISLATIVE DAY

Saturday, March 4, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Absent: Dixon, Moon, Sowards, Taylor. Total, 4.

Excused: Howard, Logan, MacDonald. Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 331 and House Bill No. 257, correctly engrossed.

LIGGETT, Chairman.

### SPECIAL ORDER

(Third Reading)

Upon motion of Senator Memminger, the vote was reconsidered by which SENATE BILL NO. 331 was advanced to engrossment and third reading.

Senator Memminger submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 331, by adding a new section, as Section 6, as follows: "Section 6. Any officer, cashier, manager, director or managing party of any bank or trust company who shall violate the provisions of this Act, or of any order, rule



or regulation of the Bank Commissioner, made pursuant to the provisions of this Act, shall be guilty of a felony and, upon conviction, shall be punished by a fine not exceeding \$5000.00 or by imprisonment in the penitentiary, not exceeding 5 years, or by both such fine and imprisonment." And by renumbering succeeding section.

MEMMINGER.

Senator Stewart submitted the following amendment, which was tabled, upon motion of Senator Ballard:

Mr. President: I move to amend the Memminger amendment, to Senate Bill No. 331, by adding the following: "Provided further no order or rule shall be in effect until published in some newspaper of general circulation in the county in which the bank or banks affected is or are situated."

STEWART.

Upon motion of Senator Ballard, the previous question was ordered.

Senator Curnutt moved that the vote be reconsidered by which the previous question was ordered, for the purpose of offering an amendment to the Memminger amendment, to strike the words, "order, rule or regulation."

Senator Jennings raised a point of order against the Curnutt motion, which was sustained, stating the vote for order of previous question cannot be reconsidered.

Senator Commons presiding.

The vote occurring on the Memminger amendment, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Memminger, Morrison, Stacey, Waldrep, Whitaker, Willis. Total, 11.

Nays: Ballard, Clark, Coppock, Curnutt, Daugherty, Fidler, Garvin, Jennings, Johnston, Lester, Lig-

gett, Nance, Nichols, Paul, Powers, Reed, Ritzhaupt, Stewart, Thomas. Total, 19.

Not Voting: Fischl, Hutchinson, Pugh, Ray, Ritzley, Rutherford, Wilbanks. Total, 7.

Absent: Dixon, Moon, Sowards, Taylor. Total, 4.

Excused: Howard, Logan, MacDonald. Total, 3.

Senator Johnston, after reading a statement concerning banking conditions, moved that Senate Bill No. 331 be immediately advanced to engrossment and third reading and the final passage of the bill be taken within the next hour, which motion, by unanimous consent, he withdrew, to permit discussion.

Senator Ballard moved that Senate Bill No. 331 be advanced to engrossment and third reading.

Senator Daugherty, as a substitute, moved that the Chair appoint a committee of from 3 to 5 members of the Senate, of which Committee Senators Powers and Willis should be members, for the purpose of preparing a penalty amendment, suitable to the Senate.

Senator Waldrep, as a substitute for all pending motions, moved that the Chair appoint a committee of 5, for the purpose of considering the penalty provisions, incorporated in a House Bill, relative to the protection of banks, trust companies and depositors, etc., in order that proper amendments may be offered.

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

The vote occurring on the Waldrep motion, it was declared adopted and the Chair appointed as the Special Committee, thereunder, Senators Waldrep, Nance, Willis, Powers and Memminger.

#### MESSAGE

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 581—By Committee on Banks and Banking of the House, and Committee on Banks and Banking of the Senate, entitled:

An Act providing for the protection of banks and trust companies organized under the laws of the state of Oklahoma and for the protection of the depositors and creditors therein, empowering the Bank Commissioner of the state of Oklahoma, with the approval of the Governor of Oklahoma to regulate the withdrawal of deposits from banks and trust companies of this state, providing for receiving new deposits, and for the investment of such deposits, repealing any law 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 581.

By unanimous consent, the Special Committee, appointed under the Waldrep motion, concerning Senate Bill No. 331, was ordered "excused."

### THIRD READING

By unanimous consent, third reading of the following bill was ordered.

HOUSE BILL NO. 194 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Waldrep,

Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Carmack, Clark, Fischl, Ray, Reed, Rutherford. Total, 6.

Absent: Dixon, Moon, Sowards, Taylor. Total, 4.

Excused: Howard, Logan, MacDonald. 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: Ballard, Briggs, Carlile, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Carmack, Clark, Fischl, Ray, Reed, Rutherford. Total, 6.

Absent: Dixon, Moon, Sowards, Taylor. Total, 4.

Excused: Howard, Logan, MacDonald. 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. 194, and ordered the same transmitted to the Honorable House.

#### CONFERENCE COMMITTEE REPORTS

Senator Nichols submitted the following Conference Committee Report, which, upon his motion was adopted:  
TO THE HONORABLE SENATE AND

#### THE HOUSE OF REPRESENTATIVES:

We, the undersigned Conference Committee of the Senate and House of Representatives, of the State of Oklahoma, beg to report that, after due consideration of House Committee Substitute for Senate Bill No. 76, and of House Bill No. 5, as amended by the Senate, that



the provisions of House Bill No. 5 are incorporated in House Committee Substitute for Senate Bill No. 76, and we, therefore, recommend that House Bill No. 5 do not pass.

Al. Nichols,	Bower Broaddus,
W. A. Carlile,	Leon C. Phillips,
John D. Pugh,	A. F. Duke,
Henry S. Johnston,	H. Tom Knight,
Joe M. Whitaker,	Williams.

Senator Nichols submitted the following Conference Committee Report, which, upon his motion was adopted:  
**TO THE HONORABLE SENATE AND  
THE HOUSE OF REPRESENTATIVES:**

We, the undersigned Conference Committee, duly appointed by the Senate of the State of Oklahoma and the House of Representatives of the State of Oklahoma, beg to report that after a joint conference, the Senate Committee accepts House Committee Substitute for Senate Bill No. 76, and it is, therefore, respectfully submitted that House Committee Substitute for Senate Bill No. 76 be adopted and approved.

Al. Nichols,	Bower Broaddus,
W. A. Carlile,	Leon C. Phillips,
John D. Pugh,	A. F. Duke,
Henry S. Johnston,	H. Tom Knight,
Joe M. Whitaker,	Williams.

By unanimous consent, further consideration of Engrossed Senate Bill No. 76, as amended in conference, was deferred.

Upon motion of Senator Jennings, the Senate recessed to meet at 12:00 noon.

#### AFTERNOON SESSION

The Senate reassembled, at 12:00 o'clock, noon, with the President presiding.

Senator Sowards asked to be recorded "present," which was the order.

Senator Lester asked unanimous consent, which

was granted, to have the record show him "excused," for the purpose of meeting with a delegation from his Senatorial District.

Senator Lester asked unanimous consent, which was granted, to have the record show, "If he were present at the time of Third Reading and final roll call on SENATE BILLS NOS. 76, as amended in Conference, and 331, he would vote "AYE," on both bills and emergencies thereto, his absence to be caused by meeting with his home delegation."

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 20—By GRAHAM, ANGLIN, MRS. DAVIS, KING (Creek), BATSON, BOYER, LOGSDON, SULLIVAN and COE of the House; FIDLER, RUTHERFORD, RAY and DIXON of the Senate, entitled:

A Resolution of Condolence over the death of Senator Thomas J. Walsh of Montana, and that the same has been adopted by the House, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate.

Building

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate that the House has concurred in Senate Amendments to:

*Forty-fifth Day, Saturday, Mar. 4, 1933* 1113

ENGROSSED HOUSE BILL NO. 249—By TODD,  
entitled:

An Act amending Section 12399, Oklahoma Statutes 1931, relating to listing and assessing property of public service corporations, fixing January First as the assessment date; and providing for returns to be made to Oklahoma Tax Commission; and declaring an emergency, and that the same has been passed by the House, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate.

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 527—By COX,  
entitled:

An Act abolishing all county high schools in counties having a population of less than 25,000, according to the United States Census of 1930; providing for the disposition of the property used therein and appropriating proceeds to general fund of such counties 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 527.

To the President of the Senate.

Building

SIR:

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

ENROLLED HOUSE BILL NO. 194—By GRA-

HAM, CONNER, BILLINGS, ELLIS, COPELAND, MARSHALL and COE of the House and FIDLER and MORRISON of the Senate, entitled:

An Act providing for the disorganization of independent school districts for the purpose of annexing the territory disorganized to an adjacent independent school district; providing the procedure for such disorganization and annexation; authorizing the county superintendent to give notice of any such proposed disorganization and annexation and to complete such disorganization and annexation after notice; providing for appeals; fixing the status of the warrant and bonded indebtedness of each district affected; providing that such annexation shall not affect the number of members of the board of education; fixing the status of all territory annexed; providing the manner in which electors may become candidates for treasurer or member of the board of education; validating and legalizing annexations heretofore made and requiring strict procedure after January 1, 1934; providing for a treasurer and board of education in such independent school districts; providing for the manner of their nomination and election; abolishing run-off primary in such school districts; providing that special elections for the purpose of voting bonds or increasing the general tax levy shall be solely in charge of the board of education; providing for the payment of the expenses of such elections 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 acting Speaker in open session.

•                     Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 194 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.



By unanimous consent, the regular order of business was taken up.

#### PETITIONS AND MEMORIALS

Senator Pugh submitted a petition, signed by citizens of Caddo County, urging the passage of a bill, placing a special tax on the so-called "Chain Stores," doing business in Oklahoma.

The Pugh petition was ordered referred to the Committee on Revenue and Taxation.

#### 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 Pure Food and Drugs, to whom was referred House Bill No. 43, by Coe, Ellis, Graham, Conner, Copeland, Billings and Marshall, entitled:

An Act regulating the possession, sale, and distribution of certain drugs, compounds, and mixtures; prescribing a penalty for violation thereof; 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 substituted by Senate Committee which is approved by Coe, Ellis, Graham, and Conner.

#### SOWARDS, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred House Bill No. 200, by Hughes of Mayes County, entitled:

An Act repealing Section 8121, Compiled Oklahoma Statutes, 1931, relating to the per diem and mileage of County Commissioners of Mayes County and declaring an emergency,

beg leave to report that we had the same under consid-

eration and herewith return the same with the recommendation that it do pass.

PUGH, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred House Bill No. 477, by Whitford, entitled:

An Act repealing Sections 8159 to 8168 inclusive, Oklahoma Statutes, 1931; same being special salary act relating to Nowata County only, 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.

PUGH, Chairman.

Mr. President: We, your Committee on Privileges and Elections, to whom was referred Senate Bill No. 93, by Jennings, entitled:

An Act repealing Section 3769, Oklahoma Statutes 1931, same being Section 3030, Compiled Oklahoma Statutes 1921, prohibiting a justice of the Supreme Court, during the term for which he may be elected or appointed from becoming a candidate for office other than for a judicial position,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

BALLARD, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 316, by Ritzhaupt, entitled:

An Act providing for bounty on black birds, hawks, crows and predatory animals; making an appropriation therefor, providing for the method of disbursing such 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.

PUGH, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 318, by Ritzhaupt, entitled:

An Act requiring members of district school boards to give fidelity bonds; providing for the removal of such persons for failure to give such 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.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 323, by Waldrep (By request), entitled:

An Act authorizing and empowering school boards and county excise boards to make transfer of certain school funds in school districts of this state, making other provisions with reference thereto, 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.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 328, by Morrison, entitled:

An Act authorizing school districts to make a more economic provision for persons of school age who are unable to attend distant schools, providing for regulation and supervision of the authorized courses by the State Board of Education, providing for the acceptance of grades, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

RITZHAUPT, Chairman.

### FIRST READING

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

SENATE BILL NO. 333—By STACEY.—An Act regulating the adoption of text books in the public schools of the State of Oklahoma; prescribing the manner of adoption thereof; repealing all laws in conflict herewith and declaring an emergency.

SENATE BILL NO. 334—By PUGH.—An Act relating to the payment of fire, tornado or lightning insurance and declaring an emergency.

### SECOND READING

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

SENATE BILL NO. 332—By PAUL.—Referred to Committee on Fish and Game.

SENATE JOINT RESOLUTION NO. 17—By STACEY of the Senate and ROBERTS of the House.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 415—By McELHANEY and MISENHEIMER.—Referred to Committee on Fish and Game.

ENGROSSED HOUSE BILL NO. 559 — By WORTHINGTON.—Referred to Committee on Fees and Salaries.

ENGROSSED HOUSE BILL NO. 564—By GIBSON.—Referred to Committee on Roads and Highways.

Upon motion of Senator Whitaker, the Senate recessed to meet at 1:15 p. m.

### AFTERNOON SESSION

The Senate reassembled, at 1:15 p. m., with the President presiding.

### SPECIAL COMMITTEE REPORT

Senator Memminger asked unanimous consent, which was granted, to submit the following Special Committee Report:

Mr. President: We, your committee, to whom was



referred the penalty clause to Senate Bill No. 331, for the purpose of redrafting and submitting a penalty clause to said measure, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

That a new section shall be inserted to be numbered Section 6, and shall read as follows:

“Section 6. Any person, or officer, agent or employee of any bank or trust company who knowingly or intentionally violates any of the provisions of this act, or who knowingly or intentionally permits or authorizes the payment or withdrawal of any funds on deposit in any bank or trust company, in violation of the order of the Bank Commissioner and the Governor, authorized by this Act, shall be deemed guilty of a felony and, upon conviction thereof, shall be punished by a fine not exceeding Five Thousand Dollars (\$5000.00), or by imprisonment not exceeding ten (10) years, or by both such fine and imprisonment.”

And that Section 6 shall be renumbered as Section 7.

Waldrep,  
Memminger,  
Nance,  
Willis,  
Powers.

Senator Memminger moved the adoption of the Special Committee Report.

President Pro Tempore Stewart presiding.

Following discussion, it was upon motion of Senator Commons that the previous question was ordered.

The vote occurring on the Memminger motion, it was declared adopted.

Upon motion of Senator Nance, Senate Bill No. 331 was advanced to engrossment and third reading.

Upon motion of Senator Nance, the rules of the Senate were suspended and Senate Bill No. 331 was

considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 331 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nay: Curnutt. Total, 1.

Not voting: Ballard, Coppock, Daugherty. Total, 3.

Absent: Dixon, Moon, Taylor. Total, 3.

Excused: Howard, Lester, Logan, MacDonald. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not voting: Ballard, Coppock, Daugherty. Total, 3.

Absent: Dixon, Moon, Taylor. Total, 3.

Excused: Howard, Lester, Logan, MacDonald. 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 question being, "Shall the title of the bill become the title of the Act?" Senator Memminger submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 331, line 4, page 1, by adding after the word, "DEPOSITS," and before the word, "REPEALING," the following: "AND PROVIDING PENALTY FOR THE VIOLATION OF ANY OF THE PROVISIONS OF THIS ACT, OR OF ANY ORDER MADE PURSUANT THEREOF."

MEMMINGER.

Senate Bill No. 331 was ordered referred for engrossment.

Senator Fidler sent up the following explanation of his vote:

Mr. President: In voting against Senate Bill No. 331, I did so believing the directors of a bank should be allowed to use some discretion as relates to the withdrawal of funds for emergencies.

FIDLER.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 331 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Bill No. 331 and ordered it transmitted to the Honorable House, for consideration.

Senator Rutherford asked to be "excused," for the remainder of this legislative day, which was the order.

Referring further to Engrossed SENATE BILL NO. 76, as amended in Conference:

Senate Bill No. 76, as amended in Conference, was read at length.

The question being: "Shall Senate Bill No. 76, as amended in Conference, pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Jennings, Johnston, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Ballard, Coppock, Daugherty, Fidler, Hutchinson, Powers. Total, 6.

Absent: Dixon, Moon, Taylor. Total, 3.

Excused: Howard, Lester, Logan, MacDonald, Rutherford. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Jennings, Johnston, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Ballard, Coppock, Daugherty, Fidler, Hutchinson, Powers. Total, 6.

Absent: Dixon, Moon, Taylor. Total, 3.

Excused: Howard, Lester, Logan, MacDonald, Rutherford. 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. 76, together with Conference Committee Report, thereon, was ordered transmitted to the Honorable House for consideration.



Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 257 correctly engrossed.

LIGGETT, Chairman.

### THIRD READING

By unanimous consent, third reading of Engrossed House Bill No. 257 was taken up for consideration.

HOUSE BILL NO. 257 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not Voting: Ballard, Coppock, Daugherty. Total, 3.

Absent: Dixon, Moon, Taylor. Total, 3.

Excused: Howard, Lester, Logan, MacDonald. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart,

Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not Voting: Ballard, Coppock, Daugherty. Total, 3.

Absent: Dixon, Moon, Taylor. Total, 3.

Excused: Howard, Lester, Logan, MacDonald. 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 amendments to and Engrossed House Bill No. 257, and ordered the same transmitted to the Honorable House.

#### GENERAL ORDER

Senator Curnutt moved that Senate Bill No. 92, by Hutchinson, Rizley, Paul, Jennings, Ballard and Wilbanks, of the Senate, and Wright, Wilmot and Williams, of the House, be stricken from the calendar and re-referred to the Committee on Roads and Highways.

Senator Briggs, as a substitute, moved that further consideration of Senate Bill No. 92 be indefinitely postponed.

Senator Hutchinson moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., Monday, March 6th, which motion failed of adoption.

Senator Paul moved that the Senate adjourn, to meet at 1:30 p. m., Monday, March 6th, which motion failed of adoption.

Senator Nance moved, when the Senate adjourns today, it adjourn to meet at 1:30 p. m., Monday, March 6th, which motion prevailed.

Senator Hutchinson raised a point of order against further consideration of Senate Bill No. 92, stating it was not properly before the Senate, when the Curnutt and Briggs motions were offered, which point of order was sustained by the Chair.

Senator Curnutt appealed from the decision of the Chair.

The question being, "Shall the Chair be sustained?" the roll was called, resulting as follows, after which the Chair was declared sustained:

Ayes: Clark, Fischl, Garvin, Hutchinson, Jennings, Memminger, Nance, Paul, Pugh, Ray, Ritzhaupt, Ritzley, Stacey, Stewart, Thomas, Wilbanks, Willis. Total, 17.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Johnston, Liggett, Morrison, Nichols, Reed, Sowards, Whitaker. Total, 13.

Not Voting: Ballard, Coppock, Daugherty, Fidler, Powers, Waldrep. Total, 6.

Absent: Dixon, Moon, Taylor. Total, 3.

Excused: Howard, Lester, Logan, MacDonald, Rutherford. Total, 5.

Senator Nance presiding.

Senator Whitaker moved that the vote by which the Minority Committee Report on Senate Bill No. 92 was adopted, on the last legislative day, be reconsidered.

Senator Stewart raised a point of order against the Whitaker motion, which was sustained, stating it would take a suspension of rules to accomplish the purpose of his motion.

Upon motion of Senator Stacey, the Senate adjourned, to meet at 1:30 p. m., Monday, March 6th, 1933.

FORTY-SIXTH LEGISLATIVE DAY  
Monday, March 6, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 39.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The President announced an error in his recent ruling, relative to withdrawal of bills from committees, stating to withdraw a bill from a committee, to which it was referred, any time during the first ten days after reference, would require a suspension of the rules.

MESSAGES

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 157—By CHILDERS, WORTHINGTON, SPECK and SUTHERLAND of the House and CHAMBERLIN and CURNUTT of the Senate, entitled:

A Bill to be entitled an Act relating to the State



Board of Accounting, the State Board of Barber Examiners, Board of Chiropractic Examiners, Board of Dental Examiners, State Board of Embalming of Oklahoma, State Board of Examiners of Architects, State Board of Examiners of Nurses, State Board of Medical Examiners, State Board of Pharmacy, State Board of Veterinary Medical Examiners, the State Bar, the State Board of Osteopathy and Building and Loan Board, Board of Optometry; providing for the payment of ten per cent of gross fees collected by each of said boards into the state general revenue fund, fixing penalty for failure; providing that none of said boards shall maintain an office in the state Capitol building or conduct any examination therein, and declaring an emergency, which bill I have this day signed and approved.

Witness my hand, this March 4th, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 194—By GRAHAM, CONNER, BILLINGS, ELLIS, COPELAND, MARSHALL and COE of the House and FIDLER and MORRISON of the Senate, entitled:

An Act providing for the disorganization of independent school districts for the purpose of annexing the territory disorganized to an adjacent independent school district; providing the procedure for such disorganization and annexation; authorizing the county superintendent to give notice of any such proposed disorganization and annexation and to complete such disorganization and annexation after notice; providing for appeals; fixing the status of the warrant and bonded indebtedness of each district affected; providing that such

annexation shall not affect the number of members of the board of education; fixing the status of all territory annexed; providing the manner in which electors may become candidates for treasurer or member of the board of education; validating and legalizing annexations heretofore made and requiring strict procedure after January 1, 1934; providing for a treasurer and board of education in such independent school districts; providing for the manner of their nomination and election; abolishing run-off primary in such school districts; providing that special election for the purpose of voting bonds or increasing the general tax levy shall be solely in charge of the board of education; providing for the payment of the expenses of such elections and declaring an emergency,

which bill I have this day signed and approved.

Witness my hand, this March 4th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE HONORABLE THE STATE SENATE OF  
THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

I have before me: SENATE BILL NO. 60.

A BILL ENTITLED

“AN ACT making an appropriation to pay the salary of the Supreme Court Referee, and etc.”

Replying, I have to say the Court has one referee, and has heretofore operated with said referee, and that this bill, in effect, is but to provide for an extra referee.

I call attention to the fact that the said Court, and each member thereof, was given a law clerk two years ago, under their control, said law clerk to be appointed by themselves and under their control.

If they will put these clerks to work, one referee will be quite sufficient.

However, I recall that when I spoke at Lawton dur-

ing the Firebell Campaign, a number of gentlemen informed me that the referee of one of the judges was in the city of Lawton, giving out the word that a dollar a head would be given for disclosure of every name on the Initiative Petition on the Income Tax Bill that could be shown by the attorneys of the Citizens' League as not a voter.

Had this law clerk been at the Capitol attending to his own business, and not trying to dictate the policies of State, or become a partisan in such questions, doubtless the money called for in this Bill would not be needed.

For the reasons expressed in the foregoing, I return to you and I have vetoed and disapproved the said bill, on this the 3rd day of March, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE HONORABLE THE FOURTEENTH LEG-  
ISLATURE OF THE STATE OF OKLAHOMA:  
Gentlemen:

Oklahoma has a statute for the gathering of vital statistics, which is made mandatory under the Constitution. The registration of vital statistics is compensated for, and the method of performing the same is governed by Section 4515 Oklahoma Statutes, 1931, as follows:

“That each local registrar shall be paid the sum of twenty-five cents (25c) for each birth certificate and each death certificate, properly and completely made out and registered with him, and correctly recorded and promptly returned by him to the State Registrar as provided by this Act, and in case no births or deaths were registered during any month, the local registrar shall report to that effect. Each local registrar shall be paid the sum of two (\$2.00) dollars, for a monthly report to be transmitted on the 10th day of the following month to the State Registrar on such forms as may be required by the

State Registrar. In addition thereto, the local registrar shall be paid a fee of twenty-five cents (25c) for each burial, removal or transit permit issued by him. All accounts payable to a local registrar under the provisions of this Section shall be paid by the Board of County Commissioners of the county in which the registration district is located, upon certification by the State Registrar, and the State Registrar shall on the 15th day of each month certify to the Board of County Commissioners of the several counties the number of births and deaths properly registered, with the names of the local registrars and the amount due at the rates fixed therein."

"The Court of Tax Review, in a case pending before it, which originated in Kay County, held that it was not mandatory for the county authorities to include in the budget for the county expenses an item to take care of the fees which accrued under this law. The present statute provides for a fee of 25c for each birth certificate, or for each burial certificate, issued by the registrar. On the basis of the registrations in the past, the same should be estimated at 56,000 births at a fee of 15c, rather than 25c, as provided by the statute, that we would need \$8,400.00. On the basis of 22,667 deaths at 15c for each certificate, would need \$3400.05. At the rate of 22,667 burial permits at 15c for each permit, would need \$3400.05, and four hundred registrars in the state on the basis of \$1.00 per month for reports, as provided in the statute for twelve months, would be \$4800.00, or a total of \$20,000.00."

I have suggested the foregoing reduction in the fees since the number of Registrars could not be reduced with efficient work, and therefore it would seem that \$40,000.00 must needs be allowed in the appropriation for the next biennium to take care of this work; otherwise, the entire work must needs cease; and it will be too



*Forty-sixth Day, Monday, Mar. 6, 1933* 1131

much of a "step-backwards" to stop such important information as vital statistics.

Respectfully submitted, on this the 6th day of March, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

The above message was ordered referred to the Committee on Appropriations.

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

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the Speaker has appointed, CLOYD, BUSHYHEAD and WHITFORD, as House Conferees on:

ENGROSSED HOUSE JOINT RESOLUTION  
NO. 27—By CLOYD, BATSON, ALBRIGHT and  
HART, entitled:

A Resolution extending the time of payment of automobile license tax, waiving the penalties if paid pursuant to the provisions of this Resolution; and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 20—By GRAHAM, ANGLIN, MRS. DAVIS, KING (Creek), BATSON, BOYER, LOGSDON, SULLIVAN and COE of the House; FIDLER, RUTHERFORD, RAY and DIXON of the Senate, entitled:

A Resolution of condolence over the death of Senator Thomas J. Walsh of Montana and to advise you, and through you, the Honorable Senate, that the same has been signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolution No. 20 and ordered it returned to the Honorable House.

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE BILL NO. 249—By TODD, entitled:

An Act amending Section 12399, Oklahoma Statutes 1931, relating to listing and assessing property of public service corporations; fixing January First as the assessment date; and providing for returns to be made to Oklahoma Tax Commission,

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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 249 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

The following telegram was read, after which it was ordered referred to the Committee on Banks and Banking:

KMU 53 163 COLLECT 1/129—LANSING MICH  
1142A MAR 6 1933

PAUL STEWART

PRESIDENT OF SENATE

SECTION THREE HOUSE BILL TWO FORTY SIX STOP "ANY DEPOSIT MADE BY THE STATE TREASURER FOR ANY CUSTODIAN OR RECEIVER OR ANY DEPOSIT OF ANY CUSTODIAN OR RECEIVER OR ANY REDEPOSIT OF SAME AND ANY DEPOSIT HERETOFORE OR HEREAFTER MADE BY ANY BANK OR TRUST COMPANY IN ANY OTHER BANK OR TRUST COMPANY THAT HERETOFORE HAS BECOME AND OR NOW IS A LEGAL DEPOSITORY FOR RESERVE FUNDS IN A RESERVE CITY IS HEREBY DECLARED TO BE A TRUST FUND AND SHALL AT ALL TIMES BE TREATED AS A TRUST FUND AND PREFERRED DEPOSIT WITHOUT REGARD TO THE AMOUNT OF CASH ON HAND IN SAID BANK OR TRUST COMPANY AND MAY BE WITHDRAWN BY SUCH DEPOSITING BANK OR TRUST COMPANY AT ANY TIME IN WHOLE OR IN PART UPON DEMAND PROVIDED THAT SUCH WITHDRAWAL SHALL BE SUBJECT TO THE RULES AND REGULATIONS AND OR SPECIAL ORDER OF THE COMMISSIONER" STOP BILL CONTAINING FOREGOING PASSED BY HOUSE UNANIMOUSLY NOT YET ACTED UPON IN SENATE

R. E. REICHERT COMMISSIONER  
1142A

The President advised the Senate of the death at 5:57 a. m. this date of Mayor Anton J. Cermak, of Chicago, at Miami, Fla., and, out of respect to him, the Senate paused for a minute.

Senator Fidler moved that the President appoint a committee of 3 lawyer members of the Senate to draw suitable resolutions to be sent the family of Mayor Cermack, which motion prevailed and the President ap-

pointed, as such Committee, Senators MacDonald, Rutherford and Rizley.

#### 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 School Lands, to whom was referred Engrossed House Joint Resolution No. 11, by Hankla, entitled:

A Joint Resolution directing the Commissioners of the Land Office to transfer from the building fund into the proper funds of the land office, certain bonds and securities now held in said building fund, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

RIZLEY, Chairman.

Mr. President: We, your Committee on Schools and School Lands, to whom was referred Engrossed House Bill No. 255, by Williams, entitled:

An Act amending Sections 5586 and 5594, Oklahoma Statutes 1931 relating to the leasing for oil and gas mining purposes any or all of state-owned lands set apart and designated for the use, benefit and occupancy of state educational institutions, 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.

RIZLEY, Chairman.

Mr. President: We, your Committee on School Lands, to whom was referred Senate Bill No. 158, by Ritzhaupt, entitled:

An Act extending time of payment of all rentals and penalties due and owing for land leased from the Commissioners of the Land Office of the state of Oklahoma;



cancelling all penalties 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.

RIZLEY, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 189, by Garvin, Fischl & Chamberlin, entitled:

An Act fixing the salaries of elective and appointive state officers of the state of Oklahoma, and repealing conflicting laws,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

PUGH, Chairman.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Senate Bill No. 231, by Briggs of the Senate and Garland of the House, entitled:

An Act making it unlawful for a guardian to deposit guardianship funds in bank in which he is an officer or stockholder, or is employed, and providing penalty therefor,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CURNUTT, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 290, by Chamberlin of the Senate and Worthington of the House, entitled:

An Act providing for compensation to be paid to persons selected as temporary county judges or special county attorneys; providing that the board of county commissioners may pay a reasonable compensation therefor; fixing the maximum amount 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.

PUGH, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 326, by Waldrep, entitled:

An Act providing for the payment of the salaries of judges of the superior courts and for the reporters of said courts, making other and further provisions with reference thereto, repealing all laws or 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.

PUGH, Chairman.

Senator Pugh asked unanimous consent, which was granted, to strike HOUSE BILL NO. 200, by Hughes (Mayes), and rerefer it to the Committee on Fees and Salaries.

Senator MacDonald moved that HOUSE BILL NO. 228, by Phillips and Worthington, be ordered withdrawn from the Committee on Appropriations and placed upon the calendar, which motion prevailed.

Senator Nichols moved that HOUSE BILL NO. 171, by Cline and Brazell, be withdrawn from Judiciary Committee No. 2 and placed upon the calendar, which motion prevailed.

#### FIRST READING

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

SENATE BILL NO. 335—By CHAMBERLIN, PUGH, RUTHERFORD, WHITAKER and LESTER.  
—An Act to amend Sections 4900, 4901, 4903, 4904, and 4907, Chapter 24, Article 23, Oklahoma Statutes 1931, relating to the sale of securities, and declaring an emergency.

SENATE BILL NO. 336—By LESTER (By request).—An Act relating to the passage of ordinances by cities or counties, and authorizing cities or counties to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects; providing not less than three printed copies of such code or codes in book form have been filed with the clerk.

SENATE RESOLUTION NO. 20—By NICHOLS.—A Resolution calling for night sessions of the Senate in order that important legislation may be more speedily disposed of, and not permitted to go unheeded.

#### SECOND READING

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

SENATE BILL NO. 333—By STACEY.—Referred to Committee on Education.

SENATE BILL NO. 334—By PUGH.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 581—By COMMITTEE ON BANKS AND BANKING of the House and COMMITTEE ON BANKS AND BANKING of the Senate.

Senator Commons asked unanimous consent, which was granted, to place Engrossed House Bill No. 581 upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 527—By COX.—Referred to Committee on Education.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 271, Senate Bills Nos. 157, 215, 258 and 283 correctly engrossed.

LIGGETT, Chairman.

THIRD READING

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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fidler, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Coppock, Dixon, Jennings, Memminger, Moon, Sowards, Stewart. Total, 7.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fidler, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Coppock, Dixon, Jennings, Memminger, Moon, Sowards, Stewart. Total, 7.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan. 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 copy of Senate Bill No. 215, and ordered the same transmitted to the Honorable House.



SENATE BILL NO. 283 was read for the third time at length.

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

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Fidler, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total 32.

Nays: Daugherty, Jennings. Total, 2.

Not voting: Briggs, Dixon, Memminger, Reed, Sowards. Total, 5.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan. 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: Ballard, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Fidler, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total 32.

Nays: Daugherty, Jennings. Total, 2.

Not voting: Briggs, Dixon, Memminger, Reed, Sowards. Total, 5.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan. 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

copy of Senate Bill No. 283, and ordered the same transmitted to the Honorable House.

Senator Nance asked unanimous consent, which was granted, for the record to show him excused temporarily.

SENATE BILL NO. 157 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Morrison, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Not voting: Memminger, Moon, Sowards. Total, 3.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan, Nance. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Morrison, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Not voting: Memminger, Moon, Sowards. Total, 3.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan, Nance. 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, in open session, signed the engrossed copy of Senate Bill No. 157, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 258 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Morrison, Nichols, Paul, Pugh, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Coppock, Hutchinson. Total, 2.

Not voting: Dixon, Fidler, Memminger, Moon, Rizley, Rutherford, Sowards, Waldrep. Total, 8.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan, Nance. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Morrison, Nichols, Paul, Pugh, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Dixon, Fidler, Memminger, Moon, Rizley, Rutherford, Sowards, Waldrep. Total, 8.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan, Nance. 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, in open session, signed the engrossed copy of Senate Bill No. 258, and ordered the same transmitted to the Honorable House.

President Pro Tempore Stewart presiding.

HOUSE BILL NO. 306 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Hutchinson, Jennings, Johnston, Lester, MacDonald, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Howard, Liggett. Total, 2.

Not voting: Memminger, Moon, Morrison, Sowards, Waldrep. Total, 5.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan, Nance. 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 Curnutt moved that the emergency section to House Bill No. 306 be stricken, which motion failed of adoption.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Daugherty, Dixon, Fidler, Garvin, Jennings, Johnston, Lester, MacDonald, Morrison, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Curnutt, Howard, Liggett. Total, 3.

Not voting: Hutchinson, Memminger, Moon, Sowards, Waldrep. Total, 5.



Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan, Nance. 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. 306, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 271 was read for the third time at length.

Senator Whitaker presiding.

Senator Curnutt asked unanimous consent, which was granted, to submit an amendment to Section 13, as follows:

Mr. President: I move to amend House Bill No. 271, line 7, page 32, by striking after the word "be" and before the word "lien," the words: "a first and paramount" and inserting the words: "a preferred."

CURNUTT.

President Pro Tempore Stewart presiding.

Senator Paul moved to table the Curnutt amendment, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Garvin, Lester, Liggett, Morrison, Nichols, Paul, Reed, Sowards, Stacey, Willis. Total, 14.

Nays: Ballard, Briggs, Coppock, Curnutt, Fidler, Howard, Johnston, MacDonald, Ritzhaupt, Rizley, Rutherford, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 16.

Not voting: Daugherty, Dixon, Hutchinson, Jennings, Memminger, Moon, Pugh, Waldrep. Total, 8.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan, Nance. Total, 2.

Senator Johnston, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No.

271, line 7, page 32, by inserting after the word "shall" and before the word "be," the words: "except as to prior existing liens."

JOHNSTON.

Senator Briggs, as a substitute for all pending motions, submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 271, line 8, page 32, by inserting after the word "the" and before the word "property," the word "personal," and after the word "such" and before the word "in," line 10, by inserting the words: "and a lien superior to any subsequent lien upon any and all other property, both real and personal," and after the word "State" in line 11, change the semicolon to a comma and insert after the word "and" the following: "which lien shall date from the date upon which the tax becomes due and delinquent."

BRIGGS.

House Bill No. 271, as amended, was read at length. The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fidler, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Coppock, Jennings, Rutherford. Total, 3.

Not voting: Dixon, Hutchinson, Memminger, Morrison, Sowards, Thomas, Waldrep. Total, 7.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan. Total, 1.

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

Senator Reed moved the emergency section be

stricken, which motion was tabled upon motion of Senator MacDonald.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fidler, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Moon, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Jennings, Reed. Total, 3.

Not voting: Dixon, Hutchinson, Memminger, Morrison, Rutherford, Waldrep. Total, 6.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan. 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. 271 was referred for engrossment.

Senator Curnutt moved that the vote be re-considered by which SENATE BILL NO. 298, by MacDonald, et al., was passed and request the Honorable House to return the Bill, which motion was tabled upon motion of Senator MacDonald.

### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 76—By NICHOLS, NANCE and LESTER.

An Act regulating procedure relating to the foreclosure of mortgages and other liens upon real estate;

designating the time for filing answer in foreclosure suits; and for the hearing and determination of such actions; and declaring an emergency, together with Conference Report thereon, and to advise you, and through you, the Honorable Senate, that the House has adopted the said Conference Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 76 was referred for enrollment.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has adopted the report of the Conference Committee on:

ENGROSSED HOUSE BILL NO. 5—By GIBSON, FITZGERALD, WOOTEN, LANDINGHAM, PHILLIPS (Okfuskee), BEAMAN, BRAZELL, BENNETT, SMALLEY, BOYER, BLOCKER, WAGNER, MALLORY, JOHNSON (Comanche), CONNER, MUNSON, ROBERTS, HINDS, GRAY, PALMER, LEECRAFT, BROADDUS and BEAVER, entitled:

An Act vesting the District and Superior Court Judges of the State of Oklahoma with certain discretionary powers in permitting the continuance of actions for the foreclosure of real estate mortgages or other liens or encumbrances affecting real estate, under certain conditions, and specifying such conditions, and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and



Enrolled Bills begs leave to report Senate Bill No. 76 correctly enrolled.

LIGGETT, Chairman.

Senate Bill No. 76 was read at length for the fourth time and signed by the Presiding Officer, in open session, and ordered transmitted to the Honorable House for the signature of the Speaker.

#### GENERAL ORDER

Senator Ritzhaupt asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 319, By Ritzhaupt, of the Senate, and Davis, of the House.

Sections 1, 2 and 3 were read and adopted, upon motions of Senator Ritzhaupt.

Upon motion of Senator Ritzhaupt, Senate Bill No. 319 was advanced to engrossment and third reading.

Upon motion of Senator Ritzhaupt, the rules of the Senate were suspended and Senate Bill No. 319 was considered engrossed and placed upon third reading and final passage.

SENATE 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Dixon, Fidler, Hutchinson, Jennings, Memminger, Morrison, Rutherford, Waldrep. Total, 8.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Dixon, Fidler, Hutchinson, Jennings, Memminger, Morrison, Rutherford, Waldrep. Total, 8.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan. 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. 319 was referred for engrossment.

Senator Garvin asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 500, by Daniel.

Sections 1 and 2 were read and adopted, upon motions of Senator Garvin.

Upon motion of Senator Garvin, House Bill No. 500 was advanced to engrossment and third reading.

Upon motion of Senator Garvin, the rules of the Senate were suspended and House Bill No. 500 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 500 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker,

Wilbanks, Willis. Total, 31.

Not voting: Dixon, Fidler, Hutchinson, Jennings, Memminger, Morrison, Rutherford, Waldrep. Total, 8.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Dixon, Fidler, Hutchinson, Jennings, Memminger, Morrison, Rutherford, Waldrep. Total, 8.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan. 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. 500, and ordered the same transmitted to the Honorable House.

Senator Whitaker asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 132, by Leecraft, et al, of the House, and Whitaker of the Senate.

Section 1 was read.

Senator MacDonald presiding.

Senator Briggs moved that further consideration of House Bill No. 132 be indefinitely postponed.

Senator Whitaker, as a substitute, moved that further consideration of House Bill No. 132 be deferred

until some future legislative day, which motion prevailed.

### MESSAGE

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

To the President of the Senate,  
Building

SIR:

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

ENROLLED SENATE BILL NO. 76—By NICHOLS, NANCE and LESTER of the Senate and GIBSON, FITZGERALD, WOOTEN, LANDINGHAM, PHILLIPS (Okfuskee), BEAMAN, BRAZELL, BENNETT, SMALLEY, BOYER, BLOCKER, WAGNER, MALLORY, JOHNSON, (Comanche), CONNER, MUNSON, ROBERTS, HINDS, GRAY, PALMER, LEE-CRAFT, BROADDUS, BEAVER and KIGHT of the House.

An Act regulating procedure relating to the foreclosure of mortgages and other liens upon real estate; designating the time for filing answer in foreclosure suits; providing for discretion in the judges of the district and superior courts for continuances of said cause under certain conditions, and for the appointment of a receiver; providing for a waiver of the benefits of said act upon a conveyance of said property without the consent of the mortgagee, and excepting from the provisions of said act foreclosure of labor, mechanic or material liens existing upon the passage and approval of this act, and providing 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.

Respectfully,

R. M. McCOOL, Chief Clerk.



Enrolled Senate Bill No. 76 was ordered referred to the Governor, for further consideration.

**GENERAL ORDER**

Senator Waldrep asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 324, by Waldrep, Johnston and Sowards.

Section 1 was read and adopted, upon motion of Senator Waldrep.

Senator Johnston submitted the following amendment which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 324 by striking therefrom the words, "and declaring an emergency."

**JOHNSTON.**

Upon motion of Senator Waldrep, Senate Bill No. 324 was advanced to engrossment and third reading.

Senator Moon asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 409, by Shoemaker.

Section 1 was read and adopted, upon motion of Senator Moon.

Upon motion of Senator Moon, House Bill No. 409 was advanced to engrossment and third reading.

Senator Johnston asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 329, by Johnston.

Section 1 was read and adopted, upon motion of Senator Johnston.

Upon motion of Senator Commons, Section 2, being the emergency section, was ordered stricken.

Upon motion of Senator Johnston, Senate Bill No. 329 was advanced to engrossment and third reading.

Upon motion of Senator Johnston, the rules of the Senate were suspended and Senate Bill No. 329 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 329 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Garvin, Howard, Johnston, Lester, MacDonald, Nichols, Paul, Pugh, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 26.

Not Voting: Daugherty, Dixon, Fidler, Hutchinson, Jennings, Liggett, Memminger, Moon, Morrison, Nance, Rizley, Rutherford, Sowards. Total, 13.

Absent: Clark, Fischl, Powers, Ray. Total, 4.

Excused: Logan. 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 title of the bill become the title of the Act?" Senator Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 329, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

JOHNSTON.

Senate Bill No. 329 was referred for engrossment.

Senator Waldrep asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 323, by Waldrep (by request).

Section 1 was read and adopted, upon motion of Senator Waldrep.

Upon motion of Senator Waldrep, Senate Bill No. 323 was advanced to engrossment and third reading.

Upon motion of Senator Commons, the Senate proceeded to the consideration of House Bills on General Order.

HOUSE BILL NO. 274, by Chambers, was taken up for consideration.

Section 1 was read.

Upon the request of Senator Paul, further consideration of House Bill No. 274 was deferred for this legislative day.

Senator Briggs moved that the Senate proceed to the consideration of SENATE BILLS NOS. 149, by Briggs, and 150, by Briggs, which motion prevailed.

Senator Ballard presiding.

SENATE BILL NO. 149, by Briggs:

Sections 1, 2, 3, 4 and 5 were read and adopted, upon motions of Senator Briggs.

Senator Pugh asked unanimous consent, which was granted, to submit the following amendment, which was adopted, by unanimous consent:

Mr. President: I move to amend Senate Bill No. 149, line 9, page 3, by striking after the word, "exceeding," the words, "6 per centum per annum," and inserting the following, "the interest rate of the bonds refunded"

PUGH.

Upon motion of Senator Briggs, Senate Bill No. 149, as amended, was advanced to engrossment and third reading.

SENATE BILL NO. 150, by Briggs:

Section 1 was read.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 150, line 1, page 1, by striking the figures, "8571," and inserting the figures, "5913," and, in line 2, page 1, by striking the figures, "1921," and inserting the figures, "1931," and, in line 4, page 1, by inserting before the word, "It," the figures, "5913."

BRIGGS.

Senator Chamberlin submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No.

150, line 2, page 4, by changing the word, "had," to read "added"

CHAMBERLIN.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 150, line 1, page 4, by striking the words and figures, "twenty-five (25%) per cent," and inserting the words and figures, "ten (10%) per cent"

WHITAKER.

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

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 150, line 1, by striking the figures, "8571," and inserting the figures, "5913," and, in line 2, by striking the figures, "1921," and inserting the figures, "1931."

BRIGGS.

Upon motion of Senator Briggs, Senate Bill No. 150 was advanced to engrossment and third reading.

#### MESSAGE

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 99—By CHILDERS, entitled:

An Act making it unlawful for any state official, board, commission or institution to purchase passenger automobiles at a cost of more than eight hundred (\$800.00) dollars, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 368—By SHOE-MAKE and ALBRIGHT, entitled:



An Act providing that where more than one year's delinquent tax has accrued on real property, the amount due any one year may be paid without regard to the amounts due for said other years and declaring an emergency.

ENGROSSED HOUSE BILL NO. 395—By WHITFORD, entitled:

An Act providing for optional road work by prisoners serving jail sentence; allowing a credit of two days time for each day's work; providing for supervision of such work; repealing all laws in conflict and declaring an emergency.

ENGROSSED HOUSE BILL NO. 100—By CHILDERS, BABB, CONNER, and PHILLIPS (Atoka), entitled:

An Act amending Section 3580, Oklahoma Statutes 1931, relating to the marking of state-owned automobiles and trucks, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 99, 100, 368 and 395.

Upon motion of Senator Commons, the Senate adjourned to meet at 10:00 o'clock, a. m., Tuesday, March 7th, 1933.

## FORTY-SEVENTH LEGISLATIVE DAY

Tuesday, March 7, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carmack, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Absent: Carlile, Chamberlin, Dixon, Moon, Powers, Sowards. Total, 6.

Excused: Logan. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The President announced matters were on his desk for the consideration of the Senate, in executive session.

Upon motion of Senator Commons, the Senate closed its doors and went into executive session.

\* \* \*

The Senate reassembled, in open session, with the President presiding, who announced the Senate, in executive session, had advised and consented to the confirmation of the following executive nomination:

REFORD BOND, of Chickasha, Oklahoma, as a Member of the State Election Board of the State of Oklahoma, to succeed himself, for the unexpired term.

### SECOND READING

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

SENATE BILL NO. 335—By CHAMBERLIN,

PUGH, RUTHERFORD, WHITAKER and LESTER.  
—Referred to Committee on Banks and Banking.

SENATE BILL NO. 336—By LESTER (By request).—Referred to Committee on Municipal Corporations.

ENGROSSED HOUSE BILL NO. 99—By CHILDERS.—Referred to Committee on State and County Affairs.

ENGROSSED HOUSE BILL NO. 368—By SHOE-MAKE and ALBRIGHT.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 395—By WHITFORD.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 100—By CHILDERS, BABB, CONNER, and PHILLIPS (Atoka).—Referred to Committee on Roads and Highways.

Upon motion of Senator Whitaker, the Senate recessed to meet at 1:30 p. m.

#### AFTERNOON SESSION

The Senate reassembled at 1:30 p. m., and was called to order by the President.

The following Members asked to be recorded “present,” which was the order: Senators Carlile, Chamberlin, Moon and Sowards.

The President informed the Senate of the illness of Senator Logan and appointed a Committee of two, composed of Senators Whitaker and Ritzhaupt, to inquire about his condition and to render any service possible.

Upon motion of Senator Reed, SENATE BILL NO. 314, by Reed and Nichols, was ordered withdrawn from the calendar and re-referred to the Committee on Agriculture.

Upon motion of Senator Chamberlin, HOUSE BILL NO. 171, by Cline, Brazell, et al, was ordered withdrawn from the calendar and re-referred to the Judiciary Committee No. 2, for the purpose of a public hearing on the bill.

Senator Johnston moved that SENATE BILL NO. 178, by Johnston, be ordered withdrawn from Judiciary Committee No. 1, printed and placed upon the calendar, which motion prevailed.

Senator Johnston moved that SENATE BILL NO. 276, by Johnston, be ordered withdrawn from the Committee on Banks and Banking and printed and placed upon the calendar, which motion prevailed.

Senator Commons moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted "absent": Senators Briggs, Coppock, Dixon, Fischl, Garvin, MacDonald, Morrison, Paul, Powers, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Waldrep, and Wilbanks.

The Sergeant-at-Arms was directed to immediately notify the absent Senators of the proceedings.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 271, Senate Bills Nos. 149, 150, 319, 323, 324 and 329 correctly engrossed.

LIGGETT, Chairman.

The following asked to be recorded "present," which was the order: Senators Fischl, Garvin, MacDonald, Morrison, Ray, Reed, Rutherford, Sowards, Waldrep, Wilbanks, Paul and Ritzhaupt.

The President, in open session, signed the Engrossed Senate Amendments to and Engrossed House Bill No. 271, as amended, and ordered the bill returned to the Honorable House.

The President, in open session, signed Engrossed Senate Bills Nos. 319 and 329 and ordered, each, transmitted to the Honorable House for consideration.

#### GENERAL ORDER

Senator Nichols asked unanimous consent, to which



objections were voiced, to take up for consideration SENATE RESOLUTION NO. 20, by Nichols.

Senator Nichols moved that the Senate proceed to the consideration of Senate Resolution No. 20, which motion prevailed.

Senate Resolution No. 20 was read at length.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Resolution No. 20, by striking lines 1, 2 and 3, page 2.

BALLARD.

Senator Nichols moved the adoption of Senate Resolution No. 20, as amended, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Chamberlin, Clark, Commons, Daugherty, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stacey, Taylor, Wilbanks. Total, 22.

Nays: Carmack, Curnutt, Fidler, Fischl, Howard, Hutchinson, Jennings, Moon, Morrison, Ritzhaupt, Ritzley, Rutherford, Stewart, Thomas, Waldrep, Whitaker, Willis. Total, 17.

Not Voting: Briggs, Coppock. Total, 2.

Absent: Dixon, Powers. Total, 2.

Excused: Logan. Total, 1.

Senator Nichols served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Resolution No. 20 failed of adoption.

Senator Curnutt moved that the Senate continue this legislative day's work by re-assembling at 7:00 P. M., tonight, which motion failed of adoption.

The following asked to be recorded "present," which was the order: Senators Dixon, Briggs and Coppock.

The following motion was read and adopted:

Mr. President: We move that the Conference Committee on Senate Bill No. 27, same being the departmental appropriation Bill, of the 14th Legislature, be instructed to reduce the total appropriations 20%, in view that the taxes collected amount to only \$9,363,414.14 for the fiscal year 1931-32, and that the income will be materially less for the coming year, and that unless such reductions are made, the annual state deficit will be as great in the future as in the past.

STEWART,  
MacDONALD,  
NANCE.

#### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you that the House of Representatives has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 111—By MASSEY and DANIELS, entitled:

An Act amending Section 6873, O. S. 1931, relating to bond of independent school district treasurer and providing for the designation of the county treasurer as treasurer of independent districts, providing a penalty, and declaring an emergency,  
and to advise you, and through you, the Honorable Senate, that the same has been passed, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

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

*Forty-seventh Day, Tuesday, Mar. 7, 1933* 1161

ENGROSSED SENATE BILL NO. 331—By COMMITTEE ON BANKS AND BANKING, of the Senate, and COMMITTEE ON BANKS AND BANKING of the House, entitled:

An Act providing for the protection of banks and trust companies organized under the laws of the state of Oklahoma, and for the protection of the depositors and creditors therein, empowering the Bank Commissioner of the state of Oklahoma, with the approval of the Governor of Oklahoma, to regulate the withdrawal of deposits from banks and trust companies of this state, providing for receiving new deposits, and for the investment of such deposits; and providing a penalty for the violation of any of the provisions of this Act, or of any order made pursuant thereof; repealing any law 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 AS AMENDED, and signed by the Speaker Pro Tem in open session.

Respectfully,

R. M. McCOOL, Chief Clerk

Engrossed House Amendments to Engrossed Senate Bill No. 331 were read as follows:

AMENDMENT NO. 1. Page 1. By substituting the following for Section One: "Section 1. Whenever it shall appear to the Bank Commissioner of the State of Oklahoma, that it is necessary for the protection of the interest of the depositors and creditors of any bank or trust company in Oklahoma, and that such action is in the public interest, he shall, on the direction of the Governor of the State of Oklahoma, direct and require any bank or trust company of this State to perform and do as follows, to-wit:

(a) To limit and restrict the withdrawal of money from any bank or trust company and to fix the amount of money that can be withdrawn from such bank or trust

companies from day to day, or from week to week, or from month to month. The said authority and all rules, regulations and orders issued pursuant thereto, to be enforced at the discretion of the Bank Commissioner. Provided, whenever in the judgment of the Bank Commissioner there is no need of further restrictions, then it shall be the duty of the said Bank Commissioner to release any bank or trust company from the provisions hereof, and so to advise the said banks and trust companies that the said restrictions are withdrawn and no longer in force. Provided, further, that the Bank Commissioner, with the approval of the Governor, may, if the public interest requires, waive the withdrawal provisions of this act, insofar as it applies to public funds or funds of any organized charitable or benevolent organization on such terms as the Bank Commissioner may deem just and proper.

(b) In the exercise of the authority given to the Bank Commissioner in this act and by order of the Governor, he may take into consideration the condition and surrounding circumstances pertaining to each bank and trust company and the ability of the bank or trust company to pay its obligations to its depositors and creditors, and may make such orders, rules and regulations pertaining to each bank and trust company, under the provisions of this act, as he may deem just and proper in the premises.

AMENDMENT NO. 2. Page 2. By substituting the following for Section Two. "Section 2. When this law goes into effect, the bank and trust companies affected may again receive deposits, which said deposits shall be segregated from the existing deposits in said banks and these new deposits are to be without restrictions or limitations as to the withdrawal thereof by the depositors. The said new deposits shall not be invested or loaned out in any manner by any bank or trust company during the period in which this law, or any order,



rule or regulation made pursuant thereto, are in effect, but must be kept in cash or invested in the direct obligations of the Government of the United States or of the State of Oklahoma. And any securities purchased as aforesaid shall be segregated and held pledged to secure such new deposits; provided, however, that the legal reserve, as required by law, shall be carried against said segregated funds."

AMENDMENT NO. 3. Page 2. By substituting the following for Section Three. "Section 3. Nothing contained in this act shall prevent the assignment of any suspended deposit liability or the application of all or any part of said suspended liability, to the payment of any indebtedness of the depositor to such bank or trust company, at the time such suspension becomes effective."

AMENDMENT NO. 4. Page 3. By substituting the following for Section Four. "Section 4. Whenever the Bank Commissioner of the State of Oklahoma directs a bank or trust company to act under the provisions of this act, he is hereby empowered to make and adopt such rules, orders and regulations as he may deem proper, for the carrying into effect of this act and for the protection of the bank and trust company, and the depositors and creditors thereof; and he may require reports from time to time, as he may deem proper, touching the financial condition of any bank or trust company."

AMENDMENT NO. 5. Page 3. By substituting the following for Section Five. "Section 5. This act shall be in full force and effect from and after its passage and approval by the Governor and shall expire on the 20th day of January, 1935. Provided, that nothing herein shall prevent the Bank Commissioner from withdrawing the restrictions and regulations provided for herein at any time after the date of approval of this Act, and prior to its expiration in such manner and on such terms as the Bank Commissioner may determine."

AMENDMENT NO. 6. Page 3. By substituting

the following for Section Six. "Section 6. Any person, or any officer, agent or employee of any bank or trust company who knowingly or intentionally violates any of the provisions of this act, or who knowingly or intentionally permits or authorizes the payment or withdrawal of any funds on deposit in any bank or trust company, in violation of the order of the Bank Commissioner, and the Governor, authorized by this Act, shall be deemed guilty of a felony and upon conviction thereof, shall be punished by a fine not exceeding Five Thousand (\$5000.00) Dollars, or by imprisonment not exceeding ten (10) years or by both such fine and imprisonment. Provided, that no provision for a violation of the provisions of this act, or of any rule or regulation issued pursuant thereto, shall be instituted, except on approval of the Governor and the Bank Commissioner."

AMENDMENT NO. 7. Page 3. By substituting the following for Section Seven. "Section 7. 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."

AMENDMENT NO. 8. Page 1. By changing the Title to read as follows: "AN ACT PROVIDING FOR THE PROTECTION OF BANKS AND TRUST COMPANIES AND FOR THE PROTECTION OF DEPOSITORS AND CREDITORS THEREIN, EMPOWERING THE BANK COMMISSIONER, ON APPROVAL OF THE GOVERNOR, TO REGULATE AND RESTRICT THE WITHDRAWAL OF DEPOSITS FROM BANKS AND TRUST COMPANIES, PROVIDING FOR RECEIVING NEW DEPOSITS THEREIN, AND THE INVESTMENT OF SUCH NEW DEPOSITS; PROVIDING PENALTIES FOR VIOLATION, AND DECLARING AN EMERGENCY."

Senator Memminger moved that the Senate concur

in House Amendments to Engrossed Senate Bill No. 331.

Senator MacDonald, as a substitute, moved that the Senate refuse to concur in House Amendments to Engrossed Senate Bill No. 331 and request the Honorable House for an immediate conference on the Bill, the House and Senate to each appoint five members as conferees thereunder.

Senator Ritzhaupt, as an amendment to the MacDonald motion, moved that while conference is being held on Senate Bill No. 331, the Bill be printed, as amended.

Senator MacDonald raised a point of order against the Ritzhaupt amendment, stating his amendment was not germane to the original motion.

Senator Paul moved to amend the MacDonald motion, to provide that report of the Conference Committee be made at 4:30 P. M., this date, which amendment was adopted.

Senator Memminger moved that the MacDonald motion, as amended, be tabled, which motion failed of adoption.

The vote occurring on the MacDonald motion, as amended, it was declared adopted.

The President appointed as Senate Conferees under Engrossed Senate Bill No. 331, Senators Memminger, MacDonald, Stewart, Rutherford and Rizley.

Senator Jennings moved that the Call of the House be lifted, which motion failed of adoption.

### THIRD READING

SENATE 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Sowards, Stacey, Taylor, Thomas,

Waldrep, Whitaker, Willis. Total, 26.

Nays: Ballard, Coppock, Curnutt, Fidler, Fischl, Howard, Hutchinson, Jennings, Moon, Ray, Ritzhaupt, Rizley, Rutherford, Stewart, Wilbanks. Total, 15.

Not Voting: Dixon. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 32.

Nays: Ballard, Fidler, Fischl, Howard, Jennings, Moon, Rutherford, Wilbanks. Total, 8.

Not Voting: Dixon, Hutchinson. Total, 2.

Absent: Powers. Total, 1.

Excused: Logan. 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 copy of Senate Bill No. 324, 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,  
BUILDING.

SIR:

I am directed by the House of Representatives to in-



form you, and, through you, the Honorable Senate, that the House has granted a conference on

ENGROSSED SENATE BILL NO. 331.— By COMMITTEE ON BANKS AND BANKING OF THE SENATE, and COMMITTEE ON BANKS AND BANKING OF THE HOUSE, entitled:

An Act providing for the protection of Banks and Trust Companies organized under the laws of the State of Oklahoma, and for the protection of the depositors and creditors therein, empowering the Bank Commissioner of the State of Oklahoma, with the approval of the Governor of Oklahoma, to regulate the withdrawal of deposits from Banks and Trust Companies of this State, providing for receiving new deposits, and for the investment of such deposits; and providing a penalty for the violation of any of the provisions of this Act, or of any order made pursuant thereof, repealing any law in conflict herewith and declaring an emergency,  
and the Speaker of the House has appointed as House Conferees the following named Representatives: Kight, Broadus, Batson, Phillips (Okfuskee) and Abernathy (Harmon).

Respectfully,

R. M. McCOOL, Chief Clerk

Senator Nance presiding.

By unanimous consent, the Senate Conferees under Engrossed Senate Bill No. 331 were excused for the purpose of a conference on the Bill.

### THIRD READING

SENATE BILL NO. 323 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Fidler, Garvin, Jennings, Johnston, Lester, Liggett, Morrison,

Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Curnutt. Total, 1.

Not Voting: Dixon, Fischl, Howard, Hutchinson, Moon, Reed. Total, 6.

Absent: Powers. Total, 1.

Excused: Logan, MacDonald, Memminger, Rizley, Rutherford, Stewart. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Fidler, Garvin, Jennings, Johnston, Lester, Liggett, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Curnutt. Total, 1.

Not Voting: Dixon, Fischl, Howard, Hutchinson, Moon, Reed. Total, 6.

Absent: Powers. Total, 1.

Excused: Logan, MacDonald, Memminger, Rizley, Rutherford, Stewart. 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 323, and ordered the same transmitted to the Honorable House.

SENATE 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Howard, Johnston, Lester, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Jennings, Moon. Total, 2.

Not Voting: Dixon, Fischl, Hutchinson, Liggett. Total, 4.

Absent: Powers. Total, 1.

Excused: Logan, MacDonald, Memminger, Rizley, Rutherford, Stewart. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Howard, Johnston, Lester, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Jennings, Moon. Total, 2.

Not Voting: Dixon, Fischl, Hutchinson, Liggett. Total, 4.

Absent: Powers. Total, 1.

Excused: Logan, MacDonald, Memminger, Rizley, Rutherford, Stewart. 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 149, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 150 was read for the third time at length.

Senator Paul moved that further consideration of Senate Bill No. 150 be deferred until another legislative day, the Bill to retain its place on the Calendar, which motion prevailed.

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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 36.

Not Voting: Briggs, Hutchinson, MacDonald, Rutherford, Stewart, Waldrep. Total, 6.

Absent: Powers. Total, 1.

Excused: Logan. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 36.

Not Voting: Briggs, Hutchinson, MacDonald, Rutherford, Stewart, Waldrep. Total, 6.

Absent: Powers. Total, 1.



Excused: Logan. 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. 409, 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,  
Building  
SIR:

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

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 13—By COX and WILLIAMS, entitled:

A Resolution memorializing the Congress of the United States to include in the plan for an adequate flood control of the Mississippi River area the construction of flood control reservoirs on the dry Cimarron River within the state of Oklahoma and state of New Mexico, and to advise you, and through you, the Honorable Senate, that the same has been signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer, in open session, signed Enrolled House Concurrent Resolution No. 13 and ordered it returned to the Honorable House.

To the President of the Senate,  
Building  
SIR:

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

ENROLLED HOUSE BILL NO. 111—By MASSEY and DANIELS, entitled:

An Act amending Section 6873, O. S. 1931, relating to bond of independent school district treasurer and providing for the designation of the county treasurer as treasurer of independent districts, providing a penalty, and declaring an emergency,

ENROLLED HOUSE BILL NO. 500—By DANIEL, entitled:

An Act authorizing the mayor and the city council of the city of Waurika, Jefferson County, Oklahoma, to remit and refund all penalties or interest on delinquent paving taxes and assessments in paving districts number 1, 2, and 3 of said city, providing conditions therefor and authorizing and directing the county treasurer of Jefferson County to collect said paving taxes and assessments without collecting said interest and penalties, and declaring an emergency.

ENROLLED HOUSE BILL NO. 306—By GARLAND and HAILE, entitled:

An Act amending Section 9666, Compiled Oklahoma Statutes 1921 (omitted from 1931 Compiled Oklahoma Statutes), relating to the assessment of taxable property, providing for procedure for such assessment, penalty for non-assessment; repealing all Acts in conflict therewith 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 pro tem in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 111, 306 and 500 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

#### CONFERENCE COMMITTEE REPORT

The hour of 4:30 having arrived, Senator MacDonald, on behalf of the Senate Conferees appointed under Engrossed Senate Bill No. 331, moved that the said Con-

ferees be discharged and the Honorable House advised of the Senate's action, which motion prevailed.

#### MESSAGES

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

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House Conferees on:

ENGROSSED SENATE BILL NO. 331—By COMMITTEE ON BANKS AND BANKING of the Senate, and, COMMITTEE ON BANKS AND BANKING of the House.

An Act providing for the protection of Banks and trust companies organized under the laws of the state of Oklahoma, and for the protection of the depositors and creditors therein, empowering the Bank Commissioner of the State of Oklahoma, with the approval of the Governor of Oklahoma, to regulate the withdrawals of deposits from banks and trust companies of this State, providing for receiving new deposits, and for the investment of such deposits; and providing a penalty for the violation of any of the provisions of this Act, or of any order made pursuant thereof; repealing any laws in conflict herewith and declaring an emergency, have been discharged.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Chamberlin, the Senate concurred in Engrossed House Amendments to Engrossed Senate Bill No. 331.

Senate Bill No. 331, as amended, was read at length.

The question being, "Shall the Bill, as amended by the Honorable House, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Nays: Coppock, Curnutt, Dixon, Fidler. Total, 4.

Not voting: Reed. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. 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 by the Honorable House, become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Nays: Coppock, Curnutt, Dixon, Fidler. Total, 4.

Not voting: Reed. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. 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 House amendments to Engrossed Senate Bill No. 331, and ordered the same transmitted to the Committee on Engrossed and Enrolled Bills.



To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 23—By BOYER, BATSON, LOGSDON, GRAHAM, COE and SULLIVAN.

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

Respectfully,

R. M. McCOOL, Chief Clerk.

Under the rules Engrossed House Concurrent Resolution No. 23 was ordered printed and placed upon the calendar.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 191—By STURGELL, entitled:

An Act to establish a holiday to be known as "Jefferson Day" and to provide for executive proclamation thereof,

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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 191.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has concurred in Senate amendments to:

ENGROSSED HOUSE BILL NO. 257—By REMUND, OTTESEN, ABERNATHY (Harmon), ARMSTRONG, BEARD, CLINE, CLOYD, DOUTHAT, ELLIS, GARLAND, GRUNERT, GRAHAM, HINDS, JOHNSON, KENAN, LOGSDON, PHILLIPS (Okfuskee), STRICKLAND (Marshall), SINGLETON, SMALLEY, WATSON, CAVITT, SULLIVAN, LEECRAFT, MALLORY, LINDSEY, BEAVER, GRAY, KING (Coal), BUSHYHEAD, MARSHALL, PAXTON, and ROBERTS of the House and RAY, HUTCHINSON, CHAMBERLIN, CURNUTT, COMMONS, DAUGHERTY, DIXON, HOWARD, LOGAN, MacDONALD, MEMMINGER, MORRISON, RITZHAUPT, RUTHERFORD, and WHITAKER of the Senate, entitled:

An Act making appropriation for the operation and maintenance of the Soldiers' Tubercular Sanatorium, and declaring an emergency,  
and the same has been passed by the House of Representatives AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 268—By BUSHYHEAD, entitled:

An Act requiring each contractor engaged in the construction and maintenance of State Highways and whose contract requires the use of a certain percentage

of labor in such construction to be citizens of the county where such work is being done, to have each of such citizens submit an affidavit signed by himself and two land owners of the county stating that he has been an actual resident of the county at least six months, before said contractor shall pay him for his labor; providing penalties 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 of Representatives and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 268.

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED SENATE BILL NO. 76— By NICHOLS, NANCE and LESTER of the Senate and GIBSON, FITZGERALD, WOOTEN, LANDINGHAM, PHILLIPS (Okfuskee), BEAMAN, BRAZELL, BENNETT, SMALLEY, BOYER, BLOCKER, WAGNER, MALLORY, JOHNSON (Comanche), CONNER, MUNSON, ROBERTS, HINDS, GRAY, PALMER, LEE-CRAFT, BROADDUS, BEAVER and KIGHT of the House.

An Act regulating procedure relating to the foreclosure of mortgages and other liens upon real estate; designating the time for filing answer in foreclosure suits; providing for discretion in the Judges of the District and Superior Courts for continuances of said causes under certain conditions, and for the appointment of a

receiver; providing for a waiver of the benefits of said Act upon a conveyance or encumbrance of said property without the consent of the mortgagee, and excepting from the provisions of said Act foreclosure of labor, mechanic or material liens existing upon the passage and approval of this Act, and providing an emergency, which bill I have this day signed and approved.

Witness my hand, this March 7th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 249—By TODD,  
entitled:

An Act amending Section 12399, Oklahoma Statutes, 1931, relating to listing and assessing property of public service corporations, fixing January first as the assessment date; and providing for returns to be made to Oklahoma Tax Commission,  
which bill I have this day signed and approved.

Witness my hand, this March 7th, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
SPECIAL ORDER

Senator Nichols asked unanimous consent, which was granted, to take up for Special consideration SENATE JOINT RESOLUTION NO. 4, by Nichols.

Sections 1, 2 and 3 were read and adopted, upon motions of Senator Nichols.

Upon motion of Senator Nichols, Senate Joint Resolution No. 4, was advanced to engrossment and third reading.

Upon motion of Senator Nichols, the rules of the Senate were suspended and Senate Joint Resolution No.



4 was considered engrossed and placed upon third reading and final passage.

Senate Joint Resolution No. 4 was read for the third time at length, as follows:

SENATE JOINT RESOLUTION NO. 4—By NICHOLS.

THIS IS A JOINT RESOLUTION PROVIDING FOR THE SUBMISSION OF A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF OKLAHOMA RELATING TO ARTICLE XVII THEREOF, CONCERNING COUNTIES BY ADDING A SECTION PROVIDING FOR THE CONSOLIDATION OF COUNTIES IN SAID STATE, AND THE PROCEDURE TO BE FOLLOWED THEREIN.

BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. That the following proposed amendment to Article XVII of the Constitution of the State of Oklahoma by adding a section to be known as Section 5-a, Article XVII of the Constitution of the State of Oklahoma shall be referred to the people of the State of Oklahoma for their ratification or rejection at the next general or a special election to be called for that purpose held in the State of Oklahoma; said proposed amendment being as follows:

“Section 5-A. Counties of this state may be consolidated by a vote of the qualified electors of any number of counties in the state, provided a majority of those voting in each county affected, vote in favor thereof. The Legislature of this state shall provide the manner and form for calling and holding such elections. The county seat for the consolidated county shall be determined at such elec-

tion. All indebtedness incurred by the respective counties prior to said consolidation shall remain a charge against the property located in said respective counties and the Legislature may provide for the assumption of all prior incurred indebtedness of the several counties by the consolidated county. Such an assumption of prior indebtedness shall be made by an election in each of said original counties, provided a majority of the qualified tax-paying electors voting at an election in each county affected, vote in favor of the assumption of such indebtedness."

SECTION 2. Said proposed amendment shall be submitted as provided by law in the following form:

"Shall the proposed amendment be adopted?"

☐ YES

☐ NO

SECTION 3. Said proposed amendment to the Constitution of the State of Oklahoma shall upon receiving a majority of all electors voting at said election, voting in favor of said amendment, be adopted.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Coppock, Garvin, Nance, Reed, Sowards, Stewart. Total, 6.

Not voting: Liggett, Paul, Pugh, Thomas, Waldrep. Total, 5.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

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

Senate Joint Resolution No. 4 was ordered referred for engrossment.

Senator Commons moved that the Senate proceed to the consideration of House Bills on General Order, which motion prevailed.

#### HOUSE BILLS—GENERAL ORDER

Senator Whitaker asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 242, by Wright, et al, of the House, and Logan and Rutherford, of the Senate.

Section 1 was read and adopted, upon motion of Senator Whitaker.

Upon motion of Senator Whitaker, House Bill No. 242 was advanced to engrossment and third reading.

Upon motion of Senator Whitaker, the rules of the Senate were suspended and House Bill No. 242 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 242 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 36.

Nay: Curnutt. Total, 1.

Not voting: Hutchinson, Liggett, Paul, Thomas, Waldrep. Total, 5.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

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

Senator Curnutt served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which House Bill No. 242 was passed.

Senator Ballard moved that the Senate recess to meet at 7:30 p. m., this date, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Curnutt, Hutchinson, Memminger, Nichols, Paul, Pugh, Ray, Sowards, Wilbanks, Willis. Total, 11.

Nays: Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, Moon, Morrison, Nance, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker. Total, 28.

Not voting: Briggs, Fidler, MacDonald. Total, 3.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Upon motion of Senator Dixon, the call of the House was ordered lifted.

By unanimous consent, the regular order of business was taken up.

#### COMMITTEE REPORTS

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

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Engrossed House Bill No. 150, by Phillips (Atoka), Fraley, Batson, Childers, Jessee, Sullivan, Cline, Cavins, McElhaney, Bennett, Hart, Mooney, Kight, Todd, et al., entitled:

An Act providing for the assessment of deficiency judgments secured by mortgages on foreclosures of real estate mortgages; providing the method thereof, provid-



ing a penalty for failure to assess such judgments; repealing all laws 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.

CURNUTT, Chairman.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Engrossed House Bill No. 460, by Broadbuss and Shoemaker, entitled:

An Act amending Section 6491, Oklahoma Statutes, 1931, providing for the appointment of the Marshal and Clerk of the City Courts in all Cities having a population of 25,000 and less than 55,000 as shown by last federal census or any federal census hereafter, and further amending Section 6502, Oklahoma Statutes 1931 with reference to the Judges of said Court, and fixing the amount of his 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.

CURNUTT, Chairman

Mr. President: We, your Committee on Agriculture, to whom was referred Senate Bill No. 314, by Reed and Nichols, entitled:

An Act relating to the inspection of animals for slaughter and consumption as human food; providing for sanitary inspection of packing plants and for ante-mortem and post-mortem examination of such animals; authorizing boards of county commissioners to appoint veterinary inspectors and assistant inspectors; fixing their salaries, qualifications and duties; authorizing payment of salaries, office and traveling expenses; providing for disposition of animals or portions thereof found unfit for human food; authorizing the State veterinarian to promulgate rules and regulations relating to said inspections, 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.

CARMACK, Chairman.

#### FIRST READING

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

SENATE BILL NO. 337—By CHAMBERLIN, NANCE and GARVIN.—An Act providing for an appropriations of ten thousand (\$10,000) Dollars for the remainder of the fiscal year ending June 30th, 1933, and thirty-two thousand, five hundred (\$32,500) dollars for the fiscal year ending June 30th, 1934, and thirty-two thousand five hundred (\$32,500) dollars for the fiscal year ending June 30th, 1935, for maintenance of Oklahoma orphan children who are not in state institutions; providing for the expenditure of the same by the State Board of Public Affairs on a per capita basis; and declaring an emergency.

SENATE BILL NO. 338—By CHAMBERLIN.—An Act amending Section 3196, Oklahoma Statutes, 1931, relating to appeal bonds in criminal cases, and declaring an emergency.

SENATE BILL NO. 339—By JOHNSTON.—An Act empowering the several counties of the State and the Highway Department, or either, to assume the obligation of road construction bonds issued by the various townships, and used for paving, or for bridge construction of the county and state type, and declaring an emergency.

SENATE BILL NO. 340—By WALDREP (By Request).—An Act amending Section 1, Chapter 93, Session Laws of Oklahoma 1927, the same being Section 6252, Oklahoma Statutes 1931, relating to the refunding of street improvement bonds, making other and further provisions with reference thereto, and declaring an emergency.

### GENERAL ORDER

Senator Wilbanks asked unanimous consent, to which objections were voiced, to take up for consideration HOUSE CONCURRENT RESOLUTION NO. 11, by Phillips (Okfuskee) and Wingo.

Senator Wilbanks moved that the Senate proceed to the consideration of House Concurrent Resolution No. 11, which motion prevailed.

Section 1 was read and adopted, upon motion of Senator Wilbanks.

Section 2 was read.

Senator Ritzhaupt moved that further consideration of House Concurrent Resolution No. 11 be indefinitely postponed.

Senator Wilbanks raised a point of order against the Ritzhaupt motion, which was sustained, stating his motion followed discussion.

Upon motion of Senator Curnutt, House Concurrent Resolution No. 11 was ordered stricken from the calendar and referred to the Committee on Education.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 o'clock, a. m., Wednesday, March 8th, 1933.

## FORTY-EIGHTH LEGISLATIVE DAY

Wednesday, March 8, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Powers. Total, 1.

Excused: Fidler, Logan. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### COMMITTEE REPORTS

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Joint Resolution No. 4 correctly engrossed and Senate Bill No. 331 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Joint Resolution No. 4 and ordered it transmitted to the Honorable House.

Senate Bill No. 331 was read at length for the fourth time, the enrolled copy signed, in open session, and ordered transmitted to the Honorable House, for the signature of the Speaker.

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. 320, by Ritzhaupt, entitled:

An Act amending Section 1670 Oklahoma Statutes 1931 relating to the issuance of marriage license 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.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 321, by Ritzhaupt, entitled:

An Act amending Section 677 Oklahoma Statutes 1931 relating to the marriage of incompetent persons; providing that it shall be the mandatory duty of the court wherein the guardianship is pending upon being informed of the marriage of an incompetent over which there is no, 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.

LOGAN, Chairman.

Mr. President: We, your Committee on Public Health, to whom was referred Senate Bill No. 327, by Morrison, entitled:

An Act amending Section 13, Chapter 41 of the Session Laws of 1919, which is Section 8713, of the Compiled Oklahoma Statutes of 1921, or Section 4383 of the Compiled Oklahoma Statutes of 1931, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

THOMAS, Chairman.

#### FIRST READING

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

SENATE BILL NO. 341—By LIGGETT.—An Act amending Section 4,515, Oklahoma Statutes, 1931, relating to the payment of fees of registrars in counties; and declaring an emergency.

SENATE BILL NO. 342—By LIGGETT.—An Act amending Paragraph "C" Section 10090, Oklahoma Statutes 1931, providing that county commissioners shall not designate more than thirty-five per cent of the public highways in their respective counties as county highways, and declaring an emergency.

SENATE BILL NO. 343—By COPPOCK.—An Act amending Section 420, Compiled Oklahoma Statutes, 1921, which is also cited as Section 723, Oklahoma Statutes, 1931, providing a remedy by injunction to enjoin enforcement of a void judgment, the illegal levy or collection of a tax, charge or assessment, and the payment of any claim against the state or any municipality or subdivision thereof based on an unconstitutional or repealed Statute, the validity of such Statute to be determined in such suit, and to enjoin a common nuisance, and providing such suit may be brought by any tax payer without bond to obtain such injunction; and declaring an emergency.

SENATE JOINT RESOLUTION NO. 18—By Daugherty and Fischl.—A Resolution providing for temporary suspension of the Oklahoma University at Norman, the Agricultural and Mechanical College at Stillwater, the East Central State Teachers College at Ada and the Central State Teachers College at Edmond providing for the re-opening of said institutions and the transfer of funds.

#### SECOND READING

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

SENATE BILL NO. 337—By CHAMBERLIN, NANCE and GARVIN.—Referred to Committee on Appropriations.

SENATE BILL NO. 338—By CHAMBERLIN.—  
Referred to Judiciary Committee No. 2.

SENATE BILL NO. 339—By JOHNSTON.—Re-  
ferred to Committee on Roads and Highways.

SENATE BILL NO. 340—By WALDREP (By Re-  
quest).—Referred to Committee on Municipal Corpor-  
ations.

ENGROSSED HOUSE BILL NO. 191—By STUR-  
GELL.—Referred to Committee on State and County  
Affairs.

ENGROSSED HOUSE BILL NO. 268— By  
BUSHYHEAD.—Referred to Committee on Commerce  
and Labor.

Senator Stacey moved that SENATE BILLS NOS.  
9, by Stacey, and 13, by Stacey, be ordered withdrawn  
from the Committee on Roads and Highways and placed  
upon the calendar, which motion prevailed.

Senator Ballard presiding.

#### GENERAL ORDER

Senator Rizley asked unanimous consent, to which  
objections were voiced, to take up for consideration  
SENATE BILL NO. 234, by Rizley.

Senator Rizley moved that the Senate proceed to  
the consideration of Senate Bill No. 234.

Senator Reed, as a substitute, moved that the Sen-  
ate proceed to the consideration of bills on the calendar,  
in their regular order, which motion prevailed.

Senator Jennings asked unanimous consent, which  
was granted, to defer consideration of SENATE BILL  
NO. 29, by Jennings. the bill to retain its place on the  
calendar.

SENATE BILL NO. 172, by Reed, Nance, Nichols  
and Paul, of the Senate, and Rex Strickland, of the  
House, was considered.

Section 1 was read and adopted, upon motion of  
Senator Reed.

Section 2 was read.

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 172, line 13, page 2, by striking all of lines 13, 14, 15 and 16 and the letter, "a," on line 12, page 2.

COMMONS.

Senator Commons submitted the following amendment which was tabled, upon motion of Senator Reed:

Mr. President: I move to amend Senate Bill No. 172, lines 5 and 6, page 3, by striking the said lines.

COMMONS.

Senator Reed moved to reconsider the vote by which the Commons amendment, to lines 12, 13, 14, 15 and 16, page 2, was adopted.

Senator Waldrep moved to table the Reed motion, which motion failed of adoption.

The vote occurring on the Reed motion, it was declared adopted.

Senator Reed moved to table the Commons amendment, which motion failed of adoption.

Senator Coppock, as a substitute, submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 172, lines 12, 13, 14, 15 and 16, page 2, by changing "a," to "and," in line 12, and by striking all of line 13, after the word, "stenographer," and all of lines 14, 15 and 16.

COPPOCK.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 172, line 13, page 6, by striking the words and figures, "Twenty-four Hundred (\$2400.00)," and inserting the words and figures, "Eighteen Hundred (\$1800.00)."

CURNUTT.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No.



172, line 15, page 6, by striking the words and figures, "Fifteen Hundred (\$1500.00)," and inserting the words and figures, "Twelve Hundred (\$1200.00)."

CURNUTT.

Senator Coppock submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 172, line 17, page 6, by inserting after the word, "annum," and before the word, "actual," the following, "One Stenographer—\$1200.00, per annum."

COPPOCK.

Senator Reed moved to reconsider the vote by which the Curnutt amendment, to line 15, page 6, was adopted, which motion failed of adoption.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 172, line 18, page 6, by striking the figures, "\$4.00," and inserting the figures, "\$3.00."

CURNUTT.

Senator Curnutt submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 172, line 17, page 6, by striking the word, "and"

CURNUTT.

Upon motion of Senator Reed, Section 2, as amended, was adopted.

Senator Hutchinson asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator Reed:

Mr. President: I move to amend Senate Bill No. 172, line 7, page 2, by inserting after the word, "laboratory," and before the word, "with," the following: "at the Oklahoma Agricultural and Mechanical College."

HUTCHINSON.

Upon motion of Senator Nichols, Senate Bill No.

172 was advanced to engrossment and third reading.

Senator Thomas moved that further consideration of Senate Bill No. 172 be indefinitely postponed, which motion was tabled, upon motion of Senator MacDonald.

Upon motion of Senator Carmack, the rules of the Senate were suspended and Senate Bill No. 172 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 172 was read for the third time at length.

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

Ayes: Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Paul, Pugh, Reed, Rizley, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Ballard, Ritzhaupt, Thomas. Total, 3.

Not Voting: Briggs, Dixon, Fischl, Moon, Nance, Ray, Sowards. Total, 7.

Absent: Powers. Total, 1.

Excused: Fidler, Logan. 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: Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Paul, Pugh, Reed, Rizley, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Ballard, Ritzhaupt, Thomas. Total, 3.

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Not Voting: Briggs, Dixon, Fischl, Moon, Nance, Ray, Sowards. Total, 7.

Absent: Powers. Total, 1.

Excused: Fidler, Logan. 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. 172, as amended, was referred for engrossment.

SENATE BILL NO. 202, by MacDonald and Ritzhaupt, was considered.

Section 1 was read.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 202, line 1, page 1, by striking after the word, "all," and before the word, "college," the word, "resident," and inserting the word, "non-resident"

JENNINGS.

Senator Pugh submitted the following amendment:

Mr. President: I move to amend the Jennings amendment to Senate Bill No. 202, line 1, page 1, to read, "A student who is a non-resident of the State"

PUGH.

Senator Wilbanks presiding.

Upon motion of Senator Whitaker, the Senate recessed to meet at 1:30 p. m.

#### AFTERNOON SESSION

The Senate reassembled, at 1:30 p. m., with the President presiding.

Senator Fidler asked to be recorded "present," which was the order.

#### 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 Judiciary Committee, Di-

vision No. 2, to whom was referred Senate Joint Resolution No. 17, by Stacey of the Senate, and Roberts of the House, entitled:

A Resolution consenting, authorizing and empowering Elbert C. Haywood to sue the state of Oklahoma for damages sustained by him while engaged as a member of the National Guard and while engaged with others in suppressing a riot at the county jail in Chickasha, Oklahoma, on the 30th day of May, 1930,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be printed and placed on the Calendar.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Penal Institutions, to whom was referred Senate Bill No. 188, by Nichols, entitled:

An Act authorizing the superintendents of wardens of state penal, reformatory and eleemosynary institutions and of state institutions for the benefit of the insane, blind, deaf, mute and tubercular, etc.,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

LESTER, Chairman.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Senate Bill No. 287, by Daugherty, entitled:

An Act regulating procedure relating to the foreclosure of chattel mortgages, conditional sales contracts, or other liens upon personal property, and providing moratorium,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be printed and placed on the calendar.

CURNUTT, Chairman.

Senator Ballard moved that further consideration of Senate Bill No. 287 be indefinitely postponed.

Senator Chamberlin raised a point of order against



the Ballard motion, which was overruled, stating Senate Bill No. 287 is not before the Senate for consideration.

The vote occurring on the Ballard motion, it was declared adopted.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Senate Bill No. 310, by Morrison, Briggs, Chamberlin, MacDonald, Curnutt, Commons and Nichols, entitled:

An Act amending Section 543, Oklahoma Statutes, 1931, relating to stay of execution pending appeal, and providing that the taking of a written undertaking shall operate to stay execution in certain cases enumerated herein; and further providing, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CURNUTT, Chairman.

Mr. President: We, your Judiciary Committee, Division No. 2, to whom was referred Senate Bill No. 334, by Pugh, entitled:

An Act relating to the payment of fire, tornado or lightning insurance 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 printed and placed on the Calendar.

CHAMBERLIN, Chairman.

Senator Fidler moved that Senate Bill No. 334 be referred to the Committee on Insurance.

Senator Pugh moved to table the Fidler motion, which motion failed of adoption.

Senator Nance moved to amend the Fidler motion, by adding the words, "said Insurance Committee being directed to make a report on Senate Bill No. 334 within 10 days," which motion prevailed.

The vote occurring on the Fidler motion, as amended, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Coppock, Fidler, Hutchinson, Jennings, MacDonald, Moon, Nichols, Rizley, Rutherford, Stewart, Waldrep, Whitaker, Willis. Total, 14.

Nays: Briggs, Carlile, Chamberlin, Commons, Currutt, Daugherty, Garvin, Howard, Johnston, Lester, Liggett, Memminger, Morrison, Nance, Paul, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Wilbanks. Total, 23.

Not Voting: Carmack, Clark, Dixon, Fischl, Ray. Total, 5.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

#### MESSAGE

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

To the President of the Senate,  
Building  
SIR:

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

ENROLLED SENATE BILL NO. 331—By COMMITTEE ON BANKS AND BANKING of the Senate, and the COMMITTEE ON BANKS AND BANKING of the House, entitled:

An Act providing for the protection of banks and trust companies and for the protection of depositors and creditors therein, empowering the Bank Commissioner, on approval of the Governor, to regulate and restrict the withdrawal of deposits from banks and trust companies, providing for receiving new deposits therein, and the investment of such new deposits; providing penalties for violation, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

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Enrolled Senate Bill No. 331 was ordered referred to the Governor, for consideration.

Senator Whitaker moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted "absent": Senator Powers.

Senator Dixon presiding.

#### COMMITTEE REPORT

By unanimous consent, the following Committee Report was submitted:

Mr. President: We, your Judiciary Committee No. 2, to whom was referred Senate Bill No. 256, by Stacey of the Senate and Roberts of the House, entitled:

An Act authorizing and requiring courts in all cases of the foreclosure of mortgages and deeds of trust, to fix the attorney fee that shall be charged as costs against the defendant which fee shall in all cases be determined according to the state to which the foreclosure has progressed, providing that in no case shall the fee, etc., etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

CHAMBERLIN, Chairman.

Senator Chamberlin moved that the adverse report of the Committee on Senate Bill No. 256 be adopted.

Senator Stacey, as a substitute, moved that, notwithstanding the adverse committee report on Senate Bill No. 256, the bill be printed and placed upon the calendar, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Clark, Commons, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Memminger, Nance, Nichols, Paul, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 31.

Nays: Chamberlin, Curnutt, Jennings, MacDonald, Moon, Morrison. Total, 6.

Not Voting: Carmack, Coppock, Pugh, Reed, Wilbanks. Total, 5.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Ballard asked unanimous consent, to which objections were voiced, to have SENATE BILL NO. 74, by Ballard and Wilbanks, ordered withdrawn from the Committee on Fees and Salaries and printed and placed upon the calendar.

Senator Ballard moved that Senate Bill No. 74 be ordered withdrawn from the Committee on Fees and Salaries, printed and placed upon the calendar.

Senator Waldrep moved to table the Ballard motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Garvin, Howard, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Ray, Stacey, Taylor, Thomas, Waldrep. Total, 21.

Nays: Ballard, Clark, Daugherty, Dixon, Fidler, Fischl, Hutchinson, Jennings, MacDonald, Paul, Ritzhaupt, Rizley, Rutherford, Stewart, Whitaker, Wilbanks, Willis. Total, 17.

Not Voting: Coppock, Pugh, Reed, Sowards. Total, 4.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Whitaker advised the Senate that HOUSE BILL NO. 1, by Batson, Leecraft, et al, was set for Special Order, at 1:00 o'clock, p. m., this day.

Senator Morrison moved that consideration of House Bill No. 1 be deferred until the next legislative day and, in the meantime, that HOUSE BILL NO. 229, by Gray, Phillips (Okfuskee), Batson, Williams and



Blocker, be printed and the two bills considered together, under Special Order.

Senator Whitaker raised a point of order against the Morrison motion, which was overruled, stating the motion was "double barreled."

Senator Paul moved that the Morrison motion be tabled, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Ray, Reed, Sowards, Taylor, Whitaker, Willis. Total, 22.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Morrison, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Waldrep, Wilbanks. Total, 18.

Not Voting: Howard, Pugh. Total, 2.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

#### SPECIAL ORDER

HOUSE BILL NO. 1, By Batson, Leecraft and Landingham, was taken up for consideration under Special Order.

Section 1 was read and adopted, upon motion of Senator Whitaker.

Section 2 was read.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 1, page 3, by striking the figures "1933" and inserting the figures "1934."

#### CURNUTT.

Senator Whitaker moved to table the Curnutt amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons,

Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Memminger, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 24.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Morrison, Rizley, Rutherford, Stacey, Waldrep. Total, 14.

Not voting: Briggs, MacDonald, Pugh, Sowards. Total, 4.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Fidler submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 3, page 3, by striking after the word "affected" the remainder of said line 3 and lines 4, 5 and 6, page 3.

FIDLER.

Senator Chamberlin moved to table the Fidler amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Johnston, Lester, Liggett, Memminger, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Sowards, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total. 24.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Morrison, Rizley, Rutherford, Stacey, Waldrep. Total, 14.

Not voting: Howard, MacDonald, Pugh, Stewart. Total, 4.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 5, page 3, by inserting after the word "law" the words, "except as to rates; and"

CURNUTT.

Senator Briggs, as a substitute, submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 1, line 2, page 3, by inserting after the word "years" and before the word "Income" the following: "rates of," and insert in line 4 after the word "the" and before the word "applicable" the word "other."

BRIGGS.

Upon motion of Senator Whitaker, Section 2, as amended, was adopted.

Section 3 was read.

Senator Moon submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 1, by striking "(a)" in Section 3, line 7, page 3, and changing "(b)" to "(a)" and each letter thereafter in Section 3 to the letter properly following "(a)."

MOON.

Senator Briggs submitted the following amendment, which was tabled upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 1, line 18, page 3, and line 1, page 4, by striking after the word "distributed" line 18, page 3, and before the word "as" line 1, page 4.

BRIGGS.

Senator Ritzhaupt submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 1, line 10, page 4, by striking after the word "at" and before the word "prior," the word "and," also, strike the word "to" and add "and following."

RITZHAUPT.

Senator Briggs submitted the following amendment, which was tabled upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 1, lines 4 and 5, page 4, by striking after the word "counties" in line 4 and before the word "and" in line 5,

and inserting the following: "for distribution to the various school districts thereof in such proportion as will result in an equal and pro rata reduction in the ad valorem tax levy of each such school district, so that an equal percentage reduction in tax levies shall result and be made in each, and all school districts in the state on the basis of tax levies made by such school districts for the next preceding fiscal year" and by inserting in line 14, page 4, after the word "determined" and before the word "shall" the words: "the excise board."

BRIGGS.

Senator Wilbanks submitted the following amendment, which failed of adoption:

Mr. President: I move to amend House Bill No. 1, line 14, page 3, by striking the words "Ninety-five per centum" and substituting therefor the word "All," and in line 15, by striking the words "One-fourth" and substituting the words "One-fifth."

WILBANKS.

Senator Curnutt submitted the following amendment, which was tabled upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 1, by striking subsection (b) and inserting as subsection (b) the following:

(b) Funds available for distribution for the support of common schools shall be distributed to the various counties in accordance with the existing law for distribution of like funds. The total amount of funds received by any school district under the provision of this Act during any fiscal year, shall be kept separate and apart in a surplus fund, and thereafter, in determining the amount of funds to be approved for expenditure for general expense purposes by any school district for the next fiscal year, the County Excise Boards of the several counties in the state shall be limited by the laws in force at and prior to the passage of this Act,



without regard to the amount available to any school district from funds distributed under the provision hereof and held in said surplus fund, and from the total amount thus determined by said Excise Board the said Excise Board shall deduct the amount of said surplus received by said school district during the previous fiscal year under the provision of this Act and held in said surplus fund, and after making such deduction, shall compute and make the tax levy necessary to raise the remaining portion of such approved estimate, it being the intent and purpose of this Act to reduce the total maximum mill rate levy allowed under the provision of the laws of the State of Oklahoma with or without a vote for an excess levy upon an ad valorem basis, in a sum equal to the amount distributed to any such district from the proceeds hereof and held in such surplus fund. None of the provisions of this Act shall prevent any school district from receiving state aid under the provisions of Chapter 34, Article 21, Oklahoma Statutes, 1931; provided, such school district shall have levied an ad valorem tax which when added to its surplus fund under this Act, shall equal a levy of fifteen mills; and such action by any school district shall be a full compliance with the requirements of such Act and shall entitle any such school district to state aid out of the "Special Common School Equalization Fund" provided by said Act in all respects as though this Act has never been passed.

CURNUTT.

Upon motion of Senator Chamberlin, Section 3, as amended, was adopted.

Section 4 was read and adopted, upon motion of Senator Chamberlin.

Section 5 was read.

Senator Jennings submitted the following amendment, which was tabled upon motion of Senator Paul:

Mr. President: I move to amend House Bill No.

1, line 13<sup>1</sup>/<sub>2</sub>, page 12, by adding a new paragraph, as follows: "No trust created for charitable, religious or educational purposes shall be taxed under the terms of this Act."

JENNINGS.

Senator Moon submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, lines 9 to 15, page 11, by striking said lines.

MOON.

Senator Commons moved to table the Moon amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 26.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Morrison, Ritzhaupt, Rizley, Rutherford, Stacey. Total, 14.

Not voting: Reed, Waldrep. Total, 2.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Upon motion of Senator Chamberlin, Section 5 was adopted.

Senator Rizley moved that House Bill No. 1 be advanced to engrossment and third reading.

Senator Briggs, as a substitute, moved that the vote be re-considered by which Section 3 was adopted.

Senator Ballard raised a point of order against the Briggs motion, which was sustained, stating that it was an improper substitute.

The vote occurring on the Rizley motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Clark, Coppock, Dixon, Johnston,

MacDonald, Nance, Paul, Pugh, Ray, Rizley, Stewart, Taylor. Total, 13.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Hutchinson, Jennings, Lester, Liggett, Memminger, Moon, Morrison, Nichols, Reed, Rutherford, Sowards, Stacey, Thomas, Whitaker, Wilbanks, Willis. Total, 26.

Not voting: Howard, Ritzhaupt, Waldrep. Total, 3.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Briggs moved that the vote be re-considered by which Section 3 was adopted.

Senator Curnutt raised a point of order against the Briggs motion, which was overruled, stating Section 6 was under consideration.

Senator Whitaker asked unanimous consent, to which objections were voiced, to defer for this legislative day, further consideration of the Briggs motion.

Senator Curnutt moved to table the Briggs motion.

Senator Paul, as a substitute for all pending motions, moved that further consideration of the Briggs motion be deferred until the next legislative day.

Senator Jennings raised a point of order against the Paul motion, which was sustained, stating a substitute for a motion to table is an improper motion.

The vote occurring on the Curnutt motion, it was declared adopted.

Section 6 was read.

Senator Rizley presiding.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 1, line 5, page 14, by placing a comma after the word "rates" and by striking the remainder of line 5 and all of lines 6 and 7 and in line 11, page 14, after the figures "12" insert "(a)."

WHITAKER.

Senator Rutherford submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 14, page 12, by striking Section 6 and inserting the following: "Section 6. (a) A normal tax is hereby levied upon every person as defined in Section 4 (b), which tax shall be collected and paid, for each taxable year, upon, and with respect to, the entire net income of such person, which is derived from all property owned and/or business transacted within this state. Every resident individual shall likewise be subject to the tax hereby levied upon the entire net income of such individual, derived from wages, salaries, commissions, professional or occupational earnings or other compensation received for personal services.

(b) The normal tax herein levied shall be imposed, collected and paid at the following rates:

(1) One percentum of the first five thousand dollars of the amount of the net income in excess of the credits against net income provided in Section 12.

(2) Two percentum of the next five thousand dollars of such excess amount.

(3) Three percentum of the remainder of such excess amount."

#### RUTHERFORD.

Senator Commons moved to table the Rutherford amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Ballard, Briggs, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Nance, Rizeley, Rutherford, Stacey, Waldrep. Total, 15.

Not voting: Ritzhaupt, Thomas. Total, 2.



Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 10, page 13, by striking the figures "2,000" and inserting the figures "5,000."

JENNINGS.

Senator Paul raised a point of order against the Jennings amendment, which was overruled, stating it was incorporated in an amendment previously disposed of.

Senator Commons moved to table the Jennings amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Whitaker, Wilbanks, Willis. Total, 23.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Morrison, Nance, Rizley, Rutherford, Stacey, Stewart, Waldrep. Total, 16.

Not voting: Howard, Ritzhaupt, Thomas. Total, 3.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 10, page 13, by adding after the word "one" and before the word "percentum" a hyphen and the word "half" and by striking the figure "(1)" and inserting the figures " $(\frac{1}{2})$ ."

JENNINGS.

Senator Commons moved to table the Jennings amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Pugh, Ray, Reed, Sowards, Taylor, Whitaker. Total, 21.

Nays: Ballard, Coppock, Curnutt, Dixon, Fidler, Garvin, Hutchinson, Jennings, Moon, Nance, Paul, Rizley, Rutherford, Stacey, Stewart, Waldrep, Wilbanks, Willis. Total, 18.

Not voting: Clark, Ritzhaupt, Thomas. Total, 3.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 15, page 13, by striking after the word "the," all the remaining portion of line 15, and lines 16, 17, and 18 and all of lines 1 and 2, page 14, and inserting the following: "remainder of such excess amount."

#### JENNINGS.

Senator Commons moved to table the Jennings amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Ballard, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Morrison, Rizley, Rutherford, Stacey, Waldrep. Total, 13.

Not voting: Briggs, Clark, Nance, Ritzhaupt. Total, 4.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Whitaker moved the adoption of Section 6, as amended.

Senator Commons moved the adoption of the previous question.

Senator Paul, as a substitute, moved the rules be suspended and no roll calls be taken on adoption or rejection of amendments submitted to House Bill No. 1.

Senator Ballard raised a point of order against the Paul motion, which was sustained, stating the Constitution provides that one-fifteenth of the membership of the Senate can demand a roll call.

Senator Paul appealed from the decision of the Chair.

Senator Paul asked unanimous consent, which was granted, to withdraw his appeal from the decision of the Chair.

Senator Dixon moved that the Senate adjourn to meet at 10:00 A. M., tomorrow.

Senator Memminger, as a substitute for the Dixon motion, moved that when the Senate concludes its day's work, it recess to meet at 7:30 P. M., tonight.

The Chair ruled the Memminger motion out of order as not a proper substitute for a motion to adjourn.

The vote occurring on the Dixon motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Clark, Coppock, Curnutt, Dixon, Howard, Hutchinson, Jennings, Moon, Morrison, Rizley, Rutherford, Stacey, Stewart, Taylor, Waldrep. Total, 17.

Nays: Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Sowards, Thomas, Whitaker, Wilbanks, Willis. Total, 22.

Not voting: Fidler, Reed, Ritzhaupt. Total, 3.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator MacDonald moved that the Senate recess to meet at 7:00 P. M.

The Chair ruled the MacDonald motion out of order for the reason a motion calling for the adoption of the previous question was before the Senate.

The vote occurring on the Commons motion, the previous question was ordered.

The vote occurring on the Whitaker motion, Section 6 was declared adopted.

Senator MacDonald moved that the Senate recess to meet at 7:00 P. M., tonight.

Senator Stewart asked unanimous consent, which was granted, to amend the MacDonald motion, by changing the hour of 7:00 P. M. to 7:30 P. M.

Senator Howard, in lieu of all pending motions, moved that the Senate adjourn to meet at 10:00 A. M. on Thursday, March 9th, which motion prevailed.



## FORTY-NINTH LEGISLATIVE DAY

Thursday, March 9, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis.  
Total, 40.

Absent: Ballard, Powers. Total, 2.

Excused: Fidler, Logan. Total, 2.

The President 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. 139, by Childers and Batson, entitled:

An Act vitalizing Section 33, Article 6, Constitution of Oklahoma, relating to the duty of state officers to make reports semi-annually and other reports when requested by the Governor; providing the penalty etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WALDREP, Chairman.

The following Majority Committee Report was submitted and read:

Mr. President: We, your Committee on Fish and Game, to whom was referred Senate Bill No. 89, by Coppock and Fischl of the Senate; and Stewart and Massey of the House, entitled:

An Act amending Section 2, Chapter 45, Session Laws of Oklahoma of 1925, and amending Section 2 of Chapter 27 Session Laws of Oklahoma of 1929, relating to fish and game commission, fixing salaries of commissioners, and providing for no salaries, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

HOWARD, Chairman.

The following Minority Committee Report was submitted and read:

Mr. President: We, a minority of your Committee on Fish and Game, to whom was referred Senate Bill No. 89, by Coppock and Fischl of the Senate; and Stewart and Massey of the House, entitled:

An Act amending Section 2, Chapter 45, Session Laws of Oklahoma of 1925, and amending Section 2, of Chapter 27 Session Laws of Oklahoma of 1929, relating to fish and game commission, fixing salaries of commissioners, and providing for no salaries, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

MORRISON.

Senator Morrison moved the adoption of the Minority Committee Report on Senate Bill No. 89.

Senator Coppock moved to table the Morrison motion, which motion failed of adoption.

Senator Chamberlin, as a substitute, moved that all bills in Committee on Fish and Game be withdrawn and printed and placed upon the Calendar.

Senator Morrison moved to amend the Chamberlin motion, by providing: "Senate Bill No. 89 be re-

referred to the Committee on Fish and Game, with instructions to report back not later than Monday, a draft of a bill in lieu of all bills pending before the Fish and Game Committee with reference to change of the Fish and Game laws," which motion was adopted.

The vote occurring on the Chamberlin motion, as amended, it was declared adopted.

Mr. President: We, your Committee on Fish and Game, to whom was referred Senate Bill No. 154, by Fischl, entitled:

An Act prohibiting the use of certain kinds of firearms in hunting quail, dove and duck in the state for the violation hereof; providing for the payment of one-half of the fine assessed upon the conviction of any violator to the informer,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

HOWARD, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Substitute Senate Bill No. 206, by Waldrep, entitled:

An Act providing for annual and special county audits by the state examiner and inspector of books and records of any officer or custodian of the various funds of the county; providing and authorizing special tax and etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WALDREP, Chairman.

Mr. President: We, your Committee on Fish and Game, to whom was referred Senate Bill No. 216, by Fischl, entitled:

An Act governing the granting of license to fish in and hunt on lakes owned by municipalities or counties, wherein the fish are supplied in whole or in part by the

State Game and Fish Commission designating who may receive license and fee to be charged, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

HOWARD, Chairman.

Mr. President: We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 241, by Stacey, entitled:

An Act requiring banks and trust companies to publish a list of dormant accounts; defining dormant accounts; fixing a penalty 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 not pass.

MEMMINGER, Chairman.

Upon motion of Senator Memminger, the adverse Committee Report on Senate Bill No. 241 was adopted.

Senator Stacey served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which the adverse Committee Report on Senate Bill No. 241 was adopted.

#### FIRST READING

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

SENATE BILL NO. 344—By JOHNSTON.—An Act providing for election of city and school officers in cities of the first class where the population is six thousand or less, and declaring an emergency.

SENATE BILL NO. 345—By SOWARDS.—An Act appropriating one thousand twenty-one dollars (\$1,021.00) to the Quapaw drainage district, in Lincoln County, Oklahoma, in payment of assessments and taxes due against land belonging to the State School Land Commission; and declaring an emergency.

SENATE BILL NO. 346—By SOWARDS.—An



Act appropriating one hundred seventy-one and 37/100 (\$171.37) Dollars in favor of the Deep Fork drainage district in Lincoln County, Oklahoma, for its portion of maintenance charges for lands owned by the School Land Commission of the State of Oklahoma in said district; and declaring an emergency.

SENATE BILL NO. 347—By SOWARDS (By Request).—An Act regulating the sale and price of second-hand text books, providing penalties for the violation of this Act; repealing all Acts conflicting therewith and declaring an emergency.

SENATE JOINT RESOLUTION NO. 19—By RUTHERFORD, JENNINGS, FIDLER, and CURNUTT.—A Resolution authorizing an extension of time for the payment of state income, gross production and ad valorem taxes due the State of Oklahoma until June 15, 1933, and relieving the taxpayer of all penalty on such taxes if the same are paid on or before June 15, 1933; and declaring an emergency.

SENATE JOINT RESOLUTION NO. 20—By MacDONALD.—A Resolution authorizing the State Highway Commission to detail certain employees to the offices of the State Auditor and the State Treasurer for the purpose of taking care of files affecting the Highway Commission, and declaring an emergency.

#### SECOND READING

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

SENATE BILL NO. 341—By LIGGETT.—Referred to Committee on Fees and Salaries.

SENATE BILL NO. 342—By LIGGETT.—Referred to Committee on Roads and Highways.

SENATE BILL NO. 343—By COPPOCK.—Referred to Judiciary Committee No. 1.

SENATE JOINT RESOLUTION NO. 18—By DAUGHERTY and FISCHL.—Referred to Committee on Education.

MESSAGES

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

To the President of the Senate,  
Building

SIR:

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

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 3—By NANCE, entitled:

A Resolution memorializing the national Congress to enact a law authorizing and empowering the several states to levy and collect license, franchise, gross revenue, registration or other forms of taxes upon or measured by capital represented by property and business employed in interstate commerce.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 13—By STEWART, PUGH, and REED of the Senate, entitled:

Concurrent Resolution memorializing Congress that it is the sense of the members of the Oklahoma Legislature that the government of the United States should perform its solemn promise and place American agriculture on the basis of equality with other industries by providing an adequate system of credit, and that adequate legislation to that end should be adopted at the earliest possible date,  
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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Concurrent Resolutions Nos. 3 and 13 were ordered referred for enrollment.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 22—By COX, WILLIAMS, WRIGHT, ALLEN and WILMOT of the House, and RIZLEY and TAYLOR of the Senate, entitled:

A Concurrent Resolution authorizing the appointment of members of the House of Representatives and Senate of the State of Oklahoma to represent the state of Oklahoma in an effort to secure a compact between the states of Texas and Oklahoma settling the controversy as to the true location of the boundary between said states in the dispute area which has been the subject of litigation in the Supreme Court of the United States; authorizing the payment of necessary expenses out of funds already appropriated to pay expenses of the Fourteenth Legislature to defray the expenses incident to negotiating for said settlement between said states; providing that certified copies of this Resolution be furnished the Governor and presiding officers of the state Legislature of Texas,

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.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE JOINT RESOLUTION NO. 27—By CLOYD, BATSON, ALBRIGHT and HART, entitled:

A Resolution extending the time of payment of automobile license tax, waiving the penalties if paid pursuant to the provisions of this Resolution; and declaring an emergency, together with Conference Committee Report thereon, and to advise you, and through you, the Honorable Senate, that the Conference Committee Report has been adopted and the House Joint Resolution has been passed by the House, AS AMENDED, by said report.

Respectfully,

R. M. McCOOL, Chief Clerk.

The following Conference Committee Report was read and, upon motion of Senator Commons, adopted:

CONFERENCE COMMITTEE REPORT

To the Honorable Senate and the Honorable House of Representatives:

We, the Conference Committee of the Senate and of the House of Representatives of the Fourteenth Oklahoma Legislature, to whom was referred engrossed House Joint Resolution No. 27 and engrossed Senate Amendments thereto, beg to report that after careful consideration we recommend:

1. That the House concur in engrossed Senate Amendment No. 1.
2. That the House concur in engrossed Senate Amendment No. 2.
3. That the House refuse to concur in engrossed Senate Amendment No. 3, and that the Senate recede therefrom, and that there be inserted in lieu thereof in Section 1, Line 10, after the figures "1933" and before the word "be," the following language: "and all previous years."
4. That the House concur in engrossed Senate Amendment No. 4.
5. That the House refuse to concur in engrossed Senate Amendment No. 5, and that the Senate recede therefrom, and that there be substituted in Section



1, Line 3, the words and figures "May 15th" for "June  
"1."

6. That the House concur in engrossed Senate Amendment No. 6.

7. We further recommend that Section 1, line 1, be amended by striking therefrom the word "automobile" and inserting in lieu thereof the words "motor vehicle."

8. That Line 2 of the Title be amended by striking therefrom the word "automobile" and inserting in lieu thereof the words "motor vehicle."

We recommend the passage of the Resolution as amended by this Conference Committee Report.

Nance,

Cloyd,

Ballard,

Whitford,

Senate Conferees.

Bushyhead,

House Conferees.

House Joint Resolution No. 27, as amended in Conference, was read at length.

The question being, "Shall House Joint Resolution No. 27, as amended in Conference, pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fischl, Howard, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Willis. Total, 32.

Not Voting: Garvin, Hutchinson, Jennings, Liggett, Reed, Stewart, Waldrep, Wilbanks. Total, 8.

Absent: Ballard, Powers. Total, 2.

Excused: Fidler, Logan. 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 House Joint Resolution No. 27, as amended in Conference, become an emergency measure?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fischl, Howard, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Willis. Total, 32.

Not Voting: Garvin, Hutchinson, Jennings, Liggett, Reed, Stewart, Waldrep, Wilbanks. Total, 8.

Absent: Ballard, Powers. Total, 2.

Excused: Fidler, Logan. 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 Joint Resolution No. 27, together with Conference Committee report thereon, was ordered returned to the Honorable House.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 58—By ABERNATHY, GRAY, TURNER, SMALLEY, LANDINGHAM and STRICKLAND, entitled:

An Act requiring licenses for the operation, maintenance, opening or establishing of stores in this state, prescribing the license or filing fees to be paid therefor, providing further for the disposition of the taxes and license fees so collected hereunder to the common school fund of the state, and providing the powers and duties of the Oklahoma Tax Commission in connection therewith, prescribing penalties for the 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 of Representatives and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 58.

To the President of the Senate,

Building

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. 271—By CHIL. DERS and BABB, entitled:

An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563, 12565, 12566, 12567, 12569, 12571, 12573, and 12529 Oklahoma Statutes, 1931, relating to, and providing for, the enforcement of the gasoline excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission; defining the term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto; defining embezzlement and perjury, for violation of this Act and prescribing penalties; further extending provision for injunction and giving the Commission authority in certain cases to declare the excise tax due and payable forthwith; authorizing exercise of discretion by Commission in issuance, extension, reinstatement, suspension and cancellation of licenses; declaring what may be admitted as evidence in certain cases; repealing conflicting laws and declaring an emergency, and respectfully requests that a conference be granted thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Commons, the request of the Honorable House for a conference on Engrossed House Bill No. 271, was granted and the President ap-

pointed as conferees thereunder, Senators Garvin, Briggs, and Hutchinson.

To the President of the Senate,  
Building

SIR:

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

ENROLLED HOUSE BILL NO. 409—By SHOE-MAKE, entitled:

An Act repealing Section 8131, Oklahoma Statutes 1931; relating to the mileage and per diem of County Commissioners in Muskogee County 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 409 was read at length for the fourth time, the enrolled copy signed, in open session by the President, and ordered returned to the Honorable House.

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE BILL NO. 331—By COMMITTEE ON BANKS AND BANKING of the Senate, and the COMMITTEE ON BANKS AND BANKING of the House.

An Act providing for the protection of banks and trust companies and for the protection of depositors and creditors therein, empowering the Bank Commissioner, on approval of the Governor, to regulate and restrict



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the withdrawal of deposits from banks and trust companies, providing for receiving new deposits therein, and the investment of such new deposits; providing penalties for violation, and declaring an emergency, which bill I have this day signed and approved.

Witness my hand, this March 8th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 111—By MASSEY and DANIELS, entitled:

An Act amending Section 6873, O. S. 1931, relating to bond of independent school district treasurer and providing for the designation of the county treasurer as treasurer of independent districts, providing a penalty, and declaring an emergency, which bill I have this day signed and approved.

Witness my hand, this March 8th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 306—By GARLAND and HAILE, entitled:

An Act amending Section 9666, Compiled Oklahoma Statutes, 1921, (omitted from 1931 Compiled Oklahoma Statutes), relating to the assessment of taxable property, providing for non-assessment repealing all Acts in conflict therewith and declaring an emergency,

which bill I have this day signed and approved.

Witness my hand, this March 8th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State

ENROLLED HOUSE BILL NO. 500—By DAN-  
IEL.

An Act authorizing the mayor and the city council  
of the city of Waurika, Jefferson County, Oklahoma, to  
remit and refund all penalties or interest on delinquent  
paying taxes and assessments in paying districts num-  
ber 1, 2 and 3, of said city, providing conditions there-  
for and authorizing and directing the county treasurer  
of Jefferson County to collect said paying taxes and as-  
sessments without collecting said interest and penalties  
and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand, this March 8th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Pugh served notice that he would, on some  
future legislative day, move to re-consider the vote by  
which SENATE BILL NO. 287, by Daugherty, was in-  
definitely postponed.

#### GENERAL ORDER

Upon motion of Senator Fischl, SENATE BILL  
NO. 151, by Daugherty and Fischl, was set for Special  
Order at 11:00 a. m., Tuesday, March 14th.

Senator Chamberlin presiding.

Senator Nichols asked unanimous consent, which  
was granted, to take up for consideration SENATE  
BILL NO. 269, by Nichols.

Section 1 was read.

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Senator Johnston submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 269, line 2, page 2, by inserting after the word "insurer" and before the word "the," the following: "and in every action on any policy of life, accident, casualty, tornado, or fire insurance," and on page 2, line 3, after the word "bond" and before the word "shall" insert the words, "or policy."

JOHNSTON.

Senator Reed submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 269, line 9, page 2, by inserting after the word "shall" and before the word "be," the following: "not exceeding ten per cent of the principal of said bond which shall."

REED.

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

Sections 2, 3, and 4 were read and adopted, upon motions of Senator Nichols.

Senator Nichols asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 269, line 14, page 2, by striking the words "on bonds."

NICHOLS.

Upon motion of Senator Nichols, Senate Bill No. 269 was advanced to engrossment and third reading.

Senator Johnston asked unanimous consent, to which objections were voiced, to take up for consideration SENATE BILL NO. 178, by Johnston.

Senator Johnston moved that the Senate proceed to the consideration of Senate Bill No. 178, which motion prevailed.

Section 1 was read.

Senator Curnutt submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 178, line 7, page 1, by striking the word and figure "three (3)" and inserting the word and figure "two (2)."

CURNUTT.

Senator Curnutt submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 178, line 2, page 3, by adding at the end of the Section, the following: "provided that the provisions of this Act shall not apply to judgment heretofore rendered."

CURNUTT.

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

Section 2 was read.

Senator Curnutt moved that further consideration of Senate Bill No. 178 be indefinitely postponed, which motion was tabled upon motion of Senator Reed.

Upon motion of Senator Johnston, Section 2 was adopted.

Sections 3, 4, 5, 6, 7, 8, 9, and 10 were read and adopted, upon motions of Senator Johnston.

The following asked unanimous consent which was granted, to be added as joint authors of Senate Bill No. 178: Senators Reed, Daugherty, Taylor, Sowards and Nichols.

Upon motion of Senator Johnston, Senate Bill No. 178 was advanced to engrossment and third reading.

Senator MacDonald asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 228, by Phillips (Atoka), Worthington, and Paxton.

Section 1 was read.

Senator Curnutt submitted the following amendment:



Mr. President: I move to amend House Bill No. 228, line 6, page 3, by striking all of said line and inserting "in Pittsburg County to be purchased."

CURNUTT.

Senator MacDonald moved to table the Curnutt amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 28.

Nays: Coppock, Curnutt, Dixon, Hutchinson, Jennings, Rizley, Rutherford, Stacey, Wilbanks. Total, 9.

Not Voting: Clark, Fischl, Lester. Total, 3.

Absent: Ballard, Powers. Total, 2.

Excused: Fidler, Logan. Total, 2.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend House Bill No. 228, line 1, page 3, by striking all of lines 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, and inserting the following: "the necessary fences and buildings and to purchase any necessary land to enlarge the Oklahoma State Penitentiary at McAlester, Oklahoma, as in the judgment of the said Board shall be necessary to properly accommodate and house the prisoners located in the said Penitentiary."

JENNINGS.

Senator MacDonald raised a point of order against the Jennings amendment, which was overruled, stating the substance of the Jennings amendment had previously been disposed of.

Senator MacDonald moved to table the Jennings amendment, which motion was adopted.

By unanimous consent, further consideration of Section 1 was temporarily deferred.

Section 2 was read.

Senator Jennings moved that further consideration of House Bill No. 228 be deferred until the Special Committee appointed under Senate Resolution No. 10, has made its report.

Senator MacDonald moved to table the Jennings motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 26.

Nays: Clark, Coppock, Curnutt, Dixon, Jennings, Liggett, Rizley, Rutherford, Stacey, Wilbanks. Total, 10.

Not Voting: Fischl, Hutchinson, Moon, Reed. Total, 4.

Absent: Ballard, Powers. Total, 2.

Excused: Fidler, Logan. Total, 2.

Senator Wilbanks submitted the following amendment, which was tabled upon motion of Senator MacDonald:

Mr. President: I move to amend House Bill No. 228, page 3, by striking after the word "Oklahoma," the remainder of line 7 and lines 8, 9 and 10.

WILBANKS.

Senator Jennings moved that the Senate recess to meet at 1:30 p. m.

Senator MacDonald moved to table the Jennings motion.

Senator Jennings raised a point of order against the MacDonald motion, which was sustained, stating a motion to recess cannot be tabled.

The vote occurring on the Jennings motion, it was declared failed of adoption.

Upon motion of Senator MacDonald, Section 2 was adopted.

Referring further to Section 1: Senator Garvin submitted the following amendment:

Mr. President: I move to amend House Bill No. 228, line 9, page 3, by striking after the word "the" and before the word "Twine," the balance of line 9 and line 10, and inserting the following: "from any funds in the State Treasury not otherwise appropriated."

GARVIN.

Senator Wilbanks moved, as a substitute, that further consideration of House Bill No. 228 be indefinitely postponed.

Senator MacDonald moved to table the Wilbanks motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Pugh, Ray, Ritzhaupt, Sowards, Stewart, Taylor, Whitaker. Total, 24.

Nays: Coppock, Curnutt, Dixon, Hutchinson, Jennings, Rizley, Rutherford, Stacey, Wilbanks. Total, 9.

Not Voting: Daugherty, Fischl, Paul, Reed, Thomas, Waldrep, Willis. Total, 7.

Absent: Ballard, Powers. Total, 2.

Excused: Fidler, Logan. Total, 2.

Upon motion of Senator MacDonald, the Garvin amendment was tabled.

Upon motion of Senator MacDonald, Section 1 was adopted.

Senator Briggs moved that the Senate recess to meet at 2:00 p. m., which motion failed of adoption.

Sections 3, 4, 5, and 6 were read and adopted, upon motions of Senator MacDonald.

Upon motion of Senator MacDonald, House Bill No. 228 was advanced to engrossment and third reading.

Senator Curnutt moved that the Senate recess to meet at 2:00 p. m., which motion failed of adoption.

Senator Wilbanks asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 228, page 5, by striking lines 14, 15, and 16 and substituting the following: "out of the general revenue fund, the sum of \$3,000.00 not otherwise appropriated for use."

#### WILBANKS.

Senator MacDonald raised a point of order against the Wilbanks amendment, which was overruled, stating the subject matter had been previously disposed of.

Senator Fidler asked to be recorded present, which was the order.

Senator MacDonald moved to table the Wilbanks amendment, which motion prevailed.

Upon motion of Senator Curnutt, the Senate recessed to meet at 2:15 p. m.

#### AFTERNOON SESSION

The Senate reassembled at 2:15 p. m., and was called to order by the President.

Senator Ballard asked to be recorded "present," which was the order.

#### COMMITTEE REPORTS

By unanimous consent, the following Committee reports were submitted, the bills ordered printed and placed on the calendar, unless otherwise indicated:

Mr. President: We, your Committee on Constitution and Constitutional Amendments, to whom was referred Engrossed House Joint Resolution No. 10, by Marshall, Conner, Graham, Batson, of the House, and Logan and Fidler of the Senate, entitled:

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the state of Oklahoma, providing that the Legislature may enact laws authorizing cities to pension meritorious and disabled police officers, and amending Article 5 of said Constitution by adding an additional section to be known as



Section 61 of Article 5 of the Constitution of the state 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.

MOON, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 131, by Morrison, entitled:

An Act amending Section 1, Chapter 129, Session Laws, 1923-1924, relating to the assessment of real estate for taxes; 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.

WHITAKER, Chairman.

Senator Chamberlin moved that the Senate work under a call of the House, which motion prevailed.

Upon roll call being ordered, all members of the Senate were noted present, except: Senators Carlile, Dixon, Powers, Rizley, Rutherford, Sowards and Wal-drep.

The Sergeant-at-Arms was instructed to notify the absent members of the proceedings of the Senate.

#### GENERAL ORDER

Senator Stewart asked unanimous consent, to which objections were voiced, to take up for consideration SENATE BILL NO. 72, by Stewart.

Senator Stewart moved that the Senate proceed to the consideration of Senate Bill No. 72, by Stewart, which motion prevailed.

Sections 1 and 2 were read and adopted, upon motions of Senator Stewart.

Section 3 was read.

Senator MacDonald submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to strike the word, "public," in Section 3 and insert the word, "publish."

MacDONALD.

Upon motion of Senator MacDonald, Section 3, as amended, was adopted.

Sections 4 and 5 were read and adopted, upon motions of Senator MacDonald.

Upon motion of Senator Stewart, Senate Bill No. 72 was advanced to engrossment and third reading.

Senator MacDonald moved that the rules of the Senate be suspended and Senate Bill No. 72 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

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: Ballard, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Jennings, Liggett, Pugh. Total, 4.

Not Voting: Briggs, Carlile, Dixon, Moon, Rizley, Rutherford, Sowards, Waldrep. Total, 8.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

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

Senator Nance moved that the emergency section to Senate Bill No. 72 be stricken.

Senator Whitaker moved to table the Nance motion, which motion failed of adoption.

The vote occurring on the Nance motion, it was declared adopted.

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The question being, "Shall the title of the bill become the title of the Act?" Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 72, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

NANCE.

Senate Bill No. 72 was referred for engrossment.

#### MESSAGE

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 260—By ELLIS, OTTESEN, FRALEY, BATSON, GRUNERT, COLLINS, SPECK, ALBRIGHT, JOHNSON (Comanche), ABERNATHY (Harmon), WINGO, HANKLA, BENNETT, KIRKPATRICK, LANDINGHAM, MOONEY, MALLORY, GLEN, HINDS, HARP, WILLIAMS, STURGILL, LINDSEY, SPEARS, JONES, LEE-CRAFT, BILLINGS, HART, COE, JOHNSON (Osage), SULLIVAN, COX.

An Act relating to the filing of tax protests and amending Section 12,306, Oklahoma Statutes, 1931, with reference to the time and manner of filing of protests; providing for the time and manner of hearing of protests by the excise board and for the filing of bond by the protestant; providing for an appeal from the excise board of the court of tax review; amending Sections 12,307 and 12,310 of the Statutes of Oklahoma, 1931; repealing all laws 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 260.

Senator MacDonald presiding.

Senators Carlile, Sowards and Waldrep asked to be recorded "present," which was the order.

**SPECIAL ORDER**

HOUSE BILL NO. 1, by Batson, Leecraft, et al, was taken up for further consideration.

Section 7 was read.

Senator Whitaker moved the adoption of Section 7.

Senator Jennings, as a substitute, moved that a committee of 3 be appointed by the President to re-draft Sections 6 and 7, in order that the normal and surtax will not exceed 6%.

Senator Whitaker moved to table the Jennings motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Ballard, Coppock, Curnutt, Fidler, Hutchinson, Jennings, Moon, Morrison, Nance, Stacey, Waldrep. Total, 11.

Not Voting: Briggs, Clark, Dixon, Paul, Rizley, Rutherford. Total, 6.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Jennings, as a substitute, moved that a committee of 3 be appointed by the Presiding Officer, to re-draft Sections 6 and 7, in order that the normal and surtax will not exceed 7%.



Senators Dixon, Rizley and Rutherford asked to be recorded "present," which was the order.

Senator Commons moved to table the Jennings motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Thomas, Whitaker, Wilbanks. Total, 23.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Garvin, Hutchinson, Jennings, Moon, Morrison, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep, Willis. Total, 18.

Not voting: Howard. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 14, page 18, by adding a new paragraph, to be known as "paragraph K," as follows: "Upon net incomes, in excess of \$500,000, 55% of such excess"

BALLARD.

Senator Whitaker moved to table the Ballard amendment, which motion was declared failed of adoption, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fidler, Fischl, Howard, Hutchinson, Johnston, Lester, Liggett, Memminger, Nichols, Reed, Rutherford, Sowards, Taylor, Thomas, Whitaker. Total, 21.

Nays: Ballard, Briggs, Clark, Coppock, Dixon, Garvin, Jennings, MacDonald, Moon, Morrison, Nance, Paul, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Waldrep, Wilbanks, Willis. Total, 21.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Nance submitted the following amendment, which was tabled, upon motion of Senator Rizley:

Mr. President: I move to amend the Ballard amendment, by striking therefrom, the figures "55%," and inserting the figures, "15%"

NANCE.

Senator Paul submitted the following amendment, which was tabled, upon motion of Senator Rizley:

Mr. President: I move to amend the Ballard amendment, by striking therefrom the figures "\$500,000.00" and inserting the figures, "\$1,000,000.00."

PAUL.

The vote occurring on the Ballard amendment, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Coppock, Dixon, MacDonald, Nance, Paul, Pugh, Ray, Reed, Rizley, Stewart, Wilbanks. Total, 12.

Nays: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nichols, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Willis. Total, 28.

Not voting: Jennings, Waldrep. Total, 2.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Upon motion of Senator Whitaker, Section 7 was adopted.

Section 8 was read and adopted, upon motion of Senator Whitaker.

Section 9 was read.

Senator Whitaker moved the adoption of Section 9.

Senator Rizley, as a substitute, moved that the rules of the Senate be suspended and that "the Chair appoint a Committee of 5, composed of Senators Com-

mons, Chamberlin, Nichols, Briggs and Whitaker, to prepare all amendments that are going to be adopted to House Bill No. 1, and report back to the Senate within 20 minutes."

By unanimous consent of the Senate, consideration of the Whitaker and Rizley motions was deferred, for the purpose of permitting the following proceedings:

Senator Morrison asked unanimous consent, which was granted, to submit an amendment to Section 10, which was as follows:

Mr. President: I move to amend House Bill No. 1, line 12, page 22, by striking after the word, "taxes," and before the word, "actually," the words, "other than income taxes."

MORRISON.

Senator Ray moved the adoption of the previous question, which motion failed of adoption.

The vote occurring on the Morrison amendment, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, MacDonald, Memminger, Moon, Morrison, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Waldrep, Wilbanks, Willis. Total, 24.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Howard, Johnston, Lester, Liggett, Nance, Nichols, Paul, Sowards, Thomas, Whitaker. Total, 16.

Not voting: Ray, Reed. Total, 2.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Garvin asked unanimous consent, which was granted, to submit the following amendment to Section 10:

Mr. President: I move to amend House Bill No. 1, by striking sub-section "g," of Section 10, page 25,

beginning at line 5, and all of page 26, and substituting the following: "An allowance for depreciation, in case of property used in trade or business, to cover the exhaustion, wear and tear and obsolescence of such property; in the case of mines, oil and gas wells and other natural deposits and timber, the allowance for depreciation shall be 15% of the gross income from the property during the taxable year, until the actual value of said property, as of January 1, 1931, has been depleted. Such allowance shall not exceed 50% of the net income of the taxpayer (computed without allowance for depreciation) from the property."

GARVIN.

Senator Paul moved to table the Garvin amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Chamberlin, Commons, Coppock, Curnutt, Howard, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Sowards, Stacey, Thomas, Waldrep, Whitaker, Wilbanks. Total, 21.

Nays: Briggs, Carmack, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Liggett, Moon, Morrison, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stewart, Taylor, Willis. Total, 20.

Not voting: Clark. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Moon served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which the Garvin amendment was tabled.

Senator Chamberlin raised a point of order against the Moon notice, which was sustained, stating he did not vote with the majority.

The Senate took up for further consideration the fol-



lowing motions, consideration of which was, by unanimous consent, deferred:

“Senator Whitaker moved the adoption of Section 9.

Senator Rizley, as a substitute, moved that the rules of the Senate be suspended and that ‘the Chair appoint a Committee of 5, composed of Senators Commons, Chamberlin, Nichols, Briggs and Whitaker, to prepare all amendments that are going to be adopted to House Bill No. 1, and report back to the Senate within 20 minutes.’”

Senator Memminger moved to table the Rizley motion.

Senator Rizley raised a point of order against the Memminger motion, which was overruled, stating a motion to suspend the rules cannot be tabled.

The vote occurring on the Memminger motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Carmack, Coppock, Curnutt, Hutchinson, Jennings, Memminger, Reed, Rutherford, Stacey. Total, 9.

Nays: Ballard, Briggs, Carlile, Chamberlin, Commons, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Clark. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Curnutt attempted to submit an amendment, to line 3, page 26, the motion to adopt which should be in lieu of all pending motions, which was ruled out of order, for the reason a motion to amend a bill cannot be submitted in lieu of a motion to suspend the rules.

Senator Curnutt raised a point of order, which was

overruled, stating only 10 sections of House Bill No. 1 had been read.

The vote occurring on the Rizley substitute motion, it was declared adopted and the Committee was directed to retire.

Senator Jennings moved that the call of the House be lifted, which motion failed of adoption.

Senator Nance asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 150, by Phillips (Atoka), et al.

Sections 1, 2, 3 and 4 were read and adopted, upon motions of Senator Nance.

Upon motion of Senator Nance, House Bill No. 150 was advanced to engrossment and third reading.

Senator Morrison asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 327, by Morrison.

Section 1 was read.

Senator Morrison submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 327, by inserting on line 1, page 1, before the word, "that," the word and figure, "Section 1," and by striking from line 5, page 1, the word and figure, "Section 1"

MORRISON.

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

Upon motion of Senator Morrison, Senate Bill No. 327 was advanced to engrossment and third reading.

Senator Nance moved that the rules of the Senate be suspended and House Bill No. 150 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

THIRD READING

HOUSE BILL NO. 150 was read for the third time at length.

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

Ayes: Ballard, Carlile, Carmack, Clark, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Paul, Ray, Reed, Sowards, Stacey, Taylor, Thomas, Waldrep, Wilbanks. Total, 26.

Nays: Liggett, Pugh, Ritzhaupt, Rizley, Willis. Total, 5.

Not voting: Daugherty, Hutchinson, Jennings, Moon, Rutherford, Stewart. Total, 6.

Absent: Powers. Total, 1.

Excused: Briggs, Chamberlin, Commons, Logan, Nichols, Whitaker. 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 Nance, the emergency section to Engrossed House Bill No. 150 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 150, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

NANCE.

House Bill No. 150 was referred for engrossment.

Senator Rizley served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which House Bill No. 150 was passed.

Senator Ballard asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 32, by Ballard, et al.

Section 1 was read and adopted, upon motion of Senator Ballard.

Senator Waldrep submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 32, line 11, page 5, by adding a new Section 2, as follows: "Section 2. There is hereby appropriated out of any funds in the State Highway Construction and Maintenance fund the sum of \$150,000.00, or so much as may be necessary, to pay and reimburse Pottawatomie County, Oklahoma, for what is known as the Asher Bridge over the South Canadian River at or near Asher, Oklahoma, which said bridge has been taken and appropriated to the use of the State."

WALDREP.

Senator Carmack moved that further consideration of Senate Bill No. 32 be indefinitely postponed.

Senator Waldrep moved to table the Carmack motion, which motion failed of adoption.

The vote occurring on the Carmack motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Coppock, Daugherty, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Morrison, Nance, Pugh, Reed, Rizley, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 23.

Nays: Ballard, Clark, Curnutt, Dixon, Fidler, Fischl, MacDonald, Moon, Paul, Ray, Ritzhaupt, Sowards, Waldrep. Total, 13.

Not voting: Rutherford. Total, 1.

Absent: Powers. Total, 1.

Excused: Briggs, Chamberlin, Commons, Logan, Nichols, Whitaker. Total, 6.

Senator Coppock moved that SENATE BILL NO. 248, by Coppock and Clark, be taken up for consideration, which motion failed of adoption.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and



Enrolled bills beg leave to report Senate Bills Nos. 72 and 172 correctly engrossed; and Senate Concurrent Resolutions Nos. 3 and 13 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Bills Nos. 72 and 172 and ordered, each, transmitted to the Honorable House for consideration.

The President, in open session, signed Enrolled Senate Concurrent Resolutions Nos. 3 and 13 and ordered, each, transmitted to the Honorable House, for the signature of the Speaker.

#### 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 Special Committee to whom was referred Senate Joint Resolution No. 6, by Moon and Nichols, entitled:

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma relating to the incurring of indebtedness by counties, municipalities, townships, and school districts, and amending Section 26 of Article 10 of the Constitution of the State 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.

MOON, Chairman.

Mr. President: We, your Committee on Constitution and Constitutional Amendments, to whom was referred Senate Joint Resolution No. 14, by Paul, of the Senate, and Phillips (Atoka), Kight and Cloyd of the House, entitled:

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of Oklahoma relating to the free public schools of said State, and

amending Section 1, Article 13, of the Constitution of the State 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.

MOON, Chairman.

Mr. President: We, your Committee on Constitution and Constitutional Amendments, to whom was referred Senate Joint Resolution No. 15, by Moon, entitled:

A Joint Resolution authorizing the submission of a proposed amendment to the Constitution of the State of Oklahoma, amending Section Eight of Article Nine of said Constitution,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

MOON, Chairman.

Senator Dixon moved that the call of the House be lifted, which motion failed of adoption.

Senator Fidler moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., tomorrow, which motion failed of adoption.

Senator Briggs presiding.

#### SPECIAL COMMITTEE REPORT

Senator Whitaker submitted the following Special Committee Report:

Mr. President: We, your Special Committee, beg leave to report that we have considered House Bill No. 1 and recommend that the following amendments be adopted:

Section 17 (a) pages 47 and 48, by striking all of said sub-section (a), and insert, in lieu thereof, the following:

“(a) In lieu of the normal tax imposed by Section 6, every national banking association located or doing business within the limits of the State of Oklahoma, shall, annually, pay to the State a tax according to, or

measured by, its net income, to be computed in the manner hereinafter provided, at the following rates upon the basis of its entire net income for the next preceding fiscal or calendar year:

(1) One percentum (1%) of the first \$2,000.00 of the amount of net income in excess of the credit against net income provided in Section 12 (a);

(2) Two percentum (2%) of the next \$2,000.00 of such excess amount:

(3) Three percentum (3%) of the next \$3,000.00 of such excess amount;

(4) Four percentum (4%) of the next \$3,000.00 of such excess amount; and

(5) Five percentum (5%) of the remainder of such excess amount.

In addition to such normal tax, every national banking association shall likewise be subject to a surtax according to or measured by its entire net income, to be computed at the rates prescribed in Section 7."

WHITAKER.

Upon motion of Senator Whitaker, the foregoing amendment of the report of the Special Committee was adopted.

Mr. President: We move to amend House Bill No. 1, as follows:

"Section 18 (a), pages 49 and 50, by striking all of said sub-section (a), and inserting in lieu thereof the following:

(a) In lieu of the normal tax imposed by Section 6, every bank or trust company organized under the banking laws of this State, shall, annually, pay to the State, for the privilege of doing business within its limits, a tax, according to, or measured by, its net income, to be computed in the manner hereinafter provided, at the following rates upon the basis of its entire net income for the next preceding fiscal or calendar year:

(1) One percentum (1%) of the first \$2000.00, of the

amount of net income in excess of the credit against net income provided in Section 12, (a);

(2) Two per centum (2%) of the next \$2000.00 of such excess amount;

(3) Three per centum (3%) of the next \$3000.00 of such excess amount;

(4) Four per centum (4%) of the next \$3,000.00 of such excess amount; and

(5) Five per centum (5%) of the remainder of such excess amount.

In addition to such normal tax, every bank or trust company organized under the banking laws of this State shall likewise be subject to a surtax according to or measured by its entire net income, to be computed at the rates prescribed in Section 7."

WHITAKER.

Upon motion of Senator Whitaker, the foregoing amendment of the report of the Special Committee was adopted.

Mr. President: We move to amend House Bill No. 1, as follows:

"Page 61, lines 1 and 2, by inserting a comma (,) after the word, "subsidiary," in line 1, and striking the remainder of line 1, and all of line 2, to and including the comma (,) after the word, "control;" and insert a period (.) after the word, "corporations," in line 6, and striking the remainder of line 6, and all of lines 7 and 8.

WHITAKER.

Senator Ballard submitted the following amendment, as a substitute for the foregoing amendment of the report of the Special Committee, which was tabled, upon motion of Senator Paul:

Mr. President: I move to amend House Bill No. 1, line 16, page 60, by striking after the word, "returns," the balance of Section 26.

BALLARD.



Senator Wilbanks submitted the following amendment, as a substitute for the foregoing amendment of the report of the Special Committee, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 1, line 6, page 61, by striking the first two words on line 6, being, "or all"

WILBANKS.

Senator Whitaker moved the adoption of the Special Committee's amendment, to page 61 of House Bill No. 1, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Clark, Curnutt, Dixon, Fidler, Hutchinson, Jennings, MacDonald, Moon, Ritzhaupt, Rizley, Rutherford, Stewart, Waldrep. Total, 13.

Not voting: Thomas. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Nichols submitted the following Minority Report of the Special Committee, appointed under House Bill No. 1:

Mr. President: I move to amend House Bill No. 1, page 84, by adding sub-section (a-1) at the end of Section 42, as follows: "Every insurance company subject to tax under foregoing sub-section (a) shall be entitled to an offset against its tax computed under said sub-section, for the total amount paid during the taxable year in this state by said taxpayer of gross premium taxes, paid by foreign insurance companies, and taxes (other than ad valorem taxes upon real estate and tangible personal property) paid by domestic insurance companies."

NICHOLS.

Senator Garvin moved that the Nichols amendment be tabled, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Commons, Coppock, Daugherty, Fischl, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Thomas, Whitaker, Wilbanks. Total, 25.

Nays: Carmack, Clark, Curnutt, Dixon, Fidler, Howard, Hutchinson, Jennings, Moon, Morrison, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep, Willis. Total, 17.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Nichols served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which the Nichols amendment was tabled.

Senator Nance raised a point of order against the Nichols notice, which was sustained, stating the amendment had been tabled and it would be necessary to lift it from the table, before notice could be lodged.

Senator Curnutt submitted the following amendment, which was tabled, upon motion of Senator Whitaker:

Mr. President: I move to amend House Bill No. 1, line 11, page 51, by striking the word, "Federal"

CURNUTT.

Senator Whitaker moved that House Bill No. 1, as amended, be advanced to engrossment and third reading, which motion prevailed.

Senator Fidler moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., Friday, March 10th, which motion failed of adoption.

Senator Whitaker moved that the rules of the Senate be suspended and House Bill No. 1, as amended,

be considered engrossed and placed upon third reading and final passage.

Senator Curnutt raised a point of order against the Whitaker motion, stating all sections in House Bill No. 1 had not been read and considered, which point of order was overruled by the Chair.

Senator Curnutt, as a substitute, moved that the Senate proceed to read and consider Sections 31, 32 and all other sections, which have not been read and considered.

Senator Nance raised a point of order against the Curnutt motion, which was sustained, stating a substitute motion cannot be entertained in lieu of one to suspend the rules.

The vote occurring on the Whitaker motion, it was declared adopted.

Senator Dixon moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., tomorrow, which motion failed of adoption.

Senator Curnutt moved that House Bill No. 1 be returned to General Order, for the purpose of reading and considering Sections 31, 32 and other sections not having been read and considered, which motion was tabled, upon motion of Senator MacDonald.

Senator Nance moved that Third Reading and final passage of House Bill No. 1 be set for Special Order at 1:00 o'clock, p. m., tomorrow.

Senator Rizley, as a substitute, moved that the call of the House be lifted and House Bill No. 1 be read at length.

Senator Nance raised a point of order against the Rizley motion, which was sustained, stating the motion was "double-barreled."

Upon motion of Senator Paul, the call of the House was ordered lifted.

Senator Morrison moved that House Bill No. 1, as amended, be ordered printed and placed upon the desks

of members of the Senate, which motion was tabled, upon motion of Senator Paul.

Senator MacDonald, as a substitute, moved that the Senate proceed to the Third Reading and final passage of HOUSE BILL NO. 228, which motion was tabled, upon motion of Senator Rizley.

Senator Nance moved that Third Reading of House Bill No. 1 be dispensed with, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Clark, Coppock, Curnutt, Dixon, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Paul, Pugh, Ray, Reed, Rizley, Sowards, Stewart, Thomas, Waldrep, Whitaker, Willis. Total, 28.

Nays: Chamberlin, Commons, Daugherty, Howard, Jennings, Memminger, Moon, Nichols, Ritzhaupt, Ruth-erford, Stacey, Taylor, Wilbanks. Total, 13.

Not voting: Fidler. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

The Chair announced the result of the roll call on the Nance Motion to be AYES—28; NAYS—13; EX-CUSED—1; ABSENT; 1; NOT VOTING—1, declaring the Third Reading of House Bill No. 1 had been ordered dispensed with by more than a two-thirds vote of a quorum of the Senate present, pursuant to Section 35, Article 5, of the Constitution of the State of Oklahoma.

The question being, "Shall House Bill No. 1 pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 28.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon,



Hutchinson, Jennings, Moon, Morrison, Rizley, Rutherford, Waldrep, Willis. Total, 13.

Not voting: Fidler. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

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

Senators Taylor and Johnston served notice on the Senate that they would, on some future legislative day, move to reconsider the vote by which House Bill No. 1 was passed.

Senator MacDonald moved that the roll call on the emergency section to House Bill No. 1 be deferred until 1:30 p. m., on the next legislative day.

Senator Moon, as a substitute, moved that the emergency to House Bill No. 1 be stricken.

Senator MacDonald moved to table the Moon motion, which motion was adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Thomas, Whitaker, Wilbanks. Total, 25.

Nays: Ballard, Clark, Coppock, Curnutt, Hutchinson, Jennings, Moon, Morrison, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep, Willis. Total, 15.

Not Voting: Dixon, Fidler. Total, 2.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

The vote occurring on the MacDonald motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance,

Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Thomas, Whitaker, Wilbanks. Total, 25.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Garvin, Hutchinson, Jennings, Moon, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep. Willis. Total, 16.

Not voting: Fidler. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator MacDonald moved that the Senate proceed to the consideration of HOUSE BILL NO. 228, under Third Reading.

Senator Rizley moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., tomorrow, which motion failed of adoption.

Senator Curnutt moved that the Senate recess to meet at 6:45 p. m., this date.

Senator Dixon, as a substitute, moved that the Senate adjourn to meet at 9:30 a. m., tomorrow.

The Chair ruled the Dixon motion out of order, for the reason no business had been transacted since the disposal of the Rizley motion, on adjournment.

Senator Wilbanks moved to table the Curnutt motion, which motion prevailed.

Senator Wilbanks moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., tomorrow, which motion failed of adoption.

Senator Rizley, as a substitute, for the MacDonald motion, moved that the Senate proceed to the calling of the roll on the emergency section to House Bill No. 1.

Senator Fischl raised a point of order against the Rizley motion, which was sustained, stating it would require a reconsideration of the vote whereby roll call on the emergency to House Bill No. 1 was deferred until 1:30 p. m., tomorrow.

Senator Rizley moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., tomorrow.

Senator Johnston raised a point of order against

the Rizley motion, which was sustained, stating no business, affecting matters before the Senate, had been transacted since the disposal of the Wilbanks motion, to adjourn.

Upon motion of Senator Memminger, the previous question was ordered.

### THIRD READING

HOUSE BILL NO. 228 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Fischl, Johnston, MacDonald, Memminger, Moon, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 25.

Nays: Ballard, Coppock, Dixon, Garvin, Hutchinson, Jennings, Paul, Rizley, Rutherford, Stacey, Wilbanks. Total, 11.

Not Voting: Curnutt, Fidler, Howard, Lester, Liggett, Morrison. Total, 6.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

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

Senator MacDonald moved that the roll call on the emergency section to House Bill No. 228 be deferred until 1:45 p. m., on the next legislative day.

Senator Hutchinson, as a substitute, moved that the emergency section be stricken.

Senator MacDonald moved that the Hutchinson motion be tabled, which motion prevailed.

The vote occurring on the MacDonald motion, it was declared adopted.

Senator MacDonald moved that the Senate ad-

journ, to meet at 10:00 o'clock, a. m., tomorrow, which motion failed of adoption.

Senator Paul moved that the rules of the Senate be suspended for the purpose of reconsidering the vote by which House Bill No. 1 was passed, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Johnston, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 20.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Garvin, Hutchinson, Jennings, Ritzhaupt, Rizley, Rutherford, Stacey, Waldrep, Willis. Total, 14.

Not Voting: Fidler, Howard, Lester, Liggett, Moon, Morrison, Reed, Sowards. Total, 8.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Upon motion of Senator Dixon, the Senate adjourned, to meet at 10:00 o'clock, a. m., Friday, March 10th, 1933.



## FIFTIETH LEGISLATIVE DAY

Friday, March 10, 1933

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Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by the President.

Upon roll call, the President announced a quorum of the Senate was not present.

The President announced the Senate recessed, to meet at 10:30 a. m.

At 10:30 a. m., the Senate reassembled, with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Clark, Commons, Coppock, Carnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Willis. Total, 37.

Absent: Chamberlin, Howard, Powers, Ray, Wilbanks. Total, 5.

Excused: Logan, Taylor. Total, 2.

The President 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. 344—By JOHNSTON.

Upon the request of Senator Johnston, Senate Bill No. 344 was ordered referred to the Committee on Code Revision.

SENATE BILL NO. 345—By SOWARDS.—Referred to Committees on Appropriations and School Lands.

SENATE BILL NO. 346—By SOWARDS.—Re-

ferred to Committees on Appropriations and School Lands.

SENATE BILL NO. 347—By SOWARDS (By Request).—Referred to Committee on Education.

SENATE JOINT RESOLUTION NO. 19—By RUTHERFORD, JENNINGS, FIDLER, and CURNUTT.—Referred to Committee on Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 20—By MacDONALD.

Senator MacDonald asked unanimous consent, which was granted, to place Senate Joint Resolution No. 20 upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 58—By ABERNATHY, GRAY, TURNER, SMALLEY, LANDINGHAM and STRICKLAND.

Senator Whitaker asked unanimous consent, to which objections were voiced, to refer House Bill No. 58 to Judiciary Committee No. 2.

Senator Stewart moved that the rules of the Senate be suspended and House Bill No. 58 be ordered placed upon the calendar, without reference to a Committee, which motion failed of adoption.

House Bill No. 58 was referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 260—By ELLIS, OTTESEN, FRALEY, BATSON, GRUNERT, et al.—Referred to Committee on Revenue and Taxation.

Senator Johnston asked unanimous consent of the Senate, to which objections were voiced, that SENATE BILL NO. 339, by Johnston, be withdrawn from the Committee on Roads and Highways and referred to the Committee on Code Revision.

Senator Johnston moved that Senate Bill No. 339 be ordered withdrawn from the Committee on Roads and Highways and referred to the Committee on Code Revision.

Senator MacDonald, as a substitute, moved that it be the order of the Senate that Senate Bill No. 339, when reported by the Committee on Roads and Highways, be referred to the Committee on Code Revision, for further consideration, which motion prevailed.

Senator Stacey, having served notice that he would, moved that the vote be reconsidered, by which the adverse Committee Report on SENATE BILL NO. 241, by Stacey, was adopted, which motion prevailed.

Upon motion of Senator Stacey, Senate Bill No. 241 was ordered re-referred to the Committee on Banks and Banking, for further consideration.

Senator Jennings presiding.

#### GENERAL ORDER

Senator Nichols asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 263, by Nichols, of the Senate, and Grisso, of the House.

Sections 1, 2, 3, 4, 5, 6 and 7 were read and adopted, upon motions of Senator Nichols.

Upon motion of Senator Nichols, Senate Bill No. 263 was advanced to engrossment and third reading.

Upon motion of Senator Nichols, the rules of the Senate were suspended and Senate Bill No. 263 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 263 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Clark, Coppock, Curnutt, Daugherty, Fidler, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Waldrep. Total, 28.

Nays: Garvin, Memminger, Thomas, Whitaker. Total, 4.

Not Voting: Commons, Dixon, Fischl, Rutherford, Willis. Total, 5.

Absent: Chamberlin, Howard, Powers, Ray, Wilbanks. Total, 5.

Excused: Logan, Taylor. 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: Ballard, Briggs, Carlile, Carmack, Clark, Coppock, Curnutt, Daugherty, Fidler, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Willis. Total, 31.

Not Voting: Commons, Dixon, Fischl, Reed, Ritzley, Rutherford. Total, 6.

Absent: Chamberlin, Howard, Powers, Ray, Wilbanks. Total, 5.

Excused: Logan, Taylor. 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. 263 was ordered referred for engrossment.

By unanimous consent, consideration of SENATE BILL NO. 29, by Jennings, was deferred for this legislative day, the bill to retain its place on the calendar.

SENATE BILL NO. 328, by Morrison, was considered.

Sections 1, 2 and 3 were read and adopted, upon motions of Senator Morrison.

Section 4 was read.

Senator Stewart submitted the following amendment:



Mr. President: I move to amend Senate Bill No. 328, by striking Section 4.

STEWART.

Senator Memminger, as a substitute, submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 328, line 2, page 3, by striking Section 4 and inserting in lieu thereof the following: "Section 4. The Board of Education of a school district shall charge such tuition as will pay the entire cost of the instruction provided for by this Act."

MEMMINGER.

Senator Memminger, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 328, by striking Section 4, and inserting in lieu thereof the following: "Section 4. The Board of Education of a school district shall charge such tuition as will pay the entire cost of the instruction above the 12th grade, provided for by this Act."

MEMMINGER.

Senator Memminger, as a substitute for all pending motions, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 328, line 2, page 3, by striking Section 4, and inserting the following: "Section 4. The Board of Education of a school district shall, upon the establishment of courses above the 12th grade, charge tuition at a rate sufficient to pay added cost of instruction in the work above the 12th grade."

MEMMINGER.

Senator Stewart submitted the following amendment, in lieu of all pending amendments:

Mr. President: I move to amend Senate Bill No. 328, line 6, page 3, by adding after the word, "courses," the following: "Section 4. Provided, in no event, shall

any instructor or the expense of a laboratory or equipment be paid out of public funds."

STEWART.

Senator Morrison raised a point of order against the Stewart amendment, which was sustained, stating an amendment "in lieu of all pending," was before the Senate.

The vote occurring on the Memminger amendment, it was declared adopted.

Upon motion of Senator Morrison, the vote was reconsidered by which Section 1 was adopted.

Senator Paul submitted the following amendment, which was adopted, by unanimous consent:

Mr. President: I move to amend Senate Bill No. 328, line 3, page 1, by striking after the word, "persons," down to the word, "Provided," in line 5, and inserting the words, "over six years of age."

PAUL.

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

Senator Rizley moved that the Senate recess to meet at 1:15 p. m.

Senator Curnutt, as a substitute, moved that the Senate recess to meet at 1:30 p. m., which motion failed of adoption.

The vote occurring on the Rizley motion, it was declared failed of adoption.

Section 4 was considered further.

Senator Johnston moved that the vote be reconsidered by which the Memminger amendment, to Section 4, was adopted, for the purpose of changing the word, "shall," to read "may," which motion failed of adoption.

Senator Taylor asked to be recorded "present," which was the order.

Senator Stewart submitted the following amend-

ment, which was tabled, upon motion of Senator Morrison:

Mr. President: I move to amend Senate Bill No. 328, line 6, page 3, by adding after the word, "courses," at the end of Section 4, the following: "Provided in no event shall any instructor or the expense of laboratory or equipment be paid out of the public funds."

STEWART.

Senator Waldrep submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 328, line 6, page 3, by adding after the word, "grade," the following: "Provided that the entire expense of such courses shall be paid for by the attending students and no funds, therefor, shall ever be appropriated from the general revenues of such school district."

WALDREP.

Upon motion of Senator Morrison, Section 4, as amended, was adopted.

Section 5 was read.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 328, line 7, page 3, by striking Section 5, and inserting the following: "Section 5. The provisions of this Act are intended to be cumulative of existing law and not to repeal the existing laws, applicable to common schools and high schools of first to twelfth grades, inclusive."

BRIGGS.

Upon motion of Senator Morrison, Section 5, as amended, was adopted.

Upon motion of Senator Morrison, Senate Bill No. 328 was advanced to engrossment and third reading.

Senator Moon moved when the Senate adjourns today, it adjourn to meet at 1:30 p. m., Monday, March 13th, which motion prevailed.

Upon motion of Senator Rizley, the Senate recessed to meet at 1:30 p. m.

#### AFTERNOON SESSION

The Senate reassembled, at 1:30 p. m., and was called to order by the President.

The following members of the Senate asked to be recorded "present," which was the order: Senators Chamberlin and Howard.

By unanimous consent, the regular order of business was taken up.

#### 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 Education, to whom was referred Engrossed House Bill No. 80, by Phillips (Atoka) and Childers, entitled:

An Act fixing the salary of presidents of the various state educational institutions, repealing all conflicting Acts, 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.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Engrossed House Bill No. 99, by Childers, entitled:

An Act making it unlawful for any state official, board, commission or institution to purchase passenger automobiles at a cost of more than eight hundred (\$800.00) dollars, 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.

WALDREP, Vice Chairman.

Mr. President: We, your Committee on Education,



to whom was referred Engrossed House Bill No. 527, by Cox, entitled:

An Act abolishing all county high schools in counties having a population of less than 25,000 according to the United States census of 1930; providing for the disposition of the property used therein and appropriating proceeds to general fund of such 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.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 273, by Paul, entitled:

An Act creating a common school district in each county in the state of Oklahoma; providing for the annexation of independent school districts; for liquidating outstanding indebtedness of each school district now existing; creating a common school board of education, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

RITZHAUPT, Chairman.

Upon motion of Senator Ritzhaupt, the adverse Committee Report on Senate Bill No. 273 was adopted.

Mr. President: We, your Committee on Municipal Corporations, to whom was referred Senate Bill No. 336, by Lester, entitled:

An Act relating to the passage of ordinances by cities or counties, and authorizing cities or counties to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects; providing not less than three printed copies of such code or codes in book form have been filed with the clerk,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

NANCE, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 263 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Bill No. 263 and ordered it transmitted to the Honorable House.

#### FIRST READING

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

SENATE BILL NO. 348—By WALDREP.—An Act amending Section 9851, Oklahoma Statutes, 1931, being the same as Section 10, Chapter 28, Session Laws of Oklahoma, 1925, providing for the regulation, supervision and control of domestic and foreign building and loan associations doing business in the State of Oklahoma, and providing for the administration of failing or the liquidation of insolvent building and loan associations, repealing all Acts in conflict herewith and declaring an emergency.

SENATE BILL NO. 349—By COPPOCK.—An Act creating a home for aged mothers, prescribing the qualifications of those entitled to enter the same placing the same under the supervision of the State Board of Public Affairs; authorizing said Board to locate the same; making an appropriation of seventy-five thousand (\$75,000.00) Dollars for the erection and construction of the same; providing for the support thereof; and declaring an emergency.

SENATE BILL NO. 350—By LOGAN.—An Act regulating the conduct of brokers, providing that no

branch office or any member of any stock exchange may operate in Oklahoma without procuring a license from and furnishing a bond to the Oklahoma Securities Commission; providing that no person, firm or corporation may loan money to buy stocks or bonds on margin; providing that no broker may accept an order to sell stock in any corporation which stock the seller does not actually own; providing for punishment of those guilty of violating this Act, and declaring an emergency.

SENATE BILL NO. 351—By WHITAKER.—An Act amending Section 6778 Oklahoma Statutes, 1931, relating to appeals from County Superintendent providing for the transfer to the District Court of the appeals heretofore taken from the County Superintendent to the County Court; repealing all laws in conflict and declaring an emergency.

SENATE BILL NO. 352—By CARMACK.—An Act to amend Chapter 24, Article 4, Session Laws 1931, to prevent discrimination against certain Oklahoma farm products listed herein, to permit the manufacture and sale of oleomargarine therefrom, to provide for the issuance of permits to manufacturers and dealers in lieu of taxes and license fees and authorizing the State Dairy Commissioner to issue permits in accordance with this Act and declaring an emergency.

SENATE BILL NO. 353—By SENATE COMMITTEE ON BANKS AND BANKING.—An Act relating to banks and banking; establishing and adopting a code on banks and banking in lieu of all laws of this State on banks and banking; amending Articles 1, 2, 3, 4, 5, 6 and 7, Oklahoma Statutes 1931, relating to banks and banking; repealing all laws in conflict therewith and declaring an emergency.

SENATE RESOLUTION NO. 21 — By RAY, DIXON, FISCHL, NANCE and PAUL.—A Resolution authorizing the President of the Senate to appoint a committee of five members of the Senate to confer with

the Oklahoma delegation in Congress, and the Secretary of Agriculture of the United States concerning the allocation of federal funds to Oklahoma for highway purposes, and memorializing the State Highway Commission to designate a representative to accompany said committee for that purpose; authorizing the payment of the expense incurred by said committee; and declaring an emergency.

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 65—By MAL-  
LORY, entitled:

An Act amending Section 12040 Oklahoma Statutes 1931 pertaining to the Confederate pensions, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 165 — By  
SPEAR, entitled:

An Act providing for transportation of pupils in the State of Oklahoma, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 65 and 165.

To the President of the Senate,

Building

SIR:

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



ENGROSSED HOUSE BILL NO. 113 — By BROADDUS, SHOEMAKE, and MARTIN, entitled:

An Act amending Section 7040, Article 18, Oklahoma Statutes 1931, providing for the levy of a tax for separate schools, for the administration of the separate school tax for separate schools in independent school districts, and the method of issuing, registering and paying separate school warrants, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 113.

Senator Nichols moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted as "absent": Senators Briggs, Carlile, Carmack, Curnutt, Dixon, Fischl, Garvin, Morrison, Nance, Powers, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stewart and Wilbanks.

The Sergeant-at-Arms was instructed to notify all absent members of the proceedings of the Senate.

Senator MacDonald moved that the vote by which the Moon motion, that when the Senate adjourns today it adjourn to meet at 1:30 p. m., Monday, March 13th, be reconsidered and that that motion lie on the table, which motion prevailed.

The following members of the Senate asked to be recorded "present," which was the order: Senators Briggs, Carlile, Carmack, Curnutt, Dixon, Fischl, Garvin, Nance, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stewart and Wilbanks.

#### GENERAL ORDER

Senator Fidler asked unanimous consent of the Senate, which was granted, to take up for consideration

SENATE BILL NO. 112, by Fidler, of the Senate, and Conner, of the House.

Section 1 was read.

Senator Fidler moved the adoption of Section 1.

Senator Reed, as a substitute, moved that further consideration of Senate Bill No. 112 be indefinitely postponed, which motion prevailed.

Senator Ballard presiding.

Senator Johnston asked unanimous consent, to which objections were voiced, to take up for consideration SENATE BILL NO. 276, by Johnston.

Senator Johnston moved that the Senate proceed to the consideration of Senate Bill No. 276, which motion failed of adoption.

#### SPECIAL ORDER

Senator Whitaker moved that the vote be reconsidered by which HOUSE BILL NO. 1 was passed, on the last legislative day.

Senator Moon raised a point of order, which was sustained, stating Senator Johnston, on the last legislative day, lodged a notice that he would, on some future legislative day, move to reconsider the vote by which House Bill No. 1 was passed.

Senator Johnston, having served notice that he would, moved that the vote be reconsidered by which House Bill No. 1 was passed, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 27.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Rizley, Rutherford, Stacey, Waldrep, Willis. Total, 14.

Not Voting: Morrison. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

Senator Whitaker moved that Third Reading, at length, of House Bill No. 1 be proceeded with.

Senator Moon, as a substitute, moved that the vote be reconsidered by which House Bill No. 1 was advanced to engrossment and third reading.

Senator Nichols moved to table the Moon motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Coppock, Daugherty, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Thomas, Whitaker, Wilbanks. Total, 24.

Nays: Ballard, Briggs, Clark, Curnutt, Dixon, Fidler, Garvin, Hutchinson, Jennings, Moon, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep, Willis. Total, 17.

Not Voting: Morrison. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. Total, 1.

The vote occurring on the Whitaker motion, it was declared adopted.

HOUSE BILL NO. 1 was read at length for the third time.

During the reading of House Bill No. 1, Senator Moon raised a point of order, against the copy of said bill from which the Clerk was reading, stating "the Clerk is not reading from the enrolled bill, but reading from a typewritten bill and amendments are not included in it."

The Chair ruled that the Clerk was reading from the Engrossed copy of House Bill No. 1.

Senator Curnutt attempted to submit an amendment to Engrossed House Bill No. 1, which was ruled out of order, on a point of order raised by Senator Whitaker,

who stated a bill on Third Reading is not subject to amendment, except by unanimous consent.

Senator Curnutt attempted to submit a motion, which was ruled out of order, on a point of order raised by Senator Paul, who stated the motion was the Curnutt Amendment, the right of which to submit had been denied by the Senate.

Senator Commons moved that the roll call on House Bill No. 1 be deferred for 20 minutes.

Senator Curnutt asked unanimous consent of the Senate, which was granted, to amend the Commons amendment, by directing the Sergeant-at-Arms to bring all absent members into the Senate Chamber.

The vote occurring on the Commons motion, as amended, it was declared adopted.

Upon motion of Senator Commons, HOUSE BILL NO. 460, by Broaddus and Shoemake, was ordered withdrawn from the calendar and referred to Judiciary Committee No. 1.

Senator Jennings moved that the call of the House be lifted, which motion failed of adoption.

#### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to inform you, and through you, the Honorable Senate, that the Speaker has appointed: CHILDERS, BABB, and LOGSDON, as House Conferees on—

ENGROSSED HOUSE BILL NO. 271—By CHILDERS and BABB, entitled:

An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563, 12565, 12566, 12567, 12569, 12571, 12573 and 12529, Oklahoma Statutes, 1931, relating to, and providing for, the enforcement of the gaso-



line excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission; defining the term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto; defining embezzlement and perjury, for violation of this Act and prescribing penalties; further extending provisions for injunction and giving the Commission authority in certain cases to declare the excise tax due and payable forthwith; authorizing exercise of discretion by commission in issuance, extension, reinstatement, suspension and cancellation of licenses; declaring what may be admitted as evidence in certain cases; repealing conflicting laws and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 516—By BATSON, LANDINGHAM, GRAY, CLOYD, LEECRAFT, WINGO, and BEAMAN, entitled:

An Act authorizing the establishment, in each county, of a "County Emergency Investment Fund;" apportioning thereto one-half of all moneys received by any county from motor vehicle license fees and the excise tax on gasoline; providing that said fund, or so much thereof as may be necessary, shall be used, under the direction of the County Treasurer, for investment in non-payable county warrants and judgments based upon warrants; providing for payment into sinking fund for retirement of Road Bond indebtedness; providing for reimbursement of said fund by collections from ad valorem taxes; providing for the disposition of the moneys

remaining therein; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 516.

The following Message from the Governor was received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED SENATE BILL NO. 282—By PUGH.

An Act repealing Section 7914, Oklahoma Statutes of 1931, relating to the salaries of County Officers, deputies and assistants of Caddo County, Oklahoma; and declaring an emergency.

which bill having passed the Senate and House of Representatives was presented to me March 2nd and held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this March 9th, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

SPECIAL ORDER

Upon motion of Senator MacDonald, the Senate proceeded to the consideration of the emergency section to HOUSE BILL NO. 228, by Phillips (Atoka), Worthington and Paxton

The question being, "Shall House Bill No. 228 become an emergency measure?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fidler, Fischl, Howard,

Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 32.

Nays: Ballard, Coppock, Hutchinson, Jennings, Rutherford, Stacey, Wilbanks. Total, 7.

Not voting: Dixon, Garvin, Morrison. Total, 3.

Absent: Powers. Total, 1.

Excused: Logan. 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 Engrossed House Bill No. 228 and ordered it returned to the Honorable House.

#### GENERAL ORDER

Senator Chamberlin asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 290, by Chamberlin, of the Senate, and Worthington, of the House.

Section 1 was read.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 290, line 7, page 2, by striking after the word, "compensation," the words, "or pay," and inserting the words, "allowed to such temporary county judge;" and in line 10, page 2, by inserting after the word, "person," the following, "as such temporary county judge."

#### CHAMBERLIN.

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

Upon motion of Senator Chamberlin, Senate Bill No. 290 was advanced to engrossment and third reading.

#### SPECIAL ORDER

Upon motion of Senator Whitaker, the Senate pro-

ceeded to the consideration of HOUSE BILL NO. 1. under Third Reading and final passage.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 28.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Rizley, Rutherford, Waldrep, Willis. Total, 13.

Not voting: Morrison. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. 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: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 26.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Ritzhaupt, Rizley, Rutherford, Stacey, Waldrep, Willis. Total, 15.

Not voting: Morrison. Total, 1.

Absent: Powers. Total, 1.

Excused: Logan. 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 adoption.



The question being, "Shall the title of the bill become the title of the Act?" Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 1, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

PAUL.

House Bill No. 1, as amended, was referred for engrossment.

#### GENERAL ORDER

Senator Jennings asked unanimous consent, to which objections were voiced, to take up for consideration, SENATE BILL NO. 161, by Jennings.

Upon motion of Senator Commons, the call of the House was ordered lifted.

Senator Chamberlin moved that the Senate proceed to the consideration of SENATE BILL NO. 161, by Jennings, which motion prevailed.

Section 1 was read.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 161, line 7, page 2, by striking all of lines 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, and inserting in lieu thereof, following the word, "employees," in line 6, page 2, the following:

"Provided, however, that an award made to a claimant under the provisions of Chapter 72, Oklahoma Statutes, 1931, relating to Workmen's Compensation, shall in case of death arising from causes other than the injury, be payable to and for the benefit of the persons following:

(a) If there be a surviving wife, (or dependent husband) and no child of the deceased under the age of 18 years, to such wife (or dependent husband.)

(b) If there be a surviving child or children of the deceased, under the age of 18 years, or dependent blind

or crippled child or children of any age, but no surviving wife (or dependent husband) then for the support of each such child, share and share alike until the full payment of the award.

(c) If there be a surviving wife (or dependent husband) a surviving child or children of the deceased, under the age of 18 years, or a dependent blind or crippled child or children of any age, one half shall be payable to the surviving wife (or dependent husband) and the other half to the surviving child or children.

(d) If there be no surviving wife (or dependent husband) or child, under the age of 18 or dependent blind or crippled child of any age, then to the parents share and share alike and if no parents then to the brothers and sisters, share and share alike.

(e) An award for disability may be made after the death of the injured employee, arising from causes other than the injury."

#### JENNINGS.

By unanimous consent, further consideration of Senate Bill No. 161 was deferred.

Senators Pugh and Rutherford asked to be "excused," for the remainder of this legislative day.

Senator Whitaker asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 236, by Phillips (Okfuskee).

Section 1 was read.

Senator Jennings asked unanimous consent, which was granted, to defer further consideration of House Bill No. 236 for this legislative day.

Senator Rizley raised the question of "no quorum."

Upon a roll call being ordered, the Presiding officer declared a quorum of the Senate was present.

Senator Briggs asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 266, by Johnston, Taylor, Briggs, Reed and Carmack, of the Senate, and Jones, et al., of the House.

Sections 1, 2 and 3 were read and adopted, upon motions of Senator Briggs.

Upon motion of Senator Briggs, Senate Bill No. 266 was advanced to engrossment and third reading.

Senator Moon asked unanimous consent of the Senate, which was granted, to be recorded "excused," for the remainder of this legislative day.

Senator Garvin moved that SENATE BILL NO. 285, by Garvin, be ordered withdrawn from the Committee on Roads and Highways, and placed upon the calendar, which motion prevailed.

Senator Garvin asked unanimous consent, which was granted, to have the record show had he been present at the time of the roll call on the emergency to HOUSE BILL NO. 228, by Phillips (Atoka), et al., he would have voted "AYE."

Senator Memminger asked unanimous consent of the Senate, which was granted, to take up for consideration SENATE BILL NO. 304, by Memminger.

Section 1 was read and adopted, upon motion of Senator Memminger.

Upon motion of Senator Memminger, House Bill No. 304 was advanced to engrossment and third reading.

Senator Ritzhaupt asked unanimous consent of the Senate, which was granted, to take up for consideration SENATE BILL NO. 158, by Ritzhaupt.

Section 1 was read and adopted, upon motion of Senator Ritzhaupt.

Upon motion of Senator Ritzhaupt, Senate Bill No. 158 was advanced to engrossment and third reading.

Senator Rizley asked unanimous consent of the Senate, which was granted, to take up for consideration SENATE BILL NO. 234, by Rizley.

Section 1 was read.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No.

234, line 6, page 1, by striking the words, "excess of said amount," and inserting the following: "said fund, after all outstanding bonds, judgments or other charges against said sinking funds have been fully paid, whether maturing in the current or future years"

WHITAKER.

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

Section 2 was read and adopted, upon motion of Senator Rizley.

Upon motion of Senator Rizley, Senate Bill No. 234 was advanced to engrossment and third reading.

Senator Stacey asked unanimous consent, which was granted, to take up for consideration SENATE JOINT RESOLUTION NO. 17, by Stacey, of the Senate, and Roberts, of the House.

The Preamble to Senate Joint Resolution No. 17 was read.

Senator Stacey submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 17, line 14, page 2, by transposing the words, "House of Representatives," and "Senate"

STACEY.

Upon motion of Senator Stacey, the preamble to Senate Joint Resolution No. 17, as amended, was adopted.

Section 1 was read and adopted, upon motion of Senator Stacey.

Senator Stacey submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Joint Resolution No. 17, by adding after the figures, "1930," the words, "AND DECLARING AN EMERGENCY."

STACEY.

Upon motion of Senator Stacey, Senate Joint Res-



olution No. 17, as amended, was advanced to engrossment and third reading.

### THIRD READING

Senator Briggs asked unanimous consent, which was granted, to submit the following amendment to SENATE BILL NO. 150, which was adopted:

Mr. President: I move to amend Senate Bill No. 150, line 15, page 2, by inserting after the word, "coupons," and before the word, "it," in line 15, the following: "or where the sinking fund does not equal the accrual liabilities;" and by striking from line 17, page 2, all of said line, after the word, "as," and inserting the following: "will, by the maturity dates thereof, raise a fund sufficient to pay the obligations when due," and by changing the word, "year," at the end of line 15, page 2, to the word, "years"

### BRIGGS.

Senate Bill No. 150, as amended, was ordered referred for engrossment.

### GENERAL ORDER

Senator Fidler asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 235, by Fidler, of the Senate, and Conner, of the House.

Section 1 was read.

Senator Whitaker asked unanimous consent, which was granted, to defer further consideration of Senate Bill No. 235, for this legislative day.

Senator Coppock asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 108, by Coppock.

Section 1 was read and adopted, upon motion of Senator Coppock.

Upon motion of Senator Coppock, Senate Bill No. 108 was advanced to engrossment and third reading.

Senator Lester asked unanimous consent, which was

granted, to take up for consideration SENATE BILL NO. 271, by Lester.

Section 1 was read.

Senator Lester moved the adoption of Section 1, which motion failed of adoption.

Upon motion of Senator Dixon, the Senate adjourned to meet at 1:30 p. m., Monday, March 13th, 1933.

## FIFTY-FIRST LEGISLATIVE DAY

Monday, March 13, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Excused: Carlile, Logan. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 154—By MARTIN, BROADDUS, and SHOEMAKE, entitled:

An Act preventing the confiscation and misuse of milk cans or cream cans; providing for the introduction of evidence; providing for the issuance of a search warrant; providing for the filing and publication of brands; restricting transportation of branded containers and prescribing the penalty for the violation of this Act.

ENGROSSED HOUSE BILL NO. 185—By SHOEMAKE, entitled:

An Act amending Section 1065, Oklahoma Statutes,

1931, relating to fees for printing legal notices; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 517—By DANIEL, HENDERSON, WHITFORD, CAVINS, O'NEILL and GLEN, entitled:

An Act fixing the salaries of elective officers of the state of Oklahoma, repealing conflicting laws.

ENGROSSED HOUSE BILL NO. 618—By EBEY of Pontotoc and STRICKLAND of Pontotoc, entitled:

An Act repealing Sections 8300, 8301, and 8302, Oklahoma Statutes 1931, relating to the salaries of county officers and the number and salaries of deputy county officers and employees, of Pontotoc 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 of Representatives and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 154, 185, 517 and 618.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 199—By TODD, JONES, COLLINS, MALLORY.

An Act amending Section 4635, Oklahoma Statutes 1931, making it unlawful for persons practicing medicine as defined in said section to charge or collect fees in excess of twenty-five cents per mile, for or in making professional calls, making violations of said section a misdemeanor, and fixing the penalty therefor.

ENGROSSED HOUSE BILL NO. 483—By HOLLI-MAN, HAILE, PHILLIPS (Okfuskee) of the House



and GARVIN, WALDREP and WILBANKS of the Senate.

An Act levying an excise tax of one-eighth of one cent per barrel on petroleum oil produced in the state of Oklahoma subsequent to the passage and approval of this Act, providing for the deposit of the proceeds of such tax in the state treasury to the credit of the "Proration Fund" created hereby, and the appropriation of said fund for salaries and expenses of the proration umpire, his assistant and deputies, employees in the proration office, and the proration attorney, repealing all Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 621—By LOWRANCE, HOGG, JONES, RAWLS, MALLORY, EBNEY (Pontotoc), BEAVER, HENDERSON, TODD, MOONEY, JOHNSON (Comanche), BENNETT, HUGHES, ALBRIGHT, TURNER and SULLIVAN of the House.

An Act authorizing shippers of livestock and lessees of feeding pens and impounding places in stockyards to furnish feed for stock covering the leased period; providing that any person, firm or corporation refusing to permit such feeding to be guilty of a misdemeanor, fixing the punishment therefor, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 4—By DANIELS, MARSHALL, BUSHYHEAD, KING (Coal), McELHANEY, HART, PALMER, LEECRAFT, HINDS, SULLIVAN, TURNER, SINGLETON, EASON, GLEN, HAILE, BEAVER, OTTESEN, JONES, MOONEY, MORSE, GARLAND, MISENHEIMER, WAGNER, BEAMAN, KING (Creek), HOGG, HUTCHINGS, DARKS, SPEAR, CAVINS, PHILLIPS (Atoka), GRAY, CAVITT, MALLORY, CONNER, HUGHES, BEAVER and PARKS.

An Act creating a commission to be known as the "Commission for Old Age Security," prescribing its powers and duties, fixing the salaries of the officers and employees thereof, and prescribing their duties, provid-

ing a pension for persons seventy years of age, or more, the adult blind over twenty-one years of age, who do not have property, real or personal of a value in excess of \$1,000.00, or a yearly income of more than \$250.00, providing penalties for violations thereof, levying stamp taxes therefor, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 4, 199, 483 and 621.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that by unanimous consent of the House Mr. Blocker was substituted for Mr. Logsdon as one of the House Conferees on—

ENGROSSED HOUSE BILL NO. 271—By CHIL-  
DERS and BABB.

An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563, 12565, 12566, 12567, 12569, 12571, 12573 and 12529, Oklahoma Statutes, 1931, relating to, and providing for, the enforcement of the gasoline excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission; defining the term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto; defining embezzlement and perjury, for violation of this Act and prescribing penalties; further extending provisions for injunction and giving the commission authority in certain cases to declare the excise

tax due and payable forthwith; authorizing exercise of discretion by commission in issuance, extension, reinstatement, suspension and cancellation of licenses; declaring what may be admitted as evidence in certain cases; repealing conflicting laws and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 481—By HOLLIMAN, HAILE, WATSON and PHILLIPS (Okfuskee) of the House, and GARVIN, WALDREP and WILBANKS of the Senate.

An Act defining and prohibiting waste of crude petroleum and natural gas, and providing for the ratable and equitable taking thereof from common sources of supply; conferring authority upon, and defining the duties, powers and authority of, the Corporation Commission in connection with the enforcement of this Act, and prescribing the character of notice and procedure to be followed by the Corporation Commission hereunder; regulating all producers, purchasers and common carriers of crude petroleum so as to prevent inequitable taking and waste; prescribing penalties and other relief for violation of this Act and of rules, regulations or orders promulgated by the Corporation Commission hereunder; providing for proceedings for injunction in the district courts to enjoin the violation of and to enforce the provisions of this Act and the orders, rules and regulations of the Corporation Commission made in pursuance hereof; declaring certain violations hereof, and violations of certain rules, regulations or orders promulgated by the Corporation Commission hereunder,

to be crimes, and prescribing the punishment therefor; creating the offices of proration umpire, assistant proration umpire and proration attorney, for the enforcement of this Act, and providing for their appointment and removal and defining their duties, powers and authority, and fixing their term of office, bonds and compensation; providing for the appointment of deputies and employees to aid in the enforcement of this Act, defining their duties, power and authority, and fixing their compensation; providing for expenses of administration in connection with this Act and for the creation of a special fund, to be known as the "proration fund," to be used exclusively in the enforcement of this Act; repealing all laws in conflict herewith, and for other purposes; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 481.

To the President of the Senate,  
Building

SIR:

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

ENROLLED HOUSE JOINT RESOLUTION NO. 27—By CLOYD, BATSON, ALBRIGHT, and HART of the House, and REED, PAUL, NANCE and HOWARD of the Senate, entitled:

A Resolution extending the time of payment of motor vehicle license tax, waiving the penalties if paid pursuant to the provisions of this Resolution; and declaring an emergency.

and to advise 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Joint Resolution No. 27 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE BILL NO. 257—By REMUND, OTTESEN, ABERNATHY (Harmon), ARMSTRONG, BEARD, CLINE, CLOYD, DOUTHAT, ELLIS, GARLAND, GRUNERT, GRAHAM, HINDS, JOHNSON, KENAN, LOGSDON, PHILLIPS (Okfuskee), STRICKLAND (Marshall), SINGLETON, SMALLEY, WATSON, CAVITT, SULLIVAN, LEE-CRAFT, MALLORY, LINDSEY, BEAVER, GRAY, KING (Coal), BUSHYHEAD, MARSHALL, PAXTON and ROBERTS of the House; and RAY, HUTCHINSON, CHAMBERLIN, CURNUTT, COMMONS, DAUGHERTY, DIXON, HOWARD, LOGAN, MacDONALD, MEMMINGER, MORRISON, RITZHAUPT, RUTHERFORD, and WHITAKER of the Senate.

An Act making appropriation for the operation and maintenance of the Soldiers' Tubercular Sanatorium 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 257 was read at length for the fourth time, the enrolled copy signed, in open session, by the

President and ordered returned to the Honorable House.  
To the President of the Senate,  
Building  
SIR:

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

ENROLLED SENATE CONCURRENT RESOLUTION NO. 3—By NANCE.

A Resolution memorializing the national Congress to enact a law authorizing and empowering the several states to levy and collect license, franchise, gross revenue, registration or other forms of taxes upon or measured by capital represented by property and business employed in interstate commerce.

ENROLLED SENATE CONCURRENT RESOLUTION NO. 13—By STEWART, PUGH, and REED of the Senate, entitled:

Concurrent Resolution memorializing Congress that it is the sense of the members of the Oklahoma Legislature that the government of the United States should perform its solemn promise and place American agriculture on the basis of equality with other industries by providing an adequate system of credit, and that adequate legislation to that end should be adopted at the earliest possible date,  
and to advise you, and through you, the Honorable Senate, that the same have been signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Concurrent Resolutions Nos. 3 and 13 were ordered referred to the Secretary of State.

RESOLUTIONS AND NOTICES

Senator Nichols introduced the following resolution, which, upon his motion was read at length:

SENATE CONCURRENT RESOLUTION NO. 19—  
By NICHOLS of the Senate, and WOOTEN, HILL,

GRISSE, and PHILLIPS (Okfuskee), of the House.

A RESOLUTION EXPRESSING FAITH IN THE PRESIDENT OF THE UNITED STATES OF AMERICA IN HIS EFFORT TO REDUCE TAXES; COMMENDING THE ACTS OF CERTAIN OKLAHOMA CONGRESSMEN WHO HAVE STOOD BY THE PRESIDENT; CENSORING AND REPRIMANDING CERTAIN OTHER MEMBERS OF THE OKLAHOMA DELEGATION WHO HAVE NOT STOOD BY THE PRESIDENT; AND PROPOSING THAT A COPY OF THIS RESOLUTION SHALL BE SENT TO EACH MEMBER OF THE OKLAHOMA DELEGATION.

WHEREAS, the Chief Executive of the United States, the Honorable Franklin D. Roosevelt, has displayed remarkable and unparalleled courage in dealing with the trying and unusual situation that confronts the American Government today, and,

WHEREAS, in his noble and heroic effort to balance the budget of the Federal Government he is entitled to the support of Congress as a whole, and,

WHEREAS, this effort to reduce expenses of the Federal Government is receiving the unstinted approval of the rank and file of the American people, and,

WHEREAS, this is no time for members of Congress to be guilty of political cowardice, and,

WHEREAS, our Congressmen should not play politics at the expense of the Government, and,

WHEREAS, in his patriotic effort to reduce the expenses of the National Government, a majority of the members of Congress from Oklahoma have indicated their willingness to uphold the hands of the President, and,

WHEREAS, certain other members of the Oklahoma delegation have seen fit to oppose the President in

his determination to reduce the expenses of the National Government, and,

WHEREAS, the people of Oklahoma are solidly behind the President in this great move, and

WHEREAS, opposition thereto by certain members of the Oklahoma Delegation does not reflect the will of the people of the State of Oklahoma,

NOW, THEREFORE, BE IT RESOLVED, by the Fourteenth Legislature of the State of Oklahoma, that we congratulate and commend the members of the Oklahoma delegation who stood and are now standing valiantly behind the President in his stand to reduce expenses of National Government, and,

BE IT FURTHER RESOLVED, by the Fourteenth Legislature that we deplore and censure the acts of certain Oklahoma Congressmen who saw fit to desert the President in his determined stand to bring the cost of government down to a basis commensurate with the income, and we further call upon said erring Congressmen from Oklahoma to reconsider their stand and that henceforth they back the President to the limit in his righteous cause of relief to the people from unjust and confiscatory taxation.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded immediately to the members of the Oklahoma Delegation in Congress in Washington, D. C.

Senator Nichols asked unanimous consent, which was granted, to add the name of Senator Lester, as a joint Senate author of Senate Concurrent Resolution No. 19.

Upon motion of Senator Nichols, Senate Concurrent Resolution No. 19, as amended, was adopted.

Senate Concurrent Resolution No. 19 was referred for engrossment.

Senator Thomas sent up the following Resolution which was read:



THE AMERICAN LEGION  
Weatherford Post No. 91,  
Weatherford, Okla.,  
March 7, 1933

WHEREAS, we recognize that in the present economic crisis our government and people are facing an emergency as serious as that of World War days of 1917; and,

WHEREAS, we still have confidence in the structure and flexibility of Government to bring order out of chaos; and,

WHEREAS, we have implicit faith in the leadership and courage of our new President, Franklin Delano Roosevelt, and his Cabinet and Congress; and,

WHEREAS, we were ready in 1917 to sacrifice all, as many of our comrades did, to the end that the principles of our Government might be perpetuated;

NOW, THEREFORE, BE IT RESOLVED by the American Legion Post No. 91, of Weatherford, of the Department of Oklahoma, through its committee appointed for that purpose, that we publicly express our implicit faith in the leadership of our President and all constituted authorities in the administration of our Government, both Federal and State, to the end that we will soon recover our equilibrium, and that we pledge the same patriotic support in the present emergency as we did in 1917.

(SIGNED) WEATHERFORD POST NO. 91,  
AMERICAN LEGION,  
DEPARTMENT OF OKLAHOMA.

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. 305,

by Batson, Gray, Blocker, Henderson, Leecraft, and Cox, entitled:

An Act amending Sections 10268, 10269, 10271, 10272, 10273, 10274, 10278, 10280, 10283, 10288, 10316, 10317, 10320, and 10232, Oklahoma Statutes 1931; defining motor vehicles, vehicles and other terms; levying license fees on such vehicles, when owned, 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, and that the same be referred to the Senate Standing Committee on Roads and Highways, as originally directed by the Senate.

WHITAKER, Chairman.

By unanimous consent, House Bill No. 305 was ordered referred to the Committee on Roads and Highways, for further consideration.

Mr. President: We, your Judiciary Committee, Division 2, to whom was referred Engrossed House Bill No. 395, by Whitford, entitled:

An Act providing for the working of county jail prisoners on public highways; allowing credit of two days time for each day's work; providing for supervision of such work; providing for the allowance of, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the original bill do not pass but that Judiciary Division No. 2, substitute therefor do pass.

CHAMBERLIN, Chairman.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Engrossed House Bill No. 460, by Broaddus and Shoemake, entitled:

An Act amending Section 6502, Oklahoma Statutes, 1931, providing for the amount of bond of judge, marshal and clerk in all cities having a population of 25,000 and less than 55,000 as shown by last Federal census or

any Federal census hereafter; 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 Committee Substitute therefor do pass.

CURNUTT, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 5, by Logan, entitled:

An Act making an appropriation from the general revenue fund to supplement the special common school equalization fund, and providing for the distribution of 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 not pass for the reason that the subject matter is contained in a House Bill which has already passed.

MacDONALD, Chairman.

Upon motion of Senator MacDonald, the adverse Committee Report on Senate Bill No. 5 was adopted.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 34, by Ritzhaupt, entitled:

An Act relating to the purchase of field and garden seed by the State Board of Agriculture, the distribution thereof to farmers and private gardeners who are financially unable to purchase the same; making an appropriation of one hundred thousand (\$100,000.00) dollars for the fiscal year ending June 30, 1933, and one hundred thousand (\$100,000.00) dollars for the fiscal year beginning July 1, 1933, to purchase field and garden seed; providing penalties for violation of the provisions 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 not pass for the reason that the

subject matter of said bill is contained in a House Bill which has already passed.

MacDONALD, Chairman.

Upon motion of Senator MacDonald, the adverse Committee Report on Senate Bill No. 34 was adopted.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 77, by Appropriations Committee, entitled:

A Bill to be entitled an Act making appropriations from the public building fund for additional buildings at the State Hospital for Negro Insane at Taft, and for repairs and equipment of certain other institutions; and directing the State Board of Public Affairs to proceed immediately to let contract for such building and equipment where the institution comes under their jurisdiction 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 for the reason that the subject matter is contained in a House Bill which has already passed.

MacDONALD, Chairman.

Upon motion of Senator MacDonald, the adverse Committee Report on Senate Bill No. 77 was adopted.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 107, by Stewart, Coppock, entitled:

An Act to provide for the control and destruction of predatory animals; making an appropriation therefor, and prescribing the manner of its expenditure in co-operation with the fish and game commission, repealing Sections 4865 to 4868, inclusive, Oklahoma Statutes 1931, 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.

MacDONALD, Chairman.



Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 122, by MacDonald, Memminger, Stewart, Commons, Chamberlin, Garvin, Carlile, Nichols, Pugh, Ray, Reed, Taylor, Fischl, and Clark, entitled:

An Act authorizing and directing the State Board of Public Affairs to establish, construct, equip, and maintain and operate a substation of the Oklahoma State Penitentiary in Atoka County, Oklahoma, the initial structures thereof to be on lands near Stringtown, Oklahoma, owned by the state of Oklahoma and validating the purchase of the said lands and the payment therefor out of the twine plant revolving fund of the Oklahoma state penitentiary, such substation to be used for prisoners sentenced to the Oklahoma state penitentiary at McAlester before the coming into effect of this Act, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass for the reason that the subject matter of said bill is contained in a House Bill which has already passed and been signed by the Governor.

MacDONALD, Chairman.

Upon motion of Senator MacDonald, the adverse Committee Report on Senate Bill No. 122 was adopted.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 128, by Thomas, entitled:

An Act providing that the salary of the president or principal of each of the six state teachers colleges of Oklahoma and Oklahoma College for Women, Chickasha, shall not exceed the sum of three thousand (\$3,000.00) dollars per annum, in addition to the usual and customary home; limiting the salary of all other instructors, teachers and employees of said 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 not pass.

MacDONALD, Chairman.

Upon motion of Senator MacDonald, the adverse Committee Report on Senate Bill No. 128 was adopted.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 142, by Stewart, Memminger, Nance, Chamberlin, Ritzhaupt, Curnutt, Briggs, Taylor, Pugh, Howard, Lester, Commons, of the Senate, and Childers, Blocker and Massey of the House, entitled:

An Act relating to the conduct of the regular and run-off statewide primary elections and the regular statewide general election, providing that the state shall pay for the printing of all ballots except county ballots and shall pay all other expenses of conducting said elections, making appropriations 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 as substituted and amended.

MacDONALD, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 193, by Curnutt, entitled:

An Act making an appropriation of five thousand dollars to pay Mrs. J. H. Tackett, of Fairfax, Oklahoma, for damages suffered by her by reason of the death of her husband, incurred in line of duty while in the employ of the State Highway Department 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 printed and placed on the calendar.

MacDONALD, Chairman.

Mr. President: We, your Committee on Appropri-

ations, to whom was referred Senate Bill No. 217, by Taylor of the Senate and Hogg of the House, entitled:

An Act making an appropriation of five thousand dollars to pay Mrs. Edna Dawkins of Cheyenne, Oklahoma, for damages suffered by her by reason of the death of her husband, incurred in line of duty while in the employ of the State Highway Department, 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 printed and placed on the calendar.

MacDONALD, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 243, by Stewart, entitled:

An Act making an appropriation of two thousand five hundred dollars to be expended in the development, consummation, inauguration and dedication of the Gulf Pacific Highway from Mississippi Sound to Puget Sound, and in the advertising 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 be printed and placed on the calendar.

MacDONALD, Chairman.

Mr. President: We, your Committee on Private Corporations, to whom was referred Senate Bill No. 291, by Moon, entitled:

An Act amending Section 9738 of Oklahoma Statutes, 1931, relating to corporations; repealing all laws 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.

DAUGHERTY, Chairman.

Mr. President: We, your Committee on Private

Corporations, to whom was referred Senate Bill No. 292, by Moon, entitled:

An Act amending Section 9730 of Oklahoma Statutes 1931, relating to articles of incorporation; repealing all laws 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 the Committee Substitute attached hereto do pass.

DAUGHERTY, Chairman.

Mr. President: We, your Committee on Private Corporations, to whom was referred Senate Bill No. 293, by Moon, entitled:

An Act amending Section 9725 of Oklahoma Statutes 1931, relating to corporations,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the Committee Substitute hereto attached do pass.

DAUGHERTY, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 337, by Chamberlin, Nance and Garvin, entitled:

An Act providing for an appropriation of ten thousand (\$10,000.00) dollars for the remainder of the fiscal year ending June 30th, 1933, and thirty-two thousand, five hundred (\$32,500.00) dollars for the fiscal year ending June 30th, 1934, and thirty-two thousand, five hundred (\$32,500.00) dollars for the fiscal year ending June 30th, 1935, for maintenance of Oklahoma orphan children who are not in state institutions; providing for the expenditure of the same by the State Board of Public Affairs on a per capita basis; and declaring an emergency,

beg leave to report that we had the same under consid-



eration and herewith return the same with the recommendation that it do pass.

MacDONALD, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 345, by Sowards, entitled:

An Act appropriation one thousand twenty-one dollars (\$1,021.00) to the Quapaw drainage district, in Lincoln County, Oklahoma, in payment of assessments and taxes due against land belonging to the State School Land Commission; 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 printed and placed on the calendar.

MacDONALD, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 346, by Sowards, entitled:

An Act appropriating one hundred seventy-one and 37/100 (\$171.37) dollars in favor of the Deep Fork drainage district in Lincoln County, Oklahoma, for its portion of maintenance charges for lands owned by the School Land Commission of the state of Oklahoma in said 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 be printed and placed on the calendar.

MacDONALD, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 1, Senate Joint Resolution No. 17, Senate Bills Nos. 108, 150, 158, 178, 234, 266, 269, 290, 304, 327 and 328, all, correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed

Senate Amendments to and Engrossed House Bill No. 1, as amended, and ordered it returned to the Honorable House.

### FIRST READING

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

SENATE BILL NO. 354—By NANCE of the Senate and MOONEY of the House.—An Act providing for additional compensation in excess of the annual salary of the County Commissioners of Cotton County; fixing their duties; repealing all Acts in conflict therewith and declaring an emergency.

SENATE BILL NO. 355—By NANCE.—An Act amending Section 10139, Oklahoma Statutes, 1931, providing that highways in the State may be constructed by labor supplied, on order of the County Commissioners of any county in this State, by those serving terms in the county jail of such county or, on order of the County Commissioners approved by the governing board of any city in such county, by those who are serving terms in the city jail of such city in such county; and declaring an emergency.

SENATE BILL NO. 356—By RITZHAUPT.—An Act requiring certain creditors of all persons who are injured or whose property is damaged by reason of any accident to file their notice of claims with the County Clerk of the county wherein the accident occurs, and providing that any person who pays out money in settlement for said injuries or property damages to notify all persons whose claims are on file of the proposed settlement five days before settlement is consummated, requiring the County Clerk to accept claims for filing, and declaring an emergency.

SENATE BILL NO. 357—By GARVIN.—An Act abolishing the county highway ad valorem tax levy in Jefferson County, Oklahoma and declaring an emergency.

SENATE BILL NO. 358—By NANCE.—An Act making an appropriation for the benefit of the "Union Graded or Consolidated School District Fund," 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. 348—By WALDREP.—Referred to Committee on Banks and Banking.

SENATE BILL NO. 349—By COPPOCK.—Referred to Committee on Appropriations.

SENATE BILL NO. 350—By LOGAN.—Referred to Committee on Banks and Banking.

SENATE BILL NO. 351—By WHITAKER.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 352—By CARMACK.—Referred to Committee on Agriculture.

SENATE BILL NO. 353—By SENATE COMMITTEE ON BANKS AND BANKING.—Referred to Committee on Banks and Banking.

ENGROSSED HOUSE BILL NO. 65—By MALORY.

Senator Nichols moved that the rules of the Senate be suspended and House Bill No. 65 be ordered placed upon the calendar, without reference to a Committee, which motion prevailed.

ENGROSSED HOUSE BILL NO. 165 — By SPEAR.—Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 516—By BATSON, LANDINGHAM, GRAY, CLOYD, LEECRAFT, WINGO, and BEAMAN.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 113 — By BROADDUS, SHOEMAKE, and MARTIN.—Referred to Committee on Revenue and Taxation.

THIRD READING

SENATE BILL NO. 150 was read for the third time at length.

Senator Briggs asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 150, Section 1, lines 18 and 19, by striking from said lines the words, "shall in the following years" and inserting the following: "is, in the following years, hereby authorized and empowered to"

BRIGGS.

Senator Curnutt asked unanimous consent, to which objections were voiced, to submit an amendment to Senate Bill No. 150.

Senator Curnutt moved that further consideration of Senate Bill No. 150 be deferred until the next legislative day.

Senator Paul, as a substitute, moved that the rules of the Senate be suspended for the purpose of considering the Curnutt amendment, which motion failed of adoption.

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

Upon motion of Senator Paul, the vote was reconsidered by which Senate Bill No. 150 was advanced to engrossment and third reading.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 150, by adding after the Briggs amendment, the following: "when a majority of the governing body of such municipal corporation so vote"

CURNUTT.

Senator Briggs moved that Senate Bill No. 150 be advanced to engrossment and third reading.



Senator Paul, as a substitute, moved that further consideration of Senate Bill No. 150 be set for Special Order at 4:00 p. m., on the next legislative day, which motion failed of adoption.

The vote occurring on the Briggs motion, it was declared adopted.

Senate Bill No. 150 was ordered referred for re-engrossment.

SENATE BILL NO. 178 was read for the third time at length.

Senator Curnutt moved that further consideration of Senate Bill No. 178 be indefinitely postponed.

Senator Chamberlin, as a substitute, moved that further consideration of Senate Bill No. 178 be postponed until the next legislative day, which motion prevailed.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Concurrent Resolution No. 19 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 19 and ordered it transmitted to the Honorable House for consideration.

### THIRD READING

SENATE BILL NO. 327 was read for the third time at length.

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

Ayes: Ballard, Briggs, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis.  
Total, 34.

Nay: Nance. Total, 1.

Not voting: Carmack, Garvin, Hutchinson, Powers, Rutherford, Taylor, Waldrep. Total, 7.

Excused: Carlile, Logan. 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: Ballard, Briggs, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 34.

Nay: Nance. Total, 1.

Not voting: Carmack, Garvin, Hutchinson, Powers, Rutherford, Taylor, Waldrep. Total, 7.

Excused: Carlile, Logan. 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, in open session, signed the engrossed copy of Senate Bill No. 327, and ordered the same transmitted to the Honorable House.

Senator MacDonald presiding.

SENATE BILL NO. 328 was read for the third time at length.

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

Ayes: Ballard, Briggs, Chamberlin, Clark Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Paul, Pugh, Ritzhaupt, Ruth-

erford, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Commons. Total, 1.

Not voting: Carmack, Daugherty, Hutchinson, Liggett, Moon, Nichols, Powers, Ray, Reed, Rizley, Sowards, Taylor, Thomas. Total, 13.

Excused: Carlile, Logan. Total, 2.

The Bill having received the constitutional majority 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. 328, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 290 was read for the third time at length.

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

Ayes: Ballard, Carmack, Chamberlin, Clark, Commons, Coppock, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Curnutt, Dixon. Total, 2.

Not voting: Briggs, Daugherty, Hutchinson, Liggett, Moon, Nance, Paul, Powers, Ray, Rizley, Sowards, Thomas. Total, 12.

Excused: Carlile, Logan. 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: Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald,

Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Not voting: Ballard, Briggs, Clark, Daugherty, Nance, Paul, Rizley, Sowards, Thomas. Total, 9.

Excused: Carlile, Logan. 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 Senate Bill No. 290, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 266 was read for the third time at length.

Upon motion of Senator Waldrep, further consideration of Senate Bill No. 266 was deferred until the next legislative day.

SENATE BILL NO. 304 was read for the third time at length.

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

Ayes: Carmack, Clark, Commons, Coppock, Currutt, Daugherty, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Fidler, Jennings, Liggett. Total, 3.

Not voting: Ballard, Briggs, Chamberlin, Dixon, Fischl, Nance, Paul, Waldrep. Total, 8.

Excused: Carlile, Logan. 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: Carmack, Clark, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Fidler, Jennings, Liggett. Total, 3.

Not voting: Ballard, Briggs, Chamberlin, Dixon, Fischl, Nance, Paul, Waldrep. Total, 8.

Excused: Carlile, Logan. 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 Senate Bill No. 304, and ordered the same transmitted to the Honorable House.

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: Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Wilbanks. Total, 30.

Nays: Memminger, Rutherford, Waldrep, Whitaker, Willis. Total, 5.

Not voting: Ballard, Briggs, Clark, Dixon, Fischl, Nance, Paul. Total, 7.

Excused: Carlile, Logan. 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: Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Wilbanks. Total, 30.

Nays: Memminger, Rutherford, Waldrep, Whitaker, Willis. Total, 5.

Not voting: Ballard, Briggs, Clark, Dixon, Fischl, Nance, Paul. Total, 7.

Excused: Carlile, Logan. 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 Senate Bill No. 158, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 234 was read for the third time at length.

Senator Johnston asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 234, lines 1 and 7, of Section 1, after the word, "city," and before the word, "town," strike the word "or" after the word, "town," and, after the word, "town," and before the words, "of," and "to," in lines 1 and 7, respectively, insert the words, "or township"

JOHNSTON.

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

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford,

Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 36.

Nay: Moon. Total, 1.

Not voting: Dixon, Fischl, Nance, Paul, Reed. Total, 5.

Excused: Carlile, Logan. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 36.

Nay: Moon. Total, 1.

Not voting: Dixon, Fischl, Nance, Paul, Reed. Total, 5.

Excused: Carlile, Logan. 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 question being, "Shall the title of the bill become the title of the Act?" Senator Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 234, line 3, after the word, "city," strike the words, "or town," and insert the words, "town or township"

JOHNSTON.

Senate Bill No. 234 was ordered referred for re-engrossment.

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: Briggs, Carmack, Clark, Commons, Coppock, Curnutt, Fidler, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Ballard, Daugherty, Jennings. Total, 3.

Not voting: Chamberlin, Dixon, Fischl, Nance, Paul, Reed, Stewart, Taylor. Total, 8.

Excused: Carlile, Logan. 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: Briggs, Carmack, Clark, Commons, Coppock, Curnutt, Fidler, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Ballard, Daugherty, Jennings. Total, 3.

Not voting: Chamberlin, Dixon, Fischl, Nance, Paul, Reed, Stewart, Taylor. Total, 8.

Excused: Carlile, Logan. 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 Senate Joint Resolution No. 17, and ordered the same transmitted to the Honorable House.



SENATE BILL NO. 108 was read for the third time at length.

Senator Coppock asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 108, line 15, page 2, by inserting after the word, "that," and before the word, "no," the following: "in counties where the voters shall have voted adverse thereto"

COPPOCK.

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

Ayes: Ballard, Chamberlin, Clark, Coppock, Fidler, Hutchinson, Johnston, Lester, Liggett, Morrison, Powers, Pugh, Reed, Ritzhaupt, Stewart, Waldrep, Whitaker, Willis. Total, 18.

Nays: Briggs, Carmack, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Jennings, MacDonald, Memminger, Nichols, Sowards, Stacey, Taylor. Total, 15.

Not voting: Dixon, Moon, Nance, Paul, Ray, Rizley, Rutherford, Thomas, Wilbanks. Total, 9.

Excused: Carlile, Logan. 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 Coppock served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 108 failed of passage.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 o'clock, a. m., Tuesday, March 14th, 1933.

## FIFTY-SECOND LEGISLATIVE DAY

Tuesday, March 14, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President, who announced, on account of Committee meetings, the Senate would recess, to meet at 1:30 p. m.

### AFTERNOON SESSION

The Senate reassembled, at 1:30 p. m., with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Logan. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 179—By GRAHAM, entitled:

An Act amending Sections 12019, 12020, 12021, 12022, and 12024, and repealing Section 12027, Oklahoma Statutes 1931; providing for inmates of the Oklahoma

State Soldiers' Home to pay certain fee to the home where they receive income and declaring an emergency.

ENGROSSED HOUSE BILL NO. 550—By COPELAND and SMALLEY, entitled:

An Act amending Section 2250 Compiled Oklahoma Statutes 1931 relating to kidnaping for ransom; prescribing the punishment therefor 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.

Respectfully,

R. M. McCool, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 179 and 550.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 532—By FITZGERALD, ABERNATHY (Harmon), ALBRIGHT, ARMSTRONG, BABB, BEARD, BENNETT, MARSHALL, BOYER, BRAZELL, CHAMBERS, COE, DOUTHAT, GLEN, GRAHAM, GRAY, HART, HILL, JOHNSON (Osage), KENAN, KIRKPATRICK, LANDINGHAM, LINDSEY, LOGSDON, LOWRANCE, MASSEY, MISENHEIMER, PARKS, PAXTON, PHILLIPS (Atoka), RAWLS, STRICKLAND (Marshall), STURGELL, TIMMONS, TURNER, WOOTEN and WORTHINGTON, GARLAND, KING (Creek), REMUND, SMALLEY and CONNER, entitled:

An Act to provide for the regulation, control and licensing of horse racing within the state of Oklahoma, to create an Oklahoma Racing Commission, and to prescribe its powers and duties, to provide for the license

fees to be charged for the conduct of horse racing within the state of Oklahoma to provide for the pari-mutual or certificate system of wagering, providing exemptions and penalties, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 532.

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE BILL NO. 228—By PHILLIPS (Atoka), WORTHINGTON and PAXTON, entitled:

An Act authorizing and directing the State Board of Public Affairs to establish, construct, equip and maintain and operate a substation of the Oklahoma state penitentiary in Atoka County, Oklahoma, the initial structures thereof to be on lands near Stringtown, Oklahoma, owned by the state of Oklahoma and validating the purchase of the said lands and the payment therefor out of the twine plant revolving fund of the Oklahoma state penitentiary, such substation to be used for prisoners sentenced to the Oklahoma state penitentiary at McAlester before the coming into effect of this Act and prisoners sentenced to the said penitentiary after the coming into effect of this Act whom the said board shall believe should not be confined in the said penitentiary at McAlester because of their respective types or because of their respective general conditions, especially those in tubercular condition or having other contagious



diseases, and such other prisoners as the said board shall deem it expedient to have cared for in the said substation; especially authorizing said board to use the labor of the prisoners in constructing and equipping and maintaining and operating the said substation; appropriating money from the Oklahoma state penitentiary revolving fund and from said penitentiary twine plant revolving fund for use in establishing, constructing, equipping and in maintaining and operating said substation; repealing the parts of House Bill No. 240 enacted by the Thirteenth Legislature which appropriated \$115,000.00 out of the general revolving fund and \$115,000.00 out of the twine plant revolving fund of the Oklahoma state penitentiary for use for construction of additional cell houses or additions to cell houses or for the establishing of substations and camps wherever prisoners may be most profitably used; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 228 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

#### 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 Fish and Game, to whom was referred Senate Bill No. 89, by Coppock and Fischl of the Senate and Stewart and Massey of the House, entitled:

An Act amending Section 2, Chapter 45, Session Laws of Oklahoma of 1925, and amending Section 2 of Chapter 27, Session Laws of Oklahoma of 1929, relating to Fish and Game Commission, fixing salaries of com-

missioners and providing for no salaries for commissioners 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 placed on the calendar without recommendation.

HOWARD, Chairman.

Senator Stacey submitted the following Majority Committee Report:

Mr. President: We, your Committee on Judiciary No. 2, to whom was referred House Bill No. 171, by Cline, et al, entitled:

An Act providing for the method of sale of property in mortgage, mechanics' lien or other lien foreclosures and on execution; providing for redemption of property by debtor, redemption by certain creditors of debtors; providing for issuance of certificates of purchase and of sheriff's deed; specifying terms, time and mode of redemption; providing for, etc., beg leave to report that we did not consider the same and herewith return the same with the recommendation that it do NOT pass.

STACEY, Vice Chairman.

Senator Stacey submitted the following Minority Committee Report:

#### MINORITY REPORT—By STACEY

Mr. President: I herewith set forth the actual facts in regard to the alleged hearing on House Bill No. 171. A special hearing had been arranged on the morning of March 10, to hear a discussion of this bill by the opponents thereof. About twelve or fifteen representatives of Loan companies appeared before the Committee for that purpose. The following members of the committee were present:

Stacey, Vice Chairman; Commons, Fischl, Memminger, Morrison, Waldrep and Rizley.

The first speaker in opposition to the bill had talked

about three minutes, when Senator Waldrep made a motion that in order to save time we report that this bill "DO NOT PASS." As acting chairman of the committee I put that motion and it was carried. This ended the hearing. Because of the fact that there was no discussion of the bill by the committee I file this minority report. This is a House Bill and dealing with a very important subject.

I am strongly of the opinion that when one House of the Legislature passes a bill and it comes before a committee of the other House decent respect for the opinion of the House originally passing the bill entitles it to an intelligent hearing and courteous treatment. For the foregoing reasons I recommend that House Bill No. 171 be printed and placed on the Calendar for consideration by the Senate.

STACEY.

Senator Stacey moved the adoption of the Minority Committee Report, on House Bill No. 171.

Senator Waldrep, as a substitute, moved that the Majority Committee Report on House Bill No. 171 be adopted.

Senator Curnutt, in lieu of all pending motions, moved that House Bill No. 171 be re-referred to Judiciary Committee No. 2, for further consideration.

Senator Stacey moved to table the Curnutt motion, which motion failed of adoption.

The vote occurring on the Curnutt motion, it was declared adopted.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 150 and 234 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed

Senate Bill No. 234 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. 359—By STEWART and MacDONALD.—An Act making a re-appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the permanent Journals and Session Laws, together with other expenses of the regular session of the Fourteenth Legislature, providing for the closing of the business of the two Houses of said session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, and declaring an emergency.

SENATE BILL NO. 360—By REED of the Senate and JONES of the House.—An Act providing that the council of all cities not operating under a charter shall be composed of one councilman from each ward, providing for their nomination and election, and fixing their terms of office, repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 21—By MacDONALD, HUTCHINSON, WHITAKER, WILBANKS, CURNUTT, MEMMINGER, NANCE, RAY, FISCHL, and PAUL of the Senate; and REMUND, EBY (Tulsa), BOYER, JOHNSON (Osage), SULLIVAN, CLOYD, OTTESEN, KIRKPATRICK, TIMMONS, WRIGHT, DANIEL, ARMSTRONG, BATSON, PAXTON of the House.—A Resolution authorizing the Governor to appoint and commission Charles F. Barrett, the Adjutant General, as Lieutenant General without additional pay or emolument.

SENATE JOINT RESOLUTION NO. 22—By WILBANKS of the Senate and DARKS of the House.—A Joint Resolution authorizing one Harold Wright, a



former inmate of the State Penitentiary at McAlester, Oklahoma, now a resident of Holdenville, Oklahoma, to bring suit against the State of Oklahoma in the District Court in Hughes County to determine the amount of damages, if any, sustained by him by reason of an accident which occurred while he was performing duties assigned to him by the Warden of said Penitentiary, and declaring an emergency.

SECOND READING

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

SENATE BILL NO. 354—By NANCE of the Senate and MOONEY of the House.

By unanimous consent, Senate Bill No. 354 was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 355—By NANCE.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 356—By RITZHAUPT.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 357—By GARVIN.

Senator Garvin asked unanimous consent, which was granted, to have Senate Bill No. 357 placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 358—By NANCE.

Senator Nance asked unanimous consent, which was granted, to have Senate Bill No. 358 placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 154—By MARTIN, BROADDUS, and SHOEMAKE.—Referred to Committee on Drugs and Pure Foods.

ENGROSSED HOUSE BILL NO. 185—By SHOEMAKE.—Referred to Committee on Printing.

ENGROSSED HOUSE BILL NO. 517—By DANIEL, HENDERSON, WHITFORD, CAVINS, O'NEILL and GLEN.—Referred to Committee on Fees and Salaries.

ENGROSSED HOUSE BILL NO. 618—By EBEY of Pontotoc and STRICKLAND of Pontotoc.

Senator Nichols asked unanimous consent, which was granted, to have House Bill No. 618 placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 481—By HOLIMAN, HAILE, WATSON and PHILLIPS (Okfuskee) of the House, and GARVIN, WALDREP and WILBANKS of the Senate.—Referred to Committee on Oil and Gas.

ENGROSSED HOUSE BILL NO. 4—By DANIELS, MARSHALL, BUSHYHEAD, KING (Coal), McELHANEY, HART, PALMER, LEECRAFT, HINDS, SULLIVAN, TURNER, SINGLETON, EASON, GLEN, HAILE, BEAVER, OTTESEN, JONES, MOONEY, MORSE, GARLAND, MISENHEIMER, WAGNER, BEAMAN, KING (Creek), HOGG, HUTCHINGS, DARKS, SPEAR, CAVINS, PHILLIPS (Atoka), GRAY, CAVITT, MALLORY, CONNER, HUGHES, BEAVER and PARKS.—Referred to Committees on Revenue and Taxation and Insurance.

ENGROSSED HOUSE BILL NO. 621—By LOWRANCE, HOGG, JONES, RAWLS, MALLORY, EBEY (Pontotoc), BEAVER, HENDERSON, TODD, MOONEY, JOHNSON (Comanche), BENNETT, HUGHES, ALBRIGHT, TURNER, and SULLIVAN of the House.

Referred to Committee on Livestock and Tenant Farming.

ENGROSSED HOUSE BILL NO. 483—By HOLIMAN, HAILE, PHILLIPS (Okfuskee) of the House and GARVIN, WALDREP and WILBANKS of the Senate.—Referred to Committees on Oil and Gas and Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 199—By TODD, JONES, COLLINS, MALLORY.—Referred to Judiciary Committee No. 1.

THIRD READING

By unanimous consent, Third Reading of Senate Bills was deferred for this legislative day.

GENERAL ORDER

SENATE BILL NO. 285, by Garvin, was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Garvin.

Senator Waldrep submitted the following amendment, which was ruled out of order, on a point of order raised by Senator Morrison, who stated the amendment not germane to the bill:

Mr. President: I move to amend Senate Bill No. 285, line 7, page 2, by adding a new section, to be known as Section 2 and renumbering Section 2 as Section 3, said new section to read as follows: "Section 2. The said Highway Commission is hereby authorized and empowered to use any funds in the Highway Construction and Maintenance Funds of said State for the purpose of paying and re-imbursing Pottawatomie County, Oklahoma, for what is known as the Asher Bridge on State Highway No. 18, at and near Asher, which said bridge is over and across the south Canadian River and constitutes a part of Highway No. 18, and which said bridge has been by the Highway Department of the State appropriated to its own use and which said bridge was constructed wholly by Pottawatomie County, Oklahoma, and said sum so authorized to be expended for said purpose is the sum of \$150,000.00."

WALDREP.

Senator Ballard moved that further consideration of Senate Bill No. 285 be indefinitely postponed, which motion was tabled, upon motion of Senator MacDonald.

Upon motion of Senator Garvin, Senate Bill No. 285 was advanced to engrossment and third reading.

Upon motion of Senator Garvin, the rules of the Senate were suspended and Senate Bill No. 285 was con-

sidered engrossed and placed upon third reading and final passage.

Senator Chamberlin presiding.

SENATE 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: Carlile, Carmack, Chamberlin, Clark, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Stacey, Taylor, Waldrep, Whitaker, Willis. Total, 23.

Nays: Ballard, Coppock, Curnutt, Hutchinson, Jennings, Liggett, Memminger, Powers, Ritzhaupt, Wilbanks. Total, 10.

Not Voting: Briggs, Commons, Dixon, Fidler, Ray, Rizley, Rutherford, Sowards, Stewart, Thomas. Total, 10.

Excused: Logan. Total, 1.

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 Nichols, Section 2, being the emergency section, was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 285, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

NICHOLS.

Senate Bill No. 285, as amended, was ordered referred for engrossment.

Senator MacDonald moved that the vote by which SENATE BILL NO. 32, by Ballard, Ritzhaupt, et al, was indefinitely postponed, be reconsidered, which motion prevailed.



SPECIAL ORDER

SENATE BILL NO. 151, by Daugherty and Fischl, was taken up for Special Consideration.

Section 1 was read.

Senator Curnutt submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 151, line 7, page 2, by striking the word, "without," and inserting the word, "with"

CURNUTT.

Upon motion of Senator Fischl, Section 1 was adopted.

Sections 2, 3, 4, 5 and 6 were read and adopted, upon motions of Senator Fischl.

Section 7 was read.

Senator Jennings submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 151, line 10, page 11, by striking after the word, "of," and before the word, "Thousand," in line 11, and inserting the following: "Two Hundred and Fifty"

JENNINGS.

Upon motion of Senator Fischl, Section 7, as amended, was adopted.

Sections 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 were read and adopted, upon motions of Senator Fischl.

Section 18 was read.

Senator Curnutt submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 151, lines 15 and 16, page 20, by striking after the word "semi-annually" and before the word "Receipts," and inserting the words "or annually."

CURNUTT.

Senator Curnutt submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No.

151, line 11, page 20, by adding after the word "insurance" the words: "to be approved by the State Insurance Board."

CURNUTT.

Upon motion of Senator Fischl, Section 18, as amended, was adopted.

Section 19 was read.

Senator Waldrep submitted the following amendment, which was tabled upon motion of Senator Reed:

Mr. President: I move to amend Senate Bill No. 151, line 6, page 21, by striking after the word "Fund," the remainder of the Section.

WALDREP.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 151, lines 4 and 5, page 21, by striking the words "counties, cities, towns and townships."

CURNUTT.

Senator Reed raised a point of order against the Curnutt amendment, which was overruled, stating the amendment was identical with the Waldrep amendment.

Senator Reed moved to table the Curnutt amendment, which motion prevailed.

Senator Moon submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 151, line 9, page 21, by adding after the word "made," the following: "but any county, city, town or township may carry its own insurance."

MOON.

Senator Moon submitted the following amendment, which was adopted:

Mr. President: I move to amend the Moon amendment, by adding the following: "provided such municipality shall have made an appropriation of funds to take care of such premiums."

MOON.

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By unanimous consent, the Moon amendment, as amended, was adopted.

Upon motion of Senator Fischl, Section 19, as amended, was adopted.

Senator Moon asked unanimous consent, which was granted, to submit the following amendment to Section 18, which was adopted:

Mr. President: I move to amend Senate Bill No. 151, line 16, page 20, by inserting after the word "prescribed" and before the word "by" the following: "by general rule or regulation applicable to all insurers alike".

MOON.

Sections 20 and 21 were read and adopted, upon motions of Senator Fischl.

Section 22 was read.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 151, line 11, page 23, by adding after the word "of" and before the word "Fifty," the words "One Hundred and", and by adding after the word "the" and before the word "Fifty" line 14, page 23, the words "One Hundred and."

JENNINGS.

Senator Memminger, as a substitute, submitted the following amendment, which was tabled, upon motion of Senator Ritzhaupt:

Mr. President: I move to amend Senate Bill No. 151, by striking Section 22.

MEMMINGER.

The vote occurring on the Jennings amendment, it was declared adopted.

Upon motion of Senator Fischl, Section 22, as amended, was adopted.

Section 23 was read and adopted, upon motion of Senator Fischl.

Senator Briggs asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 151, line 17, page 23, by inserting after the word "shall" and before the word "become," the word "not" and on line 18, page 23, by striking the words "from and after" and inserting the words "prior to".

BRIGGS.

Senator Fischl moved that Senate Bill No. 151, as amended, be advanced to engrossment and third reading.

Senator MacDonald, as a substitute, moved that further consideration of Senate Bill No. 151 be indefinitely postponed.

Senator Nance moved to table the MacDonald motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Chamberlin, Coppock, Daugherty, Dixon, Fischl, Jennings, Johnston, Lester, Morrison, Nance, Paul, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas. Total, 19.

Nays: Carlile, Carmack, Curnutt, Fidler, Garvin, Howard, Liggett, MacDonald, Memminger, Moon, Nichols, Powers, Pugh, Stewart, Waldrep, Whitaker, Willis. Total, 17.

Not voting: Ballard, Clark, Commons, Hutchinson, Rizley, Rutherford, Wilbanks. Total, 7.

Excused: Logan. Total, 1.

The vote occurring on the Fischl motion, it was declared adopted.

Senator Nichols asked unanimous consent to take up for consideration, HOUSE BILL NO. 65, by Mallory.

Section 1 was read.

Senator Nance submitted the following amendment, which was adopted:



Mr. President: I move to amend House Bill No. 65, line 3, page 2, by striking after the colon, the rest of line 3, all of lines 4 and 5, and the word "month" in line 6, and inserting the following: "all those soldiers and widows over ninety years of age shall receive \$50.00 per month, those soldiers and widows over seventy years and under ninety years of age shall receive not to exceed \$27.00 per month."

NANCE.

Senator Howard submitted the following amendment, which failed of adoption:

Mr. President: I move to amend House Bill No. 65, line 2, page 2, by striking the word and figures "June 20, 1910," and inserting the word and figures "June 30, 1915."

HOWARD.

Senator Fischl submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 65, line 14, page 3, by adding after the word "insane," the following: "provided that the Superintendent of the Confederate Home at Ardmore may aid inmates thereof, in the use and disposition of their pensions and in the event of the death of any inmate leaving funds in the hands or under the control of the Superintendent, such funds shall be used to pay funeral expenses of such inmates."

FISCHL.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 65, line 3, page 2, by inserting after the word "pension," the words "payable monthly."

WHITAKER.

Senator Howard submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No.

65, line 2, page 2, by striking the word and figures "June 30, 1910," and inserting the word and figures "June 30, 1914."

HOWARD.

Senator Wilbanks submitted the following amendment, which failed of adoption:

Mr. President: I move to amend House Bill No. 65, line 16, page 2, by striking after the word "of" the remainder of said line, all of lines 17 and 18 before the word "Providing" and substitute the following: "eight hundred (\$800.00) dollars, or an income in excess of two hundred (\$200.00) dollars per annum."

WILBANKS.

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

Upon motion of Senator Nichols, House Bill No. 65 was advanced to engrossment and third reading.

#### MESSAGE

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

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 1—By BATSON, LEECRAFT and LANDINGHAM.

An Act providing for relief from ad valorem taxation by levying an annual normal tax and a surtax upon the net income of individuals, corporations, estates and trusts; by levying an annual tax on National Banking Associations, State Banks and Trust Companies, according to or measured by their net incomes, authorized by method four (4) of Section 5219, U. S. Revised Statutes, as amended, relating to

National Banking Associations, and complying therewith; providing for the disposition of the revenues arising hereunder; prescribing the rates of such taxes herein levied and defining terms; providing for specific exemptions to individual taxpayers; exempting religious, charitable, eleemosynary, educational, benevolent, fraternal, and other corporations or organizations not organized for profit; providing for the computation and collection of such taxes by the Oklahoma Tax Commission and empowering said Commission to enforce this Act and to prescribe and enforce rules and regulations in relation thereto; defining the powers of said Commission in the collection of additional and delinquent taxes and prescribing penalties for the violation of this Act; requiring returns by taxpayers and prescribing how the same shall be prepared and filed; making such taxes and penalties a lien on taxpayers' property, and for the enforcement thereof; requiring persons paying income to individuals to report same to said commission; providing in certain cases, for withholding such taxes at the source and providing method of payment; providing a local remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable; repealing Sections 12370, 12371 and all of Articles 6 and 15 of Chapter 66, Oklahoma Statutes, 1931, and all other laws in conflict herewith; and for other purposes; and declaring an emergency, and asks for a conference thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Whitaker moved that the request of the Honorable House, for a conference on Engrossed House Bill No. 1, as amended by the Senate, be granted and the Presiding Officer appoint five Senate conferees thereunder.

The Whitaker motion prevailed and the Chair ap-

pointed as Senate conferees under Engrossed House Bill No. 1, Senators Whitaker, Nichols, Johnston, Commons and Garvin.

#### GENERAL ORDER

Senator Nance asked unanimous consent, which was granted, to take up for consideration, SENATE BILL NO. 337, by Chamberlin, Nance and Garvin.

Section 1 was read.

President Burns presiding.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 337, line 3, page 1, by striking the word, "ten," and inserting the word, "five;" line 2, page 2, by striking the words, "Thirty-two Thousand Five Hundred," and inserting the words, "Twenty Thousand;" lines 3 and 4, page 2, by striking the words, "Thirty-two Thousand Five Hundred," and inserting the words, "Twenty Thousand;" and in line 7, page 2, by inserting after the word, "maintenance," the words, "or supervision"

#### CHAMBERLIN.

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

Section 2 was read.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 337, line 10½, page 2, by inserting the following: "upon the approval of the governor;" line 14, page 2, by striking after the word, "shelter," the word, "and," and inserting a comma (,) after the word, "shelter," and adding the words, "supervision or;" and by amending the title of the bill to conform with adopted amendments.

#### CHAMBERLIN.



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Upon motion of Senator Chamberlin, Section 2, as amended, was adopted.

Upon motion of Senator Chamberlin, Senate Bill No. 337, as amended, was advanced to engrossment and third reading.

Senator MacDonald asked unanimous consent, which was granted, to have the following telegram read and incorporated in the record:

“TYLER TEXAS 904 A MAR 14 1933  
GOVERNOR WILLIAM H MURRAY, PERSONAL:  
IF THE LEGISLATURE WILL IMMEDIATELY  
PASS A DRASTIC PRORATION LAW WITH  
TEETH IN IT AND THEREBY GIVE THE COR-  
PORATION COMMISSION ADEQUATE PRORA-  
TION LAWS TO ENFORCE WE WILL HAVE ONE  
DOLLAR OIL WITHIN NINETY DAYS STOP THE  
WHOLE PRICE STRUCTURE OF THE OIL INDUS-  
TRY IS NOW WAITING ON THE LEGISLATURES  
OF OKLAHOMA AND TEXAS TO PASS ADE-  
QUATE PRORATION LAWS STOP IT IS IMPERA-  
TIVE THAT THIS LEGISLATION BE ENACTED  
IMMEDIATELY IF THE OIL INDUSTRY IS TO  
SURVIVE.

(SIGNED) J K WELLS.”

#### 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 Revenue and Taxation, to whom was referred Senate Bill No. 229, by Ballard and Moon, entitled:

An Act amending Section 12503, Compiled Oklahoma Statutes, 1931, being Section 6, Chapter 66, Session Laws, 1931, relating to deductions from gross income and other purposes; 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, for the reason that the subject matter is covered by another bill that has already passed both Houses.

WHITAKER, Chairman.

Upon motion of Senator Whitaker, the adverse Committee Report on Senate Bill No. 229 was adopted.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 230, by Ballard and Moon, entitled:

An Act amending Section 12,505, Compiled Oklahoma Statutes, 1931, being Section 8, Chapter 66, Session Laws of 1931, relating to exemptions from the net income tax, and other purposes, 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, for the reason that the subject matter is covered by another bill that has already passed both Houses.

WHITAKER, Chairman.

Upon motion of Senator Whitaker, the adverse Committee Report on Senate Bill No. 230 was adopted.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 317, by Ritzhaupt, entitled:

An Act exempting gasoline used in motor vehicles owned and operated by school districts from the payment of excise tax on gasoline; 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.

WHITAKER, Chairman.

Senator Whitaker moved the adoption of the adverse Committee Report on Senate Bill No. 317.

Senator Ritzhaupt moved that, notwithstanding the adverse Committee Report on Senate Bill No. 317, the

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bill be printed and placed upon the calendar, which motion prevailed.

Upon motion of Senator MacDonald, the Senate adjourned, to meet at 10:00 o'clock, a. m., Wednesday. March 15th, 1933.

## FIFTY-THIRD LEGISLATIVE DAY

Wednesday, March 15, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon motion of Senator Nance, 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 presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 43.

Excused: Logan. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### MESSAGES

The following Message from the Governor was received and read:

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

Gentlemen:

The Institution Bill passed the House in February. Conditions since that time and since the making of the budget have arisen that require changes in this Bill, and also in the other Bill for official salaries.

It is double work for me to have to go over these matters with a separate committee and repeat the same



to a committee of the House and then one of the Senate. It doubles the hearing and the time all around.

I therefore urged that the Senate and the House each select a strong committee of conferees on these two Appropriation Bills, and let there be a hearing before this joint committee of both Houses; and then, when they agree, the two Houses can quickly agree to their report or suggest such amendments as they see fit. This, in the end, will prove more satisfactory, take less time from the Governor and others who are interested, and one committee for both Bills could harmonize the appropriations and make them both more nearly conform to the actual conditions and requirements of the hour.

I ask that this be done today, that I may present to them some matters and things essentially necessary for consideration in the matter of appropriation.

Respectfully submitted,

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator MacDonald moved that the Senate Conference Committee appointed, under Engrossed Senate Bill No. 27, by MacDonald, be designated to consider, also, Engrossed House Bill No. 20, by Martin, which motion prevailed.

Upon motion of Senator MacDonald, the names of Senators Stewart and Commons were added as members of the Senate Conference Committee under Engrossed Senate Bill No. 27, the Secretary of the Senate being instructed to so notify the Honorable House.

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

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to inform you, and, through you, the Honorable Senate,

that the Speaker has substituted Mr. Martin in lieu of Mr. Singleton as one of the House Conferees on:

ENGROSSED SENATE BILL NO. 27—By MacDONALD, 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 30, 1934, and June 30, 1935, by functions of each department in accordance with the budget classification adopted by the Governor.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the Speaker has appointed: LEECRAFT, BATSON, LINDSEY, LANDINGHAM, and HAILE, as conferees on—

ENGROSSED HOUSE BILL NO. 1—By BATSON, LEECRAFT and LANDINGHAM.

An Act providing for relief from ad valorem taxation by levying an annual normal tax and a surtax upon the net income of individuals, corporations, estates and trusts; by levying an annual tax on national banking associations, state banks and trust companies, according to or measured by their net incomes authorized by method four (4) of Section 5219, U. S. Revised Statutes, as amended, relating to national banking associations, and complying therewith; providing for the disposition of the revenue arising hereunder; prescribing the rates of such taxes herein levied and defining terms; providing for specific exemptions to individual taxpayers; exempting religious, charitable, eleemosynary, educational, benevolent, fraternal, and other corporations or organizations not organized for profit; providing for the com-

putation and collection of such taxes by the Oklahoma Tax Commission and empowering said Commission to enforce this Act and to prescribe and enforce rules and regulations in relation thereto; defining the powers of said Commission in the collection of additional and delinquent taxes and prescribing penalties for the violation of this Act; requiring returns by taxpayers and prescribing how the same shall be prepared and filed; making such taxes and penalties a lien on taxpayers property, and for the enforcement thereof; requiring persons paying income to individuals to report same to said Commission; providing in certain cases, for withholding such taxes as the source and providing method of payment, providing a legal remedy for aggrieved taxpayers, declaring the provisions of this Act to be severable; repealing Sections 12370, 12371 and all of Articles 6 and 15 of Chapter 66, Oklahoma Statutes, 1931, and all other laws in conflict herewith; and for other purposes; and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 151 correctly engrossed.

#### FIRST READING

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

SENATE BILL NO. 361—By PUGH.—An Act regulating the salary of county officers in counties having certain populations.

SENATE BILL NO. 362—By MEMMINGER.—An Act amending Section 12674, Oklahoma Statutes, 1931, with reference to the time and manner of filing and certifying estimates with the County Excise Board; pro-

viding a penalty for failure to file said estimates within the time specified; and declaring an emergency.

SENATE BILL NO. 363—By CARMACK.—An Act appropriating \$2,500.00 out of the revolving fund of the Oklahoma State Reformatory, at Granite, Oklahoma, to be used as a cash emergency fund for said institution, providing for the replenishment thereof, and declaring an emergency.

SENATE BILL NO. 364—By BALLARD (By Request).—An Act amending Section 731, Oklahoma Statutes, 1931, relating to the writ of mandamus and the issuance thereof; and declaring an emergency.

SENATE BILL NO. 365—By JOHNSTON.—An Act establishing procedure and extending the remedy as to the right of cities and the inhabitants thereof to bring suit for pollution of water supply and the source thereof, and amending Chapter 38 of the Session Laws of 1927, further appearing as Section 6071 of the Oklahoma Statutes of 1931, and declaring an emergency.

SENATE BILL NO. 366—By MOON.—An Act relating to the duties and compensation of members of the Board of County Commissioners of all counties in the state having a population between 65,000 and 77,500, according to the last preceding Federal Census, providing compensation in lieu of expenses incurred by county commissioners where township government has been or may be abolished, authorizing the compensation for said duties, and providing the method and means for payment and the fund from which said compensation shall be paid, repealing all Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 367—By NICHOLS, PAUL, CHAMBERLIN, and WALDREP.—An Act providing for the payment of paving or improvement taxes by the paving or improvement bonds issued therefor by any city or town in the State of Oklahoma, and providing for the discharge of the paving or improvement tax lien on



such property, to the extent of such bonds, tendered in payment of the same, and providing for the issuance of a receipt therefor by the clerk of such city or town, and the cancellation of such bonds so delivered, and providing that in case such tax is delinquent and in the hands of the County Treasurer for collection, when such receipt is presented to the County Treasurer he shall enter a satisfaction of such delinquent taxes on his record, providing that if any part of the Act is for any reason declared void, such invalidity shall not affect the validity of the remaining portions of the Act, and repealing all laws or parts of laws in conflict therewith, and declaring an emergency.

SENATE BILL NO. 368—By BALLARD and MacDONALD.—An Act amending Senate Bill No. 76 Session Laws of 1933 relating to the foreclosure of mortgages and other liens upon real estate; and for other purposes; and declaring an emergency.

SENATE BILL NO. 369—By RITZHAUPT.—An Act appropriating one thousand dollars (\$1,000.00) for the Oklahoma State Bureau of Criminal Identification and Investigation and authorizing use thereof in purchasing equipment for said department, 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. 359—By STEWART and MacDONALD.

Senator MacDonald asked unanimous consent, which was granted, to place Senate Bill No. 359 upon the calendar, without reference to a Committee.

SENATE BILL NO. 360—By REED of the Senate and JONES of the House.—Referred to Committee on Municipal Corporations.

SENATE JOINT RESOLUTION NO. 21—By Mac-

DONALD, HUTCHINSON, WHITAKER, WILBANKS, et al., of the Senate; and REMUND, et al., of the House.

By unanimous consent, Senate Joint Resolution No. 21 was ordered placed upon the calendar, without reference to a Committee.

SENATE JOINT RESOLUTION NO. 22—By WILBANKS of the Senate and DARKS of the House.—Referred to Judiciary Committee No. 1.

ENGROSSED HOUSE BILL NO. 550—By COPELAND and SMALLEY.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 179—By GRAHAM.—Referred to Committee on Soldiers' Relief.

ENGROSSED HOUSE BILL NO. 532—By FITZGERALD, ABERNATHY (Harmon), ALBRIGHT, et al.

Senator Commons moved that House Bill No. 532 be ordered placed upon the calendar, without reference to a Committee.

Senator Fischl, as a substitute, moved that further consideration of House Bill No. 532 be indefinitely postponed, which motion, by unanimous consent, he withdrew.

Senator Pugh, as a substitute, moved that House Bill No. 532 be referred to Judiciary Committee No. 2, which motion was tabled, upon motion of Senator MacDonald.

The vote occurring on the Commons motion, it was declared adopted.

### THIRD READING

Senator MacDonald moved that the vote be reconsidered by which SENATE BILL NO. 151, by Daugherty and Fischl, was advanced to engrossment and third reading, which motion prevailed.

Senator MacDonald moved that the vote be reconsidered by which Section 22, as amended, was adopted.

President Pro Tempore Stewart presiding.

Senator Jennings, as a substitute, moved that further consideration of Senate Bill No. 151 be indefinitely postponed.

Senator Ritzhaupt moved to table the Jennings motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Johnston, Lester, MacDonald, Memminger, Morrison, Reed, Ritzhaupt, Stacey, Thomas, Whitaker, Wilbanks. Total, 20.

Nays: Clark, Curnutt, Fidler, Jennings, Liggett, Moon, Nichols, Pugh, Ray, Stewart, Taylor, Waldrep, Willis. Total, 13.

Not Voting: Coppock, Dixon, Howard, Hutchinson, Nance, Paul, Powers, Rizley, Rutherford, Sowards. Total, 10.

Excused: Logan. Total, 1.

The vote occurring on the MacDonald motion, it was declared adopted.

Senator MacDonald submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 151, line 11, page 23, by striking the words, "One Hundred and Fifty Thousand" and inserting the words, "Twenty-five Thousand"; and by striking the words, "One Hundred and Fifty," line 14, page 23, and inserting in lieu thereof the words, "Twenty-five"

MacDONALD.

Senator Moon moved to table the MacDonald amendment, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Carmack, Curnutt, Fidler, Garvin, Jennings, Moon, Nichols, Stewart, Taylor, Willis. Total, 10.

Nays: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Daugherty, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Pugh, Ray,

Reed, Ritzhaupt, Stacey, Thomas, Whitaker, Wilbanks.  
Total, 23.

Not Voting: Coppock, Dixon, Hutchinson, Nance,  
Paul, Powers, Rizley, Rutherford, Sowards, Waldrep.  
Total, 10.

Excused: Logan. Total, 1.

Senator Memminger, as a substitute, submitted the  
following amendment:

Mr. President: I move to amend Senate Bill No.  
151, line 8, page 23, by striking all of Section 22 and re-  
numbering the succeeding sections.

**MEMMINGER.**

Senator Morrison moved to table the Memminger  
amendment, which motion prevailed, the roll call thereon  
being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Coppock,  
Daugherty, Fischl, Howard, Jennings, Johnston, Lester,  
MacDonald, Morrison, Nance, Reed, Ritzhaupt, Stacey,  
Wilbanks. Total, 18.

Nays: Clark, Curnutt, Fidler, Hutchinson, Liggett,  
Memminger, Moon, Nichols, Paul, Pugh, Stewart, Tay-  
lor, Thomas, Whitaker, Willis. Total, 15.

Not Voting: Chamberlin, Commons, Dixon, Garvin,  
Powers, Ray, Rizley, Rutherford, Sowards, Waldrep.  
Total, 10.

Excused: Logan. Total, 1.

Upon motion of Senator Morrison, the previous  
question was ordered.

The vote occurring on the MacDonald amendment,  
it was declared adopted.

Senator Nichols submitted the following amend-  
ment:

Mr. President: I move to amend Senate Bill No.  
151, line 16, page 23, by changing the period after the  
word, "provided," to a semi-colon (;) and adding the  
following: "Provided further that the amount herein  
appropriated shall never be increased by any succeed-



ing legislature, except by a three-fourths vote of both Houses of such succeeding legislatures of the State of Oklahoma."

NICHOLS.

Senator Briggs raised a point of order against the Nichols amendment, which was sustained, stating the acts of a future legislature cannot be restricted by the present legislature.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 151, line 9, page 23, by striking the word, "State," and inserting the word, "Mutual"

CURNUTT.

Senator Briggs raised a point of order against the Curnutt amendment, which was overruled, stating the amendment applied to Section 1 of Article 2, of said bill.

Upon motion of Senator MacDonald, the Curnutt amendment was tabled.

Senator MacDonald moved the adoption of Section 22, as amended.

Upon motion of Senator MacDonald, the previous question was ordered.

The vote occurring on the MacDonald motion, it was declared adopted.

Senator Curnutt moved that the vote be reconsidered by which Section 19 was adopted, which motion was tabled, upon motion of Senator Briggs.

Senator MacDonald moved that Senate Bill No. 151 be advanced to engrossment and third reading.

Senator Curnutt moved to table the MacDonald motion, which motion failed of adoption.

The vote occurring on the MacDonald motion, it was declared adopted.

#### GENERAL ORDER

Senator Briggs asked unanimous consent, which

was granted, to take up for consideration SENATE BILL NO. 161, by Jennings.

Senator MacDonald presiding.

Section 1 of Senate Bill No. 161 was re-read.

Senator Jennings asked unanimous consent, which was granted, to withdraw his amendment, submitted on March 10.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 161, line 7, page 2, as follows:

By striking all of lines 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, and by inserting in lieu thereof following the word "employees" in line 6, page 2, the following:

"Provided, however, that an award made to a claimant under the provisions of this chapter shall, in case of death of claimant be payable to and for the benefit of the persons following:

(a) If there be a surviving wife, (or dependent husband) and no child of the deceased under the age of 18 years, to such wife (or dependent husband.)

(b) If there be a surviving child or children of the deceased under the age of 18 years, or dependent blind or crippled child or children of any age, but no surviving wife (or dependent husband) then for the support of each such child, share and share alike until the full payment of the award.

(c) If there be a surviving wife (or dependent husband) a surviving child or children of the deceased under the age of 18 years, or a dependent blind or crippled child or children of any age, one half shall be payable to the surviving wife (or dependent husband) and the other half to the surviving child or children.

(d) If there be no surviving wife (or dependent husband) or child under the age of 18 or dependent blind or crippled child of any age, then to the parents share

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and share alike and if no parents then to the brothers and sisters, share and share alike.

BRIGGS.

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

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 161, as follows:

By inserting a new Section to be numbered Sec. 2 as follows:

Section 2. Section 13365, Oklahoma Statutes 1931, be and the same is hereby amended to read as follows:

"Section 13365. Upon application of claimant, respondent or insurance carrier the Commission may set down for hearing any claim for compensation, and, after notice to the adverse party shall proceed to hear and determine liability of respondent and insurance carrier and/or extent of disability of claimant, and may adjourn or continue the hearing from day to day, time to time or place to place, as in the judgment of the commission may seem just. Hearings may be held by or before any member of the commission or any inspector designated by the chairman or any member thereof, and at the close of the hearing the commission, or a majority of the members thereof, after considering the evidence, shall proceed to make its findings and make and cause to be entered an order thereon, which order shall become final unless appealed from as in this chapter provided. Awards for permanent disability either total or partial, under subdivisions "1" and "3" of Section 13356, Oklahoma Statutes 1931, (except as to "other cases" provision of said subdivision "3"), shall be made for the aggregate total amount of compensation which the commission shall find the claimant will be entitled to receive, less any sum or sums theretofore paid which the said commission may find to be a proper credit thereon,

and when same becomes final, the whole sum or any unpaid portion thereof, shall operate as a final adjudicated obligation and payment thereof may be enforced by the claimant, or in case of his death, by the surviving beneficiary entitled to the proceeds as provided in this act. The commission may determine that payment of said award may be made in monthly, or any other periodical installments as it may deem advisable, and may thereafter on application made or upon its own motion, modify or change the said order as to manner, time and amounts of periodical payments or may direct the payment of the entire balance thereof, and in case of death of claimant at any time before satisfaction or payment of the total award made, the same shall not abate, but shall be revived in favor of the person or persons determined by the commission to be entitled thereto.

In causes coming under the "other cases" provision of section 13356 supra and in proceedings to enforce claims for compensation during period of healing or temporary total disability, the compensation under the provisions of this act shall be payable periodically, in accordance with the method of payment of the wages of the employee at the time of his injury, and shall be so provided for in any award made thereon. Provided, however, in all cases where the commission shall determine, under the evidence that claimant is suffering from a disability permanent in nature, but partial in extent, the compensation ordered paid shall be determined and fixed by ascertaining the amount which would be due for a permanent total disability and awarding to claimant a percentage thereof equal to the percentage of disability, for the full period of 500 weeks. All payments shall be made on any award in the manner and form prescribed by the commission, and employers and insurance carriers shall, for such purposes be permitted, or when necessary to protect the interests of the beneficiary may be required to make deposits with the com-



mission to secure the prompt and convenient payment of awards made. Failure for ten days to pay any final award or any portion thereof as ordered shall immediately entitle the beneficiary to an order finding the respondent and/or insurance carrier to be in default and all unpaid portions, including future periodical installments unpaid, shall thereupon become due and may be immediately enforced as provided by Section 13366 of this chapter.

An award for disability may be made after the death of the injured employee, when death results from causes other than the injury.

BRIGGS.

Senator Moon submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 161, by inserting a new section, to be known as Section 3, as follows: "Section 3. The passage of this Act shall in no way affect any pending cause where the claimant has heretofore died."

MOON.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 161, page 3, as follows:

By inserting a new Section to be numbered Sec. 4, as follows:

"SECTION 4. That Section 13367, Oklahoma Statutes, 1931, be and the same is hereby amended to read as follows:

" 'Section 13367. The right to claim compensation under this act shall be forever barred unless within one year after the injury a claim for compensation thereunder shall be filed with the commission. Provided, however, claims may be filed at any time within one year from the date of last payment of any compensation or remuneration paid in lieu of compensation.

The jurisdiction of the commission to reopen any cause upon an application based upon a change in condition shall extend for the maximum period of time measured by the number of weeks for which compensation could have been awarded by the commission had the condition of claimant existed at the time original award was made thereon and unless filed within said period of time, same shall be forever barred'."

BRIGGS.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 161, by changing the title to read as follows:

"AN ACT AMENDING SECTIONS 13365, 13367 AND 13372, OKLAHOMA STATUTES, 1931, RELATING TO AWARDS MADE UNDER WORKMEN'S COMPENSATION ACT; PROVIDING FOR PROCEDURE THEREUNDER; AMOUNT AND TENURE OF COMPENSATION IN CERTAIN CASES; ENFORCEMENT OF AWARDS MADE; FOR SURVIVAL OF AWARDS IN CASE OF DEATH OF CLAIMANT; LIMITING TIME FOR AWARDS UPON APPLICATIONS BASED UPON CHANGE OF CONDITION; AND DECLARING AN EMERGENCY," and add name of Briggs as joint author.

BRIGGS.

Upon motion of Senator Briggs, Senate Bill No. 161, as amended, was advanced to engrossment and third reading.

Senator Ray asked unanimous consent, which was granted, to take up for consideration SENATE RESOLUTION NO. 21, by Ray, Dixon, Fischl, Nance and Paul, which was read at length, as follows:

SENATE RESOLUTION NO. 21—By RAY, DIXON, FISCHL, NANCE and PAUL.

A RESOLUTION AUTHORIZING THE PRESIDENT OF THE SENATE TO APPOINT A

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COMMITTEE OF FIVE MEMBERS OF THE SENATE TO CONFER WITH THE OKLAHOMA DELEGATION IN CONGRESS, AND THE SECRETARY OF AGRICULTURE OF THE UNITED STATES CONCERNING THE ALLOCATION OF FEDERAL FUNDS TO OKLAHOMA FOR HIGHWAY PURPOSES, AND MEMORIALIZING THE STATE HIGHWAY COMMISSION TO DESIGNATE A REPRESENTATIVE TO ACCOMPANY SAID COMMITTEE FOR THAT PURPOSE; AUTHORIZING THE PAYMENT OF THE EXPENSES INCURRED BY SAID COMMITTEE; AND DECLARING AN EMERGENCY.

WHEREAS, there has existed between the Federal Bureau of Roads and the State Highway Commission of Oklahoma certain differences concerning the building of roads in Oklahoma; and

WHEREAS, by reason thereof the Federal Government has not allocated and delivered to the State of Oklahoma certain funds to aid the State of Oklahoma in the construction of highways therein in accordance with existing contracts between said parties; and

WHEREAS, by reason of the action of the Federal authorities, the State of Oklahoma has not received its just part of the funds appropriated for by the National Congress for both emergency relief construction and the ordinary fund appropriated for each fiscal year for general road building; and

WHEREAS, under the present unusual conditions in this State, it is to the best interests of the people thereof that the Federal government be urged to carry out its contracts with the State of Oklahoma, and to deliver the funds necessary to do so to the State Highway Commission; and

WHEREAS, in order that the State of Oklahoma

get relief, it is necessary that the matters be investigated and the Federal authorities petitioned and urged to carry out its contracts with the State; and

WHEREAS, in order to fully advise the incoming administration and the officers thereof of the true facts concerning the same, a committee representing the State Highway Commission should present the records to the new officials in Washington; and

WHEREAS, it is necessary that the Honorable President of this Senate appoint a committee of Five (5) persons from the Senate to accompany the representatives of the State Highway Commission to Washington, D. C., in order to confer with the Oklahoma Delegates in Congress and the Federal authorities in control of the subject-matter of said contracts;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE FOURTEENTH LEGISLATURE OF OKLAHOMA:—

That

SECTION 1. The President of this Senate is hereby authorized and directed to appoint a committee of five (5) to investigate the differences between the Federal authorities and the Oklahoma State Highway Commission concerning the several contracts now existing between them, and over which there seems to be a controversy, to interview and seek the assistance of the Oklahoma Delegates in Congress to bring about the fulfilment of said contracts.

BE IT FURTHER RESOLVED that the State Highway Commission send a representative with the Committee herein authorized to assist this committee in presenting the matters to the proper authorities.

SECTION 2. Such committee is authorized to do any and all things necessary to bring about the performance of contracts between the United States Government and the State of Oklahoma, and all expenses incurred in the carrying out of the provisions of this



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Act by said members of the Senate shall be paid out of the appropriation for the expense of conducting the present session of the Legislature.

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.

Senator Nichols submitted the following amendment:

Mr. President: I move to amend Senate Resolution No. 21, line 2, page 5, by striking the words, "out of the appropriation for the expense of conducting the present session of the Legislature," and inserting the following: "by those members appointed to go."

NICHOLS.

Upon roll call, as follows, the Nichols amendment was declared adopted:

Ayes: Ballard, Carlile, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fidler, Fischl, Hutchinson, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Waldrep, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Carmack, Coppock, Dixon, Howard, Johnston, Lester, Rizley, Stewart. Total, 8.

Not Voting: Briggs, Garvin, Jennings, Powers, Reed, Rutherford, Taylor, Thomas. Total, 8.

Excused: Logan. Total 1.

Senator Ray submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Resolution No 21, by striking the following words, appearing at the end of the title: "AUTHORIZING THE PAYMENT OF THE EXPENSES INCURRED BY SAID COMMITTEE;"

RAY.

Upon motion of Senator Ray, Senate Resolution No. 21, as amended, was adopted.

Senate Resolution No. 21 was referred for engrossment.

The Presiding Officer appointed, under Senate Resolution No. 21, Senators Dixon, Fischl, Ray, Nance and Paul.

Senator Nance asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 358, by Nance.

Section 1 was read and adopted, upon motion of Senator Nance.

Upon motion of Senator Nance, Senate Bill No. 358 was advanced to engrossment and third reading.

Senator Memminger moved that the vote be reconsidered by which Senate Bill No. 358 was advanced to engrossment and third reading, which motion was tabled, upon motion of Senator Carmack.

Senator Ballard asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 187, by Ballard.

Sections 1 and 2 were read and adopted, upon motions of Senator Ballard.

Senator Ballard moved that Senate Bill No. 187 be advanced to engrossment and third reading.

Senator Curnutt, as a substitute, moved that further consideration of Senate Bill No. 187 be indefinitely postponed, which motion failed of adoption.

The vote occurring on the Ballard motion, it was declared adopted.

By unanimous consent, SENATE JOINT RESOLUTION NO. 20, by MacDonald, was taken up for consideration.

Sections 1 and 2 were read and adopted, upon motions of Senator Nance.

Upon motion of Senator Nance, Senate Joint Resolution No. 20 was advanced to engrossment and third reading.

President Burns presiding.

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Senator Commons asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 277, by Commons.

Section 1 was read.

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 277, line 5½, page 3, by inserting the following: "all monies collected and placed to the credit of said fund are hereby appropriated for and;" and in line 6, page 3, by striking the word, "fund"

COMMONS.

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 277, line 3, page 1, by adding after the word, "Statutes," and before the word, "is," the following, "Section 6074, Oklahoma Statutes, 1931"

COMMONS.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 277, line 1, page 2, by striking after the word, "water," the words, "to the public," and inserting the words, "for public consumption"

CURNUTT.

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

Section 2 was read.

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 277, line 14, page 3, by substituting the figures, "1921," for the figures, "1931;" and adding, "Oklahoma Statutes, (Section 6074) 1931."

COMMONS.

Upon motion of Senator Commons, Section 2, as amended, was adopted.

Section 3 was read and adopted, upon motion of Senator Commons.

Upon motion of Senator Commons, Senate Bill No. 277 was advanced to engrossment and third reading.

Senator Nance asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 354, by Nance, of the Senate, and Mooney, of the House.

Sections 1, 2, 3, and 4 were read and adopted, upon motions of Senator Nance.

Upon motion of Senator Nance, Senate Bill No. 354 was advanced to engrossment and third reading.

Upon motion of Senator Nance, the rules of the Senate were suspended and Senate Bill No. 354 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 354 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Rizley, Rutherford, Stacey, Stewart, Wilbanks. Total, 31.

Not voting: Curnutt, Daugherty, Jennings, MacDonald, Ray, Ritzhaupt, Sowards, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 12.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Cham-



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berlin, Clark, Commons, Coppock, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Rizley, Rutherford, Stacey, Stewart, Wilbanks. Total, 31.

Not voting: Curnutt, Daugherty, Jennings, MacDonald, Ray, Ritzhaupt, Sowards, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 12.

Excused: Logan. 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. 354 was ordered referred for engrossment.

Senator Morrison asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 309, by Morrison.

Sections 1 and 2 were read and adopted, upon motions of Senator Morrison.

Upon motion of Senator Morrison, Senate Bill No. 309 was advanced to engrossment and third reading.

Upon motion of Senator Morrison, the rules of the Senate were suspended and Senate Bill No. 309 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 309 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Wilbanks. Total, 31.

Not voting: Ballard, Curnutt, Daugherty, Dixon,

Jennings, MacDonald, Sowards, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 12.

Excused: Logan. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Wilbanks. Total, 31.

Not voting: Ballard, Curnutt, Daugherty, Dixon, Jennings, MacDonald, Sowards, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 12.

Excused: Logan. 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. 309 was referred for engrossment.

Senator Moon asked unanimous consent, which was granted, to take up for consideration SENATE JOINT RESOLUTION NO. 15, by Moon.

Sections 1, 2 and 3 were read and adopted, upon motions of Senator Moon.

Upon motion of Senator Moon, Senate Joint Resolution No. 15 was advanced to engrossment and third reading.

Senator MacDonald asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 31, by MacDonald.

Sections 1, 2 and 3, were read and adopted, upon motions of Senator MacDonald.

Upon motion of Senator MacDonald, Senate Bill

No. 31 was advanced to engrossment and third reading.

Senator Garvin asked unanimous consent, to which objections were voiced, to have the Committee on Oil and Gas "excused," for the remainder of this legislative day, for the purpose of committee work.

Upon motion of Senator Garvin, the Committee on Oil and Gas was "excused," for the remainder of this legislative day.

Senator Wilbanks asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 253, by Wilbanks (by request).

Section 1 was read.

Senator Wilbanks submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 253, lines 7 and 18, page 2, by striking from each the word, "unanimous" and, in line 17, page 2, by striking the word, "deposit," and substituting therefor the word, "deposits"

WILBANKS.

Senator Memminger moved to table the Wilbanks amendment, which motion failed of adoption.

The vote occurring on the Wilbanks amendment, it was declared adopted.

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

Section 2 was read and adopted upon motion of Senator Wilbanks.

Upon motion of Senator Wilbanks, Senate Bill No. 253 was advanced to engrossment and third reading.

Senator Moon asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 291, by Moon.

Sections 1 and 2 were read and adopted, upon motions of Senator Moon.

Upon motion of Senator Moon, Senate Bill No. 291 was advanced to engrossment and third reading.

Senator Chamberlin asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 196, by Chamberlin.

Section 1 was read.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 196, line 1, page 1, by inserting after the figure, "1," the following: "Section 8858, Oklahoma Statutes, 1931, be and the same is hereby amended to read as follows: "8858;" and in lines 3 and 4, page 1, by striking the following, "of Chapter 113, Session Laws 1910-1911," and inserting the words, "of this Act;" and in line 12, page 2, by inserting after the figures, "1921," the following, "being Section 8856, Oklahoma Statutes, 1931;" and by amending the title, to read as follows: "AN ACT AMENDING SECTION 1, CHAPTER 227, SESSION LAWS, 1929, BEING SECTION 8858, OKLAHOMA STATUTES, 1931, RELATING TO THE INSPECTION TAX ON COMMERCIAL CONCENTRATED FEEDING STUFF, AND DECLARING AN EMERGENCY."

CHAMBERLIN.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 196, line 17, page 2, by striking balance of sentence after the word, "the," and adding in lieu thereof the following, "General Revenue Fund of the State of Oklahoma."

BALLARD.

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

Section 2 was read and adopted, upon motion of Senator Chamberlin.



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Upon motion of Senator Chamberlin, Senate Bill No. 196 was advanced to engrossment and third reading.

Senator Ritzhaupt asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 305, by Ritzhaupt, Jennings, Johnston and Reed.

Section 1 was read and adopted, upon motion of Senator Ritzhaupt.

Upon motion of Senator Ritzhaupt, Senate Bill No. 305 was advanced to engrossment and third reading.

### MESSAGES

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

HOUSE JOINT RESOLUTION NO. 27—By CLOYD, BATSON, ALBRIGHT and HART of the House, and REED, PAUL, NANCE and HOWARD of the Senate, entitled:

A Resolution extending the time of payment of motor vehicle license tax, waiving the penalties if paid pursuant to the provisions of this Resolution; and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand, this March 14th, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 228—By PHILIPS (Atoka), WORTHINGTON and PAXTON.

An Act authorizing and directing the State Board of Public Affairs to establish, construct, equip and maintain and operate a substation of the Oklahoma State Penitentiary in Atoka County, Oklahoma, the initial structures thereof to be on lands near Stringtown, Oklahoma, owned by the State of Oklahoma and validating the purchase of the said lands and the payment therefor out of the Twine plant revolving fund of the Oklahoma State Penitentiary, such substation to be used for prisoners sentenced to the Oklahoma State Penitentiary at McAlester, before the coming into effect of this Act and prisoners sentenced to the said penitentiary after the coming into effect of this Act whom the said Board shall believe should not be confined in the said penitentiary at McAlester because of their respective types or because of their respective general conditions, especially those in tubercular condition or having other contagious diseases, and such other prisoners as the said Board shall deem it expedient to have cared for in the said substation; especially authorizing said Board to use the labor of the prisoners in constructing and equipping and maintaining and operating the said substation; appropriating money from the Oklahoma State Penitentiary revolving fund and from said Penitentiary twine plant revolving fund for use in establishing, constructing, equipping and in maintaining and operating said substation; repealing the parts of House Bill No. 240 enacted by the Thirteenth Legislature which appropriated \$115,000.00 out of the general revolving fund and \$115,000.00 out of the twine plant revolving fund of the Oklahoma State Penitentiary for use for construction of additional cell houses or additions to cell houses or for the establishing of sub-

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stations and camps wherever prisoners may be most profitably used; and declaring an emergency, which bill I have this day signed and approved.

Witness my hand, this March 15th, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.  
TO THE HONORABLE THE FOURTEENTH LEGIS-  
LATURE OF THE STATE OF OKLAHOMA:  
Gentlemen:

Nearly a year ago, a Committee consisting of Ex-Senator Fred Tucker, George Gibbons, Arratt Dunlap, J. B. Moore, W. H. Bates, H. C. Tate, Ben S. Curtis, Will C. Gardner, and Mike Gorman, explained to me concerning a "geographical fault" near the corners of Marshall, Love, and Carter Counties, where there is a depression in the soil shaped somewhat like a man's hand, having a drainage through a narrow gorge with rock bottom and sides, which gorge could have constructed a rock dam (and there are a plenty of stone nearby), of a height of 140 feet, making a lake from 140 feet to 20 feet deep, and covering some 14,000 acres of land, with 115 miles of shore-line,—a veritable Lake Erie in the Central West, located on Highway 77, north and south, and within a mile and a half of Highway 70, running east and west.

I requested this Committee to ascertain the owners and secure options. They found the owners living in nearly all states in the Union, and that it would take approximately 15,000 acres to cover the lake, and the necessary and desirable elevated points around the water's edge for the construction of fishing lodges, which would cost approximately \$86,000.00.

Today, they made a report to me, furnishing government maps, showing the outline of the proposed lake, together with the names of the owners, and much information relative thereto.

Much of the land is covered with timber that

would have to be cut off, but the clearing of the site, the trimming up of the parkway, the construction of the road and of the dam, and all of the work pertaining to the lake could be made from the Federal Relief Fund, by concentrating in the summer months the labor of the three counties before named, together with that of a portion of Johnston County, and the labor paid for out of the Federal Relief Funds. The purchase of the land would have to be made by the State or from some other source, and this would be the only time that the construction and the great cost it would require could be paid for by other than State or funds contributed for the purpose.

As hard up as the State is and as "stingy" as I am disposed to be towards appropriations, this is a great temptation to me, for the reason that the fish that can be produced in a few years will be of great value to the citizenship of the State, to say nothing of this splendid outing resort; and, in addition, in my opinion, this lake would attract people from all over the Central West, and the sale of gasoline in Oklahoma, upon which they would be obliged to pay a gasoline tax, would, within five years, compensate the State for the cost of the land, and then the State would have something that could not be duplicated by expenditure of any amount of money in any of the Mississippi Valley States.

I am submitting to you herewith the maps and information, and requesting one of the gentlemen before named to explain to the Committee of each House the project in detail, for such consideration and action as you feel justified in making.

In my opinion, if the Legislature takes action, they should provide in the law for free fishing to all citizens of the State, providing that any person who desires to construct a fishing lodge on the lake, or a hunting lodge, because, beyond doubt, it would attract wild duck in



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abundance, to pay for the site upon which to construct the fishing lodge, as is done by the Federal Government in the fishing lodge, \$10.00 a year rental. This \$10.00 a year would sustain the Game Warden and keep up the attention, together with some other expenses that might be necessary to be met. Such a lake would therefore afford an outing not only for the well-to-do, but to the poor; and, being situated as it is on a highway, north and south, and another running east and west, it is situated in an ideal spot for the accommodation of the public.

The geological formation of the country in Southern Oklahoma makes possible the building of this lake. There is probably no other similar place to be found in the Southwest with the peculiar formations of rock that is found here. Southern Oklahoma has already taken advantage of these formations to build a number of lakes.

Many states of the nation have recognized the necessity of taking out of cultivation and competition the sub-marginal lands of their domain, either through parks, lakes or reforestation methods. In this project we have the opportunity to not only do this but to provide employment in our made-work program which will leave upon completion a large public recreational lake and park area for our people and future posterity. With the shortening of work hours in the nation we must concern ourselves with providing such recreational grounds that our people will find a place for vacations and wholesome recreation in natural surroundings.

An area such as this lake represents will be an important step in flood control.

For your consideration, the same is respectfully submitted on this the 14th day of March, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

### 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 Judiciary Committee No. 1, to whom was referred Senate Joint Resolution No. 10, by Commons of the Senate, and Harp and Douthat of the House, entitled:

A Joint Resolution authorizing Jessie Graham and Mrs. James Vice to bring suit against the state of Oklahoma for damages sustained by them by reason of the negligence of the State Highway Department in failing to place lights and properly warn persons, etc. 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.

CURNUTT, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 416, by Leecraft, entitled:

An Act for the purpose of carrying out the provisions of Section 3, Article X, of the Constitution of Oklahoma, relating to the payment of the current expenses of the state government, when the same shall exceed the income from previous fiscal years; etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be printed and placed on the calendar, for the consideration of the Senate.

WHITAKER, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 285 correctly engrossed.

LIGGETT, Chairman.

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The President, in open session, signed Engrossed Senate Bill No. 285 and ordered it transmitted to the Honorable House, for consideration.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 o'clock, a. m., Thursday, March 16th, 1933.

## FIFTY-FOURTH LEGISLATIVE DAY

Thursday, March 16, 1933

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Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by the President, who announced on account of committee work, the Senate would recess to meet at 1:00 p. m.

### AFTERNOON SESSION

The Senate re-assembled at 1:00 p. m., with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Excused: Logan, Nance. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### PETITIONS AND MEMORIALS

A petition, signed by citizens of Alfalfa County, was read, urging the consideration and passage of a bill to reduce prices on car tags and truck and tractor tags in Oklahoma, and etc.

The President referred the Alfalfa County petition to the Committee on Revenue and Taxation.

### RESOLUTIONS AND NOTICES

The following Resolutions were introduced:

SENATE RESOLUTION NO. 22—By NICHOLS, entitled: A Resolution expressing belief that the Senate Oil Investigating Committee has served its purpose and that same has failed to pursue the vigorous and search-



ing investigation in all lines of the Oil Industry; calling upon said committee to file its final report and providing for the discharge of said Committee.

SENATE RESOLUTION NO. 23—By SOWARDS, PUGH and RIZLEY, entitled: A Resolution directing the Oklahoma Tax Commission to extend the time for the filing of income tax returns by members of the Legislature for a period of fifteen days after the adjournment of the Legislature.

Senator Rizley asked unanimous consent, which was granted, to take up for immediate consideration Senate Resolution No. 23, which was read, at length, as follows:

SENATE RESOLUTION NO. 23—By SOWARDS, PUGH, RIZLEY.

RESOLUTION DIRECTING THE OKLAHOMA TAX COMMISSION TO EXTEND THE TIME FOR THE FILING OF INCOME TAX RETURNS BY MEMBERS OF THE LEGISLATURE FOR A PERIOD OF FIFTEEN DAYS AFTER THE ADJOURNMENT OF THE LEGISLATURE.

WHEREAS, many members of the Legislature are away from their homes or offices and are unable to have access to their books and accounts and it is impossible for them to make proper income tax reports.

THEREFORE BE IT RESOLVED that the Oklahoma Tax Commission be directed to extend the time for the filing of Income Tax Returns by members of the Legislature for a period of fifteen (15) days after the adjournment of the Legislature.

Upon motion of Senator Rizley, Senate Resolution No. 23 was adopted.

Senate Resolution No. 23 was referred for engrossment.

#### 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 Bill No. 41, by Martin, Broaddus, and Shoemake, entitled:

An Act making an appropriation to pay the salaries of Supreme Court Referees provided for by Section 3792, Oklahoma Statutes, 1931, for the fiscal year ending June 30, 1933, 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 for the reason that the subject matter of this bill is included in another bill, which bill has been previously vetoed by the Chief Executive.

MacDONALD, Chairman.

Upon motion of Senator MacDonald, the adverse committee report on Engrossed House Bill No. 41 was adopted.

Mr. President: We, your Judiciary Committee No. 2, to whom was referred House Bill No. 169, by O'Neill, entitled:

An Act abolishing the Superior Court of Garfield County, providing for the disposition of all cases pending in said court, fixing the effective date 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 pass.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred House Bill No. 305, by Batson, Gray, Blocker, Henderson, Leecraft and Cox, entitled:

Relating to motor vehicle license fees, limitations of size and weight and other matters,  
beg leave to report that we had the same under consid-

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eration and herewith return the same with the recommendation that it do pass, as amended.

BRIGGS, Chairman.

Mr. President: We, your Judiciary Committee, Division No. 2, to whom was referred House Bill No. 486, by Cavins and Grunert, entitled:

An Act repealing Sections 4002 to 4009, inclusive, Oklahoma Statutes 1931, relating to the County Court at the town of Wilson, Carter 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 not pass.

CHAMBERLIN, Chairman.

Upon motion of Senator Chamberlin, the adverse committee report on Engrossed House Bill No. 486 was adopted.

Mr. President: We, your Judiciary Committee, Division No. 2, to whom was referred House Bill No. 550, by Copeland and Smalley, entitled:

An Act amending Section 2250 Compiled Oklahoma Statutes 1931 relating to kidnapping for ransom; prescribing the punishment 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Judiciary Committee No. 2, to whom was referred Senate Bill No. 164, by Chamberlin, entitled:

An Act creating a judicial council for the study of effects in the administration of justice; prescribing the qualifications of its members and the manner of their selection; conferring on said judicial council full power over all trial and appellate rules of pleading, practice and procedure, in all courts, civil and criminal etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CHAMBERLIN, Chairman.

Mr. President: We, your Judiciary Committee No. 2, to whom was referred Senate Bill No. 338, by Chamberlin, entitled:

An Act amending Section 3196 Oklahoma Statutes, 1931, relating to appeal bonds in criminal cases; 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 349, by Coppock, entitled:

An Act creating a home for aged mothers, prescribing the qualifications of those entitled to enter the same; placing the same under the supervision of the State Board of Public Affairs; authorizing said Board to locate the same; making an appropriation of seventy-five thousand (\$75,000.00) dollars for the erection and construction of the same; providing for the support 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.

MacDONALD, Chairman.

Upon motion of Senator MacDonald, the adverse committee report on Senate Bill No. 349 was adopted.

Mr. President: We, your Judiciary Committee, Division No. 2, to whom was referred Senate Bill No. 355, by Nance, entitled:

An Act amending Section 10139, Oklahoma Statutes, 1931, providing that highways in the state may be constructed by labor supplied, on order of the county com-



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missioners of any county in this state, by those serving terms in the county jail of such county, etc., 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.

CHAMBERLIN, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Joint Resolutions Nos. 15 and 20, and Senate Bills Nos. 31, 151, 161, 187, 196, 253, 291, 309, 337, 354 and 358, correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Bills Nos. 309 and 354, and ordered each transmitted to the Honorable House.

#### FIRST READING

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

SENATE BILL NO. 370—By REED and SOWARDS.—An Act authorizing the apportionment and payment of 25% of all future collections of the state gasoline excise tax and the state motor vehicle license tax, and gross production tax to each of the counties of Oklahoma having outstanding county bonds issued to construct county highways, in the proportion that the unpaid principal of its such bonds bears to the total unpaid principal of all such bonds issued by all such counties of Oklahoma; providing that such payments, when received by a county, shall be paid into a special account in the sinking fund of the county and be used in paying, in whole or in part, the interest and principal of said bonds as same fall due; and declaring an emergency.

SENATE BILL NO. 371 — By MacDONALD, HUTCHINSON, WILBANKS, and WHITAKER of the

Senate; and CLOYD, REMUND, and SULLIVAN of the House.—An Act creating certain awards and decorations to be bestowed upon members of the federally recognized National Guard, including an Oklahoma distinguished service cross; an Oklahoma distinguished service medal; Spanish War service medal; Mexican Border service medal; World War service medal; certain long service medals; and providing for other medals to be awarded for any war or campaign or mobilization which the Federal Government shall recognize by awarding service medals; providing for a board to be selected by order of the Governor to select designs, ribbons, and symbols for medals; providing for the publication of general orders necessary to carry out provisions of this Act and declaring an emergency.

SENATE BILL NO. 372—By MORRISON, NICHOLS, RITZHAUPT, MOON and WALDREP.—An Act relating to the State Board of Barber Examiners and to the practice of barbering in this State; repealing Section 17, Article 2, Chapter 24, Oklahoma Session Laws 1931; amending Sections 12, 13, 14, 15, 16, 18, 21, 24 and 25, of said Article, declaring certain Acts to be unlawful and fixing penalties for violation 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. 361—By PUGH.

Senator Commons asked unanimous consent, which was granted, to have Senate Bill No. 361 placed upon the Calendar without reference to a Committee.

SENATE BILL NO. 362—By MEMMINGER.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 363—By CARMACK.—Referred to Committee on Appropriations.

SENATE BILL NO. 364—By BALLARD (By Request).—Referred to Judiciary Committee No. 2.

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SENATE BILL NO. 365—By JOHNSTON.—Referred to Committee on Codes and Code Revisions.

SENATE BILL NO. 366—By MOON.

Senator Commons asked unanimous consent, which was granted, to have Senate Bill No. 366 placed upon the Calendar without reference to a Committee.

SENATE BILL NO. 367—By NICHOLS, PAUL, CHAMBERLIN, and WALDREP.

Senator Nichols asked unanimous consent, which was granted, to have Senate Bill No. 367 placed upon the Calendar without reference to a Committee.

SENATE BILL NO. 368—By BALLARD and MacDONALD.

Senator MacDonald asked unanimous consent, which was granted, to have Senate Bill No. 368 placed upon the Calendar without reference to a Committee.

SENATE BILL NO. 369—By RITZHAUPT.—Referred to Committee on Appropriations.

### THIRD READING

SENATE BILL NO. 150 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Fidler, Fischl, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Waldrep, Willis. Total, 26.

Nays: Jennings, Rutherford. Total, 2.

Not Voting: Ballard, Coppock, Curnutt, Daugherty, Dixon, Garvin, Howard, Hutchinson, Pugh, Ray, Reed, Stewart, Whitaker, Wilbanks. Total, 14.

Excused: Logan, Nance. 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 Curnutt served notice that he would, on

some future legislative day, move to re-consider the vote by which Senate Bill No. 150 was passed.

Senator Nichols asked unanimous consent, which was granted, to defer third reading of SENATE BILL NO. 269, by Nichols, for this legislative day.

Senator Johnston asked unanimous consent, which was granted, to defer third reading of SENATE BILL NO. 178, by Johnston, for this legislative day.

SENATE BILL NO. 266 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Fischl, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Nays: Jennings, Rutherford, Wilbanks. Total, 3.

Not Voting: Commons, Coppock, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Morrison. Total, 9.

Excused: Logan, Nance. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Fischl, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Nays: Jennings, Rutherford, Wilbanks. Total, 3.

Not Voting: Commons, Coppock, Daugherty, Dixon,



Fidler, Garvin, Howard, Hutchinson, Morrison. Total, 9.

Excused: Logan, Nance. 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, in open session, signed the engrossed copy of Senate Bill No. 266, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 151 was read for the third time at length.

Senator Curnutt moved that further consideration of Senate Bill No. 151 be indefinitely postponed, which was tabled upon motion of Senator Morrison.

By unanimous consent, further consideration of Senate Bill No. 151 was deferred temporarily.

SENATE BILL NO. 337 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Not Voting: Commons, Coppock, Daugherty, Dixon, Howard, Hutchinson, Moon. Total, 7.

Excused: Logan, Nance. 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: Ballard, Briggs, Carlile, Carmack, Cham-

berlin, Clark, Curnutt, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Not Voting: Commons, Coppock, Daugherty, Dixon, Howard, Hutchinson, Moon. Total, 7.

Excused: Logan, Nance. 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, in open session, signed the engrossed copy of Senate Bill No. 337, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 161 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Fidler, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Moon. Total, 1.

Not Voting: Commons, Coppock, Daugherty, Dixon, Fischl, Howard, Hutchinson, Stewart. Total, 8.

Excused: Logan, Nance. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Fidler, Garvin, Jennings, John-

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ston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Moon. Total, 1.

Not Voting: Commons, Coppock, Daugherty, Dixon, Fischl, Howard, Hutchinson, Stewart. Total, 8.

Excused: Logan, Nance. 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, in open session, signed the engrossed copy of Senate Bill No. 161, and ordered the same transmitted to the Honorable House.

Senator MacDonald asked unanimous consent, which was granted, to defer third reading of SENATE BILL NO. 358 until the author is present.

SENATE BILL NO. 187 was read for the third time at length.

Senator Curnutt moved that further consideration of Senate Bill No. 187 be indefinitely postponed.

Senator Ballard moved to table the Curnutt motion, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Clark, Garvin, Lester, Morrison, Nichols, Paul, Pugh, Ray, Reed, Sowards, Thomas, Whitaker, Willis. Total, 15.

Nays: Carlile, Carmack, Chamberlin, Curnutt, Daugherty, Dixon, Fidler, Fischl, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Waldrep, Wilbanks. Total, 22.

Not Voting: Commons, Coppock, Howard, Hutchinson, Stewart. Total, 5.

Excused: Logan, Nance. Total, 2.

The vote occurring on the Curnutt motion, it was

declared failed of adoption, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Coppock, Curnutt, Daugherty, Fidler, Garvin, Jennings, Memminger, Powers, Rizley, Rutherford, Willis. Total, 13.

Nays: Ballard, Briggs, Clark, Fischl, Johnston, Lester, Liggett, MacDonald, Moon, Morrison, Nichols, Paul, Pugh, Ray, Reed, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 21.

Not Voting: Chamberlin, Commons, Dixon, Howard, Hutchinson, Ritzhaupt, Sowards, Waldrep. Total, 8.

Excused: Logan, Nance. Total, 2.

Senator Nance asked to be recorded "present," which was the order.

The question being, "Shall Senate Bill No. 187 pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Clark, Coppock, Fischl, Garvin, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Carlile, Chamberlin, Curnutt, Daugherty, Dixon, Jennings, Memminger, Moon, Powers, Rutherford. Total, 10.

Not Voting: Commons, Fidler, Howard, Hutchinson, Ritzhaupt. Total, 5.

Excused: Logan. Total, 1.

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 MacDonald, the emergency section was stricken from Senate Bill No. 187.

The question being, "Shall the title of the Bill become the title of the Act?" Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate



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Bill No. 187, by striking therefrom, the words "AND DECLARING AN EMERGENCY."

MacDONALD.

Senate Bill No. 187 was referred for re-engrossment.

SENATE BILL NO. 151 was read again for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Daugherty, Dixon, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Curnutt, Fidler, Stewart. Total, 3.

Not Voting: Commons, Howard, Jennings, Moon, Rutherford, Thomas. Total, 6.

Excused: Logan. 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 in open session, signed the engrossed copy of Senate Bill No. 151 and ordered the same transmitted to the Honorable House.

Senator Pugh asked unanimous consent, to which objections were voiced, to have incorporated in the Journal, the telegrams read by Senator Nichols.

Senator Pugh moved that the telegrams read by Senator Nichols be incorporated in the Journal, which motion prevailed, the said telegrams being as follows:

COLUMBUS, OHIO MAR 15 1933

AL NICHOLS, SENATE CHAMBER.

STATE INSURANCE FUND ASSETS MUNICIPAL  
BONDS THIRTY SEVEN MILLION STOP CASH  
IN CERTIFIED BANKS SIX HUNDRED THOUS-  
AND STOP UNINCUMBERED ASSETS TWO MIL-

LION FIVE HUNDRED THOUSAND STOP STATE  
AND COUNTY UNMATURED OBLIGATIONS FOUR  
MILLION AS NOT REQUIRED TO PAY PREMIUM  
IN ADVANCE FOR LONG DURATION CLAIMS.

INDUSTRIAL COMMISSION OF OHIO  
E I EVANS, ACTUARY.

NEW YORK NY    MAR 15    1933

AL NICHOLS  
SENATE CHAMBER.

NEW YORK STATE FUNDS USES NO STATE  
MONEY PAYS ALL OWN EXPENSES FROM PRE-  
MIUM INCOME STATE NEVER HAS LOST  
MONEY BECAUSE OF STATE FUNDS HAS  
OPERATED SINCE 1914 WRITES INSURANCE  
AT TWENTY FIVE PERCENT ADVANCE DIS-  
COUNT FROM MANUAL RATES THUS MATER-  
IALS REDUCING INDUSTRIES INSURANCE  
COSTS.

NEW YORK STATE INSURANCE FUND  
C G SMITH, MANAGER.

SAN FRANCISCO, CALIF    MAR 15    1933

HON AL NICHOLS

STATE SENATE CHAMBER

CALIFORNIA STATE FUND IS UNQUESTION-  
ABLY FINANCIAL SUCCESS STOP BESTS GIVES  
IT HIGHEST RATING STOP ORIGINAL APPRO-  
PRIATION OF ONE HUNDRED THOUSAND RE-  
TURNED TO STATE STOP IS NOT SUBSIDIZED  
BY STATE IN ANY WAY STOP HAS RETURNED  
IN DIVIDENDS TO POLICYHOLDERS OVER  
TWENTY MILLION FIVE HUNDRED THOUSAND  
DOLLARS STOP TOTAL ASSETS IIN EXCESS OF  
EIGHT MILLION STOP NET SURPLUS ALMOST  
TWO MILLION.

FRANK J CREEDE MANAGER

STATE COMPENSATION INSURANCE FUND

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SENATE JOINT RESOLUTION NO. 20 was read for the third time at length.

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

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not Voting: Briggs, Commons, Garvin, Howard, Moon, Rutherford, Sowards, Taylor, Thomas. Total, 9.

Excused: Logan. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not Voting: Briggs, Commons, Garvin, Howard, Moon, Rutherford, Sowards, Taylor, Thomas. Total, 9.

Excused: Logan. 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 copy of Senate Joint Resolution No. 20, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 253 was read for the third time at length.

Upon motion of Senator Memminger, the vote was re-considered by which Senate Bill No. 253 was advanced to engrossment and third reading.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Resolution No. 21 and Senate Bill No. 187 correctly engrossed.

LIGGETT, Chairman.

The presiding officer, in open session, signed Engrossed Senate Resolution No. 21 and referred it for enrollment.

Senator Curnutt served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 187 was passed.

SENATE BILL NO. 253 was considered further.

Senator Fidler presiding.

Senator Memminger moved to reconsider the vote by which Section 1, as amended, was adopted.

Senator Memminger moved that the vote be reconsidered by which the Wilbanks amendment to Section 1 was adopted, which motion prevailed.

Upon motion of Senator Memminger, the Wilbanks amendment to Section 1 was tabled.

Senator Daugherty submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 253, by adding to Section 1, the following: "The provisions of this Act shall only apply to such officers, directors or employees, who are guilty of committing or acquiescing in overt acts in violation hereof and no other."

DAUGHERTY.

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



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Upon motion of Senator Wilbanks, Senate Bill No. 253 was advanced to engrossment and third reading.

Upon motion of Senator Wilbanks, the rules of the Senate were suspended and Senate Bill No. 253 was considered engrossed and placed upon third reading and final passage.

SENATE 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Daugherty, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 34.

Not Voting: Carlile, Commons, Coppock, Curnutt, Howard, Hutchinson, Sowards, Thomas, Waldrep. Total, 9.

Excused: Logan. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Daugherty, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 34.

Not Voting: Carlile, Commons, Coppock, Curnutt, Howard, Hutchinson, Sowards, Thomas, Waldrep. Total, 9.

Excused: Logan. 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. 253 was referred for re-engrossment.

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: Ballard, Carmack, Chamberlin, Clark, Daugherty, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 32.

Not Voting: Briggs, Carlile, Commons, Coppock, Curnutt, Howard, Hutchinson, Morrison, Ray, Sowards, Willis. Total, 11.

Excused: Logan. 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: Ballard, Carmack, Chamberlin, Clark, Daugherty, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 32.

Not Voting: Briggs, Carlile, Commons, Coppock, Curnutt, Howard, Hutchinson, Morrison, Ray, Sowards, Willis. Total, 11.

Excused: Logan. 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.

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The Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 31, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 291 was read for the third time at length.

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

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker. Total, 31.

Nays: Rizley. Total, 1.

Not Voting: Briggs, Commons, Coppock, Howard, Hutchinson, MacDonald, Morrison, Powers, Sowards, Wilbanks, Willis. Total, 11.

Excused: Logan. Total, 1.

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 Moon, the emergency section to Senate Bill No. 291 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Moon submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 291, by striking therefrom the words, "AND DECLARING AN EMERGENCY." MOON.

Senate Bill No. 291 was referred for engrossment.

SENATE BILL NO. 196 was read for the third time at length.

Senator Chamberlin asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 196, line 18, page 2, by changing the period at the end

of the section to a semi-colon (;) and adding the following: "Provided that the Oklahoma State Board of Agriculture may retain an amount not to exceed \$9300.00 each year to pay the expense of procuring and furnishing such tags and paying the salary of a chemist to operate the State Feed and Fertilizing laboratory; provided further that the salary of such chemist shall not exceed \$1800.00 per year." CHAMBERLIN.

The question being, "Shall Senate Bill No. 196 pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, Memminger, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Jennings, Moon. Total, 2.

Not voting: Commons, Dixon, Howard, MacDonald, Morrison, Powers, Reed, Rutherford, Sowards, Wal-drep. Total, 10.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, Memminger, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Jennings, Moon. Total, 2.

Not voting: Commons, Dixon, Howard, MacDonald, Morrison, Powers, Reed, Rutherford, Sowards, Wal-drep. Total, 10.



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Excused: Logan. 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. 196 was ordered referred for re-engrossment.

SENATE BILL NO. 358 was read for the third time at length.

Senator Nance asked unanimous consent, which was granted, to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 358, by adding at the end of Section 1, the following: "The Funds herein appropriated shall be distributed to the following Districts:

Con.	88	Texas County	Bal.	1250.00
Con.	5	LeFlore		2500.00
U.G.	2	Cimarron		1250.00
U.G.	1	Washita		1250.00
Con.	50	Osage	Bal.	875.00
Con.	15	Texas		2500.00
U.G.	71	Jefferson		1250.00
Con.	17	Osage		2500.00
Con.	27	Carter		2500.00
Con.	5	Love		2500.00
U.G.	3	Cotton		1250.00
Con.	2	Coal		1250.00
Con.	42	Stephens		1250.00
Con.	3	Love		2500.00
Con.	4	Love		1250.00
Con.	6	LeFlore		2500.00
Con.	7	Hughes		2500.00
Con.	2	Murray		2500.00
Con.	3	Murray		2500.00

Total

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35,875.00'

NANCE.

Senator Pugh asked unanimous consent, which was granted, to submit the following amendment, which, by unanimous consent, was adopted:

Mr. President: I move to amend Senate Bill No. 358, line 3, page 2, by adding after the word "purpose," the following: "Provided that any money taken out of the General fund shall be paid back into the General fund by the first proceeds from funds from "Section 33, Greer County."

PUGH.

President Burns presiding.

The question being, "Shall Senate Bill No. 358 pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Clark, Curnutt, Fidler, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Ballard, Coppock, Daugherty, Hutchinson, Jennings. Total, 5.

Not voting: Chamberlin, Commons, Dixon, F'schl, Garvin, Howard, Rizley, Rutherford, Stewart, Waldrep. Total, 10.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Clark, Curnutt, Daugherty, Fidler, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Jennings. Total, 2.

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Not voting: Chamberlin, Commons, Dixon, Fischl, Garvin, Howard, Powers, Rizley, Rutherford, Stewart, Waldrep. Total, 11.

Excused: Logan. 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. 358 was ordered referred for re-engrossment.

Senator Ballard moved that the Senate work under a call of the House, which motion prevailed.

Upon roll call being ordered, the following were noted as "absent:" Senators Chamberlin, Commons, Coppock, Dixon, Fischl, Howard, MacDonald, Nichols, Ray, Reed, Rizley, Rutherford, Stewart, Waldrep and Whitaker.

The Sergeant-at-Arms was instructed to notify all absent members of the Senate's proceedings.

#### 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 Drugs and Pure Foods, to whom was referred Engrossed House Bill No. 154, by Martin, Broaddus and Shoemaker, entitled:

An Act preventing the confiscation and mis-use of milk cans or cream cans; providing for the introduction of evidence; providing for the issuance of a search warrant; providing for the filing and publication 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.

SOWARDS, Chairman.

Mr. President: We, your Committee on Code Revision, to whom was referred Senate Bill No. 365, by Johnston, entitled:

An Act establishing procedure and extending the remedy as to the right of cities and the inhabitants thereof to bring suit for pollution of water supply and the source thereof and amending Chapter 38 of the Session Laws of 1927, further appearing as Section 6071 of the Oklahoma Statutes of 1931, 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.

JOHNSTON, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 65 and Senate Bill No. 305 correctly engrossed.

LIGGETT, Chairman.

The following members of the Senate asked to be recorded "present," which was the order: Senators Chamberlin, Commons, Coppock, Dixon, Howard, MacDonald, Nichols, Ray, Reed, Rizley, Stewart and Whitaker.

Senator Whitaker asked unanimous consent, which was granted, to withdraw from the Calendar and refer to the Committee on Revenue and Taxation SENATE BILLS NOS. 129, by Jennings and 235, by Fidler, of the Senate, and Conner, of the House.

### THIRD READING

SENATE BILL NO. 305 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fidler, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul,



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Pugh, Ray, Reed, Ritzhaupt, Sowards Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 33.

Not voting: Commons, Dixon, Fischl, Garvin, Howard, Powers, Rizley, Rutherford, Stewart, Waldrep. Total, 10.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fidler, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 33.

Not voting: Commons, Dixon, Fischl, Garvin, Howard, Powers, Rizley, Rutherford, Stewart, Waldrep. Total, 10.

Excused: Logan. 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 copy of Senate Bill No. 305, and ordered the same transmitted to the Honorable House.

SENATE JOINT RESOLUTION NO. 15 was read for the third time at length, as follows:

SENATE JOINT RESOLUTION NO. 15—By MOON.

A JOINT RESOLUTION AUTHORIZING THE SUBMISSION OF A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF OKLAHOMA, AMENDING SECTION EIGHT OF ARTICLE NINE OF SAID CONSTITUTION.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. That the following proposed amendment to Section 8 of Article 9 of the Constitution of the State of Oklahoma be referred to the people of the State of Oklahoma for their ratification or rejection at the next general election held in the State of Oklahoma, or at any special election called therefor by the Governor; said proposed amendment to Section 8 of Article 9 being as follows:

“No public service corporation, or the lessees, purchasers, or managers thereof, shall consolidate the stock, property or franchises, of such corporation with, or lease or purchase the works or franchises of, or in any way control, any other public service corporation owning or having under its control a parallel or competing line, \* \* \* *without the consent and approval of the Corporation Commission of the State of Oklahoma.*”

SECTION 2. Said proposed amendment to Section 8 of Article 9 of the Constitution of the State of Oklahoma shall be submitted as provided by law in the following form:

“Shall the proposed amendment be adopted?

☐ YES

☐ NO”

SECTION 3. Said proposed amendment to the Constitution of the State of Oklahoma shall upon receiving a majority of all electors voting at said election, be adopted.

The question being, “Shall the Resolution pass?” the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Clark,

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Coppock, Daugherty, Dixon, Fidler, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Moon, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Taylor, Whitaker, Willis. Total, 23.

Nays: Chamberlin, Curnutt, Lester, Memminger, Nance, Nichols, Paul, Reed, Thomas, Wilbanks. Total, 10.

Not voting: Commons, Fischl, Garvin, Howard, Morrison, Powers, Rizley, Rutherford, Stewart, Waldrep. Total, 10.

Excused: Logan. 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 President, in open session, signed the engrossed copy of Senate Joint Resolution No. 15, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 65 was read for the third time at length.

Senator Memminger moved that the vote be reconsidered by which House Bill No. 65 was advanced to engrossment and third reading.

Senator MacDonald, as a substitute, moved that further consideration of House Bill No. 65 be deferred until the next legislative day, which motion prevailed.

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 346—By CHAMBERS, LOGSDON, KIRKPATRICK.

An Act to amend Section 9695, Oklahoma Statutes, 1931, relating to attesting deeds or other instruments

affecting real estate executed by a corporation, except when executed by an attorney in fact, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 219—By COLLINS.

An Act repealing Section 8873, Oklahoma Statutes, 1931; abolishing the State Plant Board; providing that the duties now performed by said Board shall hereafter be performed by the State Board of Agriculture, defining the duties of said Board relating to seed, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 219 and 346.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 625—By COMMITTEE ON APPROPRIATIONS, entitled:

A Bill to be entitled an Act making an appropriation from the General Revenue Fund and other funds, for the purpose of paying claims against certain State departments and institutions hereinafter set out; 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.



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The Presiding Officer announced First Reading of  
Engrossed House Bill No. 625.

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE JOINT RESOLUTION  
NO. 11—By NICHOLS, entitled:

A Joint Resolution regulating the management and  
liquidation of delinquent loans under the management  
and control of the Commissioners of the Land Office of  
the State of Oklahoma and regulating the management  
with reference to interest charges on loans to be here-  
after made by the Commissioners of the Land Office of  
the State of Oklahoma; and declaring an emergency.

ENGROSSED SENATE BILL NO. 105—By RAY,  
entitled:

An Act amending Section 1 of Article 3 of Chapter  
35 of the Session Laws of 1931, relating to the deposit-  
ing of county funds in banks and giving of security  
therefor, repealing all acts in conflict therewith, and de-  
claring an emergency,  
and to advise you, and through you, the Honorable Sen-  
ate, that the same have been passed by the House of  
Representatives and signed by the Speaker Pro Tem-  
pore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Joint Resolution No. 11 and En-  
grossed Senate Bill No. 105 were, each, ordered referred  
for enrollment.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to  
inform you, and, through you, the Honorable Senate,

that the House has added Representatives Leecraft and Phillips (Okfuskee) as additional conferees on:

ENGROSSED SENATE BILL NO. 27—By MacDONALD, 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 30, 1934, and June 30, 1935, by functions of each department in accordance with the budget classification adopted by the Governor.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 85—By JOHNSTON and STEWART of the Senate and CAVITT of the house, entitled:

A Bill providing for assumption by the State of Oklahoma, of obligations incurred in holding special elections to fill vacancy caused by death of a member of the House of Representatives of the Fourteenth Legislature of the State of Oklahoma, also to assume the expense of the primaries and of the general election of 1932 in Pushmataha County, Oklahoma, 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 AS AMENDED, and signed by the Speaker Pro Tempore in open Session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 85 were read, as follows:

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AMENDMENT NO. 1. That Section 2 be stricken.

AMENDMENT NO. 2. That the following be added to the Bill to become Section 2:

"That the expenses of the Special Primary Election, held February 8, 1933, and the Special Election held February 22, 1933, for the purpose of selecting a member of the House of Representatives to fill the vacancy caused by the death of Honorable Ralph M. Davis from Logan County, is hereby accepted as a State obligation, and the Secretary of the State Election Board is hereby authorized and directed to approve claims found to be just and legal charges therefor, the State Auditor is hereby authorized to audit, and the State Treasurer to pay claims so approved out of any funds heretofore appropriated for elections for the fiscal year ending June 30th, 1933."

AMENDMENT NO. 3. That the title of the Bill be stricken and the following title inserted:

"A BILL PROVIDING FOR ASSUMPTION BY STATE OF OKLAHOMA, OF OBLIGATIONS INCURRED IN HOLDING SPECIAL ELECTIONS TO FILL VACANCIES CAUSED BY DEATHS OF MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, AND DECLARING AN EMERGENCY."

Upon motion of Senator MacDonald, further consideration of Senate Bill No. 85, as amended by the Honorable House, was deferred for this legislative day.

Senator Memminger served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Joint Resolution No. 15 was passed.

Senator Ballard moved that the vote be re-considered by which HOUSE BILL NO. 242, by Wright, et al., was passed.

Senator Reed moved to table the Ballard motion,

which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Dixon, Jennings Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Sowards, Stacey, Stewart, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Carmack, Curnutt, Daugherty, Fidler, Ritzhaupt, Rizley, Taylor, Thomas. Total, 8.

Not voting: Commons, Coppock, Fischl, Garvin, Howard, Hutchinson, Rutherford, Waldrep. Total, 8.

Excused: Logan. Total, 1.

House Bill No. 242, having previously been signed in open session, it was ordered returned to the Honorable House.

Senator Ballard moved that when the hour of 5:30 p. m. arrives, the Senate recess to meet at 7:00 p. m., which motion failed of adoption.

#### GENERAL ORDER

Senator Nichols asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 618, by Ebey (Pontotoc), et al.

Section 1 was read and adopted, upon motion of Senator Nichols.

Upon motion of Senator Nichols, House Bill No. 618 was advanced to engrossment and third reading.

Senator Chamberlin presiding.

Senator MacDonald asked unanimous consent, which was granted, to take up for consideration SENATE JOINT RESOLUTION NO. 21, by MacDonald, et al.

The preamble to Senate Joint Resolution No. 21 was read and adopted upon motion of Senator MacDonald.

Section 1 was read and adopted, upon motion of Senator MacDonald.

Upon motion of Senator MacDonald, Senate Joint Resolution No. 21 was advanced to engrossment and third reading.



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Upon motion of Senator MacDonald, the rules of the Senate were suspended and Senate Joint Resolution No. 21 was considered engrossed and placed upon third reading and final passage.

SENATE JOINT RESOLUTION NO. 21 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Dixon, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 35.

Not voting: Commons, Daugherty, Fidler, Fischl, Hutchinson, Rutherford, Sowards, Waldrep. Total, 8.

Excused: Logan. Total, 1.

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

Senate Joint Resolution No. 21 was referred for engrossment.

Senator MacDonald asked unanimous consent, to which objections were voiced, to take up for consideration HOUSE BILL NO. 532, by Fitzgerald, et al.

Senator MacDonald moved that the Senate proceed to the consideration of House Bill No. 532.

Senator Wilbanks, as a substitute, moved that further consideration of House Bill No. 532 be indefinitely postponed, which motion was tabled upon motion of Senator Commons.

Senator Commons, as a substitute, moved that House Bill No. 532 be made a Special Order for 2:00 p. m., on the next legislative day.

Senator Nance asked unanimous consent, which was granted, to amend the Commons motion, by striking the hour of 2:00 p. m., and inserting the hour 4:30 p. m.

Senator Ballard, as a substitute for all pending motions, moved that further consideration of House Bill No. 532 be made a Special Order for 7:30 p. m., this date, which motion failed of adoption.

The vote occurring on the Commons motion, as amended, it was declared adopted.

Senator Garvin asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 357, by Garvin.

Senate Bill No. 357 was read at length and considered.

Upon motion of Senator Ballard, Senate Bill No. 357 was advanced to engrossment and third reading.

Senator Moon asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 460, by Broaddus and Shoemaker.

Sections 1 and 2 were read and adopted, upon motions of Senator Moon.

Upon motion of Senator Moon, House Bill No. 460, was advanced to engrossment and third reading.

Upon motion of Senator Dixon, the Senate adjourned to meet at 10:00 a. m., March 17th.

## FIFTY-FIFTH LEGISLATIVE DAY

Friday, March 17, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President, who announced the Senate recessed to meet at 11:00 o'clock, a. m.

At 11:00 o'clock, a. m., the Senate reassembled, with the President presiding, who announced, on account of the work of committees, the Senate would stand recessed to meet at 1:30 p. m.

### AFTERNOON SESSION

The Senate, at 1:30 p. m., was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 38.

Excused: Daugherty, Fidler, Logan, Powers, Taylor, Waldrep. Total, 6.

The President announced Senator Waldrep "excused" for one week.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Stewart moved that, when the Senate adjourns today, it adjourn to meet on Monday, March 20th, at 1:30 p. m.

Senator Pugh, as a substitute, moved that, when the Senate adjourns today, it adjourn to meet at 10:00 o'clock, a. m., Saturday, March 18th.

Senator Nance raised a point of order against the

Pugh motion, which was sustained, stating the Stewart motion took precedence, on account of the adjournment hour.

The vote occurring on the Stewart motion, it was declared adopted.

Senator Ballard moved to reconsider the vote by which the Stewart motion was adopted and that that motion lie on the table, which motion prevailed.

### RESOLUTIONS AND NOTICES

The following Resolution was introduced:

SENATE RESOLUTION NO. 24—By COPPOCK and JOHNSTON, entitled: A Resolution authorizing and directing the President of the Senate to appoint a committee to investigate the activities of lobbyists of insurance companies in the Senate; authorizing the subpoenaing of witnesses; and requiring said committee to report its findings to the Senate for action thereon.

President Pro Tempore Stewart presiding.

Senator Dixon moved that the Special Committee, appointed under Senate Resolution No. 2, be given until Wednesday, March 22nd, in which to make its complete and final report and submit its recommendations.

Upon motion of Senator Nance, the previous question was ordered.

The vote occurring on the Dixon motion, it was declared adopted.

### COMMITTEE REPORTS

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

Mr. President: We, your Judiciary Committee No. 2, to whom was referred House Bill No. 171, by Cline, Brazell, Broadbush, Chambers, Phillips (Okfuskee), Sturgell, Gibson, Beaman, Wright, etc., entitled:

An Act providing for the method of sale of property in mortgage, mechanics' lien or other lien foreclosures and on execution; providing for redemption of



property by debtor, redemption by certain creditors of debtors; providing for issuance of certificates of purchase and of sheriff's deed; specifying terms, time and mode of redemption; providing for redemption of property sold in parcel, redemption of undivided interest, providing for issuance of sheriff's deed if property is unredeemed at end of redemption period to holder of certificate of purchase or his heirs; providing that real property once sold is not liable for sale for balance due; providing for purchaser of property or party entitled to deed under sale recovering damages for injuries or waste to property after sale; providing that holder of certificate of purchase may prevent waste or destruction of property, by securing injunction or having receiver appointed; providing for return of sale by sheriff, confirmation and order for sheriff's deed; providing that where property is bid in by or for prior creditor, sheriff shall not be entitled to charge any commission on said sale; providing that deed shall be sufficient evidence of the legality of the sale and the proceeding therein until the contrary be proved and shall vest title in the purchaser; providing the method and manner of foreclosing mortgages for the purchase price of real estate before one-third ( $1/3$ ) of the purchase price of such real estate shall have been paid by the purchaser thereof and prescribing the redemption period in such cases; that Section 457, Oklahoma Statutes, 1931, shall not be applicable to sales made under the provisions of this Act; and all other laws and parts of laws in conflict herewith are hereby repealed, 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 printed and placed on the calendar as amended.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Agriculture, to whom was referred Senate Bill No. 352, by Carmack, entitled:

An Act to amend Chapter 24, Article 4, Session Laws 1931, to prevent discrimination against certain Oklahoma farm products listed herein, to permit the manufacture and sale of oleomargarine therefrom, to provide for the issuance of permits to manufacturers and dealers in lieu of taxes and license fees and authorizing the state dairy commissioner to issue permits in accordance with this 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.

CARMACK, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 23, Senate Joint Resolution No. 21, Senate Bills Nos. 196, 253, 291, 358, each, correctly engrossed, and Senate Resolution No. 21, Senate Joint Resolution No. 11 and Senate Bill No. 105, each, correctly enrolled.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Resolution No. 23 and ordered it referred for enrollment.

The President Pro Tempore, in open session, signed Engrossed Senate Joint Resolution No. 21, Engrossed Senate Bills Nos. 196, 253, 291 and 358 and ordered each transmitted to the Honorable House, for consideration.

The President Pro Tempore, in open session, signed Enrolled Senate Resolution No. 21 and ordered it transmitted to the Secretary of State.

Senate Joint Resolution No. 11 and Senate Bill No. 105 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 and resolution were introduced and read for the first time:

SENATE BILL NO. 373—By LOGAN.—An Act providing that no teacher shall loan money to any member of the school board and their family or to any employee of the board or to the County Superintendent; setting out the penalty for violation thereof and declaring an emergency.

SENATE JOINT RESOLUTION NO. 23—By HOWARD of Senate and HUGHES of House.—A Resolution confirming the suit of Abraham Lincoln Life Insurance Company versus State Highway Commission as binding on the State of Oklahoma, and authorizing the prosecution of said suit and also the action of Elizabeth Carlin Estate for recovery of damages to realty for road way purposes, and providing for payment of recovery had.

### SECOND READING

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

SENATE BILL NO. 370—By REED and SOWARDS.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 371 — By MacDONALD, HUTCHINSON, WILBANKS, and WHITAKER of the Senate; and CLOYD, REMUND, and SULLIVAN of the House.

Senator MacDonald asked unanimous consent, which was granted, to have Senate Bill No. 371 placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 372—By MORRISON, NICHOLS, RITZHAUPT, MOON and WALDREP.

Senator Nichols asked unanimous consent, which was granted, to have Senate Bill No. 372 placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 346—By CHAM-

BERS, LOGSDON, KIRKPATRICK.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 219—By COLLINS.—Referred to Committee on Agriculture.

ENGROSSED HOUSE BILL NO. 625—By COMMITTEE ON APPROPRIATIONS.—Referred to Committee on Appropriations.

#### MESSAGES

The following Message from the Governor was received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 409—By SHOEMAKE, entitled:

An Act repealing Section 8131, Oklahoma Statutes 1931; relating to the mileage and per diem of County Commissioners in Muskogee County and declaring an emergency,

which bill having passed the Senate and House of Representatives was presented to me March 10th and held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this March 17th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 310—By LOGSDON and KIGHT, entitled:



An Act relating to civil and criminal procedure, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 310.

Senator Memminger raised a point of order against certain Resolutions appearing on the Calendar, under General Order, citing Rule 18 of the adopted Senate Rules.

The Memminger point of order was sustained, after which the following Resolutions were referred to the Committees indicated:

SENATE RESOLUTION NO. 16, by Sowards, referred to Judiciary Committee No. 1.

SENATE CONCURRENT RESOLUTION NO. 16, by Logan, of the Senate, and Blocker and Parks, of the House, referred to Committee on Retrenchment and Reform.

SENATE RESOLUTION NO. 19, by Ritzhaupt, referred to the Committee on Roads and Highways.

SENATE RESOLUTION NO. 22, by Nichols, referred to the Committee on Oil and Gas.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 9, by Boyer, Ellis and Hart, of the House, and Jennings and Fidler, of the Senate, referred to the Committee on Oil and Gas.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 15, by Cox, Henderson, Williams, Jones, Albright, Mallory, Wingo, Wright, Hinds, Haile and Allen, referred to the Committee on Roads and Highways.

ENGROSSED HOUSE CONCURRENT RESOLU-

TION NO. 22, by Cox, Williams, Wright, Allen and Wil-mot, of the House, and Rizley and Taylor, of the Senate, referred to the Committee on State and County Affairs.

Senator MacDonald moved that SENATE BILL NO. 347, by Sowards, be withdrawn from the Committee on Education and placed upon the calendar, which motion prevailed.

Senator Curnutt moved that SENATE BILL NO. 11, by Nichols, Clark and Curnutt, be withdrawn from the Committee on Roads and Highways and placed upon the calendar, which motion prevailed.

#### GENERAL ORDER

Senator Nichols asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 367, by Nichols, Paul, Chamberlin and Waldrep.

Sections 1, 2, 3, 4, 5 and 6 were read and adopted, upon motions of Senator Nichols.

Upon motion of Senator MacDonald, Senate Bill No. 367 was advanced to engrossment and third reading.

Senator MacDonald moved that the vote be reconsidered by which ENGROSSED HOUSE BILL NO. 150, by Phillips (Atoka), Fraley, Batson, et al, was passed and that that motion be tabled, which motion prevailed.

House Bill No. 150 was ordered referred for proper engrossment.

Senator MacDonald asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 243, by Stewart.

Sections 1 and 2 were read and adopted, upon motions of Senator MacDonald.

Upon motion of Senator MacDonald, Senate Bill No. 243 was advanced to engrossment and third reading.

Senator Moon asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 366, by Moon.

Sections 1 and 2 were read and adopted, upon motions of Senator Moon.

Upon motion of Senator Moon, Senate Bill No. 366 was advanced to engrossment and third reading.

Senator MacDonald asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 107, by Stewart.

Sections 1, 2, 3, 4, and 5 were read and adopted, upon motions of Senator MacDonald.

Upon motion of Senator MacDonald, Senate Bill No. 107 was advanced to engrossment and third reading.

Senator Rizley asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 255, by Williams.

Sections 1 and 2 were read and adopted, upon motions of Senator Rizley.

Upon motion of Senator Rizley, House Bill No. 255 was advanced to engrossment and third reading.

Senator Moon asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 154, by Martin, et al.

Sections 1, 2, 3, 4, 5, 6, 7, and 8 were read and adopted, upon motions of Senator Moon.

Upon motion of Senator Moon, House Bill No. 154 was advanced to engrossment and third reading.

Senator Chamberlin asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 338, by Chamberlin.

Section 1 was read.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 338, line 12, page 2, by inserting a comma after the word "judgment" and in the same line, strike the word "on" and insert the word "for." CHAMBERLIN.

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

Upon motion of Senator Chamberlin, Senate Bill No. 338 was advanced to engrossment and third reading.

Senator Morrison asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 313, by Morrison.

Section 1 was read and adopted, upon motion of Senator Morrison.

Upon motion of Senator Morrison, Senate Bill No. 313 was advanced to engrossment and third reading.

Senator MacDonald moved that the Senate refuse to concur in Engrossed House Amendments to ENGROSSED SENATE BILL NO. 85, by Johnston, of the Senate, and Cavitt, of the House, and request a conference thereon, the Chair to appoint four Senate Conferees thereunder.

The MacDonald motion prevailed, the Chair appointing as Senate Conferees thereunder, Senators Stewart, MacDonald, Johnston, and Ritzhaupt.

Senator Ballard raised a question of "no quorum."

Upon roll call being ordered, the Presiding Officer declared a quorum was not present.

Upon motion of Senator Rizley, the Senate adjourned to meet at 1:30 p. m., Monday, March 20th, 1933.



## FIFTY-SIXTH LEGISLATIVE DAY

Monday, March 20th, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 39..

Absent: Clark, Powers. Total, 2.

Excused: Liggett, Logan, Waldrep. Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### MESSAGES

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

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to inform you, and, through you, the Honorable Senate, that the House has granted a conference on:

ENGROSSED SENATE BILL NO. 85—By JOHNSTON and STEWART of the Senate and CAVITT of the House.

A bill providing for assumption by the State of Oklahoma, of obligations incurred in holding special elections to fill vacancy caused by death of member of the House of Representatives of the Fourteenth Legislature of the state of Oklahoma, also to assume the expense of the primaries and of the general election of

1932 in Pushmataha County, Oklahoma, and declaring an emergency, and the Speaker Pro Tempore of the House has appointed as House Conferees thereon the following named Representatives: CAVITT, JONES, COLLINS, and WRIGHT.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

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

ENROLLED SENATE BILL NO. 105—By RAY.

An Act amending Section 1, Article 3 of Chapter 35 of the Session Laws of 1931, relating to the depositing of county funds in banks and giving of security therefor, repealing all Acts in conflict therewith, and declaring an emergency.

ENROLLED SENATE JOINT RESOLUTION  
NO. 11—By NICHOLS.

A Joint Resolution regulating the management and liquidation of delinquent loans under the management and control of the Commissioners of the Land Office of the state of Oklahoma and regulating the management with reference to interest charges on loans to be hereafter made by the Commissioners of the Land Office of the state of Oklahoma; 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 Pro Tempore, in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Joint Resolution No. 11 and Enrolled Senate Bill No. 105 were, each, ordered referred to the Governor for consideration.

### COMMITTEE REPORT

The following Committee Report was submitted, the bill ordered printed and placed upon the calendar, unless otherwise indicated:

Mr. President: We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 348, by Waldrep, entitled:

An Act amending Section 9851, Oklahoma Statutes, 1931, being the same as Section 10, Chapter 28, Session Laws of Oklahoma, 1925, providing for the regulation, supervision and control of domestic and foreign, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

MEMMINGER, Chairman.

### FIRST READING

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

SENATE BILL NO. 374—By RITZHAUPT.—An Act amending Section 8432 Oklahoma Statutes 1931, relating to the place of meeting of the township board of directors, and declaring an emergency.

SENATE BILL NO. 375—By LESTER, STACEY and WILLIS.—An Act extending the time for the payment of 1932 ad valorem taxes without penalty to October 15, 1933, and declaring an emergency.

SENATE BILL NO. 376—By WHITAKER.—An Act amending Sections 6842, 12372, 12581, 12582, 12593, 12613, 12615, 12640, 12646, 12660, 12661 and 12674, Oklahoma Statutes, 1931, relating to the listing, assessing and equalizing of property for ad valorem taxation; defining the duties, powers and authority of certain officials in relation thereto and also in relation to levies and appropriations; providing for administrative appeals; making the performance of such duties mandatory; fixing penalty for neglect or delay; repealing Sections 12594, 12612, 12642, 12643, 12647, 12651, 12652, 12655,

Oklahoma Statutes, 1931, and all conflicting laws, and declaring an emergency.

SENATE BILL NO. 377—By RITZHAUPT.—An Act regulating motor truck terminals, agencies and bureaus which solicit, collect and deliver freight to carriers having certificates or permits as provided by law, and giving the Corporation Commission certain powers and authority and providing for the violation thereof.

SENATE BILL NO. 378—By RITZHAUPT, FIDLER, WILLIS, CARLILE and STACEY.—An Act making it a felony to break, open and explode, or to abet in the breaking, opening or exploding of any stink bomb or any stinking, offensive smelling or injurious bomb or substance, with a malicious intent wrongfully to injure, molest or coerce another, or to injure the property or business of another, or to molest another in the use, management, conduct or control of his business or property; and to make it a felony for any person to have in his possession, or to sell or manufacture in this state any stink bomb, or any stinking, offensive smelling or injurious substance which is contained in any bomb or container, and which is so devised as to be designed to be broken or exploded for the purpose of emanating unpleasant or injurious odor or gas for the purpose of injuring or being unpleasant to another, or injuring the property of another; providing exceptions thereto; and fixing penalties for the violation of the Act, and declaring an emergency.

SENATE BILL NO. 379—By MacDONALD.—An Act to regulate the construction and operation of moving picture shows and theatres showing moving pictures, to provide for an inspection fee for the operating of same, and to place the supervisions of such shows, theatres under the Department of the State Fire Marshal, fixing a penalty for the violation of said Act, and declaring an emergency.

SENATE BILL NO. 380—By MacDONALD.—A



Bill entitled an Act providing for the creation of a revolving fund of One Hundred Thousand (\$100,000) Dollars, in the nature of a perpetual trust fund, to be known as the public utility rate investigating fund and to be collected from the public utilities doing business within the State of Oklahoma, in proportion to their intrastate gross earnings, said fund to be used by the Corporation Commission in the making of public utility rate investigations; and providing for the replenishing of said revolving fund from time to time by assessing against and collecting from the particular utility or utilities investigated the expenses reasonably attributable to such investigation or investigations; and providing for the further replenishing of such fund by assessing against the several public utilities doing business within the State of Oklahoma, the costs of rate investigations not particularly attributable or allocable to any specific utility or utilities; and providing for reimbursement of the State in the amount specially appropriated for the investigation of the rates of public utilities by the Fourteenth Legislature, by assessment and collection from utilities specifically investigated, pending the effective organization and the proper functioning of the revolving fund set-up; and providing a lien for all assessments and for adequate and proper means of enforcing the lien and the collection of such sum, or sums, and providing that in case any section, or part of a section, clause or sentence of this Act, is for any reason held invalid or unconstitutional, such illegality or unconstitutionality shall not affect the validity of the remaining portion or portions of this Act; and declaring an emergency.

SENATE BILL NO. 381—By TAYLOR.—An Act authorizing the Board of Agriculture, State of Oklahoma, to execute oil and gas leases on lands on which is located the Agricultural and Mechanical College at Stillwater or connected with or a part of the land of such

institution; providing for manner of leasing and disposition of proceeds, and declaring an emergency.

SENATE BILL NO. 382—By FISCHL, DIXON and RAY of the Senate, and BATSON, GRUNERT, CAVINS, RAWLS and STRICKLAND (Marshall) of the House.—An Act authorizing the State Board of Public Affairs to acquire by purchase or condemnation approximately 16,300 acres of land in Township 5 South, Range 2 East and in Township 5 South, Range 3 East in Carter County, Oklahoma, and in Township 6 South, Range 2 East, in Love County, Oklahoma, at an aggregate cost of not to exceed \$90,000, for the purpose of having constructed a state lake thereon by the use of federal funds appropriated for made-work, said lake when constructed to be under the supervision and control of the State Game and Fish Commission under rules and regulations promulgated thereby and to be used free of charge by citizens of Oklahoma for fishing, hunting and recreational purposes; authorizing said Commission to lease the shore front and adjacent lands for camp houses or lodges and for other purposes at a minimum cost calculated to cover policing and maintenance expense, and providing for the disposition of monies so received; authorizing the furnishing of temporary free camp sites; making an appropriation of \$90,000 to acquire said lands, and declaring an emergency.

SENATE BILL NO. 383—By REED, NANCE, of the Senate, and MALLORY, KIGHT, TODD, LEE-CRAFT, and ABERNETHY of the House.—An Act to provide for the organization, operation and supervision of co-operative savings and credit associations to be termed "Credit Unions" and to define their powers.

SENATE BILL NO. 384—By REED.—An Act fixing the compensation of the Chairman and other members of the Oklahoma Tax Commission and its secretary and attorney; creating certain clerical, stenographic and other positions in the department of said Commission;

providing for the appointment of persons to fill said positions and fixing the compensation thereof, and declaring an emergency.

SENATE BILL NO. 385—By PUGH (By Request).—An Act amending Sections 3822, 3823 and 3824, Oklahoma Statutes, 1931, by reducing the charges for writing and furnishing district court transcripts, from ten cents to five cents per folio.

#### SECOND READING

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

SENATE BILL NO. 373—By LOGAN.—Referred to Committee on Education.

SENATE JOINT RESOLUTION NO. 23—By HOWARD of Senate and HUGHES of House.—Referred to Committee on Roads and Highways.

ENGROSSED HOUSE BILL NO. 310—By LOGSDON and KIGHT.—Referred to Judiciary Committee No. 2.

Senator Reed asked unanimous consent, to which objections were voiced, to withdraw HOUSE BILL NO. 294, by Hogg and Jones, from the Committee on Public Service Corporations and place the bill upon the calendar.

Senator Reed moved that House Bill No. 294 be withdrawn from the Committee on Public Service Corporations and placed upon the calendar, which motion prevailed.

Senator Ballard moved that the vote be reconsidered by which SENATE BILL NO. 187, by Ballard, was passed, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Chamberlin, Curnutt, Daugherty, Fidler, Fischl, Hutchinson, Jennings, MacDonald, Memminger, Nichols, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Wilbanks. Total, 17.

Nays: Ballard, Carlile, Carmack, Commons, Cop-

pock, Garvin, Johnston, Lester, Nance, Reed, Taylor, Whitaker, Willis. Total, 13.

Not Voting: Briggs, Dixon, Howard, Moon, Morrison, Paul, Pugh, Sowards, Thomas. Total, 9.

Absent: Clark, Powers. Total, 2.

Excused: Liggett, Logan, Waldrep. Total, 3.

Senate Bill No. 187 was ordered transmitted to the Honorable House for consideration.

Senator Fischl moved that HOUSE JOINT RESOLUTION NO. 20, by Morse, Kenan, et al, be withdrawn from the Committee on Constitution and Constitutional Amendments and placed upon the calendar, which motion prevailed.

#### GENERAL ORDER

Senator Nance asked unanimous consent, to which objections were voiced, to take up for consideration HOUSE BILL NO. 305, by Batson, et al.

Senator Nance moved that the Senate proceed to the consideration of HOUSE BILL NO. 305, by Batson, et al, which motion prevailed.

Section 1 was read and adopted, upon motion of Senator Johnston.

Section 2 was read and adopted, upon motion of Senator Whitaker.

Section 3 was read.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend House Bill No. 305, line 17, page 11, by striking the words and figures, "One Dollar and fifty cents (\$1.50)," and inserting the words and figures, "One Dollar (\$1.00)."

CURNUTT.

Senator Rizley, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 305, lines 10 and 11, page 11, by striking after the word, "State," in line 10, the word, "ten" and, in line 11, the



words and figures, "Dollars (\$10.00)," and insert the words and figures, "Seven Dollars and fifty cents (\$7.50)"; and in line 16, by striking the words and figures, "Ten Dollars (\$10.00)," and inserting the words and figures "Seven Dollars and fifty cents (\$7.50)"; and in line 17, by striking the words and figures, "One Dollar and fifty cents (\$1.50)" and inserting the words and figures, "One Dollar and a quarter (\$1.25)."

RIZLEY.

Senator Chamberlin presiding.

Senator Whitaker moved to table the Rizley amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Coppock, Curnutt, Daugherty, Hutchinson, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas. Total, 10.

Not Voting: Fidler, MacDonald, Moon, Sowards. Total, 4.

Absent: Clark, Powers. Total, 2.

Excused: Liggett, Logan, Waldrep. Total, 3.

Senator Commons moved to table the Curnutt amendment, which motion prevailed.

Senator Nance submitted the following amendment:

Mr. President: I move to amend House Bill No. 305, line 12, page 21, by striking the words and figures, "Three Dollars and fifty cents (\$3.50)," and inserting the words and figures, "Two Dollars and fifty cents (\$2.50)."

NANCE.

Senator Rizley submitted the following amendment, which was tabled, upon motion of Senator Ballard:

Mr. President: I move to amend the Nance amendment, by striking the words and figures, "Two Dollars and fifty cents (\$2.50)," and substituting therefor the words and figures, "One Dollar (\$1.00)."

RIZLEY.

The vote occurring on the Nance amendment, it was declared adopted, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Coppock, Curnutt, Daugherty, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Morrison, Nance, Paul, Ray, Reed, Rizley, Stacey, Taylor, Thomas, Wilbanks. Total, 22.

Nays: Ballard, Briggs, Commons, Dixon, Jennings, MacDonald, Memminger, Nichols, Pugh, Ritzhaupt, Stewart, Whitaker, Willis. Total, 13.

Not Voting: Fidler, Moon, Rutherford, Sowards. Total, 4.

Absent: Clark, Powers. Total, 2.

Excused: Liggett, Logan, Waldrep. Total, 3.

Senator Thomas submitted the following amendment:

Mr. President: I move to amend House Bill No. 305, line 16, page 11, by striking after the word, "of," and before the word, "an," the words and figures, "Ten Dollars (\$10.00)," and inserting the words and figures, "Eight dollars (\$8.00)."

THOMAS.

Senator Whitaker moved to table the Thomas amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Dixon, Fischl, Garvin, Johnston, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Whitaker, Wilbanks, Willis. Total, 21.

Nays: Coppock, Curnutt, Daugherty, Howard, Jennings, Lester, Rizley, Stacey, Stewart, Taylor, Thomas. Total, 11.

Not Voting: Commons, Fidler, Hutchinson, Moon, Morrison, Rutherford, Sowards. Total, 7.

Absent: Clark, Powers. Total, 2.

Excused: Liggett, Logan, Waldrep. Total, 3.

Senator Wilbanks submitted the following amendment, which was ruled out of order, on a point of order raised by Senator Nichols, as not being germane:

Mr. President: I move to amend House Bill No. 305, line 5, page 22, by adding after the word, "year," the following: "Provided that it shall be the duty of all license tag agents to notary applications for license tags and take the oath of all applicants for such license tags without any additional charge for notary fee where the applicant will pay only the minimum fee herein specified."

WILBANKS.

Senator Carmack submitted the following amendment, which by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 305, page 23, by inserting at the end of Section 3, the following: "Where their inability to pay license fee, or because of the defective condition of any automobile or truck the same has not been operative for one or more years and sufficient proof thereof is made to the tax commission, the Commission is authorized to remit all penalties and issue or permit the issuance of a license for the then current year on the basis of the resulting standing of such truck or automobile."

CARMACK.

Senators Briggs and Whitaker submitted the following amendment, which was tabled, upon motion of Senator Ballard:

Mr. President: We move to amend House Bill No. 305, line 11, page 21, by striking the word, "seven," and inserting the word, "five"

BRIGGS and WHITAKER.

Senators Rizley and Hutchinson submitted the fol-

lowing amendment, which, by unanimous consent, they withdrew:

Mr. President: We move to amend House Bill No. 305, lines 13, 14, 15, 16, 17, page 20, and lines 1, 2 and 3, page 21, by striking sub-section "D," and inserting the following: "D. Upon each tractor there shall be paid an annual registration fee of One Dollar (\$1.00) and, in addition thereto, such tractors shall be assessed and taxed on an ad valorem basis."

RIZLEY and HUTCHINSON.

Senators Ballard and Nance submitted the following amendment:

Mr. President: We move to amend House Bill No. 305, line 7, page 14, by striking all of paragraph "b," and inserting the following: "(b). Upon each motor bus, Five Dollars (\$5.00) per seat, based upon its actual seating capacity to be determined by the number of seats available for passengers where separate seats are used, or by allowing sixteen (16) inches of seating space where separate seats are not used. It is hereby declared unlawful to operate any motor bus within this State with seats available for passengers in excess of that for which such motor bus is licensed. Motor buses owned or possessed within this State by non-residents shall be registered as hereinafter provided."

BALLARD and NANCE.

Senator Curnutt, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 305, lines 8, 11 and 13, page 14, by striking the words and figures, "Five Dollars (\$5.00)," in line 8, and inserting the words and figures, "Six Dollars (\$6.00)"; and by striking the words and figures, "Five Dollars and Fifty cents (\$5.50)," in line 11 and inserting the words and figures, "Seven Dollars (\$7.00)"; and by striking the words and figures, "Seven Dollars (\$7.00),"



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in line 13 and inserting the words and figures, "Eight (\$8.00) Dollars."

CURNUTT.

Upon motion of Senator Nichols, the previous question was ordered.

Upon motion of Senator Nance, the Curnutt amendment was tabled.

Senator Briggs, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 305, lines 10 and 11, page 14, by striking the words and figures, "Five Dollars and Fifty cents (\$5.50)," and inserting the words and figures, "Six (\$6.00) Dollars."

BRIGGS.

Senator Ballard moved to table the Briggs amendment, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Fallard, Carlile, Carmack, Chamberlin, Fischl, Garvin, Lester, MacDonald, Nance, Paul, Ray, Sowards, Stewart, Taylor, Thomas, Wilbanks. Total, 16.

Nays: Briggs, Commons, Coppock, Curnutt, Dixon, Howard, Jennings, Johnston, Memminger, Moon, Morrison, Nichols, Ritzhaupt, Rizley, Stacey, Whitaker, Willis. Total, 17.

Not Voting: Daugherty, Fidler, Hutchinson, Pugh, Reed, Rutherford. Total, 6.

Absent: Clark, Powers. Total, 2.

Excused: Liggett, Logan, Waldrep. Total, 3.

Senator Briggs asked unanimous consent, which was granted, to withdraw his amendment.

Senators Ballard and Nance asked unanimous consent, which was granted, to withdraw their amendment.

Senators Hutchinson and Rizley submitted the following amendment:

Mr. President: We move to amend House Bill No. 305, line 3, page 21, by adding after the word, "manu-

facturer," the following: "All tractors used exclusively for agricultural purposes shall be registered, upon the payment of a fee of One Dollar (\$1.00), and shall be assessed and taxed on an ad valorem basis in the same manner as other personal property in the respective counties."

HUTCHINSON and RIZLEY.

Senator MacDonald, as a substitute motion, moved that House Bill No. 305 be advanced to engrossment and third reading.

Senator Rizley raised a point of order against the MacDonald motion, stating the bill had not been read at length.

The Presiding Officer, in overruling the Rizley point of order, cited Rule 31.

The vote occurring on the MacDonald motion, it was declared failed of adoption.

President Burns presiding.

Senator Ballard moved to table the Rizley amendment, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Carmack, Commons, Johnston, Lester, MacDonald, Memminger, Moon, Nichols, Paul, Sowards, Stacey, Stewart. Total, 13.

Nays: Briggs, Chamberlin, Coppock, Curnutt, Daugherty, Dixon, Fischl, Howard, Jennings, Nance, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 20.

Not Voting: Carlile, Fidler, Garvin, Hutchinson, Morrison, Pugh. Total, 6.

Absent: Clark, Powers. Total, 2.

Excused: Liggett, Logan, Waldrep. Total, 3.

Upon motion of Senator MacDonald, the previous question was ordered.

The vote occurring on the Rizley amendment, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Coppock, Dixon, Jennings, Nance, Ray, Reed, Rizley, Taylor, Whitaker, Wilbanks, Willis. Total, 12.

Nays: Ballard, Carmack, Commons, Daugherty, Fischl, Garvin, Johnston, Lester, MacDonald, Memminger, Moon, Nichols, Paul, Pugh, Ritzhaupt, Sowards, Stacey, Stewart, Thomas. Total, 19.

Not Voting: Carlile, Chamberlin, Curnutt, Fidler, Howard, Hutchinson, Morrison, Rutherford. Total, 8.

Absent: Clark, Powers. Total, 2.

Excused: Liggett, Logan, Waldrep. Total, 3.

Senator MacDonald moved that House Bill No. 305 be advanced to engrossment and third reading.

Senator Jennings, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 305, line 11, page 23, by adding after the word, "State," the following: "No fee or charge, other than hereinabove provided, shall be charged or collected from the owner of any motor vehicle for the registration of any such vehicle by any employee, officer or agent of the Oklahoma Tax Commission."

#### JENNINGS.

Senator Whitaker raised a point of order against the Jennings amendment, which was sustained, stating the MacDonald motion, to advance, was a superior one.

The vote occurring on the MacDonald motion, it was declared adopted.

Senator Ballard moved that the remainder of sections of House Bill No. 305 be read.

Senator Jennings raised a point of order, which was sustained, stating "there is no rule permitting or calling for the reading of the remainder of the sections of House Bill No. 305."

Senator Rizley moved that the vote be reconsidered by which SENATE BILL NO. 150, by Briggs, was

passed, which motion was tabled upon motion of Senator Briggs.

Engrossed Senate Bill No. 150 was ordered transmitted to the Honorable House, for consideration.

Senator MacDonald moved that the Honorable House be notified and requested to return ENGROSSED SENATE BILL NO. 187, by Ballard, for further consideration.

Senator Briggs raised a point of order against the MacDonald motion, which was sustained, stating his motion would require a suspension of the Senate Rules.

Upon motion of Senator Commons, HOUSE BILL NO. 416, by Leecraft, was set for Special Order, at 2:00 o'clock, p. m., on the next legislative day.

Senator Coppock submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 23 correctly enrolled and House Bill No. 150 correctly engrossed.

COPPOCK, Acting Chairman.

The President, in open session, signed Enrolled Senate Resolution No. 23 and ordered it transmitted to the Secretary of State.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 150, as amended, and ordered it returned to the Honorable House.

### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

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



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ENGROSSED HOUSE BILL NO. 271—By CHILDERS and BABB, entitled:

An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563, 12565, 12566, 12567, 12569, 12573, and 12529 Oklahoma Statutes, 1931, relating to, and providing for, the enforcement of the gasoline excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission, defining the term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto; defining embezzlement and perjury, for violation of this Act and prescribing penalties; further extending provision for injunction and giving the Commission authority in certain cases to declare the Excise Tax due and payable forthwith; authorizing exercise of discretion by Commission in issuance, extension, reinstatement, suspension and cancellation of licenses; declaring what may be admitted as evidence in certain cases; repealing conflicting laws and declaring an emergency, together with the Conference Committee report thereon, and to advise you, and through you, the honorable Senate, that the House has adopted the Conference Committee Report, and the bill has been passed by the House, AS AMENDED by said report.

Respectfully,

R. M. McCOOL, Chief Clerk.

#### CONFERENCE COMMITTEE REPORT

Conference Committee Report on Engrossed House Bill No. 271 was read, as follows, and, upon motion of Senator Nichols, adopted:

To the Honorable State Senate  
and the Honorable House of  
Representatives:

We, Conference Committee of the Senate and of the House of Representatives of the Fourteenth Oklahoma

Legislature, to whom was referred House Bill No. 271 by Childers and Babb, beg leave to report that we have carefully considered Senate Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, and that we have reached an agreement with the Conference Committee of the Senate that Senate Amendments Nos. 1, 2 and 3 be adopted as submitted by the Senate; that Senate Amendment No. 4 be changed to read as follows: "Provided, however, this requirement shall not apply to quantity of 15 gallons or less when same is being transported by consumer from distributor to points of consumption" and that the same be adopted.

We have further considered Senate Amendments Nos. 5, 7 and 9 and recommend that they be adopted as submitted by the Senate.

Upon consideration of Amendments 6 and 8, it was agreed that the Senate recede from Senate Amendments 6 and 8 and that Senate Amendment No. 10 be adopted.

We recommend that the House of Representatives adopt the report of the Conference Committee on House Bill No. 271.

Garvin

Childers

Briggs

Babb

Hutchinson

Logsdon

Senate Conferees

House Conferees

By unanimous consent, further consideration of Engrossed House Bill No. 271, as amended in conference, was deferred for this legislative day.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 622—By COMMITTEE ON APPROPRIATIONS.

A Bill to be entitled an Act making an appropriation from the public building fund for repairs and improve-

ments, and for the purchase of lands, at certain State institutions hereinafter named and in the amount set opposite each for the purposes specified; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 623—By COMMITTEE ON APPROPRIATIONS.

An Act making appropriation to pay claims against deficiency certificates, numbers 19 and 22 to 30, inclusive, for fiscal year ending June 30, 1931; numbers 1 to 6, inclusive, for fiscal year ending June 30, 1932; numbers 1 to 4, inclusive, for fiscal year ending June 30, 1933; as approved and certified to by the Governor under authority of Chapter 231, of Session Laws of Oklahoma, 1915, as amended by chapter 229, of the Session Laws of Oklahoma, 1919; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 504—By CLOYD, LEECRAFT, GRAHAM, MARTIN, BROADDUS and SHOEMAKE.

An Act authorizing Leo D. Harman, Sr., formerly a Captain in the Oklahoma National Guard to bring suit against the State of Oklahoma for injuries sustained in the line of duty as a soldier, providing that if judgment is entered in his favor, that the same shall be paid from the General Funds of the State appropriating not to exceed \$2500.00 for the purpose of payment of any judgment rendered, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 624—By COMMITTEE ON APPROPRIATIONS.

An Act providing that the State gasoline excise tax and motor vehicle license tax, in addition to the purposes which under existing laws are now levied and collected and deposited to the credit of the State Highway Construction and Maintenance fund, shall hereafter also be levied and collected for the purpose of paying final judgments now or hereafter rendered against the State of Oklahoma which are based on suits authorized by the Legislature and arising out of improper construction

of State highways; making an appropriation out of any monies hereafter accruing as aforesaid to the credit of the State Highway construction and maintenance fund to pay final judgments rendered against the State of Oklahoma in suits authorized by the Legislature of Oklahoma, and arising out of improper construction of a State Highway and directing the State Auditor upon presentation of sworn claims therefor to pay respective judgment creditors and all referee's fees and costs as fixed by the Court; and six per cent interest; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 504, 622, 623 and 624.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED HOUSE BILL NO. 628—By COMMITTEE ON APPROPRIATIONS, entitled:

An Act making supplemental appropriations to pay Confederate pensions for the remainder of the fiscal year ending June 30, 1933, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 628.



To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 663—By CAVINS and GRUNERT.

An Act authorizing the County Commissioners of Carter County, Oklahoma, to pay the sum of three hundred fifty-eight dollars, to the Hardy Sanitarium of Ardmore for professional services rendered Mr. Vernon Cason, a deputy sheriff of Carter County, Oklahoma, as a result of an accident incurred by him in line of duty, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 592—By GARLAND of the House and BRIGGS of the Senate.

An Act authorizing a representative of the estate of Gordon Stringer, deceased, or his surviving wife, to bring suit against the State of Oklahoma for the benefit of the estate or for the benefit of said wife and minor children, for damages resulting from the death of Gordon Stringer, deceased; providing that if judgment is recovered thereon that the same shall be paid from the general fund in the State Treasury not otherwise appropriated and appropriating \$10,000.00 or so much thereof as may be necessary for the payment of judgment rendered, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 642—By CONNER, GRAHAM, ELLIS, COE, COPELAND, BILLINGS and MARSHALL of the House, and MORRISON and FIDLER of the Senate.

An Act authorizing the Governing Board of any City in Oklahoma, which has a State Fair to levy a special tax in addition to, in excess of, and beyond ad valorem tax levies for current expenses authorized by law a special tax of not to exceed one-fourth of one mill for the purpose of making payments for premiums to cer-

tain exhibitors at the said State Fair, limiting the amount of funds thus to be raised, providing for the manner in which premiums to exhibitor shall be distributed; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 94—By DANIEL of the House and CHAMBERLIN and GARVIN of the Senate.

An Act providing for an appropriation of Ten Thousand (\$10,000.00) Dollars for the remainder of the fiscal year ending June 30th, 1933, Thirty-Two Thousand Five Hundred (\$32,500.00) Dollars for the fiscal year ending June 30th, 1934, and Thirty-Two Thousand Five Hundred (\$32,500.00) Dollars for the fiscal year ending June 30th, 1935, for the maintenance of Oklahoma orphan children who are not in State institutions; providing for the expenditure of the same by the State Board of Public Affairs on a per capita basis; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 94, 592, 642 and 663.

Senator Ritzhaupt asked unanimous consent, which was granted, to strike SENATE BILL NO. 347, by Sowards, from the calendar and re-refer it to the Committee on Education.

Upon motion of Senator Nance, the Senate adjourned, to meet at 10:00 o'clock, a. m., Tuesday, March 21, 1933.

## FIFTY-SEVENTH LEGISLATIVE DAY

Tuesday, March 21, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by President Pro Tempore Stewart, who announced the Senate would recess to meet at 1:30 p. m.

### AFTERNOON SESSION

At 1:30 p. m., the Senate reassembled, with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 38.

Absent: Powers. Total, 1.

Excused: Garvin, Logan, Morrison, Waldrep, Wilbanks. Total, 5.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Nance moved that HOUSE BILL NO. 4, by Daniels, be withdrawn from the Committee on Revenue and Taxation and placed upon the calendar, which motion was declared adopted, the roll call, thereon, being as follows:

Ayes: Carlile, Carmack, Chamberlin, Clark, Curnutt, Fidler, Fischl, Jennings, Johnston, Lester, MacDonald, Moon, Nance, Paul, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor. Total, 22.

Nays: Ballard, Briggs, Liggett, Memminger, Nichols, Rizley, Whitaker, Willis. Total, 8.

Not Voting: Commons, Coppock, Daugherty, Dixon, Howard, Hutchinson, Ray, Thomas. Total, 8.

Absent: Powers. Total, 1.

Excused: Garvin, Logan, Morrison, Waldrep, Wilbanks. Total, 5.

Senator Paul moved that SENATE BILL NO. 250, by Paul, Waldrep and Jennings (by request), be set for Special Order at 2:00 o'clock, p. m., on the next legislative day, which motion failed of adoption.

Senator Ballard raised a point of order against the announced result of the Nance motion, to withdraw House Bill No. 4 from the Committee on Revenue and Taxation and place it upon the calendar, which was sustained, stating the motion would require a suspension of the rules.

Senator Moon was recognized on a question of "Privileges of the Senate," concerning Enrolled Senate Resolution No. 21.

Senator Nichols moved that a committee of 3 be appointed, to investigate, concerning the enrollment of Senate Resolution No. 21, with instructions to report at 3:00 o'clock, p. m., on the next legislative day.

Senator Curnutt, as a substitute, moved that the Committee on Enrolled and Engrossed bills be requested to make the investigation, concerning the enrollment of Senate Resolution No. 21, and make its report to the Senate on the next legislative day.

Senator Whitaker, in lieu of all pending motions, moved that the Senate request the Secretary of State to return Enrolled Senate Resolution No. 21, for the purpose of making corrections.

Senator Briggs raised a point of order against the Whitaker motion, which was overruled, stating the Senate "has no power over the records of the Secretary of State."

The vote occurring on the Whitaker motion, it was declared adopted.



*Fifty-seventh Day, Tuesday, Mar. 21, 1933 1435*

### 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 Education, to whom was referred Engrossed House Bill No. 165, by Spear, entitled:

An Act providing for transportation of pupils in the 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.

RITZHAUPT, Chairman.

Mr. President: We, your Judiciary Committee No. 2, to whom was referred Engrossed House Bill No. 346, by Chambers, Logsdon, Kirkpatrick, Timmons, Beard, Boyer, Ebey (Tulsa), entitled:

An Act to amend Section 9695, Oklahoma Statutes 1931, relating to attesting deeds or other instruments affecting real estate executed by a corporation, except when executed by an attorney in fact, 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Engrossed House Bill No. 363, by Shoemaker, entitled:

An Act amending Section 6503, Oklahoma Statutes, 1931, relating to publication of docket and fees in 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.

PUGH, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Engrossed House Bill No. 517, by Daniel, Henderson, Whitford, Cavins, O'Neill and Glen, entitled:

An Act fixing the salaries of elective officers of the state of Oklahoma, repealing conflicting laws, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

PUGH, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Engrossed House Bill No. 559, by Worthington, entitled:

An Act repealing Section 8359, Oklahoma Statutes, 1931; same being special salary act relating to Tillman County only, 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.

PUGH, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Joint Resolution No. 18, by Daugherty and Fischl, entitled:

A Resolution providing for temporary suspension of the Oklahoma University at Norman, the Agricultural and Mechanical College at Stillwater, the East Central Teachers College at Ada and the Central State Teachers College at Edmond providing for the re-opening of said institutions and the transfer of funds, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

RITZHAUPT, Chairman.

Upon motion of Senator Ritzhaupt, the adverse Committee Report on Senate Joint Resolution No. 18 was adopted.

Mr. President: We, your Committee on Roads and

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Highways, to whom was referred Senate Bill No. 339, by Johnston, entitled:

An Act empowering the several counties of the state and the Highway Department, or either, to assume the obligation of road construction bonds issued by the various townships and used for paving or for bridge construction of the county and state type, 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.

BRIGGS, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 341, by Liggett, entitled:

An Act amending Section 4,515, Oklahoma Statutes, 1931, relating to the payment of fees of registrars in 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.

PUGH, Chairman.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Senate Bill No. 356, by Ritzhaupt, entitled:

An Act requiring certain creditors of all persons who are injured or whose property is damaged by reason of any accident to file their notice of claims with the county clerk of the county wherein the accident occurs, and providing that any person who pays out money in settlement for said injuries or property damages to, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CURNUTT, Chairman.

Mr. President: We, your Judiciary Committee, Di-

vision No. 2, to whom was referred Senate Bill No. 362, by Memminger, entitled:

An Act amending Section 12674, Oklahoma Statutes, 1931, with reference to the time and manner of filing and certifying estimates with the county excise board; providing a penalty for failure to file said estimates within the time specified; 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Judiciary Committee, Division No. 2, to whom was referred Senate Bill No. 364, by Ballard (By Request), entitled:

An Act amending Section 731, Oklahoma Statutes, 1931, relating to the writ of mandamus and the issuance 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 373, by Logan, entitled:

An Act providing that no teacher shall loan money to any member of the school board and their family or to any employee of the board or to the county superintendent; setting out the penalty 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.

RITZHAUPT, Chairman.

Senator Johnston asked unanimous consent, to which objections were voiced, to advance Senate Bill No. 373 to engrossment and third reading.

SECOND READING



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

SENATE BILL NO. 374—By RITZHAUPT.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 375—By LESTER, STACEY and WILLIS.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 376—By WHITAKER.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 377—By RITZHAUPT.—Referred to Committee on Commerce and Labor.

SENATE BILL NO. 378—By RITZHAUPT, FIDLER, WILLIS, CARLILE and STACEY.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 379—By MacDONALD.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 380—By MacDONALD.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 381—By TAYLOR.—Referred to Committee on School Lands.

SENATE BILL NO. 382—By FISCHL, DIXON and RAY of the Senate, and BATSON, GRUNERT, CAVINS, RAWLS and STRICKLAND (Marshall) of the House.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 383—By REED, NANCE, of the Senate, and MALLORY, KIGHT, TODD, LEE-CRAFT, and ABERNETHY of the House.—Referred to Committee on Banks and Banking.

SENATE BILL NO. 384—By REED.—Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 385—By PUGH (By Request).—Referred to Committee on Fees and Salaries.

ENGROSSED HOUSE BILL NO. 624—By COMMITTEE ON APPROPRIATIONS.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 504 — By

CLOYD, LEECRAFT, GRAHAM, MARTIN, BROADDUS and SHOEMAKE.—Referred to Judiciary Committee No. 1.

ENGROSSED HOUSE BILL NO. 623—By COMMITTEE ON APPROPRIATIONS.—Referred to Committee on Appropriations.

ENGROSSED HOUSE BILL NO. 622—By COMMITTEE ON APPROPRIATIONS.—Referred to Committee on Appropriations.

ENGROSSED HOUSE BILL NO. 94—By DANIEL of the House and CHAMBERLIN and GARVIN of the Senate.—Referred to Committee on Appropriations.

ENGROSSED HOUSE BILL NO. 642—By CONNER, GRAHAM, ELLIS, COE, COPELAND, BILLINGS and MARSHALL of the House, and MORRISON and FIDLER of the Senate.

By unanimous consent, House Bill No. 642 was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 592—By GARLAND of the House and BRIGGS of the Senate.—Referred to Committee on Appropriations.

ENGROSSED HOUSE BILL NO. 663—By CAVINS and GRUNERT.—Referred to Committee on State and County Affairs.

ENGROSSED HOUSE BILL NO. 628—By COMMITTEE ON APPROPRIATIONS.—Referred to Committee on Appropriations.

#### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

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

*Fifty-seventh Day, Tuesday, Mar. 21, 1933* 1441

ENGROSSED SENATE BILL NO. 6—By STEW. ART, entitled:

An Act repealing Chapter 161, Session Laws, 1923; 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,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 6 was ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 469 — By HUGHES.

An Act authorizing the Board of Affairs to acquire the old union mission site in Mayes County, Oklahoma, and make an appropriation to improve and preserve same.

ENGROSSED HOUSE BILL NO. 197—By MASSEY.

An Act to provide for the control and destruction of predatory animals; making an appropriation therefor, and prescribing the manner of its expenditure in cooperation with the Fish and Game Commission, repealing Sections 4865 to 4868, inclusive, Oklahoma Statutes 1931.

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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 197 and 469.

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE BILL NO. 242—By WRIGHT, CLINE, MORSE, BROADDUS, WORTHINGTON, WHITFORD, FRALEY, BOYER, KENAN, GRISSO, CHAMBERS and KIRKPATRICK, of the House, and LOGAN and RUTHERFORD of the Senate, entitled:

An Act repealing Section 10204, Compiled Oklahoma Statutes, 1921, levying an ad valorem tax of one-fourth of one mill upon all property for state highway construction fund,

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 in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 242 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

Senator Morrison asked to be recorded "present," which was the order.

Senator Whitaker moved that the vote be reconsidered by which the Senate adopted the Conference Committee Report on ENGROSSED HOUSE BILL NO. 271, by Childers and Babb, on the last legislative day, which motion prevailed.

Senator Whitaker moved that the Senate reject the Conference Committee Report on Engrossed House Bill No. 271 and ask the Honorable House for a further conference, thereon, which motion prevailed.

Senator MacDonald presiding.



SPECIAL ORDER

HOUSE BILL NO. 416, by Leecraft, was taken up for consideration.

Section 1 was read.

Senator Commons moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted "absent": Senators Carlile, Daugherty, Liggett, Nance, Paul, Powers, Pugh, Rizley, Sowards and Willis.

The Sergeant-at-Arms was instructed to notify all absent members of the Senate's proceedings.

The Presiding Officer declared the Senate at ease, until absent members of the Senate are present.

Senator Briggs raised a point of order against the Senate's being at ease, citing sub-division D of Rule 5, which was sustained.

The following members of the Senate asked to be recorded, "present," which was the order: Senators Daugherty, Paul, Rizley, Sowards and Willis.

Senator Stewart moved that further consideration of House Bill No. 416 be indefinitely postponed, which motion was tabled, upon motion of Senator Commons, the roll call thereon being as follows:

Ayes: Carmack, Chamberlin, Commons, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nichols, Paul, Ray, Reed, Ritzhaupt, Taylor, Whitaker, Willis. Total, 21.

Nays: Ballard, Briggs, Clark, Coppock, Curnutt, Daugherty, Morrison, Rizley, Rutherford, Stacey, Stewart, Thomas. Total, 12.

Not Voting: Carlile, Hutchinson, Liggett, Nance, Pugh, Sowards. Total, 6.

Absent: Powers. Total, 1.

Excused: Garvin, Logan, Waldrep, Wilbanks. Total, 4.

Senator Stewart submitted the following amendment:

Mr. President: I move to amend House Bill No. 416, line 5, page 2, by striking the words and figures, "thirty-three and one-third ( $33 \frac{1}{3}$ )," and inserting the word and figures, "fifteen (15)."

STEWART.

Senators Liggett, Nance, Pugh and Carlile asked to be recorded "present," which was the order.

Senator Chamberlin moved to table the Stewart amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carmack, Chamberlin, Commons, Daugherty, Fischl, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Taylor, Whitaker, Willis. Total, 20.

Nays: Briggs, Clark, Coppock, Curnutt, Fidler, Liggett, Moon, Morrison, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas. Total, 15.

Not Voting: Carlile, Dixon, Howard, Hutchinson. Total, 4.

Absent: Powers. Total, 1.

Excused: Garvin, Logan, Waldrep, Wilbanks. Total, 4.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend House Bill No. 416, line 4, page 2, by striking the words and figures, "thirty-three and one-third ( $33 \frac{1}{3}$ )," and by inserting in lieu thereof the words and figures, "sixteen and two-thirds ( $16 \frac{2}{3}$ )," and by adding a new paragraph, as follows, at line 18½: "That  $16 \frac{2}{3}$  percentum of the portion of all taxes on motor carriers, motor vehicle license fees and excise tax on gasoline, computed under the provisions of existing law and heretofore deposited in the State Treasury to the credit of the State Highway Construction and Maintenance fund, is, until the first day of June, 1935, hereby levied for, and shall be collected and credited to the common school fund of the

State, to be distributed among the several school districts of the State upon the enumeration basis; provided that from and after the first day of June, 1935, such taxes and license fees levied and collected for the purpose enumerated in this paragraph shall revert to, and be credited to, the State Highway Construction and Maintenance fund."

JENNINGS.

Senator Commons moved to table the Jennings amendment, which motion, by unanimous consent, he withdrew.

Senator Paul submitted the following amendment to the Jennings amendment:

Mr. President: I move to amend the Jennings amendment, by providing that "money received from this fund by a school district will automatically cut the ad valorem levy in said district in proportion to the amount received."

PAUL.

Senator Commons moved to table the Paul amendment, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Pugh, Ray, Reed, Stacey, Whitaker, Willis. Total, 19.

Nays: Briggs, Clark, Coppock, Curnutt, Dixon, Fidler, Fischl, Howard, Hutchinson, Morrison, Nance, Paul, Ritzhaupt, Rizley, Rutherford, Sowards, Stewart, Taylor, Thomas. Total, 19.

Not voting: Daugherty. Total, 1.

Absent: Powers. Total, 1.

Excused: Garvin, Logan, Waldrep, Wilbanks. Total, 4.

Senator Whitaker moved the adoption of the previous question, which motion failed of adoption.

Senator Ballard, in lieu of all pending motions,

moved that House Bill No. 416 be stricken from the calendar.

Senator Commons, in lieu of all pending motions, moved that House Bill No. 416 be advanced to engrossment and third reading.

Senator Ballard raised a point of order against the Commons motion, which was sustained, stating a motion "in lieu of all pending" was before the Senate.

Senator Whitaker moved to table the Ballard motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Daugherty, Dixon, Fischl, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Whitaker, Willis. Total, 23.

Nays: Ballard, Briggs, Clark, Coppock, Curnutt, Hutchinson, Liggett, Morrison, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas. Total, 15.

Not voting: Fidler. Total, 1.

Absent: Powers: Total, 1.

Excused: Garvin, Logan, Waldrep, Wilbanks. Total,

4.

Senator Briggs, in lieu of all pending motions, submitted the following amendment:

Mr. President: I move to amend House Bill No. 416, by striking Section 1 and inserting the following: "That one-third (1/3) of the funds hereafter collected, under the provisions of existing law and placed to the credit of the State Highway Maintenance and Construction fund in the State Treasury, is hereby levied for and shall be collected and placed to the credit of a special fund in the State Treasury, to be distributed to the various counties and townships of this State in proportion as the several respective counties and townships are indebted upon bond obligations, created for the purpose of and expended in the construction of highways now



forming a part or portion of the State Highway System of the State.”

BRIGGS.

Senator Commons, in lieu of all pending motions, moved that House Bill No. 416 be advanced to engrossment and third reading.

Senator Jennings raised a point of order against the Commons motion, which was overruled, citing subsection D of Rule 31.

The vote occurring on the Commons motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Howard, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Whitaker, Willis. Total, 21.

Nays: Ballard, Briggs, Clark, Coppock, Curnutt, Dixon, Hutchinson, Jennings, Liggett, Moon, Morrison, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas. Total, 17.

Not voting: Fidler. Total, 1.

Absent: Powers. Total, 1.

Excused: Garvin, Logan, Waldrep, Wilbanks. Total, 4.

Senator Nance presiding.

Senator Commons moved that the Senate adjourn, to meet at 10:00 a. m., tomorrow, which motion, by unanimous consent, he withdrew.

MESSAGES

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

To the President of the Senate,  
Building

SIR:

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

ENGROSSED HOUSE BILL NO. 79—BY GLEN, LOGSDON, COX, KEENAN and SULLIVAN, entitled:

An Act authorizing several counties of this State upon an initiative petition of sixteen per centum of the total number of voters in said county to call an election to submit to the electors of the respective counties the question of whether the duties of the County Clerk shall be consolidated with the office of the Court Clerk; providing procedure therefor and repealing all Acts and 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 79.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 151—By GRIS-  
SO, HAILE, DUKE, DANIELS, LEECRAFT, PAL-  
MER, EBNEY (Pontotoc), LANDINGHAM, FITZ-  
GERALD, GRUNERT, ALBRIGHT, STURGELL,  
LINDSEY, HAYS, JONES and KING (Coal), CAV-  
INS, entitled:

An Act amending Section 12719, Oklahoma Statutes, 1931, providing for the payment of ad valorem taxes in four equal installments, fixing penalty for delinquent taxes, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

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The Presiding Officer announced First Reading of Engrossed House Bill No. 151.

The following Message from the Secretary of State was received and read:

Mr. J. William Cordell,  
Secretary of the Senate,  
Building  
Dear Sir:

Complying with the request in your letter of March 21st, for the return of enrolled Senate Resolution No. 21, by Ray, Dixon, Fischl, Nance and Paul, as follows:

“A RESOLUTION AUTHORIZING THE PRESIDENT OF THE SENATE TO APPOINT A COMMITTEE OF FIVE MEMBERS OF THE SENATE TO CONFER WITH THE OKLAHOMA DELEGATION IN CONGRESS, AND THE SECRETARY OF AGRICULTURE OF THE UNITED STATES CONCERNING THE ALLOCATION OF FEDERAL FUNDS TO OKLAHOMA FOR HIGHWAY PURPOSES, AND MEMORIALIZING THE STATE HIGHWAY COMMISSION TO DESIGNATE A REPRESENTATIVE TO ACCOMPANY SAID COMMITTEE FOR THAT PURPOSE, AND DECLARING AN EMERGENCY.”

I am returning same herewith for the purpose of correction.

Very truly yours,

UNA LEE ROBERTS,

Assistant Secretary of State.

Senator Briggs moved that, when the Senate adjourns, it adjourn to meet at 1:30 p. m., March 22nd, which motion failed of adoption.

#### COMMITTEE REPORT

By unanimous consent, the following Committee Report was submitted, and adopted, the bill being ordered referred to the Committee on Education, for further consideration:

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 113, by Broaddus, Shoemaker and Martin, entitled:

An Act amending Section 7040 Article 18 Oklahoma Statutes 1931 providing for the levy of a tax for separate schools, for the administration of the separate school tax for separate schools in independent school districts, etc.,

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 Education.

WHITAKER, Chairman.

Upon motion of Senator Briggs, the Senate adjourned to meet at 10:00 o'clock, a. m., Wednesday, March 22nd, 1933.



## FIFTY-EIGHTH LEGISLATIVE DAY

Wednesday, March 22, 1933

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Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by President Pro Tempore Stewart.

Upon roll call, the President Pro Tempore declared a quorum not present, and declared the Senate recessed to meet at 1:30 p. m.

### AFTERNOON SESSION

At 1:30 p. m., the Senate re-assembled, with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 40.

Absent: Lester, Powers. Total, 2.

Excused: Logan, Waldrep. Total, 2.

The President 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 Education, to whom was referred Senate Bill No. 347, by Sowards (by request), entitled:

An Act regulating the sale and price of second hand text books, providing penalties for the violation of this Act; repealing all Acts conflicting therewith, beg leave to report that we had the same under consid-

eration and herewith return the same with the recommendation that the Committee Substitute do pass.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 384, by Reed, entitled:

An Act fixing the compensation of the chairman and other members of the Oklahoma Tax Commission and its secretary and attorney; creating certain clerical, stenographic and other positions in the department of said commission; etc.,

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 Fees and Salaries.

WHITAKER, Chairman.

Senate Bill No. 384 was ordered referred to the Committee on Fees and Salaries.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 58, by Abernathy, Gray, Turner, Smalley, Landingham and Strickland, entitled:

An Act requiring licenses for the operation, maintenance, opening or establishing of stores in this state, prescribing the license or filing fees to be paid therefor, providing further for the disposition of the taxes and license fees, 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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Agriculture, to whom was referred Engrossed House Bill No. 219, by Collins, entitled:

An Act repealing Section 8873, Oklahoma Statutes 1931; abolishing the State Plant Board; providing that the duties now performed by said board shall hereafter

be performed by the State Board of Agriculture, defining the duties of said board relating to seed, 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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 229, by Gray, entitled:

An Act levying a stamp tax on the sale of cigarettes; prescribing the rate thereof; providing for stamps and the use thereof; providing for the enforcement of this Act by the Oklahoma Tax Commission and for rules and regulations in relation thereto; etc.,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WHITAKER, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 368, by Shoemake and Albright, entitled:

An Act providing that where more than one year's delinquent tax has accrued on real property, the amount due for any one year may be paid without regard to the amounts due for said other years, 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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 624, by Committee on Appropriations, entitled:

An Act providing that the state gasoline excise tax and motor vehicle license tax, in addition to the purposes which under existing laws are now levied and col-

lected and deposited to the credit of the state highway construction, etc.,

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 Appropriations.

WHITAKER, Chairman.

House Bill No. 624 was ordered referred to the Committee on Appropriations.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 305, 460, Senate Bills Nos. 313, 357, 366 and 367, correctly engrossed and Senate Bill No. 6, correctly enrolled.

LIGGETT, Chairman.

Senate Bill No. 6 was read at length for the fourth time, the enrolled copy signed, in open session, by the President, and ordered transmitted to the Honorable House for the signature of the Speaker.

## SECOND READING

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

ENGROSSED HOUSE BILL NO. 469 — By HUGHES.—Referred to Committee on Appropriations.

ENGROSSED HOUSE BILL NO. 197—By MASSEY.—Referred to Committees on Appropriations and Agriculture.

ENGROSSED HOUSE BILL NO. 151—By GRIS-  
SO, et al.

Senator Nichols asked unanimous consent, which was granted, to place House Bill No. 151 upon the calendar, without reference to a committee.

ENGROSSED HOUSE BILL NO. 79—By GLEN, LOGSDON, COX, KENAN and SULLIVAN.—Referred to Committee on State and County Affairs.



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Senator Chamberlin moved that the Senate work under a Call of the House, which motion prevailed.

Upon a roll call being ordered, the following members were noted absent: Senators Ballard, Carlile, Coppock, Daugherty, Dixon, Fidler, Fischl, Howard, Lester, Morrison, Paul, Powers, Reed, Rizley, Rutherford, Sowards, Taylor and Whitaker.

The Sergeant-at-Arms was instructed to notify absent members of the Senate's proceedings.

### THIRD READING

Senator Nichols moved that the vote be re-considered by which SENATE BILL NO. 367 was advanced to engrossment and third reading, which motion prevailed.

Senator Nichols asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 367, Section 1, as follows: In line 1, page 2, by striking after the word "of" and before the word "paving" the word "a" and inserting the word "any" and in the same line by striking after the word "or" and before the word "im-" the word "street"; line 2, page 2, by adding after the word "provement" and before the word "bond" the word "warrant," and by adding after the word "bonds" and before the word "issued," the words "heretofore or hereafter"; and in line 11, page 2, by adding after the word "such" and before the word "bond," the word "warrant."

NICHOLS.

Senator Nichols asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 367, in Section 2, as follows: In line 14, page 2, by adding after the word, "bond," and before the word, "ten-," the words, "or warrant"; line 2, page 3, by striking after the word, "improvement," and before the

word, "upon," the words, "tax or lien," and inserting the words, "assessment lien or installment thereof"; line 4, page 3, by adding after the word, "bond," and before the word, "was," the words, "or warrant"; line 6, page 3, by striking after the word, "improvement," and before the word, "upon," the words, "tax or lien," and inserting the words, "assessment lien or installment thereof"; line 9, page 3, by striking after the word, "improvement," and before the word, "upon," the word, "taxes," and inserting the word, "assessments"; line 10, page 3, by adding after the word, "such," and before the word, "bond," the word, "warrant"; line 13, page 3, by adding after the word, "bond," and before the word, "to," the words, "or warrant"; line 16, page 3, by adding after the word, "bonds," and before the word, "tendered," the words, "or warrants"; line 18, page 3, by adding after the word, "said," and before the word, "bond," the word, "warrant"; and by adding at the end of line 1, page 4, the following: "or endorse said payment on said bond, if less than the face thereof."

NICHOLS.

The following members asked to be recorded "present," which was the order: Senators Ballard, Carlile, Coppock, Daugherty, Fischl, Howard, Paul, Reed, Sowards, Taylor and Whitaker.

Senator Nichols asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 367, in Section 3, as follows: In line 3, page 4, by striking after the word, "improvement," and before the word, "mentioned," the word, "taxes" and inserting the words, "assessments or installments thereof"; line 12, page 4, by adding after the word, "property," and before the word, "described," the words, "for the installments"; at the end of line 14, page 4, by striking the

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words, "delinquent taxes," and adding the words, "assessments or installments thereof."

NICHOLS.

Senator Nichols asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 367, in Section 4, as follows: In line 16, page 4, by striking after the word, "of," and before the word, "paving," the word, "a," and inserting the word, "any"; line 17, page 4, by adding after the word, "bond," and before the word, "as," the words, "or warrant heretofore or hereafter issued"; line 2, page 5, by striking after the word, "-ment," and before the word, "which," the word, "taxes," and inserting the word, "assessments"; and in the same line by striking after the word, "been," and before the word, "upon," the word, "assessed," and inserting the word, "levied"; line 4, page 5, by adding after the word, "bond," and before the word, "was," the words, "or warrant"; line 5, page 5, by striking after the word, "such," and before the word, "are," the word, "taxes," and inserting the words, "assessments or installments"; line 7, page 5, by adding after the word, "said," and before the word, "bond," the word, "warrant"

NICHOLS.

Senator Nichols asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 367, to read as follows:

"AN ACT PROVIDING FOR THE PAYMENT OF PAVING OR IMPROVEMENT ASSESSMENTS BY THE PAVING OR IMPROVEMENT BONDS OR WARRANTS ISSUED THEREFOR BY ANY CITY OR TOWN IN THE STATE OF OKLAHOMA, AND PROVIDING FOR THE DISCHARGE OF THE PAV-

ING OR IMPROVEMENT LIEN ON SUCH PROPERTY TO THE EXTENT OF SUCH BONDS AND WARRANTS TENDERED IN PAYMENT OF THE SAME, AND PROVIDING FOR THE ISSUANCE OF A RECEIPT THEREFOR BY THE CLERK OF SUCH CITY OR TOWN, AND THE CANCELLATION OF SUCH BONDS AND WARRANTS SO DELIVERED AND PROVIDING THAT IN CASE SUCH ASSESSMENT IS DELINQUENT AND IN THE HANDS OF THE COUNTY TREASURER FOR COLLECTION, WHEN SUCH RECEIPT IS PRESENTED TO THE COUNTY TREASURER HE SHALL ENTER A SATISFACTION OF SUCH DELINQUENT ASSESSMENT ON HIS RECORD; PROVIDING THAT IF ANY PART OF THE ACT IS FOR ANY REASON DECLARED VOID, SUCH INVALIDITY SHALL NOT AFFECT THE VALIDITY OF THE REMAINING PORTIONS OF THE ACT, AND REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY."

NICHOLS.

Upon motion of Senator Nichols, Senate Bill No. 367 was advanced to engrossment and third reading.

Upon motion of Senator Nichols, Senate Bill No. 367, as amended, was ordered printed.

Upon motion of Senator Commons, HOUSE BILL NO. 416, by Leecraft, was ordered re-committed to the Committee on Revenue and Taxation.

Upon motion of Senator Willis, SENATE BILL NO. 312, by Willis and Nance, was ordered withdrawn from the Committee on State and County Affairs and placed upon the Calendar.

Senator Nichols asked unanimous consent, which was granted, to defer third reading of SENATE BILL NO. 269, by Nichols.



SENATE BILL NO. 178 was read for the third time at length.

Senator Memminger moved that further consideration of Senate Bill No. 178 be indefinitely postponed.

Upon motion of Senator Garvin, the previous question was ordered.

The vote occurring on the Memminger motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Chamberlin, Commons, Currutt, Garvin, Hutchinson, Jennings, Liggett, Memminger, Nichols, Pugh, Stacey, Thomas, Whitaker, Willis. Total, 16.

Nays: Briggs, Carmack, Clark, Coppock, Daugherty, Howard, Johnston, Moon, Morrison, Nance, Reed, Sowards, Stewart, Taylor, Wilbanks. Total, 15.

Not Voting: Dixon, Fidler, Fischl, MacDonald, Paul, Ray, Ritzhaupt, Rizley, Rutherford. Total, 9.

Absent: Lester, Powers. Total, 2.

Excused: Logan, Waldrep. Total, 2.

Senator Nance served notice that he would, on some future legislative day, move to re-consider the vote by which Senate Bill No. 178 was indefinitely postponed.

SENATE BILL NO. 357 was read for the third time at length.

Senator Garvin asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 357, by striking all of said bill following the title and substituting therefor the following: "BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA.

SECTION 1. That the levying of an ad valorem levy for county highway purposes in Jefferson County, Oklahoma, be, and the same is hereby prohibited.

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."

GARVIN.

The question being, "Shall Senate Bill No. 357 pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Pugh, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 33.

Not Voting: Dixon, Fidler, Paul, Ray, Rizley, Rutherford, Sowards. Total, 7.

Absent: Lester, Powers. Total, 2.

Excused: Logan, Waldrep. 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 Senate Bill No. 357 become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Pugh, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 33.

Not Voting: Dixon, Fidler, Paul, Ray, Rizley, Rutherford, Sowards. Total, 7.

Absent: Lester, Powers. Total, 2.

Excused: Logan, Waldrep. 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. 357 was ordered referred for re-engrossment.

Upon motion of Senator Whitaker, the Senate proceeded to the third reading and final passage of HOUSE BILL NO. 305.

Senator Garvin moved that the Call of the House be enforced.

Senator Chamberlin, as a substitute, moved that no Senator be "excused," except by unanimous consent of the Senate.

Senator Whitaker raised a point of order against the Chamberlin motion, which was sustained, stating the Senate rules provide for the provisions of the Chamberlin motion.

The President declared the Senate rules would be enforced.

Senators Jennings and Nance asked unanimous consent, which was granted, to be "excused" for fifteen minutes.

Senator MacDonald presiding.

HOUSE BILL NO. 305 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Pugh, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Hutchinson. Total, 2.

Not Voting: Dixon, Fidler, Ray, Rizley, Rutherford, Sowards. Total, 6.

Absent: Lester, Powers. Total, 2.

Excused: Jennings, Logan, Nance, Waldrep. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Pugh, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Hutchinson. Total, 2.

Not Voting: Dixon, Fidler, Ray, Rizley, Rutherford, Sowards. Total, 6.

Absent: Lester, Powers. Total, 2.

Excused: Jennings, Logan, Nance, Waldrep. 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 Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 305, as amended, and ordered it returned to the Honorable House.

Senator Morrison asked unanimous consent, which was granted, to take up for third reading, SENATE BILL NO. 313.

SENATE BILL NO. 313 was read for the third time at length.

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

Senator Curnutt moved that Senate Bill No. 313 be made a Special Order at 2:00 p. m., on the next legislative day, under general order, which motion was ruled out of order on a point of order raised by Senator Jennings that a roll call was in progress.

Ayes: Briggs, Carmack, Commons, Howard, John-



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ston, MacDonald, Morrison, Reed, Ritzhaupt, Stacey, Stewart. Total, 11.

Nays: Ballard, Carlile, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Garvin, Jennings, Liggett, Memminger, Moon, Nance, Paul, Pugh, Ray, Sowards, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 22.

Not Voting: Dixon, Fidler, Fischl, Hutchinson, Nichols, Rizley, Rutherford. Total, 7.

Absent: Lester, Powers. Total, 2.

Excused: Logan, Waldrep. 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 Morrison served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 313 failed of passage.

Senator Paul moved to reconsider the vote by which Senate Bill No. 313 failed of passage.

Senator Logan asked to be recorded "present," which was the order.

Senator Garvin moved that the Call of the House be lifted, which motion, on a standing vote, was declared adopted.

Upon a roll call being asked for and sustained, Senator Curnutt raised a point of order against a roll call, stating the result of the Garvin motion had been announced by the Chair.

The Chair announced the challenge of the result of the Garvin motion justified a roll call, which was as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Johnston, Liggett, Logan, Memminger, Moon, Morrison, Nichols, Paul, Ray, Sowards, Stacey, Thomas, Whitaker. Total, 24.

Nays: Ballard, Coppock, Jennings, MacDonald,

Nance, Pugh, Reed, Ritzhaupt, Stewart, Taylor, Wilbanks, Willis. Total, 12.

Not Voting: Dixon, Fidler, Hutchinson, Rizley, Rutherford. Total, 5.

Absent: Lester, Powers. Total, 2.

Excused: Waldrep. Total, 1.

The Call of the House was declared lifted.

MESSAGE

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

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has granted a further conference on:

ENGROSSED HOUSE BILL NO. 271—By CHILDERS and BABB, entitled:

An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563, 12565, 12566, 12567, 12569, 12571, 12573 and 12529, Oklahoma Statutes, 1931, relating to, and providing for, the enforcement of the gasoline excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission; defining the term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto; defining embezzlement and perjury, for violation of this Act and prescribing penalties; further extending provision for injunction and giving the commission authority in certain cases to declare the excise tax due and payable forthwith; authorizing exercise of discretion by commission in issuance, extension, reinstatement, suspension and cancellation of licenses; declaring what may be admitted as evidence in certain cases; repealing conflicting laws and declaring an emergency, and the Speaker has re-appointed Representatives

CHILDERS, BABB and LOGSDON, as House Conferees thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Briggs, the Senate Conferees under Engrossed House Bill No. 271, were re-appointed as Senate Conferees, for a further conference on the Bill.

Senator Wilbanks presiding.

SENATE BILL NO. 366 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Whitaker, Wilbanks. Total, 30.

Not Voting: Carmack, Daugherty, Dixon, Fidler, Garvin, MacDonald, Rizley, Rutherford, Sowards, Thomas, Willis. Total, 11.

Absent: Lester, Powers. Total, 2.

Excused: Waldrep. 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Whitaker, Wilbanks. Total, 30.

Not Voting: Carmack, Daugherty, Dixon, Fidler,

Garvin, MacDonald, Rizley, Rutherford, Sowards, Thomas, Willis. Total, 11.

Absent: Lester, Powers. Total, 2.

Excused: Waldrep. 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. 366, and ordered the same transmitted to the Honorable House.

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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Briggs, Daugherty, Dixon, Fidler, Garvin, MacDonald, Rizley, Rutherford, Sowards, Stewart, Thomas. Total, 11.

Absent: Lester, Powers. Total, 2.

Excused: Waldrep. Total, 1.

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 Moon, the emergency section to Engrossed House Bill No. 460 was ordered stricken.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Moon submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 460, by striking therefrom, the words "AND DECLARING AN EMERGENCY."

MOON,



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House Bill No. 460 was referred for engrossment.

#### GENERAL ORDER

Senator Morrison asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 642, by Conner, et al, of the House, and Morrison and Fidler, of the Senate.

Sections 1, 2, 3, and 4 were read and adopted, upon motions of Senator Morrison.

Upon motion of Senator Morrison, House Bill No. 642 was advanced to engrossment and third reading.

Upon motion of Senator Morrison, the rules of the Senate were suspended and House Bill No. 642 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 642 was read for the third time at length.

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

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Hutchinson, Jennings, Johnston, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Briggs, Dixon, Fischl, Howard, Liggett, Logan, MacDonald, Ritzhaupt, Rizley, Sowards. Total, 10.

Absent: Lester, Powers. Total, 2.

Excused: Waldrep. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler,

Garvin, Hutchinson, Jennings, Johnston, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Briggs, Dixon, Fischl, Howard, Liggett, Logan, MacDonald, Ritzhaupt, Rizley, Sowards. Total, 10.

Absent: Lester, Powers. Total, 2.

Excused: Waldrep. 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. 642, and ordered the same transmitted to the Honorable House.

Senator Taylor asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 275, by Taylor and Ritzhaupt.

Sections 1 and 2 were read and adopted, upon motions of Senator Taylor.

Upon motion of Senator Nance, Senate Bill No. 275 was advanced to engrossment and third reading.

Senator Ballard asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 368, by Ballard and MacDonald.

Section 1 was read.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 368, line 18, page 2, by adding after the word, "defendants," and before the word, "has," the words, "or any other pleading"

BALLARD.

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

Sections 2, 3, 4, 5, 6, 7 and 8 were read and adopted, upon motions of Senator Ballard.

Upon motion of Senator Ballard, Senate Bill No.

368 was advanced to engrossment and third reading.

Senator Commons asked unanimous consent, which was granted, to take up for consideration SENATE JOINT RESOLUTION NO. 10, by Commons, of the Senate, and Harp and Douthat, of the House.

Sections 1 and 2 were read and adopted, upon motions of Senator Commons.

Upon motion of Senator Commons, Senate Joint Resolution No. 10 was advanced to engrossment and third reading.

Senator Memminger asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 142, by Stewart and Nance, et al., of the Senate, and Childers, et al., of the House.

President Burns presiding.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 142, line 5, page 2, by inserting after the word, "County," and before the word, "tally," the words, "and precinct"

MacDONALD.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 142, line 9, page 2, by inserting after the word, "help," and before the word, "of", the words, "office supplies, postage and telephone and telegraph"

MacDONALD.

Senator Johnston submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 142, line 2, page 2, by adding after the word, "regular", the words, "and for special elections caused by death, or other vacancy, of any elected member"

JOHNSTON.

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

Sections 2, 3 and 4 were read and adopted, upon motions of Senator MacDonald.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 142, by adding the following as a new section:

“SECTION 5. The provisions of this Act shall apply with equal force to all Special Elections called either by the Governor or the Legislature, except Special Elections pertaining to the change of county seats or county boundaries. The State Election Board shall have the authority to dispense with counters in run-off primary elections and the special elections above referred to, either in all of the voting precincts or in such particular precincts as the State Election Board shall deem it unnecessary to have counters. Counters shall not be so dispensed with except by unanimous vote of the entire membership of the State Election Board. Further, watchers in each precinct may be appointed in writing by each opposing side in the special elections herein referred to. Such appointment in writing shall be submitted to the Inspector of the Precinct before 10:00 A. M. of the morning of the election. Such watchers shall take the oath and perform such duties as are now provided by law for counters in other elections.”

Renumber Section 5 to read Section 6, and renumber Section 6 to read Section 7.

MacDONALD.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 142, by adding a new section, to be numbered Section 6, as follows:

“Section 6. The compensation of all election officers, acting in and for election precincts of counties in the State of Oklahoma, shall be as follows, to-wit:

The inspector of election shall be allowed the sum



of \$2.00 for each day's services in holding each election and \$2.00 per day, not to exceed two days for each trip and five cents (.05) a mile each way in going to the county seat for the election supplies and books and returning the same to the election board.

The judges and clerks of such election shall receive the sum of \$2.00, each, for their services in holding such elections.

Counters shall be allowed the sum of \$2.00, each, for holding each election.

The above fees shall be allowed for services rendered in all general, special, regular and run-off primary elections, held within and for such precinct.

MacDONALD.

Section 7 was read.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 142, line 11, page 5, by striking the figures, "\$325,000.00", and inserting the figures, "\$255,000.00."

MacDONALD.

Upon motion of Senator MacDonald, Section 7, as amended, was adopted.

Section 8 was read and adopted, upon motion of Senator MacDonald.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 142 to read as follows:

"AN ACT RELATING TO STATEWIDE PRIMARY AND GENERAL ELECTIONS AND CERTAIN SPECIAL ELECTIONS; PROVIDING THAT THE EXPENSE OF SUCH ELECTIONS SHALL BE PAID BY THE STATE; EXCEPT CERTAIN ITEMS WHICH SHALL BE PAID BY THE COUNTIES; PROHIBITING THE CREATION OF ANY PRECINCTS WITHOUT THE APPROVAL OF THE

STATE ELECTION BOARD; PRESCRIBING THE METHOD OF PAYING THE STATE'S SHARE OF THE EXPENSE OF SUCH ELECTION; MAKING AN APPROPRIATION THEREFOR; PROVIDING FOR THE DISPENSING OF COUNTERS; PROVIDING FOR THE APPOINTMENT OF WATCHERS IN SPECIAL ELECTIONS; AND REPEALING ALL LAWS AND PARTS OF LAWS IN CONFLICT THEREWITH."

MacDONALD.

Upon motion of Senator MacDonald, Senate Bill No. 142, as amended, was advanced to engrossment and third reading.

By unanimous consent, Senate Bill No. 142, as amended, was ordered printed.

Senator Ballard asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 260, by Morrison.

Section 1 was read.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 260, line 7, page 1, by striking after the word, "be", the balance of line 7, all of line 8 and line 9, to the word, "such", and inserting the following: "signed to said nominating petition unless;" and on line 1, page 2, strike the word, "is", and insert in lieu thereof the word, "was;" and on line 3, page 2, strike the words, "has been," and insert in lieu thereof the word, "was"

BALLARD.

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

Section 2 was read.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No.

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260, line 14, page 3, by striking all of lines 14, 15, 16, 17 and 18.

BALLARD.

Senator Curnutt submitted the following amendment, which was tabled, upon motion of Senator Ballard:

Mr. President: I move to amend Senate Bill No. 260, line 7, page 3, by striking after the words, "Election Boards," and before the word, "No," in line 9.

CURNUTT.

Senator Johnston asked unanimous consent, which was granted, to take up for consideration, SENATE BILL NO. 339, by Johnston.

Senator Curnutt raised the question of "no quorum."

Upon a roll call being ordered, the President declared a quorum of the Senate was present.

Section 1 of Senate Bill No. 339 was read.

Senator Curnutt submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 339, line 4, page 2, by inserting after the word, "empowered," the words, "by unanimous vote of the Board of County Commissioners."

CURNUTT.

Upon motion of Senator Johnston, Section 1 was adopted.

Sections 2 and 3 were read and adopted, upon motions of Senator Johnston.

Section 4 was read.

Senator Johnston moved the adoption of Section 4.

Senator Ballard, as a substitute, moved that further consideration of Senate Bill No. 339 be indefinitely postponed, which motion, by unanimous consent, he withdrew.

Upon the request of Senator MacDonald, further consideration of Senate Bill No. 339 was deferred for this legislative day.

Senator Paul moved that SENATE BILL NO. 250, by Paul, Waldrep and Jennings (by request), be set for Special Order at 2:30 p. m., on the next legislative day.

Senator Nance, as a substitute, moved that Senate Bill No. 250 be advanced to engrossment and third reading.

Senator Ballard, in lieu of all pending motions, moved that further consideration of Senate Bill No. 250 be indefinitely postponed.

By unanimous consent, the Nance and Ballard motions were withdrawn.

The vote occurring on the Paul motion, it was declared adopted.

#### MESSAGES

The following Messages from the Governor were received and read:

#### TO THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 96—By CLOYD.

An Act repealing Sections 1, 2, 3, 4 and 5, of Chapter 14, Article 18, Session Laws of Oklahoma 1909, the same being Sections 4010, 4011, 4012, 4013 and 4014, respectively, of Oklahoma Statutes 1931, relating to the holding of county court at Lexington in Cleveland County, Oklahoma, and the procedure attendant thereto; and declaring an emergency,

which bill having passed the Senate and House of Representatives was presented to me March 14th and held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this March 21st, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.



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TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

HOUSE BILL NO. 257—By REMUND, OTTESEN, ABERNETHY (Harmon), ARMSTRONG, BEARD, CLINE, CLOYD, DOUTHAT, ELLIS, GARLAND, GRUNERT, GRAHAM, HINDS, JOHNSON, KENAN, LOGSDON, PHILLIPS (Okfuskee), STRICKLAND (Marshall), SINGLETON, SMALLEY, WATSON, CAVITT, SULLIVAN, LEECRAFT, MALLORY, LINDSEY, BEAVER, GRAY, KING (Coal), BUSHYHEAD, MARSHALL, PAXTON and ROBERTS of the House and RAY, HUTCHINSON, CHAMBERLIN, CURNUTT, COMMONS, DAUGHERTY, DIXON, HOWARD, LOGAN, MacDONALD, MEMMINGER, MORRISON, RITZHAUPT, RUTHERFORD, and WHITAKER of the Senate.—Entitled:

An Act making appropriation for the operation and maintenance of the Soldiers' Tubercular Sanatorium, and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand, this March 22nd, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 125—By BATSON and COX.

An Act authorizing several counties of the State, upon an initiative petition of sixteen per centum of the

total number of voters in said county to call an election to submit to the electors of the respective counties the question of whether the duties of the county superintendent of public instruction shall be consolidated with the office of the county judge; providing procedure therefor and repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 387—By EBEY (Pontotoc) and HAILE.

An Act amending Sections 12669 and 12675 Oklahoma Statutes 1931, limiting the maximum ad valorem tax levy which may be made by counties, cities, towns, townships and school districts; further defining the duties and powers of county excise boards; repealing Sections 10195 and 10196 Oklahoma Statutes 1931, and conflicting laws; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 338—By JOHN-SON, STURGELL and CLINE of the House and CUR-NUTT of the Senate.

An Act amending Section 2274, Oklahoma Statutes 1931, prohibiting the unlawful connecting to or tapping of any pipe line or conduit through which crude oil, naphtha, gas, gasoline, casinghead gas, or any of the products thereof is transported, defining what constitutes tapping and declaring such acts to be felonies, and fixing a punishment for the violation thereof, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 316—By OTTE-SEN, FRALEY, COX, HAILE, DUKE, DANIELS, LEECRAFT, PALMER, EBEY (Pontotoc), LAND-INGHAM, FITZGERALD, GRUNERT, ALBRIGHT, STURGELL, LINDSEY, HAYS, JONES and KING (Coal).

An Act amending Sections 6842, 12372, 12581, 12582, 12593, 12613, 12615, 12640, 12646, 12660, 12661 and 12674, Oklahoma Statutes, 1931, relating to the listing, assessing and equalizing of property for ad valorem taxation;

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defining the duties, powers and authority of certain officials in relation thereto and also in relation to levies and appropriations; providing administrative appeals; making the performance of such duties mandatory; fixing penalty for neglect or delay; repealing Sections 12594, 12612, 12641, 12642, 12643, 12647, 12651, 12652, 12655, Oklahoma Statutes, 1931, and all conflicting laws; and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 38—By DARKS of the House and WILBANKS of the Senate.

A Joint Resolution authorizing one, Harold Wright, a former inmate of the State Penitentiary at McAlester, Oklahoma, now a resident of Holdenville, Oklahoma, to bring suit against the State of Oklahoma in the District Court in Hughes County to determine the amount of damages, if any, sustained by him by reason of an accident which occurred while he was performing duties assigned to him by the warden of said penitentiary, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Joint Resolution No. 38, and Engrossed House Bills Nos. 125, 316, 338 and 387.

#### GENERAL ORDER

Senator MacDonald asked unanimous consent, which was granted, to advance SENATE BILL NO. 371, by MacDonald, Hutchinson, Wilbanks and Whitaker, of the Senate, and Cloyd, Remund and Sullivan, of the House, to engrossment and third reading.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled bills begs leave to report Senate Bill No. 357 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Bill No. 357 and ordered it transmitted to the Honorable House, for consideration.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 o'clock, a. m., Thursday, March 23d, 1933.



## FIFTY-NINTH LEGISLATIVE DAY

Thursday, March 23, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President, who announced the Senate recessed to meet at 11:00 o'clock, a. m.

At 11:00 o'clock, a. m., the Senate reassembled, with the President presiding, who announced, on account of Committee work, the Senate recessed to meet at 1:30 p. m.

### AFTERNOON SESSION

The Senate reassembled at 1:30 p. m., with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis.  
Total, 41.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### COMMITTEE REPORTS

Senator Dixon advised the Senate that the Report of the Investigation Committee, authorized under Senate Resolution No. 2, and ordered by the Senate to be submitted on the last legislative day, was in the process of completion.

Senator Nance moved that the Investigating Committee, authorized under Senate Resolution No. 2, be discharged and the Committee given until 2:00 o'clock, p.

m., Monday, March 27th, to file its complete report, which motion prevailed.

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. 592, by Garland of the House and Briggs of the Senate, entitled:

An Act authorizing a representative of the estate of Gordon Stringer, deceased, or his surviving wife, to bring suit against the state of Oklahoma for the benefit of the estate or for the benefit of said wife and minor children, for damages resulting from the death of Gordon Stringer, deceased, providing that if judgment is recovered thereon that the same shall be paid from the general funds in the state treasury not otherwise appropriated and appropriating \$10,000.00 or so much thereof as may be necessary for the payment of the judgment rendered, 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 printed and placed upon the calendar.

MacDONALD, Chairman.

Mr. President: We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 353, by Senate Committee on Banks and Banking, entitled:

An Act relating to banks and banking; establishing and adopting a code on banks and banking in lieu of all laws of this state on banks and banking creating a banking commission and amending Articles 1, 2, 3, 4, 5, 6, and 7, and etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that Committee Substitute do pass.

MEMMINGER, Chairman.

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Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 384, by Reed, entitled:

An Act fixing the compensation of the chairman and other members of the Oklahoma Tax Commission and its secretary and attorney; creating certain clerical, stenographic and other positions in the department of said etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

PUGH, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 385, by Pugh, by request, entitled:

An Act amending Sections 3822, 3823, and 3824, Oklahoma Statutes, 1931, by reducing the charges for writing and furnishing district court transcripts, from ten cents of five cents per folio,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

PUGH, Chairman.

Senator Thomas submitted the following supplemental Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Senate Employment, beg leave to make the following supplementary report and recommendation:

We recommend Reverend C. P. Broome, Senate Chaplain, to take the place of Reverend Holmes Nichols whose time expires March 23, 1933.

Respectfully submitted,

THOMAS, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled bills begs leave to report House Bill No. 460, Senate Joint Resolution No. 10, Senate Bills Nos. 107, 142, 243, 275, 277, 338, 367, 368 and 371 each and all correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 460, as amended, and ordered the bill returned to the Honorable House.

Upon motion of Senator Moon, SENATE BILL NO. 208, by Moon, MacDonald, Garvin, Curnutt and Rizley, was ordered withdrawn from the Committee on Commerce and Labor and referred to the Committee on Insurance, for further consideration.

#### GENERAL ORDER

Senator Ballard asked unanimous consent, to which objections were voiced, to have HOUSE BILL NO. 39, by Cloyd, of the House, and Stacey, of the Senate, placed at the head of the calendar, under General Order.

Senator Ballard moved that the rules of the Senate be suspended for the purpose of placing House Bill No. 39 under Special Order for 2:30 p. m., Monday, March 27th, which motion, by unanimous consent, he withdrew.

Senator Curnutt moved that the vote be reconsidered by which SENATE BILL NO. 143, by Curnutt, of the Senate, and Sturgell, and Johnson, of the House, was indefinitely postponed, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Howard, Johnston, Liggett, Logan, MacDonald, Moon, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 27.

Nays: Ballard, Carlile, Garvin, Memminger, Morrison, Nance, Pugh, Sowards, Willis. Total, 9.

Not Voting: Hutchinson, Jennings, Nichols, Paul, Reed. Total, 5.

Absent: Powers. Total, 1.



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Excused: Daugherty, Lester. Total, 2.

Senator Commons moved that the Senate work under a call of the House, which motion failed of adoption.

### MESSAGES

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

To the President of the Senate,  
Building

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. 305—By BATSON, GRAY, BLOCKER, HENDERSON, LEECRAFT, and COX.

An Act amending Sections 10268, 10269, 10271, 10272, 10273, 10274, 10278, 10280, 10283, 10288, 10316, 10317, 10320 and 10323, Oklahoma Statutes 1931; defining motor vehicles, vehicles and other terms; levying license fees on such vehicles, when owned, possessed or operated within this state, licensing manufacturers and dealers in such vehicles and prescribing method of computing such fees; defining the purposes of this Act; regulating the use of vehicles on the public highways of the state, and limiting certain of them as to width, length, height, weight and speed; providing for the computation and collection of such fees; authorizing rules and regulations pertaining thereto; providing for the disposition of the revenues derived under this Act; prescribing penalties for the violation hereof; repealing Sections 10270, 10275, 10276, 10277, 10279, 10281, 10282 and 10284, Oklahoma Statutes 1931, and all Acts or parts of Acts in conflict herewith; providing that vehicles not licensed for the year 1933 and prior years, when this Act becomes effective shall be licensed hereunder; and declaring an emergency,

and respectfully requests that a conference be granted thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Briggs moved that the request of the Honorable House, for a conference on Engrossed House Bill No. 305, be granted, the President to appoint 5 Senate conferees thereunder.

The Briggs motion prevailed, the President appointing as Senate conferees under Engrossed House Bill No. 305, Senators Briggs, Whitaker, Morrison, Nance and Stewart.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 437 — By WINGO, entitled:

An Act changing the method of changing the boundary or the name of wards in cities and towns, repealing Sections 6123 and 6124 of the Oklahoma Compiled Statutes 1931, being the same as Sections 4458 and 4459 respectively C. O. S. 1921, 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 437.

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE BILL NO. 150—By PHIL-

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LIPS (Atoka), FRALEY, BATSON, CHILDERS, JESSEE, SULLIVAN, CLINE, CAVINS, McEL-HANEY, BENNETT, HART, MOONEY, KIGHT, TODD, BEAVER, COPELAND, WILMOT, ALLEN, BURNHAM, PALMER, WINGO, JOHNSON (Comanche), LINDSEY, LOGSDON, BEARD, WOOTEN, KING (Coal), LOWRANCE, STEWART, BUSHY-HEAD, OTTESEN, COX, GARLAND, LEECRAFT, BOYER, BLOCKER, LANDINGHAM, CONNOR, PHILLIPS (Okfuskee), WRIGHT, ARMSTRONG, entitled:

An Act providing for the assessment of deficiency judgments secured by mortgages on foreclosures or real estate mortgages; providing the method thereof; providing a penalty for failure to assess such judgments; repealing all laws in conflict therewith; 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 150 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House. To the President of the Senate,  
Building

SIR:

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

ENROLLED SENATE BILL NO. 6—By STEWART, entitled:

An Act repealing Chapter 161, Session Laws, 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 6 was ordered referred to the Governor, for consideration.

#### SECOND READING

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

ENGROSSED HOUSE BILL NO. 338—By JOHN-SON, STURGELL and CLINE of the House and CUR-NUTT of the Senate.—Referred to Committee on Oil and Gas.

ENGROSSED HOUSE BILL NO. 316—By OTTE-SEN, FRALEY, COX, HAILE, DUKE, DANIELS, LEECRAFT, PALMER, EBEL (Pontotoc), LAND-INGHAM, FITZGERALD, GRUNERT, ALBRIGHT, STURGELL, LINDSEY, HAYS, JONES and KING (Coal)—Referred to Committee on Revenue and Taxa-tion.

ENGROSSED HOUSE BILL NO. 125—By BAT-SON and COX.—Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 387—By EBEL (Pontotoc) and HAILE.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE JOINT RESOLUTION NO. 38—By DARKS of the House and WILBANKS of the Senate.—Referred to Judiciary Committee No. 2.

#### GENERAL ORDER

Upon motion of Senator MacDonald, SENATE BILL NO. 359, by Stewart and MacDonald, was ad-vanced to engrossment and third reading.

Senator Hutchinson asked unanimous consent of the Senate, which was granted, to introduce the following winners at the Oklahoma Future Farmers of America and 4-H Livestock Show:

Charles Vanderwork, Waukomis, Garfield County, Grand Champion Steer.



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Hugh Cozart, Waukomis, Garfield County, Grand Champion Fat Lamb.

Elliot Barrick, Enid, Garfield County, Grand Champion Fat Barrow.

Senator Hutchinson also introduced Dan Arnold, Garfield County Agent.

### THIRD READING

SENATE BILL NO. 277 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Dixon, Fischl, Garvin, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Pugh, Ray, Reed, Ritzhaupt, Rizley, Ruth-erford, Sowards, Stacey, Stewart, Taylor, Thomas, Wal-drep, Whitaker, Wilbanks, Willis. Total, 33.

Not Voting: Commons, Coppock, Fidler, Howard, Hutchinson, Jennings, Nichols, Paul. Total, 8.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Dixon, Fischl, Garvin, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Pugh, Ray, Reed, Ritzhaupt, Rizley, Ruth-erford, Sowards, Stacey, Stewart, Taylor, Thomas, Wal-drep, Whitaker, Wilbanks, Willis. Total, 33.

Not Voting: Commons, Coppock, Fidler, Howard, Hutchinson, Jennings, Nichols, Paul. Total, 8.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester. 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, in open session, signed the engrossed copy of Senate Bill No. 277, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 107 was read at length for the third time.

Senator Ritzhaupt moved that Senate Bills Nos. 107, by Stewart, and 316, by Ritzhaupt, together with House Bill No. 197, by Massey, be referred to the Committee on Fish and Game, for the purpose of consideration.

Senator Stewart, as a substitute, moved that House Bill No. 197, by Massey, be substituted for Senate Bill No. 107.

Senator Logan, in lieu of all pending motions, moved that further consideration of Senate Bill No. 107 be indefinitely postponed.

Senator MacDonald, in lieu of all pending motions, moved that House Bill No. 197 be substituted for Senate Bill No. 107.

Senator Ritzhaupt raised a point of order against the MacDonald motion, which was sustained, stating a motion in lieu of all pending was before the Senate.

Upon motion of Senator MacDonald, the previous question was ordered.

The vote occurring on the Logan motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Clark, Commons, Curnutt, Garvin, Logan, Pugh, Ritzhaupt, Rizley, Stacey, Taylor, Thomas, Willis. Total, 12.

Nays: Briggs, Carlile, Carmack, Chamberlin, Coppock, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, MacDonald, Memminger, Morrison, Nichols, Ray, Reed, Stewart, Whitaker, Wilbanks. Total, 20.

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Not Voting: Ballard, Hutchinson, Liggett, Moon, Nance, Paul, Rutherford, Sowards, Waldrep. Total, 9.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester. Total, 2.

Senator MacDonald, in lieu of all pending motions, moved that House Bill No. 197, by Massey, be withdrawn from the Committee on Appropriations and placed upon the calendar as a substitute for Senate Bill No. 107.

Senator Curnutt raised a point of order against the MacDonald motion, which was overruled, stating such motion would require a suspension of the Senate rules.

Senator Logan moved to amend the MacDonald motion, by providing that House Bill No. 197 be placed upon the calendar, under General Order.

Senator MacDonald raised a point of order against the Logan motion, which was sustained, stating his motion was a superior one.

The vote occurring on the MacDonald motion, it was declared adopted.

#### COMMITTEE REPORT

Senator Garvin asked unanimous consent, which was granted, to submit the following Committee report, the bill being ordered printed and placed upon the calendar:

Mr. President: We, your Committee on Oil and Gas, to whom was referred House Bill No. 481, by Holliman, Haile, Watson, and Phillips (Okfuskee), of the House, and Garvin, Waldrep and Wilbanks of the Senate, entitled:

An Act defining and prohibiting waste of crude petroleum and natural gas, and providing for the ratable taking thereof from common sources of supply; conferring authority upon, and defining the duties, powers and authority of, the Corporation Commission in connection with the enforcement of this Act, and prescribing the character of notice and procedure to be followed by the Corporation Commission hereunder; regulating all

producers, purchasers and common carriers of crude petroleum so as to prevent inequitable taking and waste; prescribing penalties and other relief for violation of this Act and of rules, regulations or orders promulgated by the Corporation Commission hereunder; providing for proceedings for injunction in the district courts to enjoin the violation of and to enforce the provisions of this Act and the orders, rules and regulations of the Corporation Commission made in pursuance hereof; declaring certain violations of certain rules, regulations or orders promulgated by the Corporation Commission hereunder, to be crimes, and prescribing the punishment therefor; creating the offices of proration umpire, assistant proration umpire and proration attorney, for the enforcement of this Act, and providing for their appointment and removal and defining their duties, powers and authority, and fixing their term of office, bonds and compensation; providing for the appointment of deputies and employees to aid in the enforcement of this Act, defining their duties, power and authority, and fixing their compensation; providing for expenses of administration in connection with this Act and for the creation of a special fund, to be known as the "Proration Fund," to be used exclusively in the enforcement of this Act; repealing all laws in conflict herewith, and for other purposes; 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.

GARVIN, Chairman.

Upon motion of Senator Fischl, one hundred extra copies of House Bill No. 481, as amended, were ordered printed, the Senate amendments and substitutions to be italicised.

Senator Moon asked unanimous consent, which was granted, to be recorded "excused;" for the remainder of this legislative day.



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Senator Nichols asked unanimous consent, which was granted, to request the return of ENROLLED SENATE JOINT RESOLUTION NO. 11, by Nichols, from the Governor.

President Pro Tempore Stewart presiding.

### THIRD READING

By unanimous consent, third reading of SENATE BILL NO. 243, by Stewart, was deferred.

SENATE 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, Memminger, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker. Total, 30.

Not voting: Fidler, Garvin, MacDonald, Morrison, Paul, Rutherford, Sowards, Waldrep, Wilbanks, Willis. Total, 10.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester, Moon. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, Memminger, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker. Total, 30.

Not voting: Fidler, Garvin, MacDonald, Morrison,

Paul, Rutherford, Sowards, Waldrep, Wilbanks, Willis.  
Total, 10.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester, Moon. 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. 338, and ordered the same transmitted to the Honorable House.

Senator Briggs presiding.

SENATE BILL NO. 367 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Whitaker, Willis. Total, 31.

Not voting: Dixon, Fidler, Paul, Reed, Rutherford, Sowards, Taylor, Waldrep, Wilbanks. Total, 9.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester, Moon. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Whitaker, Willis. Total, 31.

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Not voting: Dixon, Fidler, Paul, Reed, Rutherford, Sowards, Taylor, Waldrep, Wilbanks. Total, 9.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester, Moon. 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 Senate Bill No. 367, and ordered the same transmitted to the Honorable House.

Senator Garvin moved that HOUSE BILL NO. 481, By Holliman, Haile, et al, of the House, and Garvin, Waldrep and Wilbanks, of the Senate, be set for Special Order at 2:30 p. m., on the next legislative day.

Senator Rizley, as a substitute, moved that House Bill No. 481 be set for Special Order at 2:30, p. m., Monday, March 27th.

Senator Curnutt, in lieu of all pending motions, moved that House Bill No. 481 be set for Special Order at 2:15 p. m., on the next legislative day, which motion was declared adopted.

Senator Ballard raised a point of order against the declared result of the Curnutt motion, which was sustained, citing Rule 6.

The Chair declared the Curnutt motion failed of adoption.

The vote occurring on the Rizley motion, it was declared failed of adoption.

The vote occurring on the Garvin motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Johnston, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Pugh, Ray, Reed, Rutherford, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 26.

Nays: Ballard, Clark, Coppock, Dixon, Hutchinson, Jennings, Ritzhaupt, Rizley, Stacey, Thomas. Total, 10.

Not voting: Fidler, Paul, Sowards, Waldrep. Total,  
4.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester, Moon. Total, 3.

THIRD READING

SENATE BILL NO. 275 was read for the third time  
at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamber-  
lin, Clark, Coppock, Fischl, Garvin, Howard, Hutchinson,  
Johnston, Liggett, Logan, MacDonald, Memminger, Mor-  
rison, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt,  
Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker,  
Wilbanks, Willis. Total, 31.

Nays: Curnutt, Jennings, Rizley, Rutherford.  
Total, 4.

Not voting: Commons, Dixon, Fidler, Paul, Sowards.  
Total, 5.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester, Moon. 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: Ballard, Briggs, Carlile, Carmack, Chamber-  
lin, Clark, Coppock, Fischl, Garvin, Howard, Hutchinson,  
Johnston, Liggett, Logan, MacDonald, Memminger, Mor-  
rison, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt,  
Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker,  
Wilbanks, Willis. Total, 31.

Nays: Curnutt, Jennings, Rizley, Rutherford.

Not voting: Commons, Dixon, Fidler, Paul, Sowards.  
Total, 5.

Absent: Powers. Total, 1.



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Excused: Daugherty, Lester, Moon. 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 Senate Bill No. 275, and ordered the same transmitted to the Honorable House.

President Burns presiding.

#### GENERAL ORDER

Senator Hutchinson asked unanimous consent, which was granted, to advance HOUSE BILL NO. 168, by O'Neill and Eason, to engrossment and third reading.

By unanimous consent, House Bill No. 168 was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

HOUSE BILL NO. 168 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Not voting: Ballard, Dixon, Fidler, Paul, Rizley, Sowards, Taylor. Total, 7.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester, Moon. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Not voting: Ballard, Dixon, Fidler, Paul, Rizley, Sowards, Taylor. Total, 7.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester, Moon. 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, in open session, signed the engrossed copy of House Bill No. 168, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 368 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Chamberlin, Fidler, Garvin, Morrison, Paul, Rizley, Sowards, Waldrep. Total, 8.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester, Moon. 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:

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Ayes: Ballard, Briggs, Carlile, Carmack, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Chamberlin, Fidler, Garvin, Morrison, Paul, Rizley, Sowards, Waldrep. Total, 8.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester, Moon. 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, in open session, signed the engrossed copy of Senate Bill No. 368, and ordered the same transmitted to the Honorable House.

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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Hutchinson, Johnston, Liggett, MacDonald, Morrison, Nance, Nichols, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Ballard, Coppock, Dixon, Jennings, Memminger, Pugh. Total, 6.

Not voting: Fidler, Howard, Logan, Paul, Sowards, Taylor, Thomas. Total, 7.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester, Moon. Total, 3.

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

Senator Jennings served notice on the Senate that he would, on some future legislative day, move to re-

consider the vote by which Senate Joint Resolution No. 10 was passed.

Senator Nance moved that the rules of the Senate be suspended for the purpose of reconsidering the vote by which Senate Joint Resolution No. 10 was passed.

Senator Jennings raised a point of order against the Nance motion, which was overruled, stating only by unanimous consent could the vote be reconsidered, on this legislative day, by which Senate Joint Resolution No. 10 was passed.

The vote occurring on the Nance motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Waldrep, Whitaker, Willis. Total, 28.

Nays: Coppock, Jennings, Wilbanks. Total, 3.

Not voting: Fidler, Howard, Hutchinson, Logan, Paul, Rutherford, Sowards, Taylor, Thomas. Total, 9.

Absent: Powers. Total, 1.

Excused: Daugherty, Lester, Moon. Total, 3.

Senator Nance moved that the vote be reconsidered by which Senate Joint Resolution No. 10 was passed, which motion was tabled, upon motion of Senator Nichols.

The question being, "Shall Senate Joint Resolution No. 10 become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Jennings, Pugh. Total, 2.

Not voting: Fidler, Logan, Paul, Ray, Reed, Rutherford, Sowards, Taylor. Total, 8.



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Absent: Powers. Total, 1.

Excused: Daugherty, Lester, Moon. 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, in open session, signed the engrossed copy of Senate Joint Resolution No. 10 and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 142 was read at length for the third time.

Senator MacDonald asked unanimous consent, which was granted, to submit the following amendment which was adopted:

Mr. President: I move to amend Senate Bill No. 142, line 7, page 6, by striking the words, "for counters" MacDONALD.

Senator Briggs asked unanimous consent, which was granted, to submit the following amendment, which was adopted.

Mr. President: I move to amend Senate Bill No. 142, lines 2 and 3, page 3, by striking the following language: "or the boundaries thereof changed;" and, lines 7 and 8, page 3, by striking the following language: "of the change of the boundaries of an existing precinct."

BRIGGS.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 142, line 10, page 7, by striking the figures, "\$25,000.00." CURNUTT.

Senator Memminger asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 142, by adding at the end of Section 7, the following: "which sum of \$255,000.00 is appropriated to cover the

expense of the primary, run-off primary and general elections, to be held during the fiscal year ending June 30, 1935, and for no expense of any special election."

MEMMINGER.

Senator Briggs asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 142, line 10, page 7, by inserting after the figures, "1934", and before the word, "and," the following, "to pay expenses heretofore contracted for and incurred in holding state primary, run off, special or general elections, in any county of the State where such county had no funds available with which to pay such obligations."

BRIGGS.

Senator Nance asked unanimous consent, which was granted, to submit the following amendment to the Briggs amendment:

Mr. President: I move to amend the Briggs amendment by adding at the end thereof the following: "Provided, however, that no more than \$6500.00 of said appropriation shall be expended for such purpose."

NANCE.

There being objections voiced to both the Nance and Briggs amendments, they were declared failed of adoption.

Senator Nance asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend Senate Bill No. 142, by striking therefrom Section 2 and re-numbering the succeeding sections.

NANCE.

There being objections voiced to the Nance amendment, it was declared failed of adoption.

Senator Nance moved that the rules of the Senate be suspended for the purpose of considering his amendment, to strike Section 2 from Senate Bill No. 142.

Senator Nichols, as a substitute, moved that the

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vote be reconsidered by which Senate Bill No. 142 was advanced to engrossment and third reading, which motion prevailed.

SENATE BILL NO. 371 was read for the third time at length.

Senator MacDonald asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 371, lines 3 and 4, page 4, by striking after the word, "served," in line 3, the words, "with a Unit of the Oklahoma National Guard."

MacDONALD.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Not voting: Fidler, Hutchinson, Logan, Morrison, Ray, Rutherford, Taylor. Total, 7.

Absent: Powers, Total, 1.

Excused: Daugherty, Lester, Moon. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Not voting: Fidler, Hutchinson, Logan, Morrison, Ray, Rutherford, Taylor. Total, 7.

Absent: Powers, Total, 1.

Excused: Daugherty, Lester, Moon. 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.

Senate Bill No. 371 was ordered referred for re-engrossment.

#### FIRST READING

By unanimous consent, the following bills were introduced and read for the first time:

SENATE BILL NO. 386—By MEMMINGER, LOGAN and BALLARD.—An Act providing for the appointment of a special committee to eliminate duplication in institutions of higher learning, to make rules and regulations therefor; to abolish, reduce or consolidate departments in such institutions; to adjust salaries of members of the faculties of such institutions to the available funds for the operation of such institutions; suspending all Acts or parts of Acts in conflict herewith for a period of two years; and declaring an emergency.

SENATE BILL NO. 387—By PUGH.—An Act amending Section 1817, Oklahoma Statutes, 1931; providing for the punishment of any person who commits a crime after having theretofore plead guilty or been convicted of one, two, or three offenses which are punishable by imprisonment in the penitentiary, and repealing all Acts or parts of Acts in conflict herewith.

SENATE BILL NO. 388—By SOWARDS.—An Act levying a tax on certain real estate occupied exclusively as a residence in this State in lieu of all other taxes; and declaring an emergency.

#### COMMITTEE REPORT

Senator Jennings asked unanimous consent, which was granted, to submit the following Committee Report:

Mr. President: We, the minority of your Committee



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on Revenue and Taxation, to whom was referred House Bill No. 229, by Gray, entitled:

An Act levying a stamp tax on the sale of cigarettes, prescribing the rate thereof; etc.,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the Minority Committee substitute be printed in connection with said House Bill No. 229, and placed on the calendar of the Senate, for the consideration of the Senate as a possible substitute for said bill.

JENNINGS.

Senator Nance raised points of order against the Jennings Minority report on House Bill No. 229, stating the report should have accompanied the Majority Report on said bill, previously adopted by the Senate; and further that the report was not in the proper form.

The President declared that further action on the Minority report would be deferred until the next legislative day.

By unanimous consent, the following Committee Report was submitted, the bill ordered printed and placed upon the calendar:

Mr. President: We, your Judiciary Committee No. 2, to whom was referred Senate Bill No. 380, by MacDonald, entitled:

A Bill entitled an Act providing for the creation of a revolving fund of One Hundred Thousand (\$100,000.00) Dollars, in the nature of a perpetual trust fund, to be known as the Public Utility Rate Investigating Fund and to be collected from the Public Utilities doing business within the State of Oklahoma, in proportion to their intra state gross earnings, etc., etc.,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CHAMBERLIN, Chairman.

MESSAGE

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

To the Secretary of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that The Speaker has appointed Representatives: HENDERSON, BATSON, PARKS, BLOCKER and COX, as conferees on:

ENGROSSED HOUSE BILL NO. 305—By BATSON, GRAY, BLOCKER, HENDERSON, LEECRAFT and COX, entitled:

An Act amending Sections 10268, 10269, 10271, 10272, 10273, 10274, 10278, 10280, 10283, 10288, 10316, 10317, 10320 and 10323 Oklahoma Statutes, 1931; defining motor vehicles, vehicles and other terms; levying license fees on such vehicles, when owned, possessed or operated within this state, licensing manufacturers and dealers in such vehicles and prescribing method of computing such fees; defining the purposes of this Act; regulating the use of vehicles on the public highways of the state, and limiting certain of them as to width, length, height, weight and speed; providing for the computation and collection of such fees; authorizing rules and regulations pertaining thereto; providing for the disposition of the revenues derived under this Act; prescribing penalties for the violation hereof; repealing Sections 10270, 10275, 10276, 10279, 10281, 10282 and 10284, Oklahoma Statutes 1931, and all Acts or parts of Acts in conflict herewith; providing that vehicles not licensed for the year 1933 and prior years, when this Act becomes effective shall be licensed hereunder; and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

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Senator Fischl asked unanimous consent, to which objections were voiced, to advance SENATE BILL NO. 89, by Coppock and Fischl, to engrossment and third reading.

Senator Pugh asked unanimous consent, which was granted, to withdraw the report of the Committee on Fees and Salaries on SENATE BILL NO. 384, by Reed submitted on this legislative day, for the purpose of further considering the bill.

Upon motion of Senator Jennings, the Senate adjourned, to meet at 10:00 o'clock, a. m., Friday, March 24, 1933.

## SIXTIETH LEGISLATIVE DAY

Friday, March 24, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 38.

Absent: Daugherty, Dixon, Fischl, Powers. Total, 4.

Excused: Fidler, Lester. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 499—By LOGSDON and CHAMBERS, entitled:

An Act amending Section 6532, Oklahoma Statutes, 1931, authorizing judges of municipal courts in cities of the state of Oklahoma having a population of more than 139,000 and not exceeding 145,000 inhabitants, as determined by the last preceding Federal Decennial or special Federal Census, to perform marriages and to practice as attorneys in civil courts of this state, and prohibiting such judges from appearing as attorneys in criminal



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proceedings commenced after taking their oaths of office as judges of said courts, 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,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 499.

To the President of the Senate,  
Building

SIR:

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

ENROLLED HOUSE BILL NO. 642—By CONNER, GRAHAM, ELLIS, COE, COPELAND, BILLINGS and MARSHALL of the House and MORRISON and FIDLER of the Senate, entitled:

An Act authorizing the governing board of any city in Oklahoma, which has a state fair to levy a special tax in addition to, in excess of, and beyond ad valorem tax levies for current expenses authorized by law, a special tax of not to exceed one-fourth of one mill for the purpose of making payments for premiums to certain exhibitors at the said state fair, limiting the amount of funds thus to be raised, providing for the manner in which premiums to exhibitors shall be disbursed; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 642 was read at length for the fourth time, the enrolled copy signed, in open session by the President, and ordered returned to the Honorable House.

### SECOND READING

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

SENATE BILL NO. 386—By MEMMINGER, LOGAN and BALLARD.—Referred to Committee on Education.

SENATE BILL NO. 387—By PUGH.—Referred to Judiciary Committee No. 1.

SENATE BILL NO. 388—By SOWARDS.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 437 — By WINGO.—Referred to Committee on Municipal Corporations.

### GENERAL ORDER

Senator Nance asked unanimous consent, to which objections were voiced, to take up for consideration HOUSE BILL NO. 58, by Abernathy, Gray, Turner, et al.

Upon motion of Senator Nance, the Senate proceeded to the consideration of House Bill No. 58.

Senator Taylor moved that the Senate work under the Call of the House, which motion was tabled, upon motion of Senator Waldrep.

Senator Curnutt moved that the Senate recess to meet at 11:00 a. m.

Senator MacDonald, as a substitute, moved that all committees now in session be directed to return to the floor of the Senate.

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

The vote occurring on the MacDonald motion, it was declared adopted.

Referring further to HOUSE BILL NO. 58:

Section 1 was read.

Senator Johnston submitted the following amendment, which was tabled, upon motion of Senator Nance:

Mr. President: I move to amend House Bill No.

58, line 3, page 2, by inserting after the words "lumber yards" and before the words "wholesale concerns," the word "and" and in line 4, by striking the words "filling stations."

JOHNSTON.

Senator Briggs submitted the following amendment:

Mr. President: I move to amend House Bill No. 58, lines 3 and 4, page 2, by striking after the word "provided," all the rest of lines 3 and 4.

BRIGGS.

Senator Curnutt moved to table the Briggs amendment, which motion, by unanimous consent, he withdrew.

Senator Curnutt moved to table the Briggs amendment, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Curnutt, Garvin, Howard, Hutchinson, Jennings, Liggett, Moon, Nance, Nichols, Paul, Stacey, Waldrep, Whitaker, Willis. Total, 14.

Nays: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Johnston, MacDonald, Memminger, Pugh, Ritzhaupt, Sowards, Stewart, Taylor, Thomas. Total, 15.

Not Voting: Carlile, Coppock, Logan, Morrison, Ray, Reed, Rizley, Rutherford, Wilbanks. Total, 9.

Absent: Daugherty, Dixon, Fischl, Powers. Total, 4.

Excused: Fidler, Lester. Total, 2.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend the Briggs amendment to House Bill No. 58, by striking therefrom the words "filling stations."

CURNUTT.

Senator Briggs raised a point of order against the Curnutt amendment, which was sustained, stating the words "filling stations" do not appear in his amendment.

Senator Chamberlin presiding.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend House Bill No. 58, page 2, by inserting in the Bill on line 4, the words "filling stations."

CURNUTT.

Senator Briggs raised a point of order against the Curnutt amendment, which was sustained, for the reason it was improperly drawn.

The vote occurring on the Briggs amendment, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Johnston, Pugh, Reed, Stewart, Taylor, Thomas. Total, 11.

Nays: Carlile, Commons, Coppock, Curnutt, Garvin, Howard, Hutchinson, Liggett, Logan, Moon, Nance, Nichols, Paul, Ray, Rizley, Rutherford, Sowards, Stacey, Waldrep, Whitaker, Willis. Total, 21.

Not Voting: Jennings, MacDonald, Memminger, Morrison, Ritzhaupt, Wilbanks. Total, 6.

Absent: Daugherty, Dixon, Fischl, Powers. Total, 4.

Excused: Fidler, Lester. Total, 2.

Senator Pugh submitted the following amendment:

Mr. President: I move to amend House Bill No. 58, line 3, page 2, by striking after the word "provided" and before the words "wholesale concerns," the words "lumber yards."

PUGH.

Senator Nance raised a point of order against the Pugh amendment, which was overruled, stating the subject matter of the amendment had been previously disposed of by the Senate.

Senator Whitaker moved to table the Pugh amendment, which motion prevailed, the roll call thereon being as follows:



Ayes: Carlile, Commons, Coppock, Curnutt, Garvin, Howard, Hutchinson, Liggett, Logan, Moon, Nance, Nichols, Paul, Ray, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 23.

Nays: Ballard, Briggs, Carmack, Chamberlin, Johnston, Pugh, Reed, Stewart. Total, 8.

Not Voting: Clark, Jennings, MacDonald, Memminger, Morrison, Ritzhaupt, Wilbanks. Total, 7.

Absent: Daugherty, Dixon, Fischl, Powers. Total, 4.

Excused: Fidler, Lester. Total, 2.

Senator Ballard submitted the following amendment, which was tabled, upon motion of Senator Briggs:

Mr. President: I move to amend House Bill No. 58, lines 2, 3, and 4, page 1, by striking after the word "any" in line 2, all the balance of line 2, all of line 3 and inserting the following: "non-resident, individual, firm, association, or co-partnership, or any foreign corporation."

#### BALLARD.

Senator Ballard submitted the following amendment, which was tabled upon motion of Senator Briggs:

Mr. President: I move to amend House Bill No. 58, line 4, page 2, by adding after the word "stations," the words "cafes and other establishments dispensing food."

#### BALLARD.

Upon motion of Senator Whitaker, Section 1 was adopted.

Senator Ballard moved that the Senate recess to meet at 1:30 p. m., which motion failed of adoption.

Senator Whitaker moved that Sections 2, 3, 4, 5, 6, 7, and 8, be adopted.

Senator Briggs, as a substitute, moved that Sections 2, 3, 4, 5, 6, and 7, having been read, be adopted, which motion prevailed.

Senator Ballard raised a point of order against the

declared results of the Briggs motion, which was overruled, stating said Sections referred to therein had not been read.

Section 8 was read.

Senator Pugh submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 58, line 7, page 9, by adding after the word "material" and before the word "or," the word "only."

PUGH.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 58, line 14, page 8, by inserting after the word "retail," the following: "other than dealers in motor fuel taxed under the provisions of House Bill No. 271 of the Fourteenth Legislature, 1933."

NANCE.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 58, as follows: That the words contained in lines 15, 16, and 17, page 8, to the word "provided" in said line, be stricken from such place and inserted after the word "establishments" in line 11, same page.

WHITAKER.

Upon motion of Senator Nance, Section 8, as amended, was adopted.

Senator Nance moved that House Bill No. 58 be advanced to engrossment and third reading.

Senator Ballard, as a substitute, moved that House Bill No. 58 be indefinitely postponed.

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

Upon motion of Senator MacDonald, the Ballard motion was tabled.

Section 9 was read and adopted, upon motion of Senator Whitaker.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 58, line 3, page 10, by striking all of Sections 10 and 11 and inserting the following:

SECTION 10. Ninety-five (95%) per cent of all moneys collected under this Act shall go for the support of common schools, upon a scholastic enumeration per capita distribution basis.

Funds available for distribution for the support of common schools shall be distributed to the various counties in accordance with existing law for distribution of like funds, and thereafter, in determining the amount of funds to be approved for expenditure for general expense purposes by any school district the county excise boards of the several counties of the state shall be limited by the laws in force at and prior to the passage of this Act without regard to the amount available to any such school district from funds distributed under the provisions hereof, and from such total amount thus determined, shall deduct the amount available to such school district from funds to be distributed to it under the provisions of this Act, and after making such deduction shall compute and make the tax levy necessary to raise the remaining portion of such approved estimate, it being the intent and purpose of this Act to reduce the total maximum mill-rate levy upon an ad valorem basis in a sum equal to the amount distributed to any such district from the proceeds hereof. None of the provisions of this Act shall prevent any school district from receiving state aid under the provisions of Chapter 91 (House Bill 241) Session Laws of Oklahoma, 1927, provided such school district shall have levied an ad valorem tax which, when added to its quota under this Act, shall equal a levy of fifteen mills; and such action by any school dis-

trict shall be a full compliance with the requirements of said Act, and shall entitle any such school district to state aid out of the "Special Common School Equalization Fund" provided by said Act, in all respects, as though this Act had never been passed.

"Five per centum (5%) of all moneys collected under this Act shall be placed to the credit of a fund to be designated as "SPECIAL STORE COLLECTION FUND," to be used for the collection of revenue, making refunds under this Act, and for the enforcement thereof; and the Commission shall appoint necessary employees and incur all necessary expenses for such purpose. Upon the presentation of claims, upon itemized vouchers, in form as required by law, the State Auditor shall draw warrants therefor upon the State Treasury, and the same shall be paid out of the aforesaid fund; and the said fund, or so much thereof as may be necessary, is hereby appropriated for the payment of salaries, expenses and refunds, as above mentioned; and, if, at the end of any fiscal year, any part of said fund shall remain unexpended, such balance shall, by the State Treasurer, be transferred to and become a part of the General Revenue Fund of the State."

And by re-numbering Sections 12 and 13.

WHITAKER.

Senator Carmack moved that House Bill No. 58 be re-referred to the committee on Revenue and Taxation, with instructions to include "lumber yards, filling stations, and wholesale concerns and reduce the taxes in higher brackets."

Senator Nance raised a point of order against the Carmack motion, which was overruled, stating the subject matter had been previously disposed of by the Senate.

Senator Nance moved to table the Carmack motion, which motion prevailed, the roll call thereon being as follows:



Ayes: Carlile, Chamberlin, Clark, Coppock, Curnutt, Garvin, Johnston, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Ritzley, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 26.

Nays: Ballard, Briggs, Carmack, Commons, Reed. Total, 5.

Not Voting: Howard, Hutchinson, Jennings, Liggett, Morrison, Rutherford, Sowards. Total, 7.

Absent: Daugherty, Dixon, Fischl, Powers. Total, 4.

Excused: Fidler, Lester. Total, 2.

Upon motion of Senator Whitaker, House Bill No. 58, as amended, was advanced to engrossment and third reading.

Senator Commons moved that when the Senate adjourns today, it adjourn to meet at 10:00 a. m., tomorrow.

Senator Ballard, as a substitute, moved when the Senate adjourns today, it adjourn to meet at 1:30 p. m., Monday, March 27th, which motion was tabled, upon motion of Senator MacDonald.

The vote occurring on the Commons motion, it was declared adopted.

Senator Thomas moved that the vote be re-considered by which the Commons motion was adopted, which motion was tabled, upon motion of Senator Nance.

Senator Nance moved that the rules of the Senate be suspended and House Bill No. 58 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

HOUSE BILL NO. 58 was read for the third time at length.

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

Ayes: Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Garvin, Jennings, Johnston, MacDonald,

Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Ballard, Briggs, Commons, Rutherford. Total, 4.

Not Voting: Howard, Hutchinson, Liggett, Logan, Sowards. Total, 5.

Absent: Daugherty, Dixon, Fischl, Powers. Total, 4.

Excused: Fidler, Lester. 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: Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Garvin, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 26.

Nays: Ballard, Carmack, Curnutt, Jennings, Moon, Rutherford, Taylor. Total, 7.

Not Voting: Howard, Hutchinson, Logan, Reed, Sowards. Total, 5.

Absent: Daugherty, Dixon, Fischl, Powers. Total, 4.

Excused: Fidler, Lester. Total, 2.

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 Bill No. 58 was ordered referred for engrossment.

Senator Ballard served notice on the Senate that he would, on some future legislative day, move to re-con-

sider the vote by which House Bill No. 58 was passed.

Senator Ballard moved that the Senate recess, to meet at 2:00 o'clock p. m., this day.

Senator Commons, as a substitute, moved that the Senate recess, to meet at 1:45 p. m., this day, which motion prevailed.

#### AFTERNOON SESSION

At 1:45 p. m., the Senate reassembled, with the President Pro Tempore presiding.

Senators Dixon, Fidler and Fischl asked to be recorded "present," which was the order.

#### GENERAL ORDER

By unanimous consent, SENATE BILL NO. 142, by Stewart, et al, was taken up for consideration.

Senator Stacey asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 142, by striking therefrom Section 5.

#### STACEY.

Upon motion of Senator Nance, Senate Bill No. 142 was advanced to engrossment and third reading.

Senator Nance asked unanimous consent, which was granted, to consider Senate Bill No. 142 engrossed and place the bill upon third reading and final passage.

SENATE BILL NO. 142 was read for the third time at length.

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

Ayes: Ballard, Chamberlin, Clark, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Thomas, Willis. Total, 24.

Nays: Hutchinson. Total, 1.

Not Voting: Briggs, Carlile, Carmack, Commons, Coppock, Curnutt, Garvin, Liggett, Logan, Morrison.

Ray, Rizley, Taylor, Waldrep, Whitaker, Wilbanks.  
Total, 16.

Absent: Daugherty, Powers. Total, 2.

Excused: Lester. 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 title of the bill become the title of the Act?" Senator Memminger submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 142, to read as follows: "AN ACT RELATING TO STATEWIDE PRIMARY AND GENERAL ELECTIONS AND CERTAIN SPECIAL ELECTIONS; PROVIDING THAT THE EXPENSE OF SUCH ELECTIONS SHALL BE PAID BY THE STATE, EXCEPT CERTAIN ITEMS WHICH SHALL BE PAID BY THE COUNTIES; PROHIBITING THE CREATION OF ANY PRECINCTS WITHOUT THE APPROVAL OF THE STATE ELECTION BOARD; FIXING PER DIEM OF PRECINCT ELECTION BOARDS; PRESCRIBING THE METHOD OF PAYING THE STATE'S SHARE OF THE EXPENSE OF SUCH ELECTION; MAKING AN APPROPRIATION THEREFOR; AND REPEALING ALL LAWS AND PARTS OF LAWS IN CONFLICT THEREWITH."

MEMMINGER.

Senate Bill No. 142 was referred for engrossment.

#### SPECIAL ORDER

SENATE BILL NO. 250, by Paul, Waldrep and Jennings (by request), was taken up for consideration.

Section 1 was read.

Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 250, line 5, page 2, by inserting after the word, "Health,"



and before the word, "immediately," the words, "with permission of the Governor."

PAUL.

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

Section 2 was read and adopted, upon motion of Senator Paul.

Section 3 was read.

Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 250, line 4, page 5, after the word, "bodies," by striking the period and adding the words, "are regulated"

PAUL.

Upon motion of Senator Paul, Section 3, as amended, was adopted.

Senator Dixon moved that further consideration of Senate Bill No. 250 be indefinitely postponed, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Chamberlin, Clark, Coppock, Dixon, Fischl, Howard, Hutchinson, MacDonald, Memminger, Moon, Morrison, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker. Total, 22.

Nays: Carmack, Curnutt, Fidler, Garvin, Jennings, Johnston, Liggett, Nance, Paul, Reed, Waldrep, Willis. Total, 12.

Not Voting: Carlile, Commons, Logan, Nichols, Pugh, Ray, Wilbanks. Total, 7.

Absent: Daugherty, Powers. Total, 2.

Excused: Lester. Total, 1.

Senator Nance moved that, when the Senate adjourns, it adjourn to meet on Monday, March 27th, at 10:00 o'clock, a. m.

Senator Chamberlin raised a point of order against the Nance motion, which was overruled, stating by previous motion the Senate had fixed the hour of convening

and that that motion had been tabled. ~

The vote occurring on the Nance motion, it was declared adopted.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 371 correctly engrossed.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Bill No. 371 and ordered it transmitted to the Honorable House, for consideration.

#### MESSAGE

The following Message from the Governor was received and read:

TO THE HONORABLE THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:  
Gentlemen:

On the 13th day of March, A. D., 1933, the Governor issued an Executive Order, having in view the prevention of duplication in the higher institutions, and to make more efficient said institutions for the money expended, and immediately appointed a committee to work out the details, consisting of:

Clint Strong, Chairman;  
Dr. A. Linscheid, Ada, Oklahoma;  
Eugene Kerr, Muskogee, Oklahoma;  
Professor John H. Murray, Stillwater, Okla.;  
Dr. Charles W. Briles, Stillwater, Okla.;  
Richard M. McCool, Norman, Oklahoma;  
Dr. A. J. Williams, Norman, Oklahoma;  
Prof. O. S. Hinshaw, Stillwater, Oklahoma;  
Judge C. C. Hatchett, Durant, Oklahoma,

which said Committee met in the Capitol, and had hearings, and made their report unanimously to the Governor. A copy of the said report signed by the Chairman is hereto attached.

The said Committee also submitted a joint resolution, which they ask the Legislature to pass, and which resolution I strongly urge to be passed. Said resolution was delivered to Representative Landingham of Creek County for introduction.

The said Committee also prepared and submitted with their report a Bill, to be entitled:

AN ACT to provide for the appointment of a Board, to be known as the "Co-ordinating Board," and such Board to be charged with the duty of co-ordinating and unifying the system of higher education, et cetera."

This Bill, by all means, should also be passed, and Representative Phillips of Okfuskee County requests to introduce the same.

With reference to this last Bill, it may be recalled that several years ago, an Act was passed creating such a board, to be composed of all the heads of the higher institutions, which meant nothing would be done, and, indeed, nothing has been done.

The purpose of this Act, as explained by the Committee, was to guarantee action upon the question of co-ordination, and to effectuate the same. It should pass.

The Committee also submitted two bills,—one abolishing certain Boards of Regents of certain institutions, and transferring the control of the schools to the Board of Regents; and another bill for like purpose transferred certain institutions to the Board of Education. I submit the said two bills, along with this message, to the Honorable Senate, for their consideration.

Respectfully submitted, on this the 24th day of March, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Upon motion of Senator Briggs, the Governor's

Message, with accompanying documents, was ordered referred to the Committee on Education.

Senator Pugh asked to be recorded "excused," for the remainder of this legislative day, which was the order.

#### SPECIAL ORDER

HOUSE BILL NO. 481, by Holliman, Haile, et al, of the House, and Garvin, Waldrep and Wilbanks, of the Senate, was taken up for consideration.

Section 1 was read.

Senator Morrison moved that House Bill No. 481 be advanced to engrossment and third reading, which motion, by unanimous consent, he withdrew.

Upon motion of Senator Garvin, Section 1 was adopted, as read.

Section 2 was read and adopted, upon motion of Senator Morrison.

Sections 3 and 4 were read and adopted, upon motions of Senator Garvin.

Section 4-a was read.

Senator Paul submitted the following amendment:

Mr. President: I move to amend House Bill No. 481, line 1, page 9, after the word, "acres," and before the word, "the," by inserting the following: "and except as to common sources of supply discovered prior to January 1st, 1935."

PAUL.

Senator Nance moved that further consideration of House Bill No. 481 be deferred until Tuesday, March 28th, at 2:00 p. m.

Senator Jennings, as a substitute, moved that further consideration of House Bill No. 481 be deferred until 2:00 o'clock, p. m., on Monday, March 27th.

Senator Dixon moved to table the Jennings motion.

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

Senator Commons, in lieu of all pending motions,



moved that House Bill No. 481 be set for Special Order at 11:00 o'clock, a. m., on Saturday, March 25th.

Senator Nance raised a point of order against the Commons motion, which was sustained, stating, by a vote, the Senate had ordered when it adjourns today it adjourn to meet on Monday, March 27th, at 10:00 o'clock, a. m.

Senator Commons, in lieu of all pending motions, moved that when the Senate adjourns today, it adjourn to meet at 10:01 a. m., tomorrow, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Liggett, Logan, MacDonald, Memminger, Nichols, Ritzhaupt, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 17.

Nays: Ballard, Briggs, Carlile, Clark, Coppock, Dixon, Fidler, Jennings, Johnston, Moon, Morrison, Nance, Paul, Ray, Reed, Rizley, Rutherford, Stacey, Stewart, Wilbanks. Total, 20.

Not Voting: Howard, Hutchinson, Sowards. Total, 3.

Absent: Daugherty, Powers. Total, 2.

Excused: Lester, Pugh. Total, 2.

Senator Logan, as a substitute, moved that further consideration of House Bill No. 481 be set for Special Order at 2:30 p. m., Monday, March 27th.

Senator Briggs, in lieu of all pending motions, moved that House Bill No. 481 be set for Special Order at 1:30 p. m., Tuesday, March 28th, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Clark, Coppock, Dixon, Jennings, Johnston, Moon, Morrison, Nance, Paul, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Waldrep. Total, 19.

Nays: Carmack, Chamberlin, Commons, Curnutt, Fidler, Fischl, Garvin, Liggett, Logan, MacDonald, Mem-

minger, Nichols, Ray, Reed, Rutherford, Sowards.  
Whitaker, Wilbanks, Willis. Total, 19.

Not Voting: Howard, Hutchinson. Total, 2.

Absent: Daugherty, Powers. Total, 2.

Excused: Lester, Pugh. Total, 2.

Senator Nance, in lieu of all pending motions, moved that House Bill No. 481 be set for Special Order at 2:00 p. m., Tuesday, March 28th.

Senator Logan moved to table the Nance motion.

Senator Curnutt, in lieu of all pending motions, moved that House Bill No. 481 be set for Special Order on Monday, March 27th, at 1:30 p. m., which motion was ruled out of order, for the reason a motion in lieu of all pending was before the Senate.

The vote occurring on the Logan motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Carmack, Chamberlin, Commons, Curnutt, Fidler, Fischl, Garvin, Liggett, Logan, MacDonald, Memminger, Moon, Nichols, Ritzhaupt, Rutherford, Sowards, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 21.

Nays: Ballard, Briggs, Carlile, Clark, Coppock, Dixon, Jennings, Johnston, Morrison, Nance, Paul, Ray, Reed, Rizley, Stacey, Stewart. Total, 16.

Not voting: Howard, Hutchinson, Taylor. Total, 3.

Absent: Daugherty, Powers. Total, 2.

Excused: Lester, Pugh. Total, 2.

The vote occurring on the Logan motion, it was declared adopted, and House Bill No. 481 was ordered placed on the calendar, under Special Order, for 2:30 p. m., Monday, March 27th.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled bills begs leave to report Senate Bill No. 142 correctly engrossed.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Bill No. 142 and ordered it transmitted to the Honorable House, for consideration.

Senator MacDonald moved that the vote be reconsidered by which SENATE JOINT RESOLUTION NO. 15, by Moon, was passed and that that motion lie on the table, which motion prevailed.

Senate Joint Resolution No. 15 was ordered transmitted to the Honorable House, for consideration.

Senator Nance presiding.

#### MESSAGES

The following Messages from the Governor were received and read:

To the Fourteenth Legislature  
of the State of Oklahoma:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 242—By WRIGHT, CLINE, MORSE, BROADDUS, WORTHINGTON, WHITFORD, FRALEY, BOYER, KENAN, GRISSE, CHAMBERS, and KIRKPATRICK of the House, and LOGAN and RUTHERFORD of the Senate, entitled:

An Act repealing Section 10204, Compiled Oklahoma Statutes, 1921, levying an ad valorem tax of one-fourth of one mill upon all property for State Highway construction fund,

which bill I have this day signed and approved.

Witness my hand, this March 23, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

To the Fourteenth Legislature  
of the State of Oklahoma:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED SENATE BILL NO. 105—By RAY.

An Act amending Section 1 of Article 3 of Chapter 35 of the Session Laws of 1931, relating to the depositing of county funds in banks and giving of security therefor, repealing all Acts in conflict therewith and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand, this March 22, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

#### 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 Banks and Banking, to whom was referred Senate Bill No. 245, entitled:

An Act to regulate long term installment companies and the issuance and sale of bonds, contracts and certificates, or so called "Thrift Certificates," "Installment Bonds," or related securities covering specific guarantees, secured by collateral, to mature at a definite or variable date; providing for reserves to carry such bonds, contracts and certificates to maturity; prescribing additional duties for certain officers and employees; providing for appeal by an interested person from a final order, and fixing penalties for violations of any of the provisions of this Act,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the Committee Substitute do pass.

MEMMINGER, Chairman.



Mr. President: We, your committee on Code Revision, to whom was referred Senate Bill No. 311, by Commons, entitled:

An Act amending Section 1360, Oklahoma Statutes, 1931, (Section 1355 C. O. S. 1921) and repealing all Acts and parts of Acts 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. And that the title of the bill be amended by inserting after the figures "1921," on line 3 of the title, and inserting immediately thereafter the following words: "relative to distribution of the estate when the decedent was a nonresident thereof."

JOHNSTON, Chairman.

Mr. President: We your Committee on Soldiers' Relief, to whom was referred House Bill No. 179, by Graham, entitled:

An Act amending Sections 12019, 12020, 12021, 12022, and 12024, and repealing Section 12027, Oklahoma Statutes, 1931; providing for inmates of the Oklahoma State Soldiers' Home to pay certain fee to the Home where they receive income 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 Substitute.

RAY, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 316, by Ottesen, Fraley, Cox, Haile, Duke, Daniels, Leecraft, Palmer, Ebey (Pontotoc), Landingham, Fitzgerald, Grunert, etc., entitled:

An Act amending Sections 6842, 12372, 12581, 12582, 12593, 12613, 12615, 12640, 12646, 12660, 12661, and 12674, Oklahoma Statutes 1931, relating to the list-

ing, assessing and equalizing of property for ad valorem taxation; defining the duties, powers, 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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 387, by Ebey (Pontotoc) and Haile, entitled:

An Act amending Sections 12,669 and 12,675, Oklahoma Statutes 1931, limiting the maximum ad valorem tax levy which may be made by counties, cities, towns, townships and school districts; further defining the duties and powers of county excise boards, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WHITAKER, Chairman.

Mr. President: We, your Committee on Livestock and Tenant Farming, to whom was referred Engrossed House Bill No. 621, by Lowrance, Hogg, Jones, Rawls, Mallory, Hughes, Albright, Turner, Sullivan, Ebey (Pontotoc), Beaver, Henderson, Todd, Mooney, Johnson (Comanche), Bennett, of the House, entitled:

An Act authorizing shippers of livestock and lessees of feeding pens and impounding places in stockyards to furnish feed for stock covering the leased period; providing that any person, firm or corporation refusing to permit such feeding to be guilty of a misdemeanor, fixing the punishment 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.

COPPOCK, Chairman.

Senator MacDonald moved that SENATE BILL NO. 380, by MacDonald, be re-referred to Judiciary

Committee No. 2, for further consideration, which motion prevailed.

### GENERAL ORDER

Senator Carmack asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 352, by Carmack.

Section 1 was read.

Senator Reed submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 352, line 4, page 2, by striking the word, "fat," and inserting the words, "and salt," after the words, "cotton seed oil"

REED.

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

Upon motion of Senator Carmack, Senate Bill No. 352 was advanced to engrossment and third reading.

Senator Chamberlin asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 312, by Willis and Nance.

Section 1 was read.

Senator Willis submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 312, line 5, page 1, by adding after the word, "war-rants," and before the word, "in," the words, "or bonds"

WILLIS.

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

Section 2 was read.

By unanimous consent, the word, "accumulative," in line 7, page 1, was stricken and the word "cumulative," was inserted in lieu.

Upon motion of Senator Chamberlin, Section 2, as amended, was adopted.

Upon motion of Senator Chamberlin, Senate Bill No. 312, was advanced to engrossment and third reading.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 312, to read as follows: AN ACT AUTHORIZING PUBLIC OFFICIALS, PERSONS, FIRMS OR CORPORATIONS REQUIRED TO EXECUTE STATUTORY BONDS WITH SURETY COMPANIES AS SURETIES TO DEPOSIT STATE WARRANTS OR STATE BONDS IN LIEU THEREOF; REPEALING ALL LAWS IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY."

CHAMBERLIN.

Senate Bill No. 312 was ordered referred for engrossment.

Senator Ritzhaupt asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 356, by Ritzhaupt.

Senator Johnston asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 365, by Johnston.

Senator Moon asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 292, by Moon.

Senator Stacey asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 12, by Stacey.

Senator Hutchinson asked to be recorded "excused," for the remainder of this legislative day, which was the order.

Senator Curnutt asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 11, by Nichols, Clark and Curnutt.



Senator Waldrep asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 306, by Sowards, of the Senate, and Gibson, of the House.

Senator Taylor asked unanimous consent, which was granted, to strike from the calendar SENATE BILL NO. 169, by Taylor.

Senator Logan asked unanimous consent, which was granted, to advance to engrossment and third reading HOUSE JOINT RESOLUTION NO. 10, by Marshall, et al, of the House, and Logan and Fidler, of the Senate.

Senator Paul asked unanimous consent, which was granted, to strike from the calendar SENATE BILL NO. 261, by Taylor and Paul.

Senator MacDonald asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading SENATE BILL NO. 202, by MacDonald and Ritzhaupt.

Senator MacDonald moved that Senate Bill No. 202 be advanced to engrossment and third reading, which motion prevailed.

Senator Nichols asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 372, by Morrison, Nichols, Ritzhaupt, Moon and Waldrep.

Section 1 was read and adopted, upon motion of Senator Nichols.

Section 2 was read.

Senator Ritzhaupt submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 372, line 10, page 3, by adding after the word, "officer," and before the word, "of", the words, "or county physician"

RITZHAUPT.

Upon motion of Senator Ritzhaupt, Section 2, as amended, was adopted.

Section 3 was read.

Senator Ritzhaupt submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 372, line 17, page 4, after the word, "Board," and before the word, "and," by adding the words, "and approved by the State Commissioner of Health."

RITZHAUPT.

Upon motion of Senator Ritzhaupt, Section 3, as amended, was adopted.

Section 4 was read.

Senator Ritzhaupt submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 372, line 8, page 6, after the word, "officer," and before the word, "of," by inserting the words, "or county physician;" line 10, page 6, after the word, "officer," and before the word, "has," insert the words, "or county physician;" line 13, page 6, substitute for the word, "Wasserman," the word, "luetic"

RITZHAUPT.

Upon motion of Senator Ritzhaupt, Section 4, as amended, was adopted.

Section 5 was read and adopted, upon motion of Senator Ritzhaupt.

Section 6 was read.

Senator Ritzhaupt submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 372, line 9, page 8, after the word, "shall," and before the word, "prescribe," by inserting the words, "under the direction of the State Commissioner of Health;" lines 11 and 12, page 8, by striking the words, "subject to the approval of the State Board of Health."

RITZHAUPT.

Upon motion of Senator Ritzhaupt, Section 6, as amended, was adopted.

Sections 6-a, 7 and 8 were read and adopted, by unanimous consent of the Senate.

Senator Ritzhaupt submitted the following amendment, which was tabled, upon motion of Senator Paul:

Mr. President: I move to amend Senate Bill No. 372, by adding a new section 9 and re-numbering the succeeding section, Section 9 to read as follows: "Section 9. Section 11, Article 2, Chapter 24, Oklahoma Session Laws, 1931, is hereby amended to read as follows: 'All persons engaged in operating or employed in beauty shops or hair dressing parlors, patronized by women and children, shall come under the provisions of this Act, provided that they are actually engaged in serving the public in the capacity commonly known as hair cutter, beauty parlor or beauty operator or manicurist. An appropriate certificate shall be provided by the Board of Barber Examiners, as provided elsewhere in Chapter 24, Article 2, Oklahoma Session Laws, 1931'."

RITZHAUPT.

By unanimous consent, Senate Bill No. 372, as amended, was advanced to engrossment and third reading.

Senator Moon asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 293, by Moon.

Senator Memminger asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 362, by Memminger.

Senator Rutherford asked that the record show him "excused," for the remainder of this legislative day, which was the order.

Senator Johnston asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 339, by Johnston.

Senator Johnston asked unanimous consent, which was granted, to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 339, line 4, page 2, by inserting after the word, "empowered," and before the word, "to," the words, "by unanimous vote of the Board of County Commissioners;" and by striking Section 4 from the bill and renumbering succeeding sections.

JOHNSTON.

Senator Memminger submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend the title of Senate Bill No. 339, as follows, by striking the words, "AND THE HIGHWAY DEPARTMENT, OR EITHER" in lines 2 and 3; and in lines 7 and 8, strike the words, "OR FOR BRIDGE CONSTRUCTION."

MEMMINGER.

By unanimous consent, Senate Bill No. 339, as amended, was advanced to engrossment and third reading.

Senator Stacey asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading SENATE BILL NO. 256, by Stacey, of the Senate, and Roberts, of the House.

Senator Waldrep asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading SENATE BILL NO. 206, by Waldrep.

Senator Moon asked unanimous consent, which was granted, to advance to engrossment and third reading HOUSE BILL NO. 274, by Chambers.

Senator Whitaker asked unanimous consent, which was granted, to advance to engrossment and third reading HOUSE BILL NO. 99, by Childers.

Senator Ritzhaupt asked unanimous consent, which



was granted, to advance to engrossment and third reading HOUSE BILL NO. 43, by Coe, Ellis, et al.

THIRD READING

By unanimous consent, third reading of SENATE BILL NO. 312, by Willis and Nance, was called for.

SENATE 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: Carlile, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Garvin, Jennings, Johnston, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Reed, Ritzhaupt, Sowards, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 25.

Not voting: Ballard, Carmack, Coppock, Fischl, Howard, Hutchinson, Logan, Moon, Morrison, Ray, Rizley, Stewart, Taylor. Total, 13.

Absent: Daugherty, Powers. Total, 2.

Excused: Briggs, Lester, Pugh, Rutherford. Total, 4.

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 Willis, the emergency section to Senate Bill No. 312 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Willis submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 312 by striking therefrom the words, "AND DECLARING AN EMERGENCY."

WILLIS.

Senate Bill No. 312, as amended, was referred for engrossment.

GENERAL ORDER

Senator Reed asked unanimous consent, to which objections were voiced, to withdraw SENATE BILL

NO. 360, by Reed, of the Senate, and Jones, of the House, from the Committee on Municipal Corporations and place it upon the calendar.

Senator Dixon moved that the Senate adjourn, which motion failed of adoption.

Senator Reed moved that SENATE BILL NO. 360, by Reed, of the Senate, and Jones, of the House, be withdrawn from the Committee on Municipal Corporations and placed upon the calendar, which motion prevailed.

Senator Nichols asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 188, by Nichols.

Senator Curnutt asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading SENATE BILL NO. 288, by Curnutt.

Senator Curnutt moved that Senate Bill No. 288 be advanced to engrossment and third reading, which motion prevailed.

Senator Commons asked unanimous consent, which was granted, to withdraw SENATE BILL NO. 186, by Commons, from the Committee on Pure Food and Drugs and place it upon the calendar.

Senator Commons asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading SENATE BILL NO. 186, by Commons.

Senator MacDonald asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 347, by Sowards.

Section 1 was read.

Senator MacDonald submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 347, lines 6 and 7, page 1, by striking the word "twenty," and inserting the word, "thirty"; and by striking the words, "above the price paid by him for second-

hand books," in the same line, and inserting the words, "of the basic state adopted prices of new books."

MacDONALD.

Senator Paul moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., Monday, March 27th, which motion, by unanimous consent, he withdrew.

Senator Johnston asked unanimous consent, which was granted, to withdraw SENATE BILL NO. 299, by Johnston, from the Committee on State and County Affairs, and place the bill upon the calendar.

#### FIRST READING

By unanimous consent, the following bill was introduced and read for the first time:

SENATE BILL NO. 389—By HUTCHINSON of the Senate; and O'NEILL and EASON of the House.—An Act authorizing and directing the county treasurer of Garfield County, Oklahoma, to sell to the highest bidder for cash at tax resales in said county any real property whether vacant or improved that is located in the town of Covington in said county and directing that the amounts so received be paid to the Covington independent school district No. 77 to be used in paying outstanding warrants of said district; providing that resale tax deeds on said real property shall cancel all prior taxes, penalties, and costs and all prior unpaid assessments for special improvements levied or assessed against said real property, directing the county treasurer not to issue resale tax deeds on said property until one year after date of resale and granting legal owners thereof the privilege of having such deeds issued to them upon the payment to the successful bidders of the amount of their bids and six per cent interest thereon; and declaring an emergency.

#### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

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

ENROLLED HOUSE BILL NO. 168 — By O'NEILL and EASON, entitled:

An Act repealing Section 8010 Oklahoma Statutes 1931, relating to the salary of certain county officers and the number and salaries of certain county officers in all counties of this state having a population of not less than 37,499, and not more than 37,750, and declaring an emergency.

ENROLLED HOUSE BILL NO. 460—By BROADDUS and SHOEMAKE, entitled:

An Act amending Section 6491, Oklahoma Statutes, 1931, providing for the appointment of the marshal and clerk of the city courts in all cities having a population of 25,000 and less than 55,000 as shown by last Federal Census or any Federal Census hereafter, and further amending Section 6502, Oklahoma Statutes 1931, with reference to the judges of said court, and fixing the amount of his bond, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 168 and 460 were, each, read at length 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,  
Building  
SIR:

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



ENGROSSED HOUSE BILL NO. 670—By WIL-  
LIAMS.

An Act authorizing the board of trustees and the president of said board of the town of Texhoma, Texas County, Oklahoma, to remit and refund all penalties or interest on delinquent paving taxes and assessments in paving districts numbers 1 and 2, of said town, providing conditions therefor and authorizing and directing the county treasurer of Texas County to collect said paving taxes and assessments without collecting said interest and penalties, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 582—By GRAY.

An Act amending Section 5444, Oklahoma Statutes 1931, relating to the revolving fund of the Oklahoma Agricultural and Mechanical College at Stillwater, Oklahoma, creating a contingent fund for said college, providing for the expenditure thereof, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 667—By TODD  
and FITZGERALD.

An Act amending Section 10148, Oklahoma Statutes 1931, relating to the construction and maintenance of bridges on township roads, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 677—By WIL-  
LIAMS.

An Act authorizing the mayor and the city council of the city of Hooker, Texas County, Oklahoma, to remit and refund all penalties or interest on delinquent paving taxes and assessments in paving districts numbers 1, 2, 3, 4, 5, 6, 7, and 8 of said city, providing conditions therefor and authorizing and directing the county treasurer of Texas County to collect said paving taxes and assessments without collecting said interest and penalties, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 666—By TODD  
and FITZGERALD of the House.

An Act amending Section 10090 Oklahoma Statutes

1931, relating to the designation of public highways as county highways by county commissioners, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 582, 666, 667, 670, and 677. To the President of the Senate,  
Building  
SIR:

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

ENGROSSED SENATE BILL NO. 354—By NANCE of the Senate and MOONEY of the House, entitled:

An Act providing for additional compensation in excess of the annual salary of the county commissioners of Cotton County; fixing their duties; repealing all 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 and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 354 was ordered referred for enrollment.

Upon motion of Senator Paul, the Senate adjourned, to meet at 10:00 o'clock, a. m., Monday, March 27th, 1933.

## SIXTY-FIRST LEGISLATIVE DAY

Monday, March 27, 1933

Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by President Pro Tempore Stewart, who announced, on account of the work of Committees, the Senate would recess to meet at 1:30 p. m.

### AFTERNOON SESSION

At 1:30 p. m., the Senate reassembled, with President Pro Tempore Stewart presiding.

Upon roll call, the following members were present:

Present: Ballard, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 40.

Absent: Clark, Howard. Total, 2.

Excused: Briggs, Rizley. Total, 2.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

Senator Moon asked unanimous consent, which was granted, that the vote by which SENATE RESOLUTION NO. 21 was passed be reconsidered, for the purpose of placing the resolution on General Order.

Senator Moon moved that Senate Resolution No. 21 be advanced and the Enrolling and Engrossing department instructed to show the resolution as amended by the amendment, shown in the Senate Journal.

Senator Fischl, as a substitute, moved that the matter of Senate Resolution No. 21 be deferred until some future legislative day, when the Chairman of the Enrolling and Engrossing Department is present.

By unanimous consent, the Moon and Fischl motions were withdrawn.

Senator Dixon made the following statement, with reference to the Report of the Committee, authorized under Senate Resolution No. 2, due at 2:00 p. m., this date: "I wish to advise the Senate for the second time I have attempted to get a meeting of the Oil Investigation committee, for the purpose of bringing out a draft of the report. Any arrangement they make about getting the report out will be all right with me."

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 271—By CHILDERS and BABB, entitled:

An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563, 12565, 12566, 12567, 12569, 12571, 12573 and 12529 Oklahoma Statutes, 1931, relating to, and providing for, the enforcement of the gasoline excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission; defining the term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto; defining embezzlement and perjury, for violation of this Act and prescribing penalties; further extending provision for injunction and giving the Commission authority in certain cases to declare the excise tax due and payable forthwith; authorizing exercise of discretion by Commission in issuance, extension, reinstatement, suspension and cancellation of licenses; declaring what may be admitted as evidence in certain



cases; repealing conflicting laws and declaring an emergency, together with Conference Report thereon, and to advise you, and, through you, the Honorable Senate, that the House has adopted the Conference Committee report, and the bill has been passed by the House, AS AMENDED, by said report.

Respectfully,

R. M. McCOOL, Chief Clerk.

The following Conference Committee Report on House Bill No. 271 was read:

To the Honorable State Senate and the Honorable House of Representatives:

We, your Conference Committee of the House of Representatives of the Fourteenth Oklahoma Legislature, to whom was referred House Bill No. 271, by Childers and Babb, beg leave to report that we have met with the Conference Committee of the Senate and carefully considered Senate Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, and that we have reached an agreement with the Conference Committee of the Senate that Senate Amendments Nos. 2 and 3 be adopted as submitted by the Senate; that Senate Amendment No. 4 be changed to read as follows: "Provided however, this requirement shall not apply to quantity of 15 gallons or less when same is being transported by consumer from distributor to points of consumption" and that the same be adopted.

We have further considered Senate Amendments Nos. 5, 7, and 9 and recommend that they be adopted as submitted by the Senate.

Upon consideration of Amendments 1, 6 and 8, it was agreed that the Senate recede from Senate Amendments 1, 6 and 8 and that Senate Amendment No. 10 be adopted.

We recommend that the House of Representatives

adopt the report of the Conference Committee on House Bill No. 271.

Garvin

Childers,

Briggs,

Babb,

Hutchinson,

Logsdon,

Senate Conferees.

House Conferees.

Senator Garvin moved the adoption of the Conference Committee Report on House Bill No. 271.

Senator Wilbanks, as a substitute, moved that the Senate refuse to adopt the Conference Committee Report on House Bill No. 271, and ask for a further conference, which motion prevailed.

Senator Wilbanks moved that the Senate Conferees appointed under House Bill No. 271 be discharged and further conferees appointed, which motion was tabled, upon motion of Senator MacDonald.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 681—By ROBERTS, LOWRANCE, ABERNATHY, HART and PHILLIPS (Okfuskee), entitled:

An Act amending Section 7783, Compiled Oklahoma Statutes 1931, relating to the duties of county weighers, 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.

Respectfully,

R. M. McCOOL, Chief Clerk, -

The Presiding Officer announced First Reading of Engrossed House Bill No. 681.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 604—By MAL-  
LORY, KIGHT, SPECK, O'NEILL, ALLEN, CLINE,  
MOONEY, STURGELL, KING, LINDSEY, LEE-  
CRAFT, CLOYD and CONNER.

An Act levying a tax on homesteads in this state;  
providing the time for the collection of such tax.

ENGROSSED HOUSE BILL NO. 366—By DAN-  
IEL, CHAMBERS, CONNER and LEECRAFT.

An Act to amend Sections 4900, 4901, 4903, 4904,  
and 4907, Chapter 24, Article 23, Oklahoma Statutes  
1931, relating to the sale of securities, and declaring an  
emergency.

ENGROSSED HOUSE BILL NO. 656—By HEN-  
DERSON, BATSON, BABB, JONES, RAWLS, BEN-  
NETT, WAGNER, and PALMER.

An Act amending Subdivision H, Article 9, Chap-  
ter 20, Oklahoma Statutes, 1931, and providing for the  
regulation of the use of the public highways by motor  
vehicles operated for commercial purposes; levying a  
tax and providing for the disposition thereof; making  
such tax, penalties and costs a first lien on the property  
owned or used by motor carriers; providing for the col-  
lection of said tax, issuance of tax warrants therefor  
and the enforcement of the provisions hereof, making  
persons procuring passengers or freight transported by  
unlicensed motor carriers liable for taxes and author-  
izing injunctions; repealing Sections 3692, 3693, 3694,  
3695, 3696, 3697, 3698, and 3699 of Subdivision H, Article  
9, Chapter 20, Oklahoma Statutes, 1931, and all Acts or  
parts of Acts in conflict therewith and declaring an emer-  
gency.

ENGROSSED HOUSE BILL NO. 480—By COMMITTEE.

An Act to encourage the propagation of pheasants in the state of Oklahoma, and to provide licenses therefor, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 220—By JUDICIAL REDISTRICTING COMMITTEE, House of Representatives.

An Act creating twenty-three district court judicial districts in the state of Oklahoma; fixing time for convening court in the various counties of said districts; providing for the nomination and election of judges thereof; repealing Sections 3832 to 3857, inclusive, Oklahoma Statutes 1931, and all other Acts and parts of Acts in conflict therewith; restricting the effective date of certain provisions of this Act; providing that the validity of any part or portion of this Act will not affect other parts or portions thereof,

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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 220, 366, 480, 604, and 656. To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 283 — By HANKLA of the House and WILLIS of the Senate, entitled:

An Act validating certain warrants issued by counties for county highway purposes during the fiscal year ending June 30, 1931, providing for the payment 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment to Senate Bill No. 283 was read as follows:

ENGROSSED HOUSE SUBSTITUTE FOR SENATE BILL NO. 283—By HANKLA of the House and WILLIS of the Senate.

AN ACT VALIDATING CERTAIN WARRANTS ISSUED BY COUNTIES FOR COUNTY HIGHWAY PURPOSES DURING THE FISCAL YEAR ENDING JUNE 30, 1931, PROVIDING FOR THE PAYMENT THEREOF, AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. Warrants issued by a county for county highway purposes during the fiscal year ending June 30th, 1931, and which are not in excess of the amount set forth for said purposes in the appropriations approved by the Excise Board of said county for said year, as indicated by Exhibit "N" of State Examiners and Inspectors Form No. 1434, provided said estimate is within the legal limitations prescribed by law, are hereby declared to be valid, even though the certificate of the Excise Board does not include the total estimate, and may be paid by the County Treasurer out of any funds actually received by the county from its share of the gasoline excise tax and motor vehicle license tax during the three fiscal years next succeeding the effective date of this Act; provided that said warrants shall be paid in the order of their preservation and that no more than one-third thereof shall be paid during any one of said fiscal years.

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 Willis moved that the Senate refuse to concur in Engrossed House Amendment to Senate Bill No. 283 and request the Honorable House to grant a conference thereon, which motion prevailed.

The following message from the Governor was received and read:

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

Gentlemen:

I learn that some perfectly legitimate claims have been eliminated from the Appropriation Bill.

It is not economy to fail to make these appropriations. They will some time have to be made, and the longer the delay, the greater likelihood of an appropriation for a greater amount than at the beginning.

The claim for Special Judgeships is a perfectly legitimate claim provided for under the law that when the members of the Supreme Court disqualify, it is the duty of the Governor to appoint a special judge to decide the case, and this was all that was done, and all in obedience to law. Some of these claims have been sold and the purchaser is entitled to his money.

Where a claim was made prior to July 1, 1931, it was lawful, or, at least, the practice of the State for years. An Act stopping such loose practice was passed by the Thirteenth Legislature, but did not go into effect until July, 1931. Some of these claims made were with concerns out of the State, and I am sure you do not wish the credit of the State to be brought in question by failure to pay these claims made prior to July, 1931.

In the future, if the law passed by the Thirteenth Legislature is followed, these claims are illegal, and

should not be paid, unless approved by the Governor at the time the claim was made.

All just claims should go into the Appropriation Bill, and not be delayed for future action, because there is neither economy nor wholesome regard for public policy and public credit by such failure to make the appropriation.

Respectfully submitted on this the 27th day of March, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
COMMITTEE REPORT

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. 94, by Daniel of the House, and Chamberlin and Garvin of the Senate, entitled:

An Act providing for an appropriation of ten thousand dollars for the remainder of the fiscal year ending June 30, 1933, thirty-two thousand five hundred dollars for the fiscal year ending June 30, 1935, for the maintenance of Oklahoma orphan children who are not in state institutions; providing, etc.,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the Committee Substitute presented herewith do pass.

MacDONALD, Chairman.

FIRST READING

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

SENATE BILL NO. 390—By COMMONS of the Senate and BATSON of the House.—An Act relating to elections; providing form of notification and declaration for candidate for state and county office; fixing time of filing notification and declaration and time of with-

drawals; repealing Section 5755 and Section 5756, O. S. 1931; and declaring an emergency.

SENATE BILL NO. 391—By WILBANKS of the Senate and DARKS of the House.—An Act prohibiting the City of Holdenville, Oklahoma, its lessees and assigns, from using any real property now or hereafter acquired by said city for municipal water works in such a manner as to cause contamination and pollution of said water works; authorizing the City Council of said City to make and enforce rules and regulations to preserve said real property from pollution and contamination and to charge fees from owners and occupants of property thereon to cover costs of inspection and sanitation; empowering said City Council to summarily remove the property of persons refusing to obey said rules and regulations; giving said city a lien on property placed on said real property for fees assessed against them and which are not paid within sixty days after due date thereof; and authorizing the City to advertise and sell said property after giving thirty days notice, the proceeds of the sale, after said fees and costs of sale have been paid to be paid to the owners of said property; and declaring an emergency.

SENATE BILL NO. 392—By STEWART.—An Act relating to the State Game and Fish Commission, fixing the salary of the State Game and Fish Warden and the number and compensation of office employees of said Commission, fixing the number and compensation of assistant or deputy Game and Fish Wardens and limiting the expenses thereof, providing that the balance to the credit of the State Game and Fish Fund at the end of each fiscal year shall be credited to the General Fund of the State Treasury, and declaring an emergency.

#### SECOND READING

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



SENATE BILL NO. 389—By HUTCHINSON of the Senate; and O'NEILL and EASON of the House.

Senator Commons asked unanimous consent, which was granted, to place Senate Bill No. 389 upon the Calendar, without reference to a committee.

ENGROSSED HOUSE BILL NO. 499—By LOGSDON and CHAMBERS.

Senator Commons asked unanimous consent, which was granted, to place House Bill No. 499 upon the Calendar, without reference to a committee.

ENGROSSED HOUSE BILL NO. 666—By TODD and FITZGERALD.

Senator Fischl asked unanimous consent, which was granted, to place House Bill No. 666 upon the Calendar, without reference to a committee.

ENGROSSED HOUSE BILL NO. 677—By WILLIAMS.

Senator Commons asked unanimous consent, which was granted, to place House Bill No. 677 upon the Calendar, without reference to a committee.

ENGROSSED HOUSE BILL NO. 667—By TODD and FITZGERALD.

Senator Fischl asked unanimous consent, which was granted, to place House Bill No. 667 upon the Calendar, without reference to a committee.

ENGROSSED HOUSE BILL NO. 582—By GRAY.  
—Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 670—By WILLIAMS.

Senator Commons asked unanimous consent, which was granted, to place House Bill No. 670 upon the Calendar, without reference to a committee.

#### SPECIAL ORDER

HOUSE BILL NO. 481, by Holliman, Haile, et al, was taken up for further consideration.

Senator Fischl asked unanimous consent, which was granted, to withdraw his amendment to Section 4-a.

Senator Jennings, as a substitute, for the Paul amendment, submitted the following:

Mr. President: I move to amend House Bill No. 481, line 10, page 9, by adding after the word "therein" and before the word "if" the following: "provided that no proration acreage unit exceeding ten acres in area shall be so established."

JENNINGS.

Senator Garvin, in lieu of all pending motions, moved that Section 4-a be stricken, which motion prevailed.

Senator Fischl asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 481, line 17, page 7, by changing line 17 to read as follows: "as otherwise authorized and/or in this Act provided."

FISCHL.

Section 5-a was read.

Senator Garvin submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 481, line 2, page 11, by striking the figure and letter "4-A" and inserting the word "and" between the figures "3, 4," line 2.

GARVIN.

Senator Garvin submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 481, line 9, page 11, by striking the words and figures "and 4-a" and in line 17, same page, by striking the words and figures "and 4-a" and by striking the letter "s" from the word "sections" in lines 9 and 17, page 11.

GARVIN.

Senator Jennings submitted the following amend-

ment, which was tabled, upon motion of Senator Garvin:

Mr. President: I move to amend House Bill No. 481, line 3, page 12, by adding after the word "supply" the following: "provided further that where, by the orders, rules or regulations of the Commission any well or wells are permitted to produce a greater proportion of oil therefrom than provided by Section 4 hereof, the Commission shall charge the amount so overproduced from such well or wells to such well or wells and to the other wells, if any, upon the same lease.

JENNINGS.

Upon motion of Senator Garvin, Section 5, as amended, was adopted.

Section 6 was read.

Senator Garvin submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 481, line 2, page 13, by adding after the word "determined" and before the word "provided," the following: "and the amount of production allowed from such well shall be based upon the percentage that the potential of such well bears to the total potential of said common source of supply."

GARVIN.

Upon motion of Senator Garvin, Section 6, as amended, was adopted.

Sections 7 to 39, both inclusive, were read and adopted, upon motions of Senator Garvin.

Section 39-a was read and adopted, upon motion of Senator Johnston.

Section 40 was read.

Senator Dixon submitted the following amendment, which was tabled, upon motion of Senator Garvin:

Mr. President: I move to amend House Bill No. 481, line 15, page 63, by striking all of Section 40 down to the word "the," line 6, page 64, and adding the following: "The Attorney General and the regular Cor-

poration Commission's attorney shall represent the Commission in all matters arising hereunder."

DIXON.

Upon motion of Senator Garvin, Section 40 was adopted.

Sections 40-a, 41, 42, 43, 44, and 45 were read and adopted, upon motion of Senator Garvin.

Section 46 was read.

Senator Logan submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 481 by striking lines 7, 8, 9, and 10, page 71.

LOGAN.

Senator Johnston submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 481, line 6, page 71, at the end of said line, by adding "or ever be charged to or borne by the State of Oklahoma."

JOHNSTON.

Upon motion of Senator Garvin, Section 46, as amended, was adopted.

Sections 47 and 48 were read and adopted, upon motions of Senator Garvin.

Section 49 was read.

Senator Dixon submitted the following amendment:

Mr. President: I move to amend House Bill No. 481, line 11, page 72, by striking all of Section 49 and inserting: "that the said Commission ordered to take or have taken new potentials, of wells under regulations every four months."

DIXON.

Senator Dixon asked unanimous consent to amend his previous amendment, to read as follows:

Mr. President: I move to amend House Bill No. 481, by striking Section 49.

DIXON.



Senator Logan moved to table the Dixon motion, which motion prevailed.

Upon motion of Senator Garvin, Section 49 was adopted.

Upon motion of Senator Garvin, House Bill No. 481 was advanced to engrossment and third reading.

Senator Nichols moved that the Senate work under the Call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted "not present":

Senators Ballard, Clark, Daugherty, Howard, Liggett, Morrison, Nance and Paul.

#### GENERAL ORDER

Senator Pugh asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 361, by Pugh.

Section 1 was read.

Senator Pugh submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 361, line 8, page 1, by adding after the word "monthly" the following: "The County Commissioners shall receive the sum of \$1500.00, each, per year, payable monthly, as full compensation for their services and they shall not be entitled to collect any expenses for traveling in the performance of their duties, and the salary herein set forth shall be the sole remuneration and compensation for such Commissioners."

#### PUGII.

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

Section 2 was read and adopted, upon motion of Senator Pugh.

Upon motion of Senator Pugh, Senate Bill No. 361 was advanced to engrossment and third reading.

The following members of the Senate asked to be re-

corded "present", which was the order: Senators Daugherty, Morrison, Nance, Paul, and Ballard.

### THIRD READING

Senator Wilbanks asked unanimous consent, which was granted, to strike his name as a joint author of House Bill No. 481.

Senator MacDonald presiding.

Senator Garvin moved that the rules of the Senate be suspended and House Bill No. 481 be considered engrossed, and placed upon third reading and final passage.

HOUSE BILL NO. 481 was read for the third time at length.

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

Ayes: Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Ballard, Coppock, Hutchinson, Waldrep. Total, 4.

Not voting: Liggett, Reed. Total, 2.

Absent: Clark, Howard. Total, 2.

Excused: Briggs, Rizley. 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: Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Ballard, Coppock, Hutchinson, Waldrep.  
Total, 4.

Not voting: Liggett, Reed. Total, 2.

Absent: Clark, Howard. Total, 2.

Excused: Briggs, Rizley. 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 question being "Shall the title of the Bill become the title of the Act?" Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 481, by adding "Nichols of the Senate," as a joint author of House Bill No. 481.

House Bill No. 481, as amended, was referred for engrossment.

Senator Liggett submitted the following committee report:

Mr. President: The Committee on Enrolled and Engrossed Bills begs leave to report Senate Bill No. 312 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Bill No. 312 and ordered it transmitted to the Honorable House for consideration.

Senator Carmack moved that the Senate proceed to the consideration of Senate Bills on third reading.

Senator Whitaker, as a substitute, moved that the Senate proceed to the consideration of House Bills on general order, which motion prevailed.

Senator Fischl asked unanimous consent, which was granted, to have the record show, had he been present at the time of the final passage of HOUSE BILL NO. 58, he would have voted "aye."

#### HOUSE BILLS—GENERAL ORDER

HOUSE BILL NO. 236, by Phillips (Okfuskee), was taken up for consideration.

Section 1 was read.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend House Bill No. 236, line 10½, page 5, by adding a new paragraph as follows: "Appeals may be taken from any order so assessing the property of any taxpayer to the District Court of the county wherein such property is located, within twenty days after such change is made by the State Board of Equalization, but not afterwards. In order to perfect his appeal, the party appealing shall file a notice of his appeal with the County Clerk of the county wherein such property is located. In such notice shall be stated the grounds of appeal. All appeals thus taken to the District Court shall be docketed as other cases pending therein, and the same shall be heard and determined de nova within sixty days from the final judgment of the district court. Appeal may be taken by either party to the Supreme Court of the State as other appeals are taken."

JENNINGS.

Senator Howard asked to be recorded "present," which was the order.

Senator Ballard, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 236, lines 2 to 11, page 2, by striking after the word "counties," in line 2, page 3, all the sentence down to and including the word "districts" in line 3 and by striking all the balance of line 6, page 3, after the word "them" and down to and including all of line 11, page 3, and by striking all of line 11, page 2, after the word "year" down to and including the word "State" in line 17, page 2.

BALLARD.

Senator Whitaker moved to table the Ballard amend-



ment, which motion was declared adopted, the roll call thereon being as follows:

Ayes: Carlile, Carmack. Commons, Fischl, Garvin, Lester, MacDonald, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Thomas, Whitaker. Total, 18.

Nays: Ballard, Coppock, Curnutt, Dixon, Fidler, Howard, Jennings, Johnston, Memminger, Moon, Powers, Rutherford, Stacey, Waldrep, Wilbanks, Willis. Total, 16.

Not voting: Chamberlin, Daugherty, Hutchinson, Liggett, Logan, Ritzhaupt, Stewart. Total, 7.

Absent: Clark. Total, 1.

Excused: Briggs, Rizley. Total, 2.

Senator Curnutt moved that further consideration of Senate Bill No. 236 be indefinitely postponed.

Senator Whitaker, as a substitute, moved that further consideration of Senate Bill No. 236 be deferred until some future legislative day.

Senator Curnutt moved to table the Whitaker motion, which motion, by unanimous consent, he withdrew.

Senator Waldrep, in lieu of all pending motions, moved that Senate Bill No. 236 be referred to the Committee on Revenue and Taxation, for the purpose of rewriting the bill.

Senator Moon moved to amend the Waldrep motion, by adding thereto certain instructions.

Senator Whitaker raised a point of order against the Moon amendment, which was sustained, citing Rule 14.

Senator Jennings, as a substitute for all pending motions, moved that Senate Bill No. 236 be referred to Judiciary Committee No. 1.

Senator Whitaker raised a point of order against the Jennings motion, which was sustained, stating a motion "in lieu of all pending" was before the Senate.

The vote occurring on the Waldrep motion, it was declared adopted.

#### 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 Engrossed House Concurrent Resolution No. 22, by Cox, Williams, Wright, Allen, and Wilmot of the House, and Rizley and Taylor of the Senate, entitled:

A Concurrent Resolution authorizing the appointment of members of the House of Representatives and Senate of the State of Oklahoma to represent the State of Oklahoma in an effort to secure a compact between the States of Texas and Oklahoma settling the controversy as to the true location of the boundary between said States in the disputed area which has been the subject of litigation in the Supreme Court of the United States; authorizing the payment of necessary expenses out of funds already appropriated to pay the expenses of the Fourteenth Legislature to defray the expenses incident to negotiating for said settlement between said States; providing that certified copies of this resolution be furnished the Governor and presiding officers of the State Legislature of Texas,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

LOGAN, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 238, by Moon, entitled:

An Act repealing Article Six of Chapter Sixty-Six, being Sections 12363 to 12368, inclusive, of the Oklahoma Statutes 1931, relating to taxes on bonds, notes and choses in action; 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.

WHITAKER, Chairman.

Upon motion of Senator Whitaker, the Adverse Committee Report on Senate Bill No. 238 was adopted.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 239, by Moon, entitled:

An Act repealing Article Five of Chapter Sixty-six, consisting of Sections 12351 to 12362, inclusive, of the Oklahoma Statutes 1931, relating to the payment of taxes on real estate mortgages; 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.

WHITAKER, Chairman.

Upon motion of Senator Whitaker, the Adverse Committee Report on Senate Bill No. 239 was adopted.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 308, by Paul, entitled:

An Act exempting gasoline used in farm tractors and stationary engines used upon farms from the payment of excise tax on gasoline; providing the method for securing such exemption; 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, for the reason that the subject matter is covered by present statutory enactment.

WHITAKER, Chairman.

Upon motion of Senator Whitaker, the Adverse Committee Report on Senate Bill No. 308 was adopted.

Upon motion of Senator Commons, the Senate adjourned to meet at 10:00 a. m., Tuesday, March 28th.

## SIXTY-SECOND LEGISLATIVE DAY

Tuesday, March 28, 1933.

Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by President Pro Tempore Stewart, who announced the Senate would recess, to meet at 1:30 p. m.

### AFTERNOON SESSION

The Senate re-assembled with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 38.

Absent: Dixon, Liggett, Morrison. Total, 3.

Excused: Clark, Logan, Rizley. Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Nichols moved that the Honorable House be requested to reconsider the vote by which SENATE JOINT RESOLUTION NO. 11, by Nichols, was passed and return the Resolution to the Senate, which motion prevailed.

### COMMITTEE REPORTS

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

Mr. President: We, your Judiciary Committee No. 2, to whom was referred House Joint Resolution No. 38, by Darks, of the House, and Wilbanks, of the Senate, entitled:



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A Joint Resolution authorizing one Harold Wright, a former inmate of the state penitentiary at McAlester, Oklahoma, now a resident of Holdenville, Oklahoma, to bring suit against the state of Oklahoma in the district court in Hughes County, to determine the amount of damages, if any, sustained by him by reason of accident which occurred while he was performing duties assigned to him by the warden of said penitentiary, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CHAMBERLIN, Chairman.

Mr. President: We, your Judiciary Committee No. 2, to whom was referred House Bill No. 37, by Glen and Smalley, entitled:

An Act abolishing the Superior Court of Pottawatomie County; providing for the disposition of all cases pending in said court; providing effective date of 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Fees and Salaries, to whom was referred Senate Bill No. 384, by Reed, entitled:

An Act fixing the compensation of the chairman and other members of the Oklahoma Tax Commission and its secretary and attorney; creating certain clerical stenographic and other positions in the department of said commissions; providing for the appointment of persons to fill said positions and fixing the compensation 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 AS AMENDED.

PUGH, Chairman.

MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 319—By RITZHAUPT of the Senate and DAVIS of the House, entitled:

An Act authorizing certain persons to bring suit against Logan County for the recovery of moneys due for supplies furnished the poor and needy of said county; making it mandatory upon the district judge to enter judgment upon proof of the correctness of such actions; authorizing the levying of a tax to pay said judgment; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senate Bill No. 319 was referred for enrollment.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 271—By CHILDERS and BABB.

An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563, 12565, 12566, 12567, 12569, 12571, 12573 and 12529 Oklahoma Statutes, 1931, relating to, and providing for, the enforcement of the gasoline excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission; defining the

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term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto; defining embezzlement and perjury, for violation of this Act and prescribing penalties; further extending provision for injunction and giving the commission authority in certain cases to declare the excise tax due and payable forthwith; authorizing exercise of discretion by commission in issuance, extension, reinstatement, suspension and cancellation of licenses; declaring what may be admitted as evidence in certain cases; repealing conflicting laws and declaring an emergency,

and to advise you, and, through you, the Honorable Senate, that the House refuses to grant a further conference on said bill, and respectfully requests your Honorable Body to adopt the Conference Committee Report thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Further consideration of the request of the Honorable House, concerning House Bill No. 271, was deferred temporarily.

The following message from the Governor was received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

House Bill No. 58, commonly known as the "Chain Store Bill," has passed the House, and, as amended, passed the Senate, except the final roll call.

In view of the terms of this Bill, and in order to prevent delay, I send you this message:

If the Senate will change this Bill so it will be constitutional before sending it back to the House, it could easily become a law. The Bill, as passed, is unconstitutional, and it is worse than a waste of time to pass such legislation.

Indiana, Virginia, Mississippi, and possibly other States have passed similar bills,—some declared constitutional; some not. If you will pass a bill along the principle of the Virginia law, as a "Permit," or "License" Tax, to do business in the State, as Virginia has done, and provide that all funds collected therefrom shall go into the Common School Fund, it will make a tremendous amount of money.

The Virginia law provides for \$10.00 on all business concerns who purchase for sale, as shown by the invoice, an amount of \$1,000.00 and less; and, on an amount purchased where the aggregate amount of the invoice exceeds \$1,000.00, and does not exceed \$2,000.00, \$15.00; and an invoice in excess of \$2,000.00, twenty cents on the hundred. As a result of that law, for the fiscal year 1930-31, it made an income of:

\$1,325,518.00

For the fiscal year 1931-32 \$1,223,308.00

Doubtless such a law in this State would bring:

\$1,500,000.00.

A law drawn on that line could not be attacked on the score of fairness nor on the question of constitutionality.

It is better to make the charge on the invoice rather than on the gross sale, for the reason that it is more easily ascertained, particularly if a provision is put in the Bill to require an oath from the wholesaler that the Bill was true and correct; and also a provision to reach C. O. D. packages through the Post Office Department, the Express Companies, and the banks, none of it could escape.

I should be pleased to see a bill passed along the line intended by this Bill at this session, but I could not, in good conscience, approve a bill I know to be unfair or unconstitutional, and the Bill, as engrossed, is certainly unfair between a little and a big merchant, and



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clearly violates both the State and the Federal Constitution.

Permit me to suggest that the Senate adopt a substitute and send it to the House, and I am sure, if carefully drawn, the House will confirm the Senate's substitute, and thus it may become a law immediately, and thus while serving the public policy sought, would be quite a boom to the common schools of the State.

Respectfully submitted, on this the 28th day of March, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Waldrep moved that a Special Committee, composed of Senators Nance, Johnston, and Stewart, be appointed to consider and advise what changes should be made, if any, in House Bill No. 58, having under consideration the Governor's message thereon, the Committee to make report on the next legislative day, if possible, which motion prevailed.

Senator Johnston asked unanimous consent, which was granted, to add the name of Senator Waldrep as Chairman of the Special Committee, appointed to consider House Bill No. 58, together with the Governor's message thereon.

Senator Waldrep moved that Senator Paul be added as a member of the Special Committee, appointed to consider House Bill No. 58, together with the Governor's message thereon, which motion prevailed.

Senator Ballard asked unanimous consent, which was granted, to add the name of Senator Carmack as member of the Special Committee to consider House Bill No. 58, together with the Governor's message thereon.

#### FIRST READING

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

SENATE BILL NO. 393—By COMMONS and

CHAMBERLIN.—An Act defining conditions which, if shown, shall require a change of venue; specifying proceedings to obtain the change, and declaring an emergency.

SENATE BILL NO. 394—By GARLAND of the House and RITZHAUPT of the Senate.—An Act authorizing the County Commissioners of each county in the State to make a special levy for the purpose of taking care of the charity in each county thereof; providing the method of expenditure and designating the kind of people to receive aid; providing that any excess funds remaining in said special fund herein authorized shall be held as an emergency fund, the same to accumulate for a period of five (5) years; designating how the emergency fund may be used, and if not used shall revert to the general fund of the county; providing for the appointment of a county physician-surgeon, county health nurse, a method of creating a county health board; fixing the salaries thereof, designating the tenure of office; providing for expenses thereof, describing duties; prohibiting the operation and forming of charity organizations in the State without the consent and approval of the County Board of Health and the Governor of the State; providing that the violation of this Act shall constitute a misdemeanor; fixing the penalty therefor; repealing conflicting laws; savings clause; and declaring an emergency.

SENATE BILL NO. 395—By COMMITTEE ON EDUCATION of the Senate and House.—An Act abolishing the Boards of Regents of the Eastern Oklahoma College located at Wilburton, Oklahoma, of the Northeastern Oklahoma Junior College located at Miami, Oklahoma, of the Oklahoma College for Women at Chickasha, Oklahoma, and of the University Preparatory School located at Tonkawa, Oklahoma, and making the Board of Regents of the University of Oklahoma the Board of Regents of each of said institutions; amending

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Sections 7329, 7347, 7356 and 7265, Oklahoma Statutes 1931; repealing all Acts or parts of Acts in conflict therewith; and declaring an emergency.

SENATE BILL NO. 396—By NICHOLS and FISCHL of the Senate, and BATSON and BLOCKER of the House.—An Act repealing Section 1, Article 7, Chapter 50, Session Laws, 1931, and abolishing all ad valorem tax levies for construction and maintenance of highways in all counties of the State, and declaring an emergency.

SENATE BILL NO. 397—By NICHOLS and FISCHL of the Senate, and BATSON and BLOCKER of the House.—An Act to repeal Section 2, Article 7, Chapter 50, Session Laws, 1931, which authorizes an ad valorem tax levy of three mills for township road construction and maintenance; repealing Section 1, Article 8, Chapter 50, which authorizes the levy of a two mill ad valorem tax for dragging township roads, and declaring an emergency.

#### SECOND READING

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

SENATE BILL NO. 390—By COMMONS of the Senate and BATSON of the House.—Referred to Committee on Privileges and Elections.

SENATE BILL NO. 391—By WILBANKS of the Senate and DARKS of the House.

Senator Wilbanks asked unanimous consent, which was granted, to place Senate Bill No. 391 upon the Calendar, without reference to a Committee.

SENATE BILL NO. 392—By STEWART.—Referred to Committee on Fish and Game.

ENGROSSED HOUSE BILL NO. 681—By ROBERTS, LOWRANCE, ABERNATHY, HART and PHILLIPS (Okfuskee).

Senator Stacey asked unanimous consent, which

was granted, to place House Bill No. 681 upon the Calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 220—By JUDICIAL REDISTRICTING COMMITTEE, HOUSE OF REPRESENTATIVES.

Senator Wilbanks asked unanimous consent, which was granted, to place House Bill No. 220 upon the Calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 480—By COMMITTEE.—Referred to Committee on Fish and Game.

ENGROSSED HOUSE BILL NO. 656—By HENDERSON, BATSON, BABB, JONES, RAWLS, BENNETT, WAGNER and PALMER.—Referred to Committees on Roads and Highways and Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 366—By DANIEL, CHAMBERS, CONNER and LEECRAFT.—Referred to Committee on Banks and Banking.

ENGROSSED HOUSE BILL NO. 604—By MALORY, KIGHT, SPECK, O'NEILL, ALLEN, CLINE, MOONEY, STURGELL, KING, LINDSEY, LEECRAFT, CLOYD, and CONNER.—Referred to Committee on Revenue and Taxation.

Senator Stewart moved that the Senate recall ENROLLED SENATE BILL NO. 6, by Stewart, from the office of the Governor, which motion prevailed.

Senator Nance moved that SENATE BILL NO. 340, by Waldrep, and HOUSE BILL NO. 437, by Wingo, be withdrawn from the Committee on Municipal Corporations, and placed upon the Calendar, which motion prevailed.

Senator Nichols asked unanimous consent, to which objections were voiced, to withdraw SENATE BILL NO. 259, by Nichols, from the Committee to which it was referred, and place it upon the Calendar, which motion, by unanimous consent, he withdrew.

Senator Ritzhaupt asked unanimous consent, which



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was granted, to withdraw SENATE BILL NO. 374, by Ritzhaupt, from the Committee on State and County Affairs and place the Bill upon the Calendar.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 12, 188, 202, 288, 292, 293, 306, 356, 359, 362, 365 and 372 correctly engrossed.

LIGGETT, Chairman.

### THIRD READING

By unanimous consent, third reading of SENATE BILL NO. 362, by Memminger, was deferred for this legislative day.

Upon motion of Senator Curnutt, the vote was reconsidered by which HOUSE BILL NO. 197, by Massey, was advanced to engrossment and third reading.

SENATE BILL NO. 243 was read at length for the third time.

Senator Waldrep moved that further consideration of Senate Bill No. 243 be indefinitely postponed.

Senator MacDonald moved to table the Waldrep motion, which motion failed of adoption.

The vote occurring on the Waldrep motion, it was declared adopted.

Senator Paul asked to be added as a member of the Senate Conference Committee under HOUSE BILL NO. 305.

Senator Johnston moved that Senator Paul be added as a member of the Senate Conference Committee, appointed under House Bill No. 305, which motion prevailed.

SENATE 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: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fischl,

Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Paul, Powers, Pugh, Ray, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks. Total, 31.

Nays: Fidler, Taylor, Willis. Total, 3.

Not Voting: Carlile, Garvin, Nichols, Reed. Total, 4.

Absent: Dixon, Liggett, Morrison. Total, 3.

Excused: Clark, Logan, Rizley. 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: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Paul, Powers, Pugh, Ray, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks. Total, 31.

Nays: Fidler, Taylor, Willis. Total, 3.

Not Voting: Carlile, Garvin, Nichols, Reed. Total, 4.

Absent: Dixon, Liggett, Morrison. Total, 3.

Excused: Clark, Logan, Rizley. 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, in open session, signed the engrossed copy of Senate Bill No. 359, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Commons, SENATE BILL NO. 269, by Nichols, was withdrawn from the Calendar and referred to the Committee on Insurance.

Senator Whitaker presiding.

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SENATE BILL NO. 202 was read for the third time at length.

Senator Jennings moved that Senate Bill No. 202 be re-committed to Judiciary Committee No. 1, with instructions to re-draft the same so as to exclude resident students from the provisions thereof, and to provide tuition charges for non-residents of the State of Oklahoma.

Senator Pugh, as a substitute motion, submitted the following:

Mr. President: I move to amend Senate Bill No. 202, by adding at the end of Section 2, the following: "provided the President of any of the institutions named shall, when he is certain a student can not pay fee named, waive said fee."

PUGH.

Senator Jennings, in lieu of all pending motions, moved that Senate Bill No. 202 be referred to the position of "general order" on the Calendar.

Senator MacDonald asked unanimous consent, to which objections were voiced, that amendments be offered to Senate Bill No. 202 while on third reading.

Senator MacDonald moved that the rules of the Senate be suspended for the purpose of permitting amendments to be submitted to Senate Bill No. 202, while on third reading, which motion prevailed.

Senator Jennings raised a point of order, which was overruled, stating bills on third reading are not subject to amendment.

Senator Wilbanks submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 202, line 18, page 2, by adding a new paragraph after the word "provided," as follows: "Provided, however, that the President of each school above named may establish and issue scholarships to deserving students who make proper showing that they are financially unable to pay said tuition, and said scholarships shall be without

charge and in lieu of the tuition fee; provided further, that said scholarships shall not exceed thirty-three and one-third per cent of the enrollment of the respective schools."

WILBANKS,  
BALLARD, and  
PAUL.

Upon motion of Senator Wilbanks, the previous question was ordered.

The vote occurring on the Wilbanks amendment, it was declared failed of adoption.

Senator Ballard moved that further consideration of Senate Bill No. 202 be indefinitely postponed.

Senator Jennings raised a point of order against further consideration of Senate Bill No. 202, which was overruled, stating the bill was a revenue raising measure and should originate in the Honorable House.

Senator Nichols asked unanimous consent, which was granted, to be added as a joint author of Senate Bill No. 202.

Upon motion of Senator Wilbanks, the previous question was ordered.

The vote occurring on the Ballard motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Coppock, Curnutt, Fidler, Garvin, Howard, Jennings, Johnston, Lester, Nance, Paul, Ray, Sowards, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 22.

Nays: Commons, Daugherty, Fischl, MacDonald, Memminger, Moon, Nichols, Pugh, Reed, Ritzhaupt, Waldrep, Whitaker. Total, 12.

Not Voting: Chamberlin, Hutchinson, Powers, Rutherford. Total, 4.

Absent: Dixon, Liggett, Morrison. Total, 3.

Excused: Clark, Logan, Rizley. Total, 3.

SENATE BILL NO. 356 was read for the third time at length.



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Senator Ballard moved that further consideration of Senate Bill No. 356 be indefinitely postponed, which motion failed of adoption.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 23.

Nays: Ballard, Coppock, Curnutt, Fidler, Howard, Hutchinson, Jennings, Rutherford, Sowards, Thomas. Total, 10.

Not Voting: Moon, Powers, Reed, Stewart, Waidrep. Total, 5.

Absent: Dixon, Liggett, Morrison. Total, 3.

Excused: Clark, Logan, Rizley. 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 Ritzhaupt, the emergency section to Senate Bill No. 356 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Ritzhaupt submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 356, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

RITZHAUPT.

Senate Bill No. 356 was ordered referred for re-engrossment.

Senator Jennings served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 356 was passed.

President Burns presiding.

Senator Ritzhaupt raised a point of order against the Jennings notice, which was not sustained, stating he had voted with the minority.

Senator Nichols moved that the rules of the Senate be suspended for the purpose of reconsidering the vote by which Senate Bill No. 356 was passed, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Ray, Ritzhaupt, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Ballard, Coppock, Fidler, Hutchinson, Jennings, Pugh, Rutherford, Sowards. Total, 8.

Not Voting: Moon, Powers, Reed, Thomas, Waldrep. Total, 5.

Absent: Dixon, Liggett, Morrison. Total, 3.

Excused: Clark, Logan, Rizley. Total, 3.

Senator Nance moved that the vote be reconsidered by which Senate Bill No. 356 was passed, which motion was tabled, upon motion of Senator Nichols.

SENATE BILL NO. 12 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carmack, Chamberlin, Coppock, Curnutt, Daugherty, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Not Voting: Carlile, Commons, Fidler, Hutchinson, Moon. Total, 5.

Absent: Dixon, Liggett, Morrison. Total, 3.

Excused: Clark, Logan, Rizley. 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: Ballard, Briggs, Carmack, Chamberlin, Coppock, Curnutt, Daugherty, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Not Voting: Carlile, Commons, Fidler, Hutchinson, Moon. Total, 5.

Absent: Dixon, Liggett, Morrison. Total, 3.

Excused: Clark, Logan, Rizley. 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, in open session, signed the engrossed copy of Senate Bill No. 12, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 306 was read for the third time at length.

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

Ayes: Ballard, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Memminger, Moon, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Not Voting: Briggs, Commons, Daugherty, MacDonald, Nance, Paul, Powers, Wilbanks. Total, 8.

Absent: Dixon, Liggett, Morrison. Total, 3.

Excused: Clark, Logan, Rizley. 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: Ballard, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Memminger, Moon, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Not Voting: Briggs, Commons, Daugherty, MacDonald, Nance, Paul, Powers, Wilbanks. Total, 8.

Absent: Dixon, Liggett, Morrison. Total, 3.

Excused: Clark, Logan, Rizley. 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 question being, "Shall the title of the bill become the title of the Act?" Senator Pugh submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 306 by adding thereto the words, "AND DECLARING AN EMERGENCY."

PUGH.

Senate Bill No. 306 was ordered referred for proper engrossment.

Senator Curnutt asked unanimous consent, which was granted, to defer Third Reading of SENATE BILL NO. 288, by Curnutt, the bill to retain its place on the calendar.

SENATE BILL NO. 188 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Willis. Total, 30.



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Nays: Ballard. Total, 1.

Not Voting: Commons, Daugherty, Jennings, Powers, Ritzhaupt, Rutherford, Taylor, Wilbanks. Total, 8.

Absent: Liggett, Morrison. Total, 2.

Excused: Clark, Logan, Rizley. 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: Briggs, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Nays: Ballard. Total, 1.

Not Voting: Commons, Daugherty, Jennings, Powers, Ritzhaupt, Rutherford, Taylor, Wilbanks. Total, 8.

Absent: Liggett, Morrison. Total, 2.

Excused: Clark, Logan, Rizley. 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, in open session, signed the engrossed copy of Senate Bill No. 188, and ordered the same transmitted to the Honorable House.

Senator Paul moved that HOUSE BILL NO. 480, by Broadbuss, be withdrawn from the Committee on Fish and Game and placed upon the calendar, which motion prevailed.

Senator Fischl moved that SENATE BILL NO. 89, by Coppock, Fischl and Stewart, of the Senate, and

Massey, of the House, be advanced to engrossment and third reading.

Senator Nichols raised a point of order, which was sustained, stating the Senate was considering bills under Third reading.

Senator Fischl moved that the rules of the Senate be suspended for the purpose of advancing Senate Bill No. 89 to engrossment and third reading.

Senator Pugh, as a substitute, moved that the Senate proceed to the considering of bills under Third Reading, which motion was ruled out of order, as not being a proper substitute.

Senator Chamberlin, as a substitute, moved that the rules of the Senate be suspended and all bills, relative to the reorganization of the Fish and Game Department, now in committee, be ordered withdrawn and placed upon the calendar, which motion prevailed.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 481 correctly engrossed.

HOWARD, Vice Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 481, as amended, and ordered the bill returned to the Honorable House.

Senator Moon asked unanimous consent, which was granted, to defer third reading of SENATE BILLS NOS. 292 and 293, both by Moon, for this legislative day, the bills to retain their places on the calendar.

#### GENERAL ORDER

Senator Hutchinson asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 389, by Hutchinson, of the Senate, and O'Neill and Eason, of the House.

Sections 1, 2 and 3 were read and adopted, by unanimous consent.

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Upon motion of Senator Nichols, Senate Bill No. 389 was advanced to engrossment and third reading.

Senator Dixon asked to be recorded "present," which was the order.

### THIRD READING

SENATE BILL NO. 389 was read for the third time at length.

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

Ayes: Ballard, Carmack, Chamberlin, Coppock, Curnutt, Dixon, Fidler, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Briggs, Carlile, Commons, Daugherty, Fischl, Garvin, Jennings, Reed, Sowards. Total, 9.

Absent: Liggett, Morrison. Total, 2.

Excused: Clark, Logan, Rizley. 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: Ballard, Carmack, Chamberlin, Coppock, Curnutt, Dixon, Fidler, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Briggs, Carlile, Commons, Daugherty, Fischl, Garvin, Jennings, Reed, Sowards. Total, 9.

Absent: Liggett, Morrison. Total, 2.

Excused: Clark, Logan, Rizley. 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.

Senate Bill No. 389 was ordered referred for engrossment.

SENATE BILL NO. 365 was read for the third time at length.

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

Ayes: Briggs, Carmack, Chamberlin, Coppock, Daugherty, Dixon, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Ballard, Curnutt. Total, 2.

Not Voting: Carlile, Commons, Fidler, Fischl, Jennings, Sowards. Total, 6.

Absent: Liggett, Morrison. Total, 2.

Excused: Clark, Logan, Rizley. 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: Briggs, Carmack, Chamberlin, Coppock, Daugherty, Dixon, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Ballard, Curnutt. Total, 2.

Not Voting: Carlile, Commons, Fidler, Fischl, Jennings, Sowards. Total, 6.

Absent: Liggett, Morrison. Total, 2.

Excused: Clark, Logan, Rizley. Total, 3.

The emergency having received the constitutional



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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 copy of Senate Bill No. 365, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 372 was read for the third time at length.

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

Ayes: Carmack, Chamberlin, Coppock, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Powers, Pugh, Reed, Ritzhaupt, Rutherford, Stacey, Thomas, Waldrep, Wilbanks, Willis. Total, 27.

Nays: Ballard, Briggs, Paul, Ray, Stewart, Whitaker. Total, 6.

Not Voting: Carlile, Commons, Fidler, Jennings, Sowards, Taylor. Total, 6.

Absent: Liggett, Morrison. Total, 2.

Excused: Clark, Logan, Rizley. 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 Nichols, the emergency section to Senate Bill No. 372 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 372, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

NICHOLS.

Senate Bill No. 372 was ordered referred for re-engrossment.

#### GENERAL ORDER

Upon motion of Senator Memminger, SENATE

BILL NO. 353, by Committee on Banks and Banking, was advanced to engrossment and third reading.

Senator Wilbanks asked to be "excused," for the remainder of this legislative day, which was the order.

Senator Ballard asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 364, by Ballard (By request).

Senator Johnston asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 299, by Johnston.

Senator Rutherford moved that HOUSE BILL NO. 499, by Logsdon and Chambers, be advanced to engrossment and third reading, which motion prevailed.

Senator Chamberlin moved that HOUSE BILL NO. 94, by Daniels, of the House, and Chamberlin and Garvin, of the Senate, be advanced to engrossment and third reading, which motion prevailed.

Senator Nance moved that the rules of the Senate be suspended and House Bill No. 94 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

HOUSE BILL NO. 94 was read for the third time at length.

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

Ayes: Ballard, Carmack, Chamberlin, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis.  
Total, 34.

Not Voting: Briggs, Carlile, Commons, Fischl.  
Total, 4.

Absent: Liggett, Morrison. Total, 2.

Excused: Clark, Logan, Rizley, Wilbanks. Total, 4.

The Bill having received the constitutional majority

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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: Ballard, Carmack, Chamberlin, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 34.

Not Voting: Briggs, Carlile, Commons, Fischl. Total, 4.

Absent: Liggett, Morrison. Total, 2.

Excused: Clark, Logan, Rizley, Wilbanks. 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.

House Bill No. 94 was referred for engrossment.

Senator Nance moved that HOUSE BILL NO. 187, by Kight and Batson, be withdrawn from the Committee on School Lands and ordered printed and placed upon the calendar.

Senator Morrison asked to be recorded "present," which was the order.

Upon motion of Senator Garvin, the previous question was ordered.

The vote occurring on the Nance motion, it was declared adopted.

#### MESSAGES

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

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to

transmit herewith for your consideration:

ENGROSSED HOUSE JOINT RESOLUTION  
NO. 1—By CLOYD, entitled:

A Resolution authorizing an extension of time for payment of the first half of the 1932 ad valorem taxes in Oklahoma until June 15, 1933, and authorizing an extension of time for the payment of the last half of the 1932 ad valorem taxes until September 1st, 1933; relieving the taxpayer of all penalties on such taxes if paid as prescribed therein; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Joint Resolution No. 1.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED HOUSE JOINT RESOLUTION  
NO. 40—By BRAZELL, FRALEY, CLINE and EASON, entitled:

A Joint Resolution authorizing E. W. Marland of Ponca City, Oklahoma, to bring suit against the State to recover certain income and other taxes alleged to have been illegally collected from him by the State, and declaring an emergency,  
and to advise you, and, through you, the Honorable Senate, that the same has been passed by the House



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of Representatives and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Joint Resolution No. 40.

To the President of the Senate,

Building

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. 481—By HOLIMAN, HAILE, WATSON and PHILLIPS (Okfuskee) of the House and GARVIN, WALDREP and WILBANKS of the Senate. .

An Act defining and prohibiting waste of crude petroleum and natural gas, and providing for the ratable and equitable taking thereof from common sources of supply; conferring authority upon, and defining the duties, powers and authority of, the Corporation Commission in connection with the enforcement of this Act, and prescribing the character of notice and procedure to be followed by the Corporation Commission hereunder; regulating all producers, purchasers and common carriers of crude petroleum so as to prevent inequitable taking and waste; prescribing penalties and other relief for violation of this Act and of rules, regulations or orders promulgated by the Corporation Commission hereunder; providing for proceedings for injunction in the District Courts to enjoin the violation of and to enforce the provisions of this Act and the orders, rules and regulations of the Corporation Commission made in pursuance hereof; declaring certain violations hereof, and violations of certain

rules, regulations or orders promulgated by the Corporation Commission hereunder, to be crimes, and prescribing the punishment therefor; creating the offices of Proration Umpire, Assistant Proration Umpire and Proration Attorney, for the enforcement of this Act, and providing for their appointment and removal and defining their duties, powers and authority, and fixing their term of office, bonds and compensation; providing for the appointment of deputies and employees to aid in the enforcement of this Act, defining their duties, power and authority, and fixing their compensation; providing for expenses of administration in connection with this Act and for the creation of a Special Fund, to be known as the "Proration Fund" to be used exclusively in the enforcement of this Act; repealing all laws in conflict herewith, and for other purposes; and declaring an emergency, and respectfully requests that a conference be granted thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Garvin moved that the request of the Honorable House, for a conference on Engrossed House Bill No. 481, be granted and the President appoint 5 conferees thereunder.

The Garvin motion prevailed, the President appointing as Senate Conferees thereunder Senators Garvin, Nichols, MacDonald, Rutherford and Fischl.

Senator Coppock submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 306 and 356, each, correctly engrossed.

COPPOCK, Chairman.

The President, in open session, signed Engrossed

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Senate Bills Nos. 306 and 356 and ordered, each, transmitted to the Honorable House, for consideration.

#### 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 Oil and Gas, to whom was referred House Bill No. 483, by Holliman, Haile, Phillips (Okfuskee) of the House, and Waldrep and Wilbanks of the Senate, entitled:

An Act levying an excise tax of one-eighth of one cent per barrel on petroleum oil produced in the State of Oklahoma subsequent to the passage and approval of this Act, providing for the deposit of the proceeds of such tax in the State Treasury to the credit of the "Proration Fund" created hereby, and the appropriation of said fund for salaries and expenses of the Proration Umpire, his assistant and deputies, employees in the proration office, and the Proration Attorney, repealing all 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.

GARVIN, Chairman.

Upon motion of Senator Chamberlin, the Committee Report on House Bill No. 483 was adopted, the bill ordered printed and placed upon the calendar.

Mr. President: We, your Committee on Privileges and Elections, to whom was referred Senate Bill No. 173, by Jennings, entitled:

An Act legalizing the use of voting machines in the State of Oklahoma; authorizing their purchase and installation at the option of voting units; and prescribing rules and regulations for their operation,  
beg leave to report that we had the same under con-

sideration and herewith return the same with the recommendation that it be printed and placed upon the calendar.

BALLARD, Chairman.

Mr. President: We, your Committee on Insurance, to whom was referred Senate Bill No. 208, by Moon, MacDonald, Garvin, Curnutt and Rizley, entitled:

An Act providing for the compulsory compensation of injured employees in hazardous industries, providing that employees in non-hazardous industries may elect to provide like compensation for their injured employees, placing the supervision of the Act under a Commission herein created, fixing a schedule of awards, providing penalties for the violation of the provisions of this Act, 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 without recommendation and that it be printed and placed on the calendar upon general order.

FIDLER, Chairman.

Upon motion of Senator Moon, the Committee Report on Senate Bill No. 208 was adopted, the bill ordered printed and placed upon the calendar.

Mr. President: We, your Committee on Judiciary No. 1, to whom was referred Senate Bill No. 303, by Moon, entitled:

An Act providing for the Disposition of Revenues received by Municipalities from public utilities owned by such Municipalities; requiring Municipalities to provide by Irrevocable Ordinance or Resolution that they will use, apply and dispose of the revenue from Municipally Owned Utilities in accordance with the provisions of this Act and fix rates and charges suffi-



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cient for such purposes; providing that the invalidity of any part of this Act shall not affect the remainder 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 the Committee Substitute hereto attached do pass.

CURNUTT, Chairman.

Mr. President: We, your Committee on Privileges and Elections, to whom was referred Senate Bill No. 390, by Commons of the Senate and Batson of the House, entitled:

An Act relating to Elections; providing form of Notification and Declaration for Candidate for State and County Office; fixing time of filing Notification and Declaration and time of withdrawals; repealing Section etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

BALLARD, Chairman.

Senator Garvin moved that the Honorable House be requested to grant a further conference on ENGROSSED HOUSE BILL NO. 271, by Childers and Babb, which motion prevailed.

Upon motion of Senator Howard, HOUSE BILL NO. 415, by McElhaney and Misenheimer, was ordered withdrawn from the Committee on Fish and Game and placed upon the calendar, without recommendation.

#### GENERAL ORDER

Senator Pugh moved that SENATE BILL NO. 220, by Pugh, be advanced to engrossment and third reading, which motion prevailed.

Upon motion of Senator Chamberlin, the Senate adjourned, to meet at 10:00 o'clock, a. m., Wednesday, March 29, 1933.

## SIXTY-THIRD LEGISLATIVE DAY

Wednesday, March 29, 1933

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Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by President Pro Tempore Stewart.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fischl, Garvin, Howard, Hutchipson, Jennings, Johnston, Lester, Liggett,\* MacDonald, Memminger, Moon, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Absent: Commons, Dixon, Morrison, Nance, Paul, Rutherford, Sowards, Thomas. Total, 8.

Excused: Fidler, Logan, Rizley. Total, 3.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

### GENERAL ORDER

Senator Moon moved that SENATE RESOLUTION NO. 21, be adopted and ordered engrossed to include the Nichols amendment, as shown by the Senate Journal of March 15th, page 1762, which motion prevailed.

Senate Resolution No. 21 was referred for engrossment.

### COMMITTEE REPORT

The following committee report was submitted, the bill ordered printed and placed upon the Calendar:

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 416, by Leecraft, entitled:

An Act for the purpose of carrying out the provisions of Section 3, Article X, of the Constitution of Okla-

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homa, relating to the payment of the current expenses of the state government, when the same shall exceed the income from previous fiscal years; 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.

WHITAKER, Chairman.

### FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 398—By MOON.—An Act amending Section 2609, of the Oklahoma Statutes of 1931, relating to the sale and advertisement for sale of intoxicating liquor, repealing all laws in conflict herewith and declaring an emergency.

### SECOND READING

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

SENATE BILL NO. 393—By COMMONS and CHAMBERLIN.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 394—By GARLAND of the House and RITZHAUPT of the Senate.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 395—By COMMITTEE ON EDUCATION of the Senate and House.—Referred to Committee on Education.

SENATE BILL NO. 396—By NICHOLS and FISCHL of the Senate, and BATSON and BLOCKER of the House.

Senator Nichols moved that Senate Bill No. 396 be placed upon the Calendar, without reference to a committee, which motion prevailed.

SENATE BILL NO. 397—By NICHOLS and FISCHL of the Senate, and BATSON and BLOCKER of the House.

Senator Nichols moved that Senate Bill No. 397 be

placed upon the Calendar, without reference to a committee, which motion prevailed.

ENGROSSED HOUSE JOINT RESOLUTION NO. 40—By BRAZELL, FRALEY, CLINE and EASON.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE JOINT RESOLUTION NO. 1—By CLOYD.

Senator Chamberlin moved that House Joint Resolution No. 1 be placed upon the Calendar, without reference to a committee.

Senator Nichols, as a substitute, moved that House Joint Resolution No. 1 be referred to the committee on Revenue and Taxation.

By unanimous consent, House Joint Resolution No. 1 was ordered referred to the committee on Retrenchment and Reform.

#### GENERAL ORDER

Senator Carmack asked unanimous consent, which was granted, to advance to engrossment and third reading, SENATE BILL NO. 42, by Logan.

Senator Powers asked unanimous consent, which was granted, to advance to engrossment and third reading, SENATE BILL NO. 296, by Powers.

Senator Waldrep asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading, Senate Bill No. 326, by Waldrep.

Senator Stacey moved that further consideration of SENATE BILL NO. 326 be indefinitely postponed.

Senator Waldrep moved to table the Stacey motion.

Upon motion of Senator Stacey, the previous question was ordered.

The vote occurring on the Waldrep motion, it was declared failed of adoption.

The vote occurring on the Stacey motion, it was declared adopted.

Senator Waldrep served notice on the Senate that he would, on some future legislative day, move to re-



consider the vote by which Senate Bill No. 326 was indefinitely postponed.

Senator Nichols asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading, SENATE BILL NO. 231, by BRIGGS, of the Senate, and Garland, of the House.

Senator Nichols moved that Senate Bill No. 231 be advanced to engrossment and third reading, which motion prevailed.

Senator Briggs asked unanimous consent, which was granted, to add the name of Senator Nichols as a joint author of Senate Bill No. 231.

Senator Fischl asked unanimous consent, which was granted, to advance to engrossment and third reading, HOUSE JOINT RESOLUTION NO. 20, by Morse (Pottawatomie), et al, of the House, and Logan, Nance, and Lester, of the Senate.

Senator Carmack asked unanimous consent, which was granted, to advance to engrossment and third reading, HOUSE CONCURRENT RESOLUTION NO. 22, by Cox, et al, of the House, and Rizley and Taylor, of the Senate.

Senator Stacey asked unanimous consent, which was granted, to advance to engrossment and third reading, SENATE JOINT RESOLUTION NO. 2, by Stacey.

Senator Fischl asked unanimous consent to strike from the Calendar, HOUSE BILL NO. 220, by House Judicial Redistricting Committee, and refer the bill to the committee on Judicial Redistricting.

Senator MacDonald, as a substitute, moved that House Bill No. 220 be referred to the committee on Judicial Redistricting, with instructions to report back to the Senate on Saturday, April 1st, which motion prevailed.

Senator Fischl moved that the committee on Judicial Redistricting be instructed, when considering House Bill No. 220, to reduce the number of District

Judges to thirty, and report back to the Senate on Saturday, April 1st, which motion was tabled, upon motion of Senator Ballard.

Senator Briggs asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 197, by Massey.

Senator Pugh asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 197, line 10, page 3, by adding after the figures "1935," the following: "provided that only such portion of this appropriation shall be used for predatory animal control as shall be matched dollar for dollar, by Federal Government and to be expended within the borders of this State, and making it mandatory on the leader of the predatory animal control to furnish itemized statements of all expenditures of both Federal and State monies to State Fish and Game Department, quarterly."

PUGH.

Senator Briggs asked unanimous consent, which was granted, to advance to engrossment and third reading, House Bill No. 197, as amended.

House Bill No. 197 was referred for engrossment.

Senator Ballard moved that SENATE BILL NO. 314, by Reed, be taken up for consideration, which motion prevailed.

Sections 1, 2, 3, 4, 5, and 6, were read and adopted, upon motions of Senator Ballard.

Section 7 was read.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 314, line 1, page 7, by adding after the word "county," the following: "and provided that nothing in this Act shall be construed to apply to any packing plant operating under the laws, rules, and regulations of the Bu-

reau of Animal Industry of the United States Department of Agriculture."

BALLARD.

Upon motion of Senator Ballard, Section 7, as amended, was adopted.

Senator Ritzhaupt asked unanimous consent, which was granted, to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 314, line 10, page 7, by striking the word "Wasserman" and inserting the word "leuetic."

RITZHAUPT.

Senator Ritzhaupt asked unanimous consent to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 314, line 13, page 7, by adding after the word "health" and before the semi-colon, the following: "or any regular licensed, practicing physician or surgeon in Oklahoma."

RITZHAUPT.

By unanimous consent, Senate Bill No. 314, as amended, was advanced to engrossment and third reading.

Senator MacDonald moved that SENATE BILL NO. 348, by Waldrep, be re-referred to the committee on Banks and Banking for the purpose of a public hearing, which motion prevailed.

The Chairman of the committee on Banks and Banking announced a committee meeting for Friday at 9:30 a. m.

Senator Daugherty asked unanimous consent, which was granted, to advance to engrossment and third reading, HOUSE BILLS NOS. 395 and 477, both by Whitford.

Senator Briggs asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 592, by Garland, of the House, and Briggs, of the Senate.

Senator Memminger asked unanimous consent to submit the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 592, line 8, page 5, by striking Sections 3 and 4 and re-numbering succeeding sections.

MEMMINGER.

Upon motion of Senator Briggs, House Bill No. 592 was advanced to engrossment and third reading.

Senator Pugh asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading, SENATE BILL NO. 334, by Pugh.

Senator Pugh moved that Senate Bill No. 334 be advanced to engrossment and third reading.

Upon motion of Senator Pugh, the previous question was ordered.

The vote occurring on the Pugh motion, it was declared failed of adoption.

### THIRD READING

Senator Memminger asked unanimous consent, which was granted, to submit the following amendment to SENATE BILL NO. 353:

Mr. President: I move to amend Senate Bill No. 353, line 12, page 65, after the word "Vice-Chairman" and before the word "said," by changing the period to a comma and adding the following: "and the State Treasurer and the Attorney General, who shall be members."

MEMMINGER.

Senator Johnston asked unanimous consent to submit the following amendment:

Mr. President: I move to amend the Memminger amendment, by striking the words "the Attorney General" and inserting the word "Governor."

JOHNSTON.

Upon motion of Senator Johnston, the Senate recessed, to meet at 1:30 p. m.



### AFTERNOON SESSION

The Senate reassembled at 1:30 p. m., with the President presiding.

The following members asked to be recorded "present," which was the order:

Senators Fidler, Nance, Paul, Rizley, Dixon, Logan, Rutherford and Morrison.

### MESSAGES

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

To the President of the Senate,  
Building

SIR:

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

ENROLLED AND ENGROSSED SENATE  
JOINT RESOLUTION NO. 11—By NICHOLS.

A Joint Resolution regulating the management and liquidation of delinquent loans under the management and control of the Commissioners of the Land Office of the State of Oklahoma and regulating the management with reference to interest charges on loans to be hereafter made by the Commissioners of the Land Office of the State of Oklahoma; and declaring an emergency, and to advise you, and, through you, the Honorable Senate, that in compliance with your request the House has reconsidered the vote by which the Resolution was passed together with the emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Chamberlin, the vote was reconsidered by which Senate Joint Resolution No. 11, by Nichols, was passed.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to

return herewith, and to inform you, and through you, the Honorable Senate, that the House has granted a conference on:

ENGROSSED SENATE BILL NO. 283—By WILLIS of the Senate, and HANKLA of the House.

An Act validating certain warrants issued by counties for county highway purposes during the fiscal year ending June 30th, 1931, providing for payment thereof, and declaring an emergency, and the Speaker of the House has appointed as House conferees: HANKLA, HOGG, and ALLEN.

Respectfully,

R. M. McCOOL, Chief Clerk.

The following named members were appointed by the President as Senate conferees under Engrossed Senate Bill No. 283: Senators Willis, Liggett and Pugh.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker of the House has appointed as an additional conferee on:

ENGROSSED HOUSE BILL NO. 305—By BATSON, GRAY, BLOCKER, HENDERSON, LEECRAFT and COX.

An Act amending Sections 10268, 10269, 10271, 10272, 10273, 10274, 10278, 10280, 10283, 10288, 10316, 10317, 10320 and 10323, Oklahoma Statutes 1931; defining motor vehicles, vehicles and other terms; levying license fees on such vehicles, when owned, possessed or operated within this state, licensing manufacturers and dealers in such vehicles and prescribing method of computing such fees; defining the purpose of this Act; regulating the use of vehicles on the public highways of the state, and limiting certain of them as to width, length, height, weight and speed; providing for the computation

and collection of such fees; authorizing rules and regulations pertaining thereto; providing for the disposition of the revenues derived under this Act; prescribing penalties for the violation hereof; repealing Sections 10270, 10275, 10276, 10277, 10279, 10281, 10282 and 10284, Oklahoma Statutes 1931, and all Acts or parts of Acts in conflict herewith; providing that vehicles not licensed for the year 1933 and prior years, when this Act becomes effective shall be licensed hereunder; and declaring an emergency,

the following named Representative: King (Coal).

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 629 — By HANKLA of the House and WILLIS of the Senate, entitled:

An Act amending Section 6604, Oklahoma Statutes 1931, relating to the nomination and election of city marshals and street commissioners in cities situated in two counties, 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 Acting Speaker in open session.**

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 629.

Senator Coppock submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 11

correctly engrossed and Senate Bill No. 354 correctly enrolled.

COPPOCK, Vice Chairman.

Senate Bill No. 354 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered transmitted to the Honorable House, for the signature of the Speaker.

### THIRD READING

By unanimous consent, Third Reading of SENATE BILLS NOS. 362, by Memminger, 288, by Curnutt, 292, by Moon and Senate Bill No. 293, by Moon, was deferred for this legislative day, the bills to retain their places on the calendar.

On account of the temporary absence of the author, Third Reading of SENATE BILL NO. 352, by Carmack, was deferred.

SENATE BILL NO. 11 was read for the third time at length.

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

Ayes: Carlile, Clark, Curnutt, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Logan, MacDonald, Memminger, Moon, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Waldrep, Whitaker. Total, 21.

Nays: Ballard, Chamberlin, Daugherty, Garvin, Lester, Liggett, Paul, Pugh, Reed, Stewart, Taylor. Total, 11.

Not Voting: Briggs, Carmack, Coppock, Nance, Nichols, Powers, Wilbanks, Willis. Total, 8.

Absent: Commons, Morrison, Sowards, Thomas. 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.

Senator Curnutt served notice on the Senate that he would, on some future legislative day, move to re-



consider the vote by which Senate Bill No. 11 failed of passage.

Senator Nichols asked unanimous consent, which was granted, to submit the following amendment to SENATE BILL NO. 372, which was unanimously adopted:

Mr. President: I move to amend Engrossed Senate Bill No. 372, line 14, page 1, by inserting after the word, "said," and before the word, "as," in the Engrossed bill, the following: "State Board of Barber Examiners"

NICHOLS.

Senate Bill No. 372 was ordered engrossed, as amended.

Senator Whitaker moved that the Senate proceed to the consideration of HOUSE BILL NO. 416, by Lee-craft, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Daugherty, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memming-ger, Moon, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Taylor, Whitaker, Wilbanks. Total, 26.

Nays: Coppock, Curnutt, Garvin, Hutchinson, Logan, Powers, Rizley, Rutherford, Stacey, Stewart, Waldrep. Total, 11.

Not Voting: Briggs, Nance, Willis. Total, 3.

Absent: Commons, Morrison, Sowards, Thomas. Total, 4.

Senator MacDonald moved that the Senate work under a call of the House, which was the order.

Upon a roll call being ordered, the following were noted as "not present": Senators Briggs, Commons, Garvin, Morrison, Rutherford, Willis, Nance, Reed, Liggett and Thomas.

The Sergeant-at-Arms was instructed to notify all absent members of the Senate's proceedings.

President Pro Tempore Stewart presiding.

The following members of the Senate asked to be recorded, "present," which was the order: Senators Briggs, Garvin, Morrison, Rutherford, Willis, Nance, Reed and Liggett.

The President Pro Tempore announced matters were on the President's desk for the consideration of the Senate, in executive session.

Upon motion of Senator Moon, the Senate closed its doors and went into executive session.

\* \* \*

The Senate reassembled, in open session, with the President Pro Tempore presiding, who announced that the Senate, in executive session, had advised and consented to the confirmation of the following executive nominations:

FOR MEMBER OF THE BOARD OF REGENTS OF THE STATE UNIVERSITY:

E. P. Ledbetter, of Oklahoma City, to succeed Frank Buttram, resigned, and Raymond A. Tolbert, who has served from the time of the resignation of the said Frank Buttram up to the convening of the Legislature.

FOR MEMBER OF THE BOARD OF AGRICULTURE:

Elmer V. Jessee, of Mangum, Oklahoma, to succeed H. N. Arnold, resigned.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 94, Senate Bills Nos. 372 and 389 correctly engrossed.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 94, as amended, and ordered the bill returned to the Honorable House.

The President Pro Tempore, in open session, signed

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Engrossed Senate Bills Nos. 372 and 389 and ordered each transmitted to the Honorable House, for consideration.

Senator Nichols presiding.

Referring further to HOUSE BILL NO. 416, by Leecraft:

Section 1 was read.

Senator Briggs submitted the following amendment:

Mr. President: I move to amend House Bill No. 416, line 8, page 2, by striking after the word, "hereby," in line 8, and before the word, "to," in line 10, and inserting the word, "appropriated."

BRIGGS.

Upon motion of Senator Whitaker, the Briggs amendment was tabled.

Senator Stewart submitted the following amendment:

Mr. President: I move to amend House Bill No. 416, line 4, page 2, by striking the word and figures, "forty (40)," and inserting the word and figures, "twenty (20)."

STEWART.

Senator Thomas asked to be recorded "present," which was the order of the Chair.

Senator Morrison moved that further consideration of House Bill No. 416 be deferred until such time as House Bill No. 229 can be considered.

Senator MacDonald moved to table the Morrison motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Daugherty, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Taylor, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Briggs, Coppock, Curnutt, Garvin, Hutchin-

son, Logan, Morrison, Rizley, Rutherford, Stacey, Stewart, Thomas, Waldrep. Total, 13.

Not voting: Powers, Ray. Total, 2.

Absent: Commons, Sowards. Total, 2.

Senator Whitaker moved to table the Stewart amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Daugherty, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Taylor, Whitaker, Wilbanks. Total, 25.

Nays: Briggs, Clark, Coppock, Curnutt, Howard, Hutchinson, Liggett, Logan, Morrison, Rizley, Rutherford, Stacey, Stewart, Thomas, Waldrep. Total, 15.

Not voting: Powers, Willis. Total, 2.

Absent: Commons, Sowards. Total, 2.

Senator Briggs submitted the following amendment:

Mr. President: I move to amend House Bill No. 416, line 11, page 2, by striking therefrom the words, following the words, "exclusively for," and inserting the following: "use in aiding weak schools, under provisions of Article 21, Chapter 34, Oklahoma Statutes, 1931, until June 30th, 1935."

BRIGGS.

Senator Whitaker moved to table the Briggs amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Fidler, Fischl, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Rutherford, Whitaker, Willis. Total, 19.

Nays: Briggs, Clark, Curnutt, Daugherty, Garvin, Howard, Hutchinson, Liggett, Logan, Morrison, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks. Total, 18.



Not voting: Chamberlin, Coppock, Dixon, Powers, Ray. Total, 5.

Absent: Commons, Sowards. Total, 2.

Senator Ballard moved that House Bill No. 416 be advanced to engrossment and third reading.

Senator Ballard moved the adoption of the previous question, which motion failed of adoption.

The vote occurring on the Ballard motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Daugherty, Fidler, Fischl, Howard, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Taylor, Whitaker, Wilbanks, Willis. Total, 24.

Nays: Briggs, Clark, Curnutt, Garvin, Hutchinson, Jennings, Liggett, Logan, Morrison, Rizley, Rutherford, Stacey, Stewart, Waldrep. Total, 14.

Not voting: Coppock, Dixon, Powers, Thomas. Total, 4.

Absent: Commons, Sowards. Total, 2.

President Burns presiding.

Senator Nance moved that the rules of the Senate be suspended and House Bill No. 416 be considered engrossed and placed upon third reading and final passage.

Senator Curnutt, as a substitute, moved that SENATE BILL NO. 98 be withdrawn from the Committee on State and County Affairs and substituted for House Bill No. 416.

Senator Nance raised a point of order against the Curnutt motion, which was sustained, stating motion to suspend the rules is superior.

Senator Briggs raised a point of order against the Nance motion, which was overruled, stating House Bill No. 416 had not been read and considered section by section, as required by the rules of the Senate.

The vote occurring on the Nance motion, it was declared adopted.

Senator Curnutt moved that Senate Bill No. 98 be withdrawn from the Committee on State and County Affairs and substituted for House Bill No. 416.

Senator Ballard raised a point of order against the Curnutt motion, which was sustained, stating his motion would require a suspension of the rules.

Senator Curnutt moved that the rules of the Senate be suspended and Senate Bill No. 98 be withdrawn from the Committee on State and County Affairs and substituted for House Bill No. 416.

Senator Ballard raised a point of order against the Curnutt motion, which was sustained, stating that the Nance motion ordered House Bill No. 416 placed upon Third Reading and final passage.

Senator MacDonald moved the adoption of the previous question, which motion, by unanimous consent, he withdrew.

Senator Sowards asked to be recorded "present," which was the order.

Senator MacDonald presiding.

Senator Whitaker moved the adoption of the previous question, which was the order.

HOUSE BILL NO. 416 was read for the third time at length.

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

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Daugherty, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memming, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Taylor, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Briggs, Coppock, Curnutt, Garvin, Hutchinson, Logan, Powers, Rizley, Rutherford, Stacey, Stewart, Thomas, Waldrep. Total, 13.

Not voting: Morrison. Total, 1.

Absent: 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Briggs, Coppock, Curnutt, Hutchinson, Logan, Powers, Rizley, Rutherford, Stacey, Stewart, Thomas, Waldrep. Total, 12.

Not voting: Morrison. Total, 1.

Absent: 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.

Senator Nance moved that the rules of the Senate be suspended for the purpose of reconsidering the vote by which House Bill No. 416 was passed, which motion prevailed.

Senator Nance moved that the vote be reconsidered by which House Bill No. 416 was passed, which motion was tabled, upon motion of Senator Nichols.

House Bill No. 416 was ordered referred for engrossment.

Senator Paul moved that the Senate proceed to the consideration of HOUSE BILL NO. 480, by Committee.

Upon motion of Senator Ballard, House Bill No. 480 was advanced to engrossment and third reading.

Senator Paul moved that the rules of the Senate

be suspended and House Bill No. 480 considered engrossed and placed upon third reading and final passage, which motion prevailed.

Senator Logan asked to be recorded "excused," for the remainder of this legislative day.

HOUSE BILL NO. 480 was read for the third time at length.

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

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 34.

Not voting: Briggs, Dixon, Howard, Logan, Morrison, Ritzhaupt, Sowards, Waldrep, Wilbanks. Total, 9.

Absent: 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 34.

Not voting: Briggs, Dixon, Howard, Logan, Morrison, Ritzhaupt, Sowards, Waldrep, Wilbanks. Total, 9.

Absent: 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, in open session, signed the engrossed



copy of House Bill No. 480, and ordered the same transmitted to the Honorable House.

Senator Ray moved that the Senate proceed to the consideration of SENATE BILL NO. 274, by Ray, Rizley, Garvin, Pugh, Liggett, Carmack, Commons, Dixon and Willis.

Senator Memminger raised a point of order against the Ray motion, which was sustained, stating his motion would require a suspension of the rules.

Senator Ray moved that the rules of the Senate be suspended for the purpose of considering Senate Bill No. 274, which motion prevailed.

Senator Curnutt moved that the call of the House be lifted.

Senator Carmack, in lieu of all pending motions, moved that the rules of the Senate be suspended and the Senate proceed to the Third Reading and final passage of SENATE BILL NO. 352, by Carmack.

Senator Morrison advised the Senate that the Governor desired to appear before a joint caucus of the Democratic members of the Honorable House and Senate at 5:00 o'clock, p. m., which request, by unanimous consent, was agreed to.

#### 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 Revenue and Taxation, to whom was referred House Bill No. 516, by Batson, Landingham, Gray, Cloyd, Leecraft, Wingo and Beaman, entitled:

An Act authorizing the establishment, in each county, of a "County Emergency Investment Fund;" apportioning thereto one-half of all moneys received by any counties from motor vehicle license fees and the excise tax on gasoline; providing that said fund, etc.,  
beg leave to report that we had the same under consid-

eration and herewith return the same with the recommendation that it do pass, as amended.

WHITAKER, Chairman.

Mr. President: We, your committee on Revenue and Taxation, to whom was referred Senate Bill No. 388, by Sowards, entitled:

An Act levying a tax on certain real estate occupied exclusively as a residence in this State in lieu of all other taxes; 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 for the reason that it appears to be a revenue raising measure and as such cannot originate in the Senate.

WHITAKER, Chairman.

Upon motion of Senator Morrison, the Senate adjourned to meet at 10:00 o'clock, a. m., Thursday, March 30th, 1933.

SIXTY-FOURTH LEGISLATIVE DAY  
Thursday, March 30, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by President Pro Tempore Stewart, who announced the Senate would recess to meet at 11:00 o'clock a. m.

At 11:00 o'clock, a. m., the Senate reassembled and was called to order by the President Pro Tempore, who announced the Senate would recess to meet at 1:00 o'clock, p. m.

AFTERNOON SESSION

The Senate reassembled, at 1:00 o'clock, p. m., with the President presiding, who announced the Senate would recess to meet at 1:30 p. m.

At 1:30 p. m., the Senate re-assembled, and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Sowards. Total, 1.

Excused: Commons, Liggett. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

PETITIONS AND MEMORIALS

The following petition was read:

Okmulgee County School Board Annual Meeting  
March 25, 1933

WE the resolution committee of the Okmulgee

County School Board Annual Meeting respectively submit the following for your consideration:

BE IT RESOLVED, that we favor House Bill No. 316 which is being sponsored by the Oklahoma Education Association which provides for the tax paying time to coincide with the warrant issuing time. Thereby saving an unnecessary expenditure for interest on warrants.

BE IT RESOLVED, that we earnestly solicit your support for the Bills listed below:

House Bill No. 574 and House Bill No. 539

BE IT FURTHER RESOLVED, that we heartily endorse House Bill No. 615 by Massey, Beaver, and Bennett, providing for a sufficient appropriation to tide the weak schools over the next biennium providing no other legislation sufficient to relieve the present condition is enacted in the 14th session of the legislature.

BE IT RESOLVED, that we urge you to use your influence blocking the bill now pending which gives the County Excise Board power to reduce the levies set up by the Board of Educations of the various county schools.

BE IT FURTHER RESOLVED, that we heartily endorse the legislation recommended by the Oklahoma Educational Association, also the Oklahoma School Board Educational Association. We earnestly solicit your efforts in securing legislation that will alleviate the present condition.

BE IT FURTHER RESOLVED, that it being necessary for the preservation of the public peace, health and safety an emergency is hereby declared to exist that will or does justify our legislators in laying aside other legislation until our children's future education is assured. Our schools are faced with a 2 or 3 months school term if favorable legislation is not secured in this session.

We, the resolution committee of the Okmulgee



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County Annual School Board Meeting, submit the above resolutions for your careful consideration.

Signed:

B. W. HARRIMAN, Chairman,  
RUSSELL MILLER,  
J. H. PARKS.

### 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 Senate Joint Resolution No. 19, by Rutherford, Jennings, Fidler, Curnutt, entitled:

A Resolution authorizing an extension of time for the payment of state income, gross production and ad valorem taxes due the state of Oklahoma until June 15, 1933, and relieving the taxpayer of all penalty on such taxes if the same are paid on or before, 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.

WHITAKER, Chairman.

Mr. President: We, your Judiciary Committee No. 2, to whom was re-referred Senate Bill No. 380, by MacDonald, entitled:

A Bill entitled an Act providing for the creation of a revolving fund of one hundred thousand (\$100,000.00) dollars, in the nature of a perpetual trust fund, to be known as the Public Utility Rate Investigating Fund etc.,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do not pass.

STACEY, Vice-Chairman.

Upon motion of Senator Nichols, the adverse Committee Report on Senate Bill No. 380 was adopted.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Joint Resolution No. 40, by Brazell, Fraley, Cline, and Eason, entitled:

A Joint Resolution authorizing E. W. Marland, of Ponca City, Oklahoma, to bring suit against the state of Oklahoma to determine the amount of taxes overpaid by him to the state and to recover 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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Engrossed House Bill No. 469, by Hughes, entitled:

An Act authorizing the board of affairs to acquire the old Union Mission site in Mayes County, Oklahoma, and make an appropriation to improve and preserve same,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be printed and placed upon the calendar.

MacDONALD, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Engrossed House Bill No. 624, by Committee on Appropriations, entitled:

An Act providing that the state gasoline excise tax and motor vehicle license tax in addition to the purposes which under existing laws are now levied and collected and deposited to the credit of the state highway construction and maintenance fund shall hereafter also be levied and collected for the purpose of paying final judgments now or hereafter rendered against the state of Oklahoma which are based on suits authorized by the legislature and arising out of improper construction of

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state highways; making an appropriation out of any monies hereafter accruing as aforesaid to the credit of the state highway construction and maintenance fund, 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.

MacDONALD, Chairman.

The following Majority Committee Report was submitted:

#### MAJORITY JOINT COMMITTEE REPORT

House and Senate Committees on Education  
To the Senate and House of Representatives of the  
State of Oklahoma:

We, your Joint Committee on Education, to whom was referred Senate Bill No. 395, by Committee on Education of the House and Senate, entitled:

An Act abolishing the boards of regents of the Eastern Oklahoma College located at Wilburton, Oklahoma, of the Northeastern Oklahoma Junior College located at Miami, Oklahoma, of the Oklahoma College for Women at Chickasha, Oklahoma, and of the University Preparatory School located at Tonkawa, Oklahoma, etc., and declaring an emergency,  
have had under consideration said bill and after due consideration recommend that it DO PASS as amended:

AMENDMENT. Amend Senate Bill 395, Lines 8-9-11 and 12 as follows:

Strike from lines 8 and 9 the words "Board of Regents of the University of Oklahoma" and insert in lieu thereof the following: "State Board of Vocational Education of the State of Oklahoma,"

And strike from lines 11 and 12 the words, "Board of Regents of the University of Oklahoma" and insert

in lieu thereof the words: "State Board of Vocational Education of the State of Oklahoma."

RITZHAUPT,  
GARLAND, Chairman.

The following Minority Committee Report was submitted:

**JOINT COMMITTEE REPORT**

Minority Report of House and Senate Committees on  
Education.

To the Senate and House of Representatives of the  
State of Oklahoma:

We, a minority of your Joint Committee on Education, to whom was referred Senate Bill No. 395, by Committee on Education of the House and Senate, entitled:

An Act abolishing the boards of regents of the Eastern Oklahoma College located at Wilburton, Oklahoma, of the Northeastern Oklahoma Junior College located at Miami, Oklahoma, of the Oklahoma College for Women at Chickasha, Oklahoma, and of the University Preparatory School located at Tonkawa, Oklahoma, etc., and declaring an emergency,  
have had under consideration said bill and after due consideration recommend that it DO NOT PASS, unless the following amendment is made: "That all references to the Oklahoma College for Women located at Chickasha, be stricken from the bill."

Minority members:

STACEY,  
MacDONALD,  
BRIGGS,  
CLARK,  
JOHNSTON,

MEMMINGER,  
PUGH,  
CARLILE,  
CHAMBERLIN,  
WALDREP.

Senator Stacey moved the adoption of the Minority Committee Report on Senate Bill No. 395.

Senator Nance raised a point of order against consideration of either the Majority or Minority Reports



on Senate Bill No. 395, stating the reports were submitted as joint reports of the Educational Committees of the Honorable House and Senate, and further stating the Minority report was not in proper form.

Upon motion of Senator Pugh, Senate Bill No. 395 was ordered re-referred to the Committee on Education, with instructions that the Committee make report thereon.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 416 and Senate Resolution No. 21 correctly engrossed and Senate Bill No. 319 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 416, as amended, and ordered the bill returned to the Honorable House.

Upon request of Senator Nance, Senate Resolution No. 21, as amended, was read at length, as follows:

ENGROSSED SENATE RESOLUTION NO. 21.—By RAY, DIXON, FISCHL, NANCE and PAUL.

A RESOLUTION AUTHORIZING THE PRESIDENT OF THE SENATE TO APPOINT A COMMITTEE OF FIVE MEMBERS OF THE SENATE TO CONFER WITH THE OKLAHOMA DELEGATION IN CONGRESS, AND THE SECRETARY OF AGRICULTURE OF THE UNITED STATES CONCERNING THE ALLOCATION OF FEDERAL FUNDS TO OKLAHOMA FOR HIGHWAY PURPOSES, AND MEMORIALIZING THE STATE HIGHWAY COMMISSION TO DESIGNATE A REPRESENTATIVE TO ACCOMPANY SAID COMMITTEE FOR THAT PURPOSE; AND DECLARING AN EMERGENCY.

WHEREAS, there has existed between the Federal Bureau of Roads and the State Highway Commission of Oklahoma certain differences concerning the building of roads in Oklahoma; and

WHEREAS, by reason thereof the Federal Government has not allocated and delivered to the State of Oklahoma certain funds to aid the State of Oklahoma in the construction of highways therein in accordance with existing contracts between said parties; and

WHEREAS, by reason of the action of the Federal authorities, the State of Oklahoma has not received its just part of the funds appropriated for by the National Congress for both emergency relief construction and the ordinary fund appropriated for each fiscal year for general road building; and

WHEREAS, under the present unusual conditions in this State, it is to the best interests of the people thereof that the Federal government be urged to carry out its contracts with the State of Oklahoma, and to deliver the funds necessary to do so to the State Highway Commission; and

WHEREAS, in order that the State of Oklahoma get relief, it is necessary that the matters be investigated and the Federal authorities petitioned and urged to carry out its contracts with the State; and

WHEREAS, in order to fully advise the incoming administration and the officers thereof of the true facts concerning the same, a representative of the State Highway Commission should present the records to the new officials in Washington; and

WHEREAS, it is necessary that the Honorable President of this Senate appoint a committee of five (5) persons from the Senate to accompany the representatives of the State Highway Commission to Washington, D. C., in order to confer with the Oklahoma Delegates in Congress and the Federal authorities in control of the subject-matter of said contracts;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE FOURTEENTH LEGISLATURE OF OKLAHOMA: That

Section 1. The President of this Senate is hereby authorized and directed to appoint a committee of five (5) to investigate the differences between the Federal authorities and the Oklahoma State Highway Commission concerning the several contracts now existing between them, and over which there seems to be a controversy, to interview and seek the assistance of the Oklahoma Delegates in Congress to bring about the fulfillment of said contracts.

BE IT FURTHER RESOLVED that the State Highway Commission send a representative with the Committee herein authorized to assist this committee in presenting the matters to the proper authorities.

Section 2. Such committee is authorized to do any and all things necessary to bring about the performance of contracts between the United States Government and the State of Oklahoma; and all expenses incurred in the carrying out of the provisions of this Act by said members of the Senate shall be paid by those members appointed to go.

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.

The President, in open session, signed Engrossed Senate Resolution No. 21 and ordered the same referred for enrollment.

Senate Bill No. 319 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered transmitted to the Honorable House, for the signature of the Speaker.

Senator Ray moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted, "not present": Senators Briggs, Carmack, Coppock, Morrison, Paul, Reed, Rizley, Sowards and Waldrep.

Upon motion of Senator MacDonald, SENATE BILL NO. 347, by Sowards, was ordered stricken from the calendar and re-referred to the Committee on Education, for further consideration.

The following members of the Senate asked to be recorded "present," which was the order: Senators Morrison, Carmack and Paul.

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE JOINT RESOLUTION NO. 45—By COX, WILLIAMS, FITZGERALD, ALLEN, HANKLA, ULMARK, JONES, CAVITT, DUKE, DAVIS, GIBSON, MASSEY, REMUND, BUSHY-HEAD, WILMOT, CHAMBERS, GRAHAM, WINGO, SPECK, BURNHAM, FRALEY, WRIGHT, ALBRIGHT, ABERNATHY (Pottawatomie), BEAMAN, HOGG, and ABERNETHY (Harmon), entitled:

A Joint Resolution validating certain school land loans made by the School Land Department of the state of Oklahoma; providing a method of extending said loans; providing a method of redeeming purchase certificates, 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,

R. M. McCOOL, Chief Clerk.



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The Presiding Officer announced First Reading of  
Engrossed House Joint Resolution No. 45.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 1—By BAT-  
SON, LEECRAFT, and LANDINGHAM.

An Act providing for relief from ad valorem taxation by levying an annual normal tax and a surtax upon the net income of individuals, corporations, estates and trusts; by levying an annual tax on national banking associations, state banks and trust companies, according to or measured by their net incomes authorized by method four (4) of Section 5219, U. S. Revised Statutes, as amended, relating to national banking associations, and complying therewith; providing for the disposition of the revenues arising hereunder; prescribing the rates of such taxes herein levied and defining terms; providing for specific exemptions to individual taxpayers; exempting religious, charitable, eleemosynary, educational, benevolent, fraternal and other corporations or organizations not organized for profit; providing for the computation and collection of such taxes by the Oklahoma Tax Commission and empowering said Commission to enforce this Act and to prescribe and enforce rules and regulations in relation thereto; defining the powers of said Commission in the collection of additional and delinquent taxes and prescribing penalties for the violation of this Act; requiring returns by taxpayers and prescribing how the same shall be prepared and filed; making such taxes and penalties a lien on taxpayers' property, and for the enforcement thereof; requiring persons paying income to individuals to report same to said Commission; providing, in certain cases, for withholding such taxes at the source and providing method of payment; providing a legal remedy for ag-

grieved taxpayers; declaring the provisions of this Act to be severable; repealing Sections 12370, 12371 and all of Articles 6 and 15 of Chapter 66, Oklahoma Statutes, 1931, and all other laws in conflict herewith; and for other purposes and declaring an emergency, together with Conference Committee Report thereon, and to inform you, and through you, the Honorable Senate, that the Conference Report has been adopted by the House of Representatives, and the bill has been passed, AS AMENDED, thereby.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on Engrossed House Bill No. 1 was read, as follows:

TO THE HONORABLE SENATE AND THE HONORABLE HOUSE OF REPRESENTATIVES:

We, your Conference Committee, appointed to confer on Engrossed House Bill No. 1, by Batson, Leecraft, and Landingham, have had under consideration the Senate Amendments to said bill, and, after due consideration thereof, beg leave to report as follows:

That the House concur in Senate Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13.

That the Senate recede from Senate Amendment No. 14.

That the House concur in Senate Amendments Nos. 15, 16, 17, 18, 19, 20 and 21.

That the Senate recede from Senate Amendment No. 22; and that the following be inserted in lieu thereof:

“SECTION 42. The net incomes of insurance companies shall be determined as follows:

(a) In the case of life insurance companies (meaning insurance companies engaged in the business of issuing life insurance and annuity contracts, including contracts of combined life, health and accident insurance, the reserve funds of which held for the fulfillment of such contracts comprise more than fifty per centum of the total reserve funds) the term ‘gross income’ means

the gross amount of income received during the taxable year from interest, dividends and rents; and the term 'net income' means the gross income, less: (1) The amount of interest received during the taxable year, which, under Section 9 (b) (4), is exempt from the taxes imposed by this Act; (2) The net additions made within the taxable year to reserve funds as required by law; (3) The amount received as dividends from a corporation subject to tax under this Act (for purposes of the normal tax only); (4) An amount equal to two per centum of any sums held at the end of the taxable year as a reserve for dividends (other than dividends payable during the year following the taxable year) the payment of which is deferred for a period of not less than five (5) years from the date of the policy contract; (5) Investment expenses paid during the taxable year, provided that if any general expenses are in part assigned to or included in the investment expenses, the total deduction under this paragraph shall not exceed one-fourth of one per centum of the book value of the mean of the invested assets held at the beginning and end of the taxable year; (6) Federal and State income taxes actually paid within the taxable year to the extent that such taxes are connected with items of income required to be included in gross income under this paragraph; and taxes and other expenses paid during the taxable year exclusively upon or with respect to the real estate owned by the company, not including taxes assessed against local benefits of a kind tending to increase the value of the property assessed, and not including any amount paid out for new buildings, or for permanent improvements or betterments made to increase the value of any property; (7) A reasonable allowance for the exhaustion, wear and tear of property, including a reasonable allowance for obsolescence; (8) All interest paid or accrued within the taxable year on indebtedness except on indebtedness incurred or continued to purchase or carry

obligations or securities, the interest upon which is wholly exempt from taxation under this Act; and (9) losses sustained during the taxable year from the sale or other disposition of property, the income from which is required to be included in gross income hereunder.

(a) (1) Every insurance company subject to tax under foregoing subsection (a) shall be entitled to an offset against its tax computed under said subsection, for the total amount paid during the taxable year in this state by said tax payer of gross premium taxes, paid by foreign insurance companies, and taxes (other than ad valorem taxes upon real estate and tangible personal property) paid by domestic insurance companies.

(b) In the case of insurance companies, including surety and bond companies but not including life or mutual insurance company, the gross income means the sums of the combined gross amount earned during the taxable year, from investment income and from underwriting income, from gain during the taxable year on the sale or other disposition of property, and from other items constituting gross income under Section 9.

(1) 'Investment income' means the gross amount of income earned during the taxable year from interest, dividends and rents, computed as follows: To all interest, dividends and rents received during the taxable year, add interest, dividends and rents due and accrued at the end of the taxable year, and deduct all interest, dividends and rents due and accrued at the end of the preceding taxable year;

(2) 'Underwriting income' means the premiums earned on insurance contracts during the taxable year less losses incurred and expenses incurred;

(3) 'Premiums earned on insurance contracts during the taxable year' means an amount computed as follows:

From the amount of gross premiums written on insurance contracts during the taxable year, deduct re-



turn premiums and premiums paid for reinsurance. To the result so obtained add unearned premiums on outstanding business at the end of the preceding taxable year and deduct unearned premiums on outstanding business at the end of the taxable year;

(4) 'Losses Incurred' means losses incurred during the taxable year on insurance contracts, computed as follows:

To losses paid during the taxable year, add salvage and reinsurance recoverable outstanding at the end of the preceding taxable year, and deduct salvage and reinsurance recoverable outstanding at the end of the taxable year. To the result so obtained add all unpaid losses outstanding at the end of the taxable year and deduct unpaid losses outstanding at the end of the preceding taxable year.

(5) 'Expenses incurred' means all expenses shown on the annual statement approved by the National Convention of Insurance Commissioners, and shall be computed as follows:

To all expenses paid during the taxable year add expenses unpaid at the end of the taxable year and deduct expenses unpaid at the end of the preceding taxable year. For the purpose of computing the net income subject to the tax imposed by this Act there shall be deducted from expenses incurred as defined in this paragraph all expenses incurred which are not allowed as deductions by subsection (b) (6) of this section.

(6) 'Net Income' means the gross income computed in accordance with the provisions of this subsection less (a) all ordinary and necessary expenses incurred as provided in Section 10 (a); (b) all interest as provided in Section 10 (b); (c) taxes (except the taxes paid on gross premiums under existing laws of this State) as provided in Section 10 (c); (d) losses incurred as defined in paragraph (b) (4) of this section; (e) losses sustained during the taxable year from the sale or other

disposition of property; (f) bad debts in the nature of agency balances and bills receivable ascertained to be worthless and charged off within the taxable year; (g) the amount received as dividends from corporations subject to taxation under this Act (for purposes of the normal tax only); (h) the amount of interest earned during the taxable year which, under Section 9 (b) (4), is exempt from the taxes imposed under this Act; and (1) a reasonable allowance for the exhaustion, wear and tear of property as provided in Section 10 (g).

(7) Every insurance company subject to tax under this subsection, and also subject to tax on its gross premiums, as levied under existing laws of this State, shall be entitled to an offset against its tax computed under this subsection, for the total amount of tax paid, during its taxable year, upon its gross premiums; and, if such gross premiums tax is in excess of the amount of tax payable under the provisions of this Act for such taxable year, then the gross premiums tax shall be in lieu thereof.

(c) Nothing in this Section shall be construed to permit the same item to be twice deducted.

(d) In the case of mutual insurance companies, other than life insurance companies, the gross income shall be computed in the same manner as for other corporations but, in addition to the deductions allowed to corporations by section 10, (including any taxes paid on gross premiums under existing laws of this State), the following deductions shall also be allowed:

(1) The net additions required by law to be made within the taxable year to reserve funds (including in the case of assessment insurance companies the actual deposit of sums with State officials pursuant to law as additions to guaranty or reserve funds), and the sums other than dividends paid within the taxable year on policy and annuity contracts.

(2) The amount of premium deposits returned to

their policyholders and the amount of premium deposits retained for the payment of losses, expenses and reinsurance reserves, when mutual insurance companies (including interinsurers and reciprocal underwriters but not including mutual life insurance companies), require their members to make premium deposits to provide for losses and expenses.

(e) In all cases arising under this Section, the Oklahoma Tax Commission is hereby authorized and directed to prescribe and adopt rules and regulations carrying out the provisions hereof, so as to permit insurance companies to compute their net income, taxable under this Act, insofar as applicable in this State, and not in conflict with the provisions of this section, in accordance with the rules for computing net income for Federal tax purposes, under the provisions of Supplement "G" of the Federal Revenue Act of 1932.

(f) Any domestic company which shall be required to pay to any other State a tax on its business in that State, for or on account of any tax payable to this State under this Act by foreign insurance companies, shall be permitted to credit against its tax, computed under this Act, under such rules and regulations as the commission may prescribe, the amount of any tax paid to such other state."

That the House concur in Senate amendments Numbers 23, 24 and 25.

That the Senate recede from Senate amendment No. 26.

That the Senate recede from Senate amendment No. 27 and that in lieu thereof Engrossed House Bill No. 1 be amended as follows:

That Section 10 (c) be stricken and the following be inserted in lieu thereof:

(c) All taxes, actually paid within the taxable year, imposed, first, by the authority of the United States, or second, by the authority of any state or terri-

tory, or any county, school district, municipality or other taxing subdivision, of any state or territory not including those assessed against local benefits of a kind tending to increase the value of the property assessed; but this shall not exclude the allowance, as a deduction, of so much of said taxes assessed against local benefits as is properly allocable to maintenance or interest charges; provided that the deductions allowable under this paragraph shall be allowed only if, and to the extent that, they are connected with items of income required to be included in gross income under this Act."

That the House concur in Senate amendments Nos. 28 and 29.

Respectfully submitted,

SIGNED:

J. M. WHITAKER,	A. N. LEECRAFT,
ALLEN G. NICHOLS,	J. S. BATSON,
A. L. COMMONS,	W. M. LINDSEY,
KNOX L. GARVIN,	E. LANDINGHAM,
HENRY S. JOHNSTON,	TOM G. HAILE.

Upon motion of Senator Whitaker, consideration of the Conference Committee Report on Engrossed House Bill No. 1 was deferred until some future legislative day.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED HOUSE BILL NO. 243—By BATSON.

An Act authorizing the State Board of Public Affairs to use inmates of the deaf, blind and orphan institute at Taft and of the Training School for Negro Girls at Taft, in farming, gardening and improving



lands belonging to the State Hospital for the Negro Insane at Taft pending the completion thereof and the removal of patients thereto, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 434 — By SINGLETON and JONES.

An Act providing for the cancellation and remission of penalties on delinquent special assessments by the governing board of cities and towns under certain conditions; and further providing for the compromise of certain delinquent special assessments by said governing board under certain conditions, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 243 and 434.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has granted a further conference on:

ENGROSSED HOUSE BILL NO. 271—By CHILDERS and BABB.

An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563, 12565, 12566, 12567, 12569, 12571, 12573 and 12529 Oklahoma Statutes 1931, relating to, and providing for, the enforcement of the gasoline excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission; defining the term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto; defining embezzlement and perjury, for viola-

tion of this Act and prescribing penalties; further extending provision for injunction and giving the Commission authority in certain cases to declare the excise tax due and payable forthwith; authorizing exercise of discretion by Commission in issuance, extension, reinstatement, suspension and cancellation of licenses; declaring what may be admitted as evidence in certain cases; repealing conflicting laws and declaring an emergency,

and has re-appointed Representatives: CHILDERS, BABB, and LOGSDON, as conferees thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate; that the Speaker has appointed Representatives: HOLIMAN, GRISSO, HAILE, WATSON, and CAVINS, as conferees on—

ENGROSSED HOUSE BILL NO. 481—By HOLIMAN, HAILE, WATSON and PHILLIPS (Okfuskee) of the House, and GARVIN, WALDREP and WILBANKS of the Senate.

An Act defining and prohibiting waste of crude petroleum and natural gas, and providing for the ratable and equitable taking thereof from common sources of supply; conferring authority upon, and defining the duties, powers and authority of, the Corporation Commission in connection with the enforcement of this Act, and prescribing the character of notice and procedure to be followed by the Corporation Commission hereunder; regulating all producers, purchasers and common carriers of crude petroleum so as to prevent inequitable taking and waste; prescribing penalties and other relief for violation of this Act and of rules, regulations or

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orders promulgated by the Corporation Commission hereunder; providing for proceedings for injunction in the district courts to enjoin the violation of and to enforce the provisions of this Act and the orders, rules, and regulations of the Corporation Commission made in pursuance hereof; declaring certain violations hereof, and violations of certain rules, regulations or orders promulgated by the Corporation Commission hereunder, to be crimes, and prescribing the punishment therefor; creating the offices of proration umpire, assistant proration umpire and proration attorney, for the enforcement of this Act, and providing for their appointment and removal and defining their duties, powers and authority, and fixing their term of office, bonds and compensation; providing for the appointment of deputies and employees to aid in the enforcement of this Act, defining their duties, power and authority, and fixing their compensation; providing for expenses of administration in connection with this Act and for the creation of a special fund, to be known as the "proration fund," to be used exclusively in the enforcement of this Act; repealing all laws in conflict herewith, and for other purposes; and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 605—By MOONEY of the House and NANCE of the Senate, entitled:

An Act authorizing a representative of the estate of James E. Powell, deceased, or his surviving widow to bring suit against the state of Oklahoma for the benefit of the said estates or for the benefit of said wife and minor children, for damages resulting from the death

of James E. Powell, deceased; providing that if judgment is recovered therefor that the same shall be paid from the general fund in the state treasury not otherwise appropriated and appropriating \$5,000.00 or so much thereof as may be necessary for the payment of the judgment rendered, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 692 — By CLOYD of the House and PAUL of the Senate, entitled:

An Act repealing the provisions of House Bill No. 96, passed by the Fourteenth Oklahoma Legislature of 1933, relating to the sittings of the Cleveland County Court at Lexington, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 605 and 692.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED HOUSE BILL NO. 695—By PHILLIPS (Atoka), FRALEY, BATSON, CHILDERS, JONES, JESSEE, SULLIVAN, CLINE, MORSE, CAVINS and McELHANEY.

An Act amending Section 12338, Oklahoma Statutes, 1931, defining personal property for the purpose of taxation, providing that same shall include deficiency judgments secured in real estate mortgage foreclosure actions in this state, and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 47—By MUNSON and JOHNSON of the House and NANCE of the Senate.



A Joint Resolution authorizing a representative of the estate of C. C. Gray, of Cache, Oklahoma, or his surviving wife, to bring suit against the state of Oklahoma, to determine the amount of damages, if any, suffered by the reason of the death of her husband, and employees of the State Highway Department, incurred in the line of duty, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 572—By PHILIPS (Okfuskee), HILL, SINGLETON and BATSON.

An Act amending Section 12473, Oklahoma Statutes, 1931, by including, as additional taxable transfers, for inheritance tax purposes, trust estates, joint estates, estates by the entirety and the proceeds of certain life insurance policies; providing for an estate tax to absorb the credit allowed by the Federal Revenue Act of 1926 and all amendments thereto; amending Section 12477, Oklahoma Statutes, 1931, by providing for penalties, time for payment and abolishing discounts; amending Section 12494, Oklahoma Statutes, 1931, by providing for disposition of all inheritance, transfer or estate taxes and penalties; providing that the provisions of this Act shall apply to all transfers and estates not closed; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 225—By ABERNETHY (Harmon), and LANDINGHAM of the House.

An Act levying a tax on certain freight cars operated in this state measured by gross earnings; prescribing the rate therefor; defining terms; making such tax a lien on the property of the taxpayer; providing for withholding and payment by railroad companies operating said cars; providing for disposition of funds derived from said tax; providing for enforcement of this Act by the Oklahoma Tax Commission; authorizing said Commission to prescribe rules and regulations therefor; repealing Sections 12386 to 12397, inclusive, Oklahoma Statutes 1931, and Articles X and XIII, Chapter

66, Oklahoma Statutes, 1931, and 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Joint Resolution No. 47, and Engrossed House Bills Nos. 225, 572 and 695.

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 70—By BRIGGS.

An Act giving the United States Forest Service authority to establish game refuges in the United States forests, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 70 was ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 188 — By NICHOLS, entitled:

An Act authorizing the superintendents or wardens

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of state penal, reformatory and eleemosynary institutions and of state institutions for the benefit of the insane, blind, deaf, mute and tubercular, to locate burial grounds on lands of said institutions and to bury therein the bodies of deceased inmates or patients of said institutions that are not claimed for private burial by friends or relatives thereof, providing that the expenses of such burials, which shall not exceed \$25.00, shall be paid from the support or maintenance appropriation or any other appropriation made for operating expenses of the institution; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 188 was ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

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

ENROLLED SENATE BILL NO. 354 — By NANCE of the Senate, and MOONEY of the House, entitled:

An Act providing for additional compensation in excess of the annual salary of the County Commissioners of Cotton County; fixing their duties; repealing all Acts in conflict therewith 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 354 was ordered referred to the Governor, for consideration.

The following members of the Senate asked to be recorded "present," which was the order: Senators Rizley, Reed, Briggs and Waldrep.

#### CONFERENCE COMMITTEE REPORT

The following Conference Committee Report was submitted and, upon motion of Senator Willis, adopted: TO THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

We, your Conference Committee, appointed to consider Engrossed Senate Bill No. 283, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

FIRST. We recommend that the following be substituted for Section 1:

SECTION 1. Warrants issued by a County for County highway purposes during the fiscal year ending June 30, 1931, and which are not in excess of the amount set forth for said purposes in the appropriations approved by the Excise Board of said county for said year, as indicated by Exhibit "N" of State Examiners and Inspectors Form No. 1434, provided said estimate is within the legal limitations prescribed by law, are hereby declared to be valid, even though the certificate of the Excise Board does not include the total estimate, and may be paid by the County Treasurer out of any funds actually received by the county from its share of the gasoline excise tax and motor vehicle license tax during the three fiscal years next succeeding the effective date of this Act; provided that said warrants shall be paid in the order of their registration and that no more than one-third thereof shall be paid during any one of said fiscal years.

SECOND. We recommend that the following be substituted for Section 2:

SECTION 2. 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.

THIRD. We recommend that Section 3 be stricken.

Respectfully submitted,

Bert R. Willis,

John R. Hankla,

Claude Liggett,

T. J. Hogg,

John D. Pugh,

H. R. Allen,

Senate Conferees.

House Conferees.

Senate Bill No. 283, as amended, was read at length.

The question being, "Shall Senate Bill No. 283, as amended in Conference, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 30.

Nays: Jennings, Rizley, Rutherford, Whitaker. Total, 4.

Not voting: Carmack, Coppock, Logan, Nance, Paul, Powers, Waldrep. Total, 7.

Absent: Sowards. Total, 1.

Excused: Commons, Liggett. 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Ray, Reed,

Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 30.

Nays: Jennings, Rizley, Rutherford, Whitaker. Total, 4.

Not voting: Carmack, Coppock, Logan, Nance, Paul, Powers, Waldrep. Total, 7.

Absent: Sowards. Total, 1.

Excused: Commons, Liggett. 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.

Engrossed Senate Bill No. 283, together with Conference Committee Report, thereon, was ordered transmitted to the Honorable House, for consideration.

#### GENERAL ORDER

Senator Wilbanks asked unanimous consent, which was granted, to strike SENATE BILL NO. 391, by Wilbanks, of the Senate, and Darks, of the House, from the calendar.

Senator Chamberlin asked unanimous consent, which was granted, to take up for consideration SENATE JOINT RESOLUTION NO. 11, by Nichols.

Senator Chamberlin asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 11 by striking Section 2 and substituting the following for the title and Section 1 and by renumbering Section 3 as 'Section 2:'

SENATE JOINT RESOLUTION NO. 11—By NICHOLS.

A JOINT RESOLUTION RELATING TO MANAGEMENT AND LIQUIDATION OF DELINQUENT LOANS UNDER THE MANAGEMENT AND CONTROL OF THE COMMISSIONERS OF THE LAND OFFICE OF THE STATE OF OKLAHOMA; EMPOWERING

THE COMMISSIONERS OF THE LAND OFFICE TO EXTEND THE PAYMENT OF SUCH LOANS AT THE CONSTITUTIONAL RATE OF FIVE PER CENT PER ANNUM; PRESCRIBING THE TIME FOR SUCH EXTENSION; AND DECLARING AN EMERGENCY.

WHEREAS, the Commissioners of the Land Office of the State of Oklahoma have loaned a part of the funds under their management and control upon good and improved farm lands under the provisions of Section 5458 of the Oklahoma Statutes of 1931 at a rate of interest fixed at five per centum per annum; and

WHEREAS, the Commissioners of the Land Office of the State of Oklahoma have provided in said notes and mortgages securing loans of the funds under their control and management that the borrowers will pay interest at the rate of ten per centum per annum after the maturity of any interest coupons and after the maturity of any principal notes; and

WHEREAS, the Supreme Court of the State of Oklahoma has held the provisions contained in said notes and mortgages requiring the borrower to pay interest in excess of five per centum per annum after maturity of the principal notes or after the maturity of any interest coupons valid as a matter of liquidated damage and invalid as a matter of interest charge; and

WHEREAS, under the panic conditions now existing it is unwise to assess any penalty of liquidated damage against the borrowers of the funds under the control and management of the Commissioners of the Land Office; and

WHEREAS, under the present conditions it is deemed wise that the Commissioners of the Land Office shall be authorized and empowered to extend the time for the payment of the loans made by said Commissioners at the constitutional rate of five per cent per annum,

and that during such period of extension the additional contractual rate of (5%) five per cent of non-payment shall not be collected on loans already due and delinquent or which may hereafter become due and delinquent.

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

SECTION 1. That the Commissioners of the Land Office of the State of Oklahoma are hereby authorized and empowered to extend the payments due said Commission on loans made by said Commission, whether said payments and loans are now due and delinquent or may hereafter become due and delinquent, at the constitutional rate of five per cent per annum from the original maturity or due dates of said loans; and such extension or extensions may be made from time to time and for such time as the Commissioners may deem wise, not to exceed two years from the date of the final passage and approval of this act; and in order to relieve the borrower of such burdens during this stressful condition, the additional contractual rate of five per cent for non-payment shall not be collected during the period of such extension; and such additional contractual five per cent for non-payment shall not again run or accrue until the expiration of the extension or extensions made by said Commissioners, as herein authorized.

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.

Senators Chamberlin and Reed asked unanimous consent, which was granted, to be added as joint authors to Senate Joint Resolution No. 11.

Upon motion of Senator Chamberlin, Senate Joint Resolution No. 11 was advanced to engrossment and third reading.



Senator Chamberlin asked unanimous consent, which was granted, to consider Senate Joint Resolution No. 11 as properly engrossed and place the resolution upon third reading and final passage.

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: Briggs, Carlile, Chamberlin, Clark, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not voting: Ballard, Carmack, Coppock, Dixon, Logan, Nance, Paul. Total, 7.

Absent: Sowards. Total, 1.

Excused: Commons, Liggett. 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: Briggs, Carlile, Chamberlin, Clark, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not voting: Ballard, Carmack, Coppock, Dixon, Logan, Nance, Paul. Total, 7.

Absent: Sowards. Total, 1.

Excused: Commons, Liggett. 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 Joint Resolution No. 11 was ordered referred for engrossment.

Senator Wilbanks asked unanimous consent, which was granted, to be recorded "excused," for one hour's time.

### FIRST READING

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

SENATE BILL NO. 399—By JENNINGS.—An Act amending Section 5964, Oklahoma Statutes, 1931, relating to liability of officers of counties, townships, cities, towns, or school districts, and every person, for the unauthorized, unlawful or fraudulent payment of money or transfer of property belonging to any such municipality, and providing a penalty in such cases, and for recovery thereof at the suit of proper officers or taxpayers; and also amending Section 5965, Oklahoma Statutes, 1931, relating to the right of a resident taxpayer after the proper officers of such municipality have failed or refused to institute and diligently prosecute such suit or suits upon written notice and demand therefor, by ten resident taxpayers of such municipality to institute and prosecute in the name of the State of Oklahoma, as plaintiff, action for the recovery of money or property or the value thereof, or penalty on account of the unauthorized, unlawful or fraudulent expenditure or transfer of money or transfer of property belonging to any county, township, city, town or school district, by any officer or officers of any such municipality or any person, and for the payment of one-half of the recovery in any such suit or suits, to such taxpayer as a reward; and repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

SENATE BILL NO. 400—By PUGH.—An Act authorizing and empowering the Governor to reduce the expenses of the state government for the years 1934 and 1935, and declaring an emergency.

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SENATE BILL NO. 401—By WALDREP.—An Act providing that the governing board of any municipality of this State may sell bonds heretofore or hereafter authorized to be issued by the vote of the qualified electors in any amount that is deemed necessary and proper; provided said sale shall be in the manner now provided by law and declaring an emergency.

SENATE BILL NO. 402—By REED.—An Act amending Senate Bill No. 105 of the Acts of the Fourteenth Legislature of the State of Oklahoma relating to the depositing of county funds in banks and giving of security therefor; 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. 398—By MOON.

Senator Moon asked unanimous consent, which was granted, to place Senate Bill No. 398, upon the calendar, without reference to a committee.

ENGROSSED HOUSE BILL NO. 629—By HANKLA of the House and WILLIS of the Senate.—Referred to the Committee on Privileges and Elections.

Senator MacDonald moved that the Senate proceed to the consideration of Revenue raising measures in the order called for by the Chairman of the Committee on Revenue and Taxation.

Senator Waldrep presiding.

Senator Pugh, as a substitute, moved that the Senate proceed to the consideration of Senate Bills on Third Reading.

Senator Ray, in lieu of all pending motions, moved that the Senate proceed to the consideration of SENATE BILL NO. 274, by Ray, Rizley, et al, under General Order.

Senator Pugh raised a point of order against the

Ray motion, which was sustained, stating it would require a suspension of the rules.

Senator Ray moved that the rules of the Senate be suspended and the Senate Bill No. 274 be taken up for consideration.

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

Senator Memminger moved that the Senate proceed to the consideration of Bills under Third Reading.

Senator Paul raised a point of order against the Memminger motion, which was overruled, stating the withdrawal of the MacDonald motion does not carry with it the Ray motion.

Senator Paul, as a substitute, moved that the Senate proceed to the consideration of Senate Bill No. 274.

Senator Pugh raised a point of order against the Paul motion, which was sustained, stating the motion would require a suspension of the rules.

Senator Paul moved that the rules of the Senate be suspended and Senate Bill No. 274 be taken up for consideration, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carmack, Clark, Daugherty, Dixon, Fischl, Garvin, Hutchinson, Johnston, Lester, MacDonald, Nance, Paul, Powers, Ray, Reed, Rizley, Stacey, Stewart, Taylor, Thomas, Willis. Total, 22.

Nays: Ballard, Carlile, Chamberlin, Curnutt, Fidler, Howard, Jennings, Logan, Memminger, Moon, Morrison, Nichols, Pugh, Ritzhaupt, Rutherford, Waldrep, Whitaker. Total, 17.

Not voting: Coppock. Total, 1.

Absent: Sowards. Total, 1.

Excused: Commons, Liggett, Wilbanks. Total, 3.

Senator Paul moved that, immediately following the consideration of Senate Bill No. 353, by Committee on Banks and Banking, under Third Reading, that the



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Senate proceed with the consideration of Senate Bill No. 274.

Senator Nichols raised a point of order against the Paul motion, which was sustained, stating the motion would require a suspension of the rules.

Senator Paul moved that the rules of the Senate be suspended and that, when Senate Bill No. 353 has been considered under Third Reading, the Senate proceed to the consideration of Senate Bill No. 274, which motion prevailed.

#### MESSAGE

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

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House refuses to concur in Senate amendments to:

ENGROSSED HOUSE BILL NO. 416—By LEE-CRAFT, entitled:

An Act for the purpose of carrying out the provisions of Section 3, Article X, of the Constitution of Oklahoma, relating to the payment of the current expenses of the State Government, when the same shall exceed the income from the previous fiscal years; levying taxes for the payment of the outstanding warrant indebtedness of the State representing deficiencies for previous fiscal years; amending the provisions of Article 9H, Chapter 20, and Article 11, Chapter 50, and Article 16, Chapter 66, Oklahoma Statutes 1931, and amendments thereto, relating, respectively to motor carrier taxes, motor vehicles licenses, and to the excise tax on gasoline.

and respectfully requests a conference thereon. The

Speaker has appointed: LEECRAFT, STURGELL and HARP, as House Conferees.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Whitaker moved that the request of the Honorable House, for a conference on Engrossed House Bill No. 416, be granted and three Senate conferees appointed, which motion prevailed, the Presiding Officer appointing as conferees thereunder, Senators Whitaker, Fidler and Fischl.

### THIRD READING

SENATE BILL NO. 353, by Committee on Banks and Banking, was considered further, under Third Reading.

The Memminger and Johnston amendments, submitted on the last legislative day, were re-read.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend Senate Bill No. 353, lines 9, 10, 11 and 12, page 65, by striking after the word, "Chairman," on line 9, and before the word, "said," on line 12, and inserting the following: "State Treasurer, who shall be Secretary, and Attorney General, who shall be Vice Chairman."

CURNUTT.

Senator Ray, in lieu of all pending motions, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 353, page 65, by striking Section 55, and inserting the following: "A State Banking Board is hereby created. The Banking Board shall be composed of the Bank Commissioner and three (3) other persons, which persons shall be appointed by the Governor, by and with the advice and consent of the Senate, no one of whom shall be an officer or director of a National Bank. Said three (3) members shall hold office concurrently with the Governor and, as soon as said members are appointed,

under the provisions of this Act, the Board shall select one of said members as Treasurer. The members of the Board, other than the Bank Commissioner, shall receive fifteen (\$15.00) Dollars, each, per day, for attendance upon said board, and they shall be paid their actual and necessary expenses incurred in the performance of their duties, the same to be paid out of the General Revenue Fund.

The Bank Commissioner shall be the Chairman of said Board. Said Board, in conjunction with the Bank Commissioner, shall have supervision and control of the issuing of Bank Charters and the administration of the banking laws of the State, not inconsistent with other specific declarations provided by the Statutes.

If a vacancy shall, at any time, occur in the membership of said Board, the Governor shall fill the same by appointment, as herein provided."

RAY.

Senator Curnutt asked unanimous consent, which was granted, to withdraw his amendment.

Senator Paul asked unanimous consent, which was granted, to submit the following amendment, which was adopted, by unanimous consent:

Mr. President: I move to amend the Ray Amendment, by striking the words and figures, "Fifteen (\$15.00) Dollars," and inserting the words and figures, "Ten (\$10.00) Dollars."

PAUL.

The vote occurring on the Ray amendment, as amended, it was declared adopted.

Senator Johnston asked unanimous consent, which was granted, to submit the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Bill No. 353, between lines 9 and 10, page 116, by adding the following: "This Act takes effect June 1st, 1933."

JOHNSTON.

Senator Ray moved that, where the words, "State Bank Commission," appear in Senate Bill No. 353, the Chairman of the Committee on Banks and Banking be authorized to amend the bill by substituting therefor the words "STATE BANKING BOARD," which motion prevailed.

Senator Carmack moved that Senate Bill No. 353 be re-referred to the Committee on Banks and Banking, for the purpose of perfecting the bill, as amended by the Senate.

Senator Nance moved to amend the Carmack motion, by adding, "the Committee to be required to make its report on the next legislative day, before the close of the day's session and that the bill be set for Special Order at 2:00 o'clock, p. m., on the second legislative day," which motion, by unanimous consent, he withdrew.

Senator Memminger, as a substitute, moved that Senate Bill No. 353 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

SENATE BILL NO. 353 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 37.

Not voting: Clark, Coppock, Thomas. Total, 3.

Absent: Sowards. Total, 1.

Excused: Commons, Liggett, Wilbanks. 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 Johnston, the emergency section to Senate Bill No. 353 was ordered stricken.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Memminger submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 353, by striking the word, "COMMISSION," and inserting the word, "BOARD," and by striking the words, "AND DECLARING AN EMERGENCY."

MEMMINGER.

Senate Bill No. 353, as amended, was ordered referred for re-engrossment.

SENATE BILL NO. 274, by Ray, Rizley, Garvin, et al., was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Ray.

Senators Wilbanks and Sowards asked to be recorded, "present," which was the order.

Senator Nichols moved that further consideration of Senate Bill No. 274 be indefinitely postponed.

Senator Logan moved the adoption of the previous question, which motion, by unanimous consent, he withdrew.

Senator Logan asked to be "excused," for the remainder of this legislative day, which was the order.

Senator Paul moved that the Nichols motion be tabled, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carmack, Clark, Daugherty, Dixon, Fischl, Garvin, Johnston, Lester, MacDonald, Nance, Paul, Powers, Pugh, Ray, Reed, Rizley, Sowards, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 23.

Nays: Ballard, Carlile, Curnutt, Fidler, Howard, Hutchinson, Jennings, Memminger, Moon, Morrison,

Nichols, Ritzhaupt, Rutherford, Stacey, Waldrep, Whitaker. Total, 16.

Not voting: Chamberlin, Coppock. Total, 2.

Excused: Commons, Liggett, Logan. Total, 3.

Senator Ray moved that Senate Bill No. 274 be advanced to engrossment and third reading, which motion prevailed.

Senator Nance moved that Senate Bill No. 274 be considered engrossed and placed upon third reading and final passage.

Senator Rutherford, as a substitute, moved that the Senate adjourn to meet under the rule, which motion failed of adoption.

The vote occurring on the Nance motion, it was declared adopted.

President Burns presiding.

Upon motion of Senator Ray, the previous question was ordered.

SENATE 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: Briggs, Carmack, Clark, Daugherty, Dixon, Fischl, Garvin, Johnston, Lester, MacDonald, Nance, Paul, Powers, Pugh, Ray, Reed, Rizley, Sowards, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 23.

Nays: Ballard, Carlile, Curnutt, Fidler, Howard, Hutchinson, Jennings, Memminger, Moon, Morrison, Nichols, Ritzhaupt, Rutherford, Stacey, Waldrep, Whitaker. Total, 16.

Not voting: Chamberlin, Coppock. Total, 2.

Excused: Commons, Liggett, Logan. 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 Ray, the emergency section to Senate Bill No. 274 was ordered stricken.

*Sixty-fourth Day, Thursday, Mar. 30, 1933*    1653

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. 274, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

RAY.

Senator Nichols served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 274 was passed.

Upon motion of Senator Curnutt, the Senate adjourned, to meet at 10:00 o'clock, a. m., Friday, March 31st, 1933.

## SIXTY-FIFTH LEGISLATIVE DAY

Friday, March 31, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President, who announced the Senate would recess to meet at 11:00 o'clock, a. m.

At 11:00 o'clock, a. m., the Senate reassembled, with the President presiding, who announced the Senate would recess to meet at 1:00 o'clock, p. m.

### AFTERNOON SESSION

At 1:00 o'clock, p. m., the Senate reassembled, with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 36.

Absent: Howard, Morrison, Sowards. Total, 3.

Excused: Commons, Coppock, Daugherty, Liggett, Logan. Total, 5.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Nance moved that, when the Senate adjourns today, it adjourn to meet at 1:30 p. m., Monday, April 3d, which motion prevailed.

### CORRECTION OF JOURNAL

Senator Nance moved that the Journal for the last legislative day stand approved, which motion prevailed, the roll call thereon being as follows:

Ayes: Clark, Dixon, Garvin, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Paul, Pugh,



Ray, Reed, Rizley, Stewart, Taylor, Wilbanks. Total, 17.

Nays: Ballard, Curnutt, Fidler, Jennings, Nichols, Rutherford, Stacey, Waldrep, Whitaker. Total, 9.

Not Voting: Briggs, Carlile, Carmack, Fischl, Hutchinson, Powers, Ritzhaupt, Thomas, Willis. Total, 9.

Absent: Howard, Morrison, Sowards. Total, 3.

Excused: Commons, Coppock, Daugherty, Liggett, Logan. Total, 5.

Excused from voting: Chamberlin. Total, 1.

The following explanations of votes were sent to the Clerk's desk:

Mr. President: In explanation of my vote to correct the Journal of March 30, 1933, on page 2165, wherein the Journal recites as follows:

"SENATE BILL NO. 274 was read for the third time at length." I desire to say that I voted "No," because the fact is and the truth is that Senate Bill No. 274 was not read for the third time at length and therefore said Journal in that respect is incorrect.

ALLEN G. NICHOLS.

Mr. President: I vote "No," on motion to approve the Journal for the 64th legislative day, for the reason, page 2165 shows Senate Bill No. 274 was read for the third time at length, which is not the truth.

BALLARD.

Mr. President: I want to explain my vote, as relates to the Journal of March 31st, stating that Senate Bill No. 274 was read at length, when, as a matter of fact, said bill was not read at length.

FIDLER.

Mr. President: I have voted "No," on the Nance motion to approve the Journal of the last legislative day (March 30, 1933), for the reason that the Journal at pages 2164 to 2165, inclusive, does not correctly show the proceedings concerning Senate Bill No. 274. This meas-

ure was not considered by sections, and the sections were not approved prior to the time such measure was advanced to engrossment and third reading.

The Journal should further show that this measure was not read prior to final passage, as required by the provisions of the Constitution.

JENNINGS.

Mr. President: I voted "No," on the approval of the Journal of March 30th, 1933, for the reason that said Journal is not correct in that Senate Bill No. 274 was not read at length, as provided by Section 34, Article 5, of the Constitution of the State of Oklahoma.

RUTHERFORD.

#### RESOLUTIONS AND NOTICES

Senator Ballard introduced the following Resolution:

SENATE CONCURRENT RESOLUTION NO. 20, by Ballard, Pugh, Howard, Paul, Lester, Ray, Jennings, Dixon, Stewart, Curnutt, Moon, Taylor, Rizley, Clark, Powers, Wilbanks, Rutherford, Fidler, entitled: A Concurrent Resolution fixing the day and hour of the sine die adjournment of the Regular Session of the 14th Legislature of the State of Oklahoma.

Senator Ballard asked unanimous consent to which objections were voiced, to take up for immediate consideration Senate Concurrent Resolution No. 20.

Senator Ballard moved that the rules of the Senate be suspended for the purpose of considering Senate Concurrent Resolution No. 20, which motion failed of adoption.

Senator Moon moved that the Senate extend to ex-Governor C. N. Haskell, the first Governor of the State of Oklahoma, an invitation to address the Senate for 15 or 30 minutes, on Wednesday, April 5th, at 2:00 p. m., which motion prevailed.

Senator Chamberlin cited Rule 18, concerning the

reference of Senate Concurrent Resolution No. 20 to a committee.

The President ordered Senate Concurrent Resolution No. 20 referred to the Committee on Legislative Affairs.

Senator Ballard raised a point of order against the reference of Senate Concurrent Resolution No. 20 to any committee, citing sub-division "b," of Rule 18, which point was sustained.

President Pro Tempore Stewart presiding.

#### 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 Commerce and Labor, to whom was referred Senate Bill No. 81, by Fischl, entitled:

An Act repealing Sections 3676, 3677, 3678, 3679, 3681, 3682, Oklahoma Statutes 1931, being those sections of said Statutes declaring gins to be public utilities and placing them under the jurisdiction of the Corporation Commission; 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.

REED, Chairman.

Mr. President: We, your Committee on Code Revision, to whom was referred Senate Bill No. 179, by Johnston, entitled:

An Act amending Section 1, Chapter 39, of the Session Laws of 1927, the same being embodied in Section 1424, of the Oklahoma Compiled Statutes of 1931 providing for qualification of guardians and declaring an emergency, and Senate Bill 330, by Johnston, entitled:

An Act amending Section 6522, Revised Laws 1910, Compiled Oklahoma Statutes 1921, Section 1431, Okla-

homa Statutes 1931, Section 1419, so as to provide for personal service of notice of hearing of petition for appointment of guardian of person or estate of minors upon parents of minor or person having such minor in their care in county and such notice as the judge of the county court may deem reasonable to be given to the other relatives of the minor residing in the county and repealing all Acts and parts of Acts in conflict herewith and declaring, etc.,

beg leave to report that both of these bills deal with the same subject matter and both of them have been covered by a bill heretofore passed by both houses and signed by the Governor and therefore are unnecessary and are reported back with the recommendation that further proceedings thereon be discontinued.

JOHNSTON, Chairman.

Upon motions of Senator Johnston, the adverse Committee Reports on Senate Bills Nos. 179 and 330, were adopted.

Mr. President: We, your Committee on Code Revision, to whom was referred Senate Bill No. 344, by Johnston, entitled:

An Act providing for election of city and school officers in cities of the first class where the population is six thousand or less, 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.

JOHNSTON, Chairman.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Engrossed House Bill No. 67, by Burnham, Wingo, Landingham, Speck, Mallory, Sullivan, Cloyd, Todd, Kenan, Beaman, Watson, Gray, Jones, entitled:

An Act amending Section 12754, Oklahoma Statutes, 1931, providing that resales of delinquent taxes



shall be held prior to the third Monday of April 1935, 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.

CURNUTT, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Engrossed House Bill No. 113, by Broaddus, Shoemaker and Martin, entitled:

An Act amending Section 7040 Article 18 Oklahoma Statutes 1931, providing for the levy of a tax for separate schools, for the administration of the separate school tax for separate schools in independent school districts and the method of issuing, etc., 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.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Engrossed House Bill No. 125, by Batson and Cox, entitled:

An Act authorizing several counties of the state, upon an initiative petition of sixteen per centum of the total number of voters in said county to call an election to submit to the electors of the respective counties the question of whether the duties, etc., 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 Committee on State and County Affairs.

RITZHAUPT, Chairman.

House Bill No. 125 was ordered referred to the Committee on State and County Affairs.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Engrossed House Bill No. 504,

by Cloyd, Leecraft, Graham, Martin, Broaddus and Shoemake, entitled:

An Act authorizing Leo D. Harman, Sr., formerly a Captain in the Oklahoma National Guard to bring suit against the State of Oklahoma for injuries sustained in the line of duty as a soldier, providing that if judgment is entered in his favor, that the same shall be paid from the general funds of the state appropriating not to exceed \$2500.00 for the purpose of payment of any judgment rendered, 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.

CURNUTT, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Engrossed House Bill No. 582, by Gray, entitled:

An Act amending Section 5444, Oklahoma Statutes 1931, relating to the revolving fund of the Oklahoma Agricultural and Mechanical College at Stillwater, Oklahoma, creating a contingent fund for said college, providing for the expenditure 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 be referred to Committee on Appropriation.

RITZHAUPT, Chairman.

House Bill No. 582 was ordered referred to the Committee on Appropriations.

Mr. President: We, your Committee on Education, to whom was referred Committee Substitute for Senate Bill No. 347, by Sowards, entitled:

An Act regulating the sale and price of second-hand text books, providing penalties for the violation of this Act; repealing all Acts conflicting therewith.

beg leave to report that we had the same under consid-

eration and herewith return the same with the recommendation that it do pass, as amended.

RITZHAUPT, Chairman.

Senator Willis submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate amendments to Enrolled Senate Joint Resolution No. 11 and Senate Bill No. 353 correctly engrossed; and Senate Resolution No. 21 and Senate Bill No. 188 correctly enrolled.

WILLIS, Acting Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendments to Enrolled Senate Joint Resolution No. 11 and ordered the resolution, as amended, transmitted to the Honorable House, for further consideration.

The President Pro Tempore, in open session, signed Engrossed Senate Bill No. 353 and ordered it transmitted to the Honorable House, for consideration.

The President Pro Tempore, in open session, signed Enrolled Senate Resolution No. 21 and ordered it transmitted to the Secretary of State.

Senate Bill No. 188 was read at length 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.

#### MESSAGE

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED SENATE BILL NO. 51—By PUGH and WILLIS, entitled:

An Act fixing the salaries of county officers on a population basis, and to advise you, and, through you, the Honorable Senate, that the same has been passed by the House of Representatives, AS AMENDED, and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 51 were read as follows:

ENGROSSED HOUSE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 51—By PUGH and WILLIS.

AN ACT PROVIDING FOR A STATE-WIDE AND UNIFORM SCHEDULE OF SALARIES AND COMPENSATION FOR COUNTY JUDGES, COUNTY ATTORNEYS, SHERIFFS, COUNTY CLERKS, COURT CLERKS, COUNTY TREASURERS, COUNTY ASSESSORS, COUNTY SUPERINTENDENTS, COUNTY COMMISSIONERS AND COUNTY SURVEYORS, BASED UPON THE FEDERAL DECENNIAL CENSUS OF 1930, AND PROVIDING THE PAYMENT OF A MILEAGE TO EACH SHERIFF AND DEPUTY SHERIFF OF THE STATE IN ADDITION TO THE SALARIES PROVIDED BY LAW, IN LIEU OF ACTUAL AND NECESSARY EXPENSES, INCURRED ON OFFICIAL BUSINESS, AND FIXING THE COMPENSATION THAT SHALL BE PAID EACH SHERIFF FOR KEEPING, FEEDING AND MAINTAINING PRISONERS, REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT THEREWITH AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. The salaries of hereinafter named



county officers within the State of Oklahoma shall be based upon the population of the respective counties of the State, classified by groups as shown by the decennial Federal census of 1930, and as may be shown by any succeeding Federal census. The classification by groups and the amounts of salaries for such county officers commencing and beginning with the next ensuing term of such officials shall be as follows:

(a) In counties having a population of 15,000 or less, as shown by such census, the County Treasurer, County Attorney and Sheriff shall receive the sum of Fifteen Hundred Dollars (\$1,500.00) per year, payable monthly, and the Court Clerk, County Clerk, County Assessor and County Superintendent of Public Instruction shall receive the sum of Twelve Hundred Dollars (\$1,200.00) per year, County Judge Fifteen Hundred Dollars (\$1,500.00) per year, payable monthly. The County Commissioners shall each receive the sum of Nine Hundred Sixty Dollars (\$960.00) per year, payable monthly, and the County Surveyor shall receive the sum of Sixty Dollars (\$60.00) per year, payable monthly.

(aa) In counties having a population in excess of 15,000 and not to exceed 16,000 as shown by such census, the County Judge, County Attorney and Sheriff shall receive the sum of Sixteen Hundred Twenty Dollars (\$1,620.00) per year, payable monthly, and the Court Clerk, County Clerk, County Treasurer, County Assessor and County Superintendent of Public Instruction shall receive the sum of Fourteen Hundred Forty Dollars (\$1,440.00) per year, payable monthly. The County Commissioners shall each receive the sum of Nine Hundred Sixty Dollars (\$960.00) per year, payable monthly, and the County Surveyor shall receive the sum of Sixty Dollars (\$60.00) per year, payable monthly.

(b) In counties having a population in excess of 16,000 and not to exceed 24,500, the County Attorney and Sheriff shall receive the sum of Eighteen Hundred Dollars (\$1,800.00) per year, payable monthly, and the Court Clerk, County Clerk, County Treasurer, County Assessor, County Superintendent and County Judge shall receive the sum of Fifteen Hundred Dollars (\$1,500.00) per year, payable monthly. The County Commissioners shall each receive the sum of One Thousand Eighty Dollars (\$1,080.00) per year, payable monthly, and the County Surveyor shall receive the sum of Sixty Dollars (\$60.00) per year, payable monthly.

(c) In counties having a population in excess of 24,500 and not to exceed 25,000, the County Judge, County Attorney and Sheriff shall receive the sum of Nineteen Hundred Dollars (\$1,900.00) per year; the Court Clerk, County Clerk, County Treasurer, County Assessor and County Superintendent shall receive the sum of Seventeen Hundred Dollars (\$1,700.00) per year, payable monthly. The County Commissioners shall each receive the sum of Twelve Hundred Dollars (\$1,200.00) per year, payable monthly, and the County Surveyor shall receive the sum of Two Hundred Forty Dollars (\$240.00) per year, payable monthly.

(d) In counties having a population in excess of 25,000 and not to exceed 43,000, the County Judge, County Attorney and Sheriff shall receive the sum of Twenty-one Hundred Dollars (\$2,100.00) per year; the Court Clerk, County Clerk, County Treasurer, County Assessor and County Superintendent shall receive the sum of Eighteen Hundred Dollars (\$1,800.00) per year, payable monthly. The County Commissioners shall each receive the sum of Twelve Hundred Dollars (\$1,200.00) per year, payable monthly, and the County Surveyor shall receive the sum of Two Hundred

Forty Dollars (\$240.00) per year, payable monthly.

(e) In counties having a population in excess of 43,000 and not to exceed 65,000, the County Judge, County Attorney and Sheriff shall receive the sum of Twenty-four Hundred Dollars (\$2,400.00) per year, payable monthly, and the Court Clerk, County Clerk, County Treasurer, County Assessor and County Superintendent shall receive the sum of Twenty-one Hundred Dollars (\$2,100.00) per year, payable monthly. The County Commissioners shall each receive the sum of Fourteen Hundred Forty Dollars (\$1,440.00) per year, payable monthly, and the County Surveyor shall receive the sum of Two Hundred Forty Dollars (\$240.00) per year, payable monthly.

(f) In counties having a population in excess of 65,000 and not to exceed 75,000, the County Judge, County Attorney and Sheriff shall receive the sum of Twenty-seven Hundred Dollars (\$2,700.00) per year, payable monthly, and the Court Clerk, County Clerk, County Treasurer, County Assessor and County Superintendent shall receive the sum of Twenty-four Hundred Dollars (\$2,400.00) per year, payable monthly. The County Commissioners shall each receive the sum of Eighteen Hundred Dollars (\$1,800.00) per year, payable monthly, and the County Surveyor shall receive the sum of Two Hundred Forty Dollars (\$240.00) per year, payable monthly.

(g) In counties having a population in excess of 75,000 and not to exceed 100,000, the County Judge, County Attorney shall receive the sum of Three Thousand Dollars (\$3,000.00) per year, payable monthly, and the Court Clerk, County Sheriff, County Clerk, County Treasurer, County Assessor and County Superintendent shall receive the sum of Twenty-four Hundred Dollars (\$2,400.00) per year, payable monthly. The County Commissioners shall each receive the sum of Eight

teen Hundred Dollars (\$1,800.00) per year, payable monthly, and the County Surveyor shall receive the sum of Two Hundred Forty Dollars (\$240.00) per year, payable monthly.

(h) In counties having a population in excess of 100,000, and not to exceed 200,000, the County Judge, County Attorney and Sheriff shall receive the sum of Four Thousand Dollars (\$4,000.00) per year, payable monthly, and the Court Clerk, County Clerk, County Treasurer, County Assessor and County Superintendent shall each receive the sum of Thirty-six Hundred Dollars (\$3,600.00) per year, payable monthly. The County Commissioners shall each receive the sum of Twenty-four Hundred Dollars (\$2,400.00) per year, payable monthly, and the County Surveyor shall receive the sum of Nine Hundred Dollars (\$900.00) per year, payable monthly.

(i) In counties having a population in excess of 200,000, the County Judge, County Attorney and Sheriff shall receive the sum of Five Thousand Dollars (\$5,000.00) per year, payable monthly, and the Court Clerk, County Clerk, County Treasurer, County Assessor and County Superintendent shall each receive the sum of Four Thousand Dollars (\$4,000.00) per year, payable monthly. The County Commissioners shall each receive the sum of Four Thousand Dollars (\$4,000.00) per year, payable monthly, and the County Surveyor shall receive the sum of Twelve Hundred Dollars (\$1,200.00) per year, payable monthly.

SECTION 2. Each Sheriff of this State, in addition to the salary as herein provided, and each deputy sheriff, in addition to the salary as now provided by law, in lieu of his actual and necessary expenses incurred on official business in his county, shall be paid by the county five cents per mile for such mileage actually and necessarily traveled in his county in serving or endeavoring to serve any writ, warrant,



order, process or command, and in pursuing any fugitive from justice, which shall include transportation of prisoners in his county; provided, however, the Sheriff or his deputy shall not charge nor receive mileage in criminal cases for endeavoring to serve criminal process in his county, unless authorized to do so by the County Attorney; and provided further, that in any county where "radio patrol duty" may be performed, then and in such event, the sheriff and his deputies shall be entitled to and shall receive the mileage fee herein provided for each mile traveled while on such duty.

In serving or endeavoring to serve criminal process, if it is necessary to go outside of the county, the sheriff or his deputy shall be entitled to charge and collect actual and necessary traveling expenses for himself and prisoner, if any, but, in all such cases, before the sheriff or his deputy is authorized to go outside the county, he shall be ordered so to do by the County Attorney.

Each sheriff shall also be paid by the county the actual expenses necessarily incurred by him in keeping, feeding and maintaining prisoners, upon his duly verified, itemized claim against his county for such expenses, which said claim shall be filed with and allowed by the Board of County Commissioners as other claims, and he shall receive no other compensation for said services.

**SECTION 3.** The County Commissioners shall not be entitled to charge or collect any expenses for traveling in the performance of their duties and the salary hereinabove set forth shall be the sole remuneration and compensation to such officers. The total traveling and inspection expenses of the County Superintendent of Public Instruction shall be limited to Two Hundred Forty Dollars (\$240.00) per year.

SECTION 4. The provisions of this Act shall not apply to the salary of any such county officers hereinafter named during his present term of office, but the provisions hereof shall become effective as to such salaries of said county officers at the beginning of the next ensuing term of said respective offices.

SECTION 5. The provisions of this Act are severable, and if any section, part or provisions hereof shall be held void, invalid or inoperative, the invalidity of such section, part or provision shall not affect or impair any of the remaining sections, parts or provisions hereof.

SECTION 6. All Acts and parts of Acts in conflict herewith are hereby repealed; provided, however, that no existing acts or parts of acts, in so far as the same relate to the number and salaries of deputies, assistants or other appointive employees of the County Judge, County Attorney, Sheriff, Court Clerk, County Treasurer, County Assessor or County Superintendent of any county having a population in excess of 100,000 and not to exceed 200,000, shall be repealed or in any wise affected by the provisions of this Act. That all counties with a population of 15,000 or more with an area of more than 2,200 square miles, the County Judge shall receive Three Thousand Dollars (\$3,000.00) per year, payable monthly, the County Attorney shall receive Twenty-seven Hundred Dollars (\$2,700.00) per year, payable monthly, and the County Sheriff, County Clerk, Court Clerk, County Treasurer, County Assessor, County Superintendent and County Commissioners shall receive Twenty-four Hundred Dollars (\$2,400.00) per year, payable monthly.

SECTION 7. 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 Pugh asked unanimous consent, to which objections were voiced, to defer consideration of Senate Bill No. 51, as amended by the Honorable House, until some future legislative day.

Senator Ballard moved that the Senate refuse to concur in House Amendments to Engrossed Senate Bill No. 51 and request the Honorable House to grant a conference thereon.

Senator MacDonald, as a substitute, moved that consideration of Senate Bill No. 51, as amended, be deferred until Monday, but that the bill, as amended by the Honorable House, be printed, which motion prevailed.

Senator Chamberlin moved that the Honorable House be requested to return to the Senate SENATE BILL NO. 337, by Chamberlin, Nance and Garvin.

Senator Ballard raised a point of order against the Chamberlin motion, citing sub-division "d," of Rule 10, which was overruled by the Presiding Officer.

The vote occurring on the Chamberlin motion, it was declared adopted.

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 283—By WILLIS of the Senate and HANKLA of the House, entitled:

An Act validating certain warrants issued by counties for county highway purposes during the fiscal year ending June 30th, 1931, providing for the payment thereof, and declaring an emergency, together with Conference Report thereon, and to advise you, and, through you, the Honorable Senate, that the

House has adopted the said Conference Report, and the Bill has been passed by the House, as amended by such report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senate Bill No. 283 was ordered referred for enrollment.

To the President of the Senate,  
Building

SIR:

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

ENROLLED SENATE BILL NO. 319—By RITZ-  
HAUPT of the Senate, and HAYS of the House, en-  
titled:

An Act authorizing certain persons to bring suit against Logan County for the recovery of moneys due for supplies furnished the poor and needy of said county; making it mandatory upon the district judge to enter judgment upon proof of the correctness of such accounts; authorizing the levying of a tax to pay said judgment; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 319 was ordered referred to the Governor, for consideration.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 94—By DAN-



IEL of the House, and CHAMBERLIN, NANCE and GARVIN of the Senate.

An Act providing for an appropriation of ten thousand (\$10,000.00) dollars for the remainder of the fiscal year ending June 30th, 1933, thirty-two thousand five hundred (\$32,500.00) dollars for the fiscal year ending June 30th, 1934 and thirty-two thousand five hundred (\$32,500.00) dollars for the fiscal year ending June 30th, 1935, for the maintenance of Oklahoma orphan children who are not in state institutions; providing for the expenditure of the same by the State Board of Public Affairs on a per capita basis and declaring an emergency,  
and that the same has been passed by the House, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 121—By DANIEL and MALLORY.

An Act creating a textbook commission for the state of Oklahoma and providing for adoption of school textbooks to be used in the common schools and teachers' colleges of the state of Oklahoma.

ENGROSSED HOUSE BILL NO. 503—By COE.

An Act requiring preference to be given to persons, firms and corporations doing business in this state in the purchase of materials and supplies for the state, county and the municipalities and subdivisions thereof, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 121 and 503.

Upon motion of Senator Ritzhaupt, Thursday, April 6th, was set for the consideration of Educational bills.

### FIRST READING

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

SENATE BILL NO. 403—By FIDLER and RAY.—An Act to prevent fraud and deception in the sale and offering for sale of rebuilt electric storage batteries; prescribing penalties for violation thereof; and declaring an emergency.

SENATE BILL NO. 404—By NICHOLS.—An Act fixing the number and salaries of assistants, deputies, stenographers, reporters and employees of county officers in all counties having a population in excess of 70,000 and not to exceed 100,000, according to the 1930 decennial census; repealing all Acts in conflict therewith; and declaring an emergency.

SENATE BILL NO. 405—By MEMMINGER.—An Act repealing Section 3376, Oklahoma Statutes, 1931, relating to the apportionment of the State of Oklahoma into Congressional Districts; providing that candidates for election to Congress from the State of Oklahoma shall be elected at large and declaring an emergency.

SENATE BILL NO. 406—By WILBANKS, of Senate and DARKS, of House.—An Act prohibiting the City of Holdenville, Oklahoma, its lessees and assigns, from using any real property now or hereafter acquired by said City for municipal water works in such a manner as to cause contamination and pollution of said water works, authorizing the City Council of said City to make and enforce rules and regulations to preserve said real property from pollution and contamination and to charge fees from owners and occupants of property thereon to cover costs of inspection and sanitation; em

powering said City Council to summarily remove the property of persons refusing to obey said rules and regulations; giving said City a lien on property placed on said real property for fees assessed against them and which are not paid within sixty days after due date thereof; and authorizing the city to advertise and sell said property after giving thirty days notice, the proceeds of the sale, after said fees and costs of sale have been paid, to be paid to the owners of said property; and declaring an emergency.

SENATE BILL NO. 407—By RIZLEY of the Senate and WRIGHT of the House.—An Act authorizing the County Treasurer to issue a duplicate tax sale certificate upon the loss or destruction of the original; providing for the acceptance of a bond to indemnify the county against loss; setting out the amount, form and manner of approval of said bond; providing for a record of the issuance of said duplicate tax sale certificate; and declaring an emergency.

SENATE BILL NO. 408—By MORRISON and FIDLER.—An Act amending Section 4 of Chapter 178, Session Laws of Oklahoma, 1923, and Section 6173, Oklahoma Statutes, 1931, relating to powers of cities, with respect to building sites, areas, trades and industries; authorizing the creation of zoning districts; amending said Section to provide for an election for the change and creation of a zone or zones, granting permits to drill wells for petroleum oil and/or gas; 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. 399—By JENNINGS.—Referred to Committee on State and County Affairs.

SENATE BILL NO. 400—By PUGH.

Senator Pugh moved that Senate Bill No. 400 be

placed upon the calendar, without reference to a Committee.

Senator Nance, as a substitute, moved that Senate Bill No. 400 be referred to Judiciary Committee No. 2, with instructions to take immediate action.

Senator Rizley, in lieu of all pending motions, moved that Senate Bill No. 400 be referred to the Committee on Retrenchment and Reform, which motion prevailed.

SENATE BILL NO. 401—By WALDREP.

Senator Waldrep asked unanimous consent, which was granted, to place Senate Bill No. 401 upon the calendar, without reference to a Committee.

SENATE BILL NO. 402—By REED.—Referred to Committee on Banks and Banking.

ENGROSSED HOUSE BILL NO. 695—By PHILLIPS (Atoka), FRALEY, BATSON, CHILDERS, JONES, JESSEE, SULLIVAN, CLINE, MORSE, CAVINS and McELHANEY.

Upon motion of Senator Nance, House Bill No. 695 was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 225—By ABERNETHY (Harmon), and LANDINGHAM of the House.

Senator Nance moved that further consideration of House Bill No. 225 be indefinitely postponed, which motion, by unanimous consent, he withdrew.

The President Pro Tempore referred House Bill No. 225 to the Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 572—By PHILLIPS (Okfuskee), HILL, SINGLETON and BATSON.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 243—By BATSON.

Senator Moon moved that House Bill No. 243 be



ordered placed upon the calendar, without reference to a Committee, which motion prevailed.

ENGROSSED HOUSE BILL NO. 434 — By SINGLETON and JONES.

Senator Nichols moved that House Bill No. 434 be ordered placed upon the calendar, without reference to a Committee, which motion prevailed.

ENGROSSED HOUSE JOINT RESOLUTION NO. 47—By MUNSON and JOHNSON of the House and NANCE of the Senate.

Senator Nance moved that House Joint Resolution No. 47 be ordered placed upon the calendar, without reference to a Committee, which motion prevailed.

ENGROSSED HOUSE JOINT RESOLUTION NO. 45—By COX, WILLIAMS, FITZGERALD, ALLEN, et al.

Senator Chamberlin moved that House Joint Resolution No. 45 be ordered placed upon the calendar, without reference to a Committee, which motion prevailed.

Senator Chamberlin asked unanimous consent, which was granted, to be recorded "excused," for the remainder of this legislative day.

ENGROSSED HOUSE BILL NO. 692—By CLOYD of the House and PAUL of the Senate.

Senator Ballard moved that House Bill No. 692 be referred to Judiciary Committee No. 1.

Senator Paul, as a substitute, moved that House Bill No. 692 be ordered placed upon the calendar, without reference to a committee, which motion prevailed.

ENGROSSED HOUSE BILL NO. 605—By MOONEY of the House and NANCE of the Senate.

Senator Nance moved that House Bill No. 605 be ordered placed upon the calendar, without reference to a Committee, which motion prevailed.

Senator Curnutt moved that SENATE BILL NO. 98, by Curnutt, be ordered withdrawn from the Committee on State and County Affairs and printed and

placed upon the calendar, which motion, by unanimous consent, he withdrew.

### 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. 98, by Curnutt, entitled:

An Act providing for the funding of the outstanding warrant indebtedness of the state of Oklahoma and the issuance and sale of bonds therefor; setting out the form and maturity of said bonds; providing that said bonds shall be exempt from taxation; authorizing the investment in said bonds by the Commissioner of the Land Office; authorizing the interest coupons to be receivable in payment of taxes due the state; providing the type of warrants that shall be paid; setting out the manner in which the principal and interest shall be paid; etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Engrossed House Bill No. 191, by Sturgell, entitled:

An Act to establish a holiday to be known as "Jefferson Day" and to provide for executive proclamation thereof,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

LOGAN, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Engrossed House Bill No. 663, by Cavins and Grunert, entitled:

An Act authorizing the County Commissioners of Carter County, Oklahoma, to pay the sum of three hundred and fifty eight dollars, to the Hardy Sanitarium of Ardmore for professional services rendered Mr. Vernon Cason, a deputy sheriff of Carter County, Oklahoma, as a result of an accident incurred by him in line of duty, 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.

LOGAN, Chairman.

Senator Morrison asked to be recorded "present," which was the order of the Chair.

#### MESSAGE

The following Message from the Governor was received and read:

TO THE HONORABLE THE STATE SENATE AND  
HOUSE OF REPRESENTATIVES OF THE  
FOURTEENTH LEGISLATURE:

Gentlemen:

I hereby return, with my veto and disapproval, Senate Bill No. 354, providing for additional compensation in excess of the salary fixed by general law for the county commissioners of Cotton County.

It is doubtless true that the County Commissioners of Cotton County should receive more money; and, in fact, it is true of many other officers; but it is equally true that it is contrary to wholesome public policy, as it is violative of the Constitution to legislate by special or local bills on such matters as this.

If a precedence of this sort be continued, ultimately it will mean that the Legislature, as a body and a whole, will abdicate its powers, because, then, the member of the Legislature from a given county would be allowed his view on legislation; and, as a result, there would be a "swap out," and each county would have such legislation as only the member of that county thought wise,

and, in many instances, without regard to the interest or the wishes of his constituents. While I am sure that in Cotton County there is a popular desire for this law, yet I have known instances in the past where one of the county officers who had strong "political pull" would reach an agreement with the representative to support him, if he, the representative, would provide additional salary or an additional clerk, and this has been done in the past, whereas the people of the county knew nothing about what was going on; and you know and I know that in all legislative bodies, it is the custom of all the members to yield to the wishes of local bills affecting the county of the representative, and this occurs even though the representative is out of harmony with the overwhelming body of the Legislature. It is a kind of situation where, to use a limerick:

"You pass the sugar and the tea,

And I'll pass the candy.

You scratch my back and I'll scratch yours,

And then all will be lovely and dandy,"

without any reference to the wisdom of "scratching one another's back or passing the sugar and the tea and the candy."

While I have permitted some local bills to become laws, without signing them, but, in every case where they sought to abolish an office created by a local statute or to reduce expense upon the people, in no event have I signed, or allowed to become a statute, any bill to increase the cost of county government or increase of taxation, or an increase of the official family. I follow this rule whether it applies to some enemy in the Legislature, or some friend, with like impartiality.

Let us hope that we may set a precedent for the enactment of GENERAL LAWS, and abandon any further effort to enact special laws, except where it is absolutely necessary, because only in general statutes is



a criticism of the wisdom of such laws made by the entire legislative body.

For the foregoing and other reasons, the said Senate Bill No. 354 is hereby disapproved and vetoed by me.

This the 31st day of March, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Nance moved that the consideration of the Message of the Governor, concerning Senate Bill No. 354, be set for Special Order, at 1:45 p. m., on Monday, April 3d, which motion prevailed.

Senator Nichols presiding.

#### CONFERENCE COMMITTEE REPORT

The following Conference Committee Report was submitted:

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF OKLAHOMA:

We, your Conference Committee, to whom was referred Engrossed House Amendments to Engrossed Senate Bill No. 27, by MacDonald, 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 30, 1934, and June 30, 1935, by functions of each department in accordance with the budget classifications adopted by the Governor, have had under consideration the said amendments to the said measure and after due consideration make the following report and recommendation:

1. Page 2, line 18, after the word "Governor" strike the figures "\$6,375.00" in each column and insert in lieu thereof the figures "\$6,000.00."

2. Page 2, line 20, after the words "Chief Clerk" strike the figures "\$1,320.00" in each column and insert in lieu thereof the figures "\$1,700.00."

3. The House recedes from Amendment No. 1.

4. The House recedes from Amendment No. 1-A, and in lieu thereof recommends the following:

“Stenographer                      \$1,700.00      \$1,700.00”

5. The House recedes from Amendment No. 2.

6. Page 3, line 9, after the word “Rewards” strike the figures “\$5,000.00” in each column and insert in lieu thereof the figures “\$4,000.00.”

7. Page 3, line 11, after the word “Governor” strike the figures “\$2,500.00” in each column and insert in lieu thereof the figures “\$1,500.00.”

8. The Senate concurs in Amendment No. 3.

9. The Senate concurs in Amendment No. 4.

10. The Senate concurs in Amendment No. 5.

11. The House recedes from Amendment No. 6.

12. The Senate concurs in Amendment No. 7.

13. The House recedes from Amendment No. 8, and the totals are changed to read:

“\$54,605.00      \$56,455.00”

14. The Senate concurs in Amendment No. 9.

15. The Senate concurs in Amendment No. 10.

16. The Senate concurs in Amendment No. 11.

17. The House recedes from Amendment No. 12 and in lieu thereof recommends the following:

“Superintendent                      \$ 2,400.00      \$ 2,400.00”

18. The House recedes from Amendment No. 13, and in lieu thereof recommends the following:

“Assistant Superintendent \$ 2,000.00      \$ 2,000.00”

19. The House recedes from Amendment No. 14.

20. The Senate concurs in Amendment No. 15.

21. The Senate concurs in Amendment No. 16.

22. Page 4, line 24, change the totals in each column to read as follows:

“\$18,650.00      \$18,650.00”

23. The House recedes from Amendment No. 17.

24. The House recedes from Amendment No. 18 and in lieu thereof recommends the following:

"State Auditor	\$ 4,000.00	\$ 4,000.00"
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25. The House recedes from Amendment No. 19, and in lieu thereof recommends the following:

"Claim Clerk	\$ 1,500.00	\$ 1,500.00"
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26. The House recedes from Amendment No. 20.

27. Page 5, strike line 18 and insert in lieu thereof

"Assistant Accountant	\$ 1,500.00	\$ 1,500.00"
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28. The House recedes from Amendment No. 21.

29. The House recedes from Amendment No. 22.

30. The House recedes from Amendment No. 23.

31. The House recedes from Amendment No. 24.

32. The House recedes from Amendment No. 25.

33. The House recedes from Amendment No. 26.

34. The House recedes from Amendment No. 27, and the totals are changed to read:

"\$26,075.00	\$26,575.00"
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35. The House recedes from Amendment No. 28.

36. The House recedes from Amendment No. 29.

36. The House recedes from Amendment No. 30.

37. Page 6, line 19, after the words "Bond and Security Registrar" strike the figures "\$1,800.00" in each column and insert in lieu thereof the figures "\$1,700.00."

38. The Senate concurs in Amendment No. 51.

39. Page 6, line 21, after the word "Cashier" strike the figures "\$1,800.00" in each column and insert in lieu thereof the figures "\$1,700.00."

40. The House recedes from Amendment No. 32, and in lieu thereof recommends the following:

"Warrant Clerk	\$ 1,700.00	\$ 1,700.00"
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41. Page 7, strike lines 28, 29, 30 and 31, and insert in lieu thereof the following:

"Deficiency Fund, under  
Chapter 20, Article 4, Ses-

sion laws 1931	\$75,000.00	\$75,000.00"
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42. The House recedes from Amendment No. 33, and the totals are changed to read:

“\$857,896.00      \$294,775.00”

43. The House recedes from Amendment No. 34, and in lieu thereof recommends the following:

“Attorney General      \$ 4,800.00      \$ 4,800.00”

44. The House recedes from Amendment No. 34-A.

45. The House recedes from Amendment No. 35, and in lieu thereof recommends the following:

“File Clerk      \$ 1,500.00      \$ 1,500.00”

46. The House recedes from its Amendment No. 36, and on page 7, lines 38 and 39 are both stricken and the following inserted in lieu thereof:

“Assistant Attorneys General (5 at \$3,400 each and 3 at \$2,000.00 each)      \$26,000.00      \$26,000.00”

47. The House recedes from Amendment No. 37.

48. The House recedes from Amendment No. 38, and the totals are changed to read:

“\$51,570.00      \$51,570.00”

49. The House recedes from Amendment No. 39.

50. The House recedes from Amendment No. 40.

51. The House recedes from Amendment No. 41.

52. The House recedes from Amendment No. 42.

53. The House recedes from Amendment No. 43.

54. The House recedes from Amendment No. 44.

55. The House recedes from Amendment No. 45.

56. The House recedes from Amendment No. 46.

57. The House recedes from Amendment No. 47.

58. The House recedes from Amendment No. 48.

59. The House recedes from Amendment No. 49.

60. The House recedes from Amendment No. 50.

61. The House recedes from Amendment No. 51.

62. The House recedes from Amendment No. 52.

63. The Senate concurs in Amendment No. 53.

64. The House recedes from Amendment No. 54, and



in lieu thereof recommends the following:

"Traveling \$ 1,500.00 \$ 1,500.00"

65. The House recedes from Amendment No. 55.

66. The House recedes from Amendment No. 56.

67. The Senate concurs in Amendment No. 57.

68. The Senate concurs in Amendment No. 58.

69. The House recedes from Amendment No. 59.

70. Page 10, line 23, strike the figures "\$50.00" inserting in lieu thereof the figures "\$25.00."

71. The Senate concurs in Amendment No. 60.

72. Page 10, between lines 40 and 41 insert the following:

"Statistical Bureau \$ 1,200.00 \$ 1,200.00"

73. Page 11, line 5, strike the figures "\$800.00" in each column and insert in lieu thereof the figures "\$50.00."

74. The Senate concurs in Amendment No. 61.

75. The Senate concurs in Amendment No. 62.

76. The Senate concurs in Amendment No. 63.

77. The House recedes from Amendment No. 64.

78. The House recedes from Amendment No. 65.

79. The House recedes from Amendment No. 66.

80. The House recedes from Amendment No. 67, and

the totals are changed to read:

"\$110,930.00 \$109,980.00"

81. The House recedes from Amendment No. 68.

82. The House recedes from Amendment No. 69.

83. The House recedes from Amendment No. 70.

84. The House recedes from Amendment No. 71.

85. The House recedes from Amendment No. 72.

86. The House recedes from Amendment No. 73, and

in lieu thereof recommends the following:

"Commissioner of Labor \$ 2,880.00 \$ 2,880.00"

87. The House recedes from Amendment No. 74.

88. The House recedes from Amendment No. 75.

89. The House recedes from Amendment No. 76.

90. The House and Senate concur in Amendment No. 77.

91. The House recedes from Amendment No. 78, and in lieu thereof recommends the following:

“Travel                                 \$ 3,000.00         \$ 3,000.00”

92. The House recedes from Amendment No. 79.

93. The House recedes from Amendment No. 80, and in lieu thereof recommends the following:

“Printing                                 \$ 500.00         \$ 500.00”

94. The House recedes from Amendment No. 81, and in lieu thereof recommends the following:

“Office Supplies                         \$ 400.00         \$ 400.00”

95. The Senate concurs in Amendment No. 82.

96. The Senate concurs in Amendment No. 83.

97. The House recedes from Amendment No. 84, and the totals are changed to read:

“\$25,171.00         \$25,171.00”

98. The House recedes from Amendment No. 85, and in lieu thereof recommends the following:

“Chairman of Board                     \$ 4,320.00         \$ 4,320.00”

99. The House recedes from Amendment No. 86.

100. The House recedes from Amendment No. 87, and in lieu thereof recommends the following:

“Chief Clerk                                 \$ 2,000.00         \$ 2,000.00”

101. The House recedes from Amendment No. 88.

102. The Senate concurs in Amendment No. 89.

103. The House recedes from Amendment No. 90.

104. The House recedes from Amendment No. 91.

105. The House recedes from Amendment No. 92.

106. The House recedes from Amendment No. 93.

107. The House recedes from Amendment No. 94.

108. The Senate concurs in Amendment No. 95.

109. The House recedes from Amendment No. 96.

110. The House recedes from Amendment No. 97.

111. The following insertion is made on page 13, between lines 17 and 18:

112. The Senate concurs in Amendment No. 98.

and the totals are changed to read:

114. Page 14, line 2, strike the figures “\$1,620.00” in each column and insert in lieu thereof the figures “\$1,500.00.”

115. Page 14, line 3, strike the figures “\$1,620.00” in each column and insert in lieu thereof the figures “\$1,500.00”

116. The House recedes from Amendment No. 100 and in lieu thereof recommends the following:

“Janitors (24 at \$720.00 each)	\$17,280.00	\$17,280.00”
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117. Page 14, line 6, strike the figures “\$1,800.00” in each column and insert in lieu thereof the figures \$1,500.00.

117A. The House recedes from Amendment No. 101.

118. The House recedes from Amendment No. 102.

119. The House recedes from Amendment No. 103, and on page 14, all of line 13 is stricken and the following inserted in lieu thereof:

“Lights, water and ice	\$15,000.00	\$13,000.00”
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Provided that \$2,400.00 of the above amount for the year ending June 30, 1934, shall be available for installing a water cooling system for the Capitol.

120. The House recedes from Amendment No. 104

121. The House recedes from Amendment No. 105, and in lieu thereof recommends the following:

“Cleaning and Disinfecting	\$1,200.00	\$1,200.00”
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122. The House recedes from Amendment No. 106.

123. The House recedes from Amendment No. 107, and the totals are changed to read:

\$66,760.00      \$64,760.00''

124. Page 17, between lines 2 and 3, insert the following:

“Extra Help                      \$2,400.00      \$2,400.00”

125. Page 17, line 3 strike the figures \$6,000.00 and insert in lieu thereof, in each column the figures “\$8,400.”

126. The House recedes from Amendment No. 108, and in lieu thereof recommends the following:

“Superintendent                      \$4,000.00      \$4,000.00”

127. The House recedes from Amendment No. 109.

128. Page 17, line 13, strike the figures “\$4,000.00” in each column and in lieu thereof insert the figures “\$3,000.00.”

129. The House recedes from Amendment No. 110

130. The House recedes from Amendment No. 111.

131. The House recedes from Amendment No. 112.

132. The House recedes from Amendment No. 113, and the totals are changed to read:

“\$66,840.00      \$66,840.00”

133. The Senate concurs in Amendment No. 114.

134. The Senate concurs in Amendment No. 115.

135. The House recedes from Amendment No. 116.

136. The House recedes from Amendment No. 117

137. Page 18, line 15, strike the figures “\$750.00” in each column and insert in lieu thereof the figures “\$1,000.00.”

138. The House recedes from Amendment No. 118.

139. The House recedes from Amendment No. 119.

140. The House recedes from Amendment No. 120.

141. The House recedes from Amendment No. 121, and the totals are changed to read:

“\$6,725.00      \$6,725.00”

142. Page 19, line 4, strike line 4 and insert in lieu thereof:

“Referee                              \$3,000.00      \$3,000.00”

143. The Senate concurs in Amendment No. 122.

144. The House recedes from Amendment No. 123, and the totals are changed to read:

\$105,100.00      \$105,100.00”



- 145. The House recedes from Amendment No. 124.
- 146. The House recedes from Amendment No. 125.
- 147. The House recedes from Amendment No. 126.
- 148. The House recedes from Amendment No. 127.
- 149. The House recedes from Amendment No. 128.
- 150. Page 19, between lines 23 and 24 insert the

following:

"Wages \$1,200.00 \$1,200.00"

151. Page 19, line 33, the totals are changed to read as follows:

"\$14,510.00 \$15,510.00"

152. Page 20, line 9, strike the figures \$11,500.00 in each column and insert in lieu thereof the figures \$10,000.00.

153. The House recedes from Amendment No. 130 and in lieu thereof recommends the following:

"Printing other than office

supplies \$1,600.00 \$1,600.00"

154. Page 20, line 13, strike the figures "\$1,800.00" in each column and insert in lieu thereof the figures "\$1,380.00."

155. The House recedes from Amendment No. 131, and the totals are changed to read:

"\$18,680.00 \$18,680.00"

156. The House recedes from Amendment No. 132, and in lieu thereof recommends that all of line 18, page 20, be stricken and the following inserted:

"Thomas A. Edwards, Judge

or his successor \$6,000.00 \$6,000.00

James S. Davenport, Judge,

or his successor \$6,000.00 \$6,000.00

Will H. Chappell, Judge,

or his successor \$6,000.00 \$6,000.00"

156A. The Senate Concurs in Amendment No. 133.

157. The House recedes from Amendment No. 134, and the totals are changed to read:

"\$24,100.00 \$24,100.00"

158. Page 21, line 14, strike the figures "\$1,800.00" in each column and in lieu thereof insert the figures "\$1,500.00."

159. Page 21, between lines 14 and 15, insert the following:

"Reference Librarian	\$1,200.00	\$1,200.00"
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160. Page 21, line 24, the totals are changed to read as follows:

"\$8,840.00	\$8,840.00"
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161. The Senate concurs in Amendment No. 135.

162. The Senate concurs in Amendment No. 136.

163. The House recedes from Amendment No. 137, and in lieu thereof inserts the following:

"J. C. Walton, Commis-		
sioner, or his successor	\$4,000.00	\$4,000.00
Paul Walker, Commissioner,		
or his successor	\$4,000.00	\$4,000.00
Eld Hughes, Commissioner,		
or his successor	\$4,000.00	\$4,000.00"

164. The House recedes from Amendment No. 138.

165. The House recedes from Amendment No. 139.

165. The House recedes from Amendment No. 140.

166. The House recedes from Amendment No. 141.

167. The House recedes from Amendment No. 142.

168. The House recedes from Amendment No. 143.

169. The House recedes from Amendment No. 144.

170. The House recedes from Amendment No. 145.

171. The House recedes from Amendment No. 146.

172. The House recedes from Amendment No. 147.

173. The House recedes from Amendment No. 148.

174. The House recedes from Amendment No. 149.

175. The House recedes from Amendment No. 150.

176. The House recedes from Amendment No. 151.

177. The House recedes from Amendment No. 152.

178. The House recedes from Amendment No. 153.

179. The House recedes from Amendment No. 154.

180. The House recedes from Amendment No. 155,

and in lieu thereof recommends the following:

“Stenographers (3 at  
\$1,200.00 ea.) \$3,600.00 \$3,600.00”

181. The Senate concurs in Amendment No. 156.

182. The House recedes from Amendment No. 157.

183. The House recedes from Amendment No. 158.

184. The House recedes from Amendment No. 159,

Page 23, strike all line 30.

185. The House recedes from Amendment No. 160.

186. The House recedes from Amendment No. 161.

187. The House recedes from Amendment No. 162.

188. The House recedes from Amendment No. 163.

189. The House recedes from Amendment No. 164.

190. The House recedes from Amendment No. 165,

and in lieu thereof recommends the following:

“Stenographer \$1,200.00 \$1,200.00”

191. The House recedes from Amendment No. 166,

and in lieu thereof recommends the following:

“Conservation Officer (3 at  
\$1,800.00 each) \$5,400.00 \$5,400.00”

192. The House recedes from Amendment No. 167,

and all of lines 8 and 9, on page 24 is stricken.

193. The House Recedes from Amendment No. 168.

194. The House recedes from Amendment No. 169,

and in lieu thereof recommends the following:

“Public Utilities—Appraisal,  
Audit, and Litigation (to be  
expended by and with the ap-  
proval of the Governor \$50,000.00 \$50,000.00”

195. The Senate Concurs in Amendment No. 170.

196. Page 24, between the lines 10 and 11 insert  
the following:

“Motor Bus Director \$2,000.00 \$2,000.00

197. The House recedes from Amendment No. 171,

and in lieu thereof recommends that the figures be  
changed to read as follows:

“\$7,500.00 \$7,500.00”

198. The House recedes from Amendment No. 172, and the totals are changed to read:

“\$162,600.00      \$162,600.00”

199. The House recedes from Amendment No. 173, and recommends that all of lines 20 and 21 on page 24, be stricken and the following insertion made in lieu thereof:

“Extra help (Not to exceed

\$75.00 per person per month \$3,600.00      \$3,600.00”

200. The House recedes from Amendment No. 174.

201. The House recedes from Amendment No. 175.

202. The House recedes from Amendment No. 176, and recommends that the figure be changed to read “\$2,880.00.”

203. The House recedes from Amendment No. 177, and recommends the following in lieu thereof:

“Chief Bank Examiner      \$2,400.00      \$2,400.00”

204. The Senate Concurs in Amendment No. 178.

205. The House recedes from Amendment No. 179, and in lieu thereof recommends the following:

“Attorney      \$3,600.00      \$3,600.00”

206. The House recedes from Amendment No. 180 and recommends in lieu thereof the following:

“Three Stenographers at

\$1,200.00 each      \$3,600.00      \$3,600.00”

207. The House recedes from Amendment No. 181 and in lieu thereof recommends the following:

“Additional Help      \$3,600.00      \$2,400.00”

208. The Senate concurs in Amendment No. 182.

209. The Senate concurs in Amendment No. 183.

210. The House recedes from Amendment No. 184, and the totals are changed to read:

“\$59,080.00      \$57,880.00”

211. The House recedes from Amendment No. 185.

212. The House recedes from Amendment No. 186.

213. The Senate concurs in Amendment No. 187.

214. The Senate concurs in Amendment No. 188.



215. The Senate concurs in Amendment No. 189.

216. Page 25, line 31, strike the figures "\$2,400" in each column and insert in lieu thereof the figures \$2,-100.00"

217. The House recedes from Amendment No. 190.

218. The Senate concurs in Amendment No. 191.

219. The Senate concurs in Amendment No. 192.

220. The Senate concurs in Amendment No. 193.

221. The House recedes from Amendment No. 194.

222. The Senate concurs in Amendment No. 195.

223. The House recedes from Amendment No. 196.

224. The House recedes from Amendment No. 197,  
and in lieu thereof recommends the following:

"Registrar \$2,000.00 \$2,000.00"

225. The House recedes from Amendment No. 198.

226. The House recedes from Amendment No. 199.

227. The House recedes from Amendment No. 200.

228. The House recedes from Amendment No. 201.

229. The Senate concurs in Amendment No. 202.

230. The House recedes from Amendment No. 203,  
and the totals are changed to read:

"\$97,210.00 \$97,210.00"

231. The Senate concurs in Amendment No. 204.

232. The Senate concurs in Amendment No. 205.

233. The Senate concurs in Amendment No. 206.

234. The House recedes from Amendment No. 207.

235. The House recedes from Amendment No. 208.

236. The Senate concurs in Amendment No. 209.

237. The House recedes from Amendment No. 210.

238. The House recedes from Amendment No. 211.

239. The House recedes from Amendment No. 212.

240. The House recedes from Amendment No. 213.

241. The House recedes from Amendment No. 214,  
and in lieu thereof recommends the following:

"Appeal Clerk \$1,200.00 \$1,200.00"

242. The House recedes from Amendment No. 215.

243. The House recedes from Amendment No. 216.

244. Page 27, strike all of line 13 and in lieu thereof insert the following:

“Assistant File Clerks

(3 at \$1,200.00 each)                      \$3,600.00      \$3,600.00”

245. The Senate concurs in Amendment No. 217.

246. The House recedes from Amendment No. 218, and in lieu thereof recommends the following:

“Traveling                                      \$4,500.00      \$4,500.00”

247. The Senate concurs in Amendment No. 219.

248. The House recedes from Amendment No. 220, and the totals are changed to read:

“\$59,320.00      \$59,320.00”

249. The House recedes from Amendment No. 221;

250. The House recedes from Amendment No. 222.

251. The House recedes from Amendment No. 223.

252. The Senate concurs in Amendment No. 224.

253. The Senate concurs in Amendment No. 225

254. The Senate concurs in Amendment No. 226.

255. The House recedes from Amendment No. 227, and the totals are changed to read:

“\$19,880.00      \$19,880.00”

256. The House recedes from Amendment No. 228.

257. The House recedes from Amendment No. 229.

258. The House recedes from Amendment No. 230.

259. The House recedes from Amendment No. 231.

260. Page 29, strike all of line 17.

261. The House recedes from Amendment No. 232.

262. The House recedes from Amendment No. 233.

263. The House recedes from Amendment No. 234.

264. The House recedes from Amendment No. 235,

and the figures are changed to read as follows:

“\$2,100.00      \$2,100.00”

265. Page 30, after the figure “2” in line 5 insert the word “Assistants”.

266. The House recedes from Amendment No. 236.

267. The House recedes from Amendment No. 237.

268. The House recedes from Amendment No. 238.

269. The House recedes from Amendment No. 239.  
270. The House recedes from Amendment No. 240.  
271. The House recedes from Amendment No. 241,  
and the figures are changed to read:

“\$2,400.00      \$2,400.00”

272. The House recedes from Amendment No. 242.  
273. The House recedes from Amendment No. 243.  
274. The House recedes from Amendment No. 244,  
and the totals are changed to read:

“\$94,020.00      \$94,020.00”

275. The House and Senate concur in Amendment  
No. 245 in the following particular:

State Market Commission

Forest Commission

Soldiers' Relief Commission

State Insurance Board

Oklahoma Securities Commission.

The House recedes from the Conservation Commission and recommends the following:

“For Salaries, Support

and Maintenance

“\$3,000.00      \$3,000.00”

The House recedes from the State Plant Board and  
the entire item is stricken.

Respectfully submitted,

SENATE CONFEREES

HOUSE CONFEREES

MacDonald

Jessee

Curnutt

Glenn

Nichols

Kight

Nance

Singleton

Memminger

Phillips (Atoka)

Senator MacDonald moved the adoption of the  
Conference Committee report.

Senator Willis, as a substitute, moved that Senate  
Bill No. 27 be re-referred to the Committee on Appropriation with instructions to reduce the totals in keeping with the present income of the State.

Senator Nance raised a point of order against the

Willis motion, which was sustained, stating the motion improper in form.

Senator Ballard, as a substitute, moved that the Senate reject the report of the Conference Committee on Senate Bill No. 27 and request the Honorable House to grant a further conference thereon.

Senator Pugh, in lieu of all pending motions, moved that the Senate refuse to adopt the Conference Committee Report on Senate Bill No. 27, and ask the Honorable House to grant a further conference; that the Senate Conferees work under the rules governing executive sessions; that the Honorable House be requested to make a like order and that all clerks, working with the Conference Committees, be required to work under like rules.

Senator MacDonald raised a point of order against the Pugh motion, which was sustained, stating the motion embraces more than one subject.

The vote occurring on the Ballard motion, it was declared adopted.

Senator Pugh moved that the Senate Conferees, and clerks in their employ, under Senate Bill No. 27, be instructed to work under the rules, governing executive sessions, and that the Honorable House be requested to make a like order.

Senator Waldrep moved that the Pugh motion be amended to provide that the Senate conferees be instructed to provide equal salaries for the members of the Corporation Commission, which motion, by unanimous consent, he withdrew.

Senator Paul moved to amend the Pugh motion, by instructing the Senate conferees to report a bill, the appropriation of which shall not exceed that provided in the original bill passed by the Senate, which motion prevailed.

Upon motion of Senator MacDonald, the previous question was ordered.



The vote occurring on the Pugh motion, as amended by Senator Paul, it was declared adopted.

Senator Rutherford asked to be recorded "excused," for the remainder of this legislative day.

#### GENERAL ORDER

Senator Wilbanks asked unanimous consent, which was granted, to take up for consideration HOUSE JOINT RESOLUTION NO. 38, by Darks, of the House, and Wilbanks, of the Senate.

The preamble and Section 1 of House Joint Resolution No. 38, were read.

Senator Jennings moved that further consideration of House Joint Resolution No. 38 be indefinitely postponed.

Senator Curnutt raised a point of order against consideration of House Joint Resolution No. 38, which was overruled, stating the author had not been given unanimous consent.

Upon motion of Senator Nance, the Jennings motion was tabled.

Senator Ballard moved that House Joint Resolution No. 38 be stricken from the calendar.

The Presiding Officer ruled the Ballard motion out of order, for the reason the effect was the same as a motion previously disposed of.

Senator Fidler submitted the following amendment:

Mr. President: I move to amend House Joint Resolution No. 38, to provide the amount sued for shall not exceed \$5,000.00.

FIDLER.

Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend the Fidler amendment as follows: "to give the State credit on the judgment for the amount that has already been raised."

PAUL.

The vote occurring on the Fidler amendment, as amended, it was declared adopted.

Senator Memminger submitted the following amendment:

Mr. President: I move to amend House Joint Resolution No. 38, line 13, page 2, by adding after the word, "Oklahoma," and before the word, "is," the following, "and Jesse L. Eberley," and by changing the word, "is," in line 13, to the word, "are," changing the word, "him," in line 16, to the word, "them"

MEMMINGER.

Senator Jennings, as a substitute, moved that further consideration of House Joint Resolution No. 38 be indefinitely postponed.

Senator Wilbanks moved to table the Jennings motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Clark, Fischl, Johnston, Lester, Memminger, Moon, Nance, Nichols, Pugh, Ritzhaupt, Rizley, Whitaker, Wilbanks. Total, 16.

Nays: Ballard, Curnutt, Fidler, Garvin, Jennings, MacDonald, Morrison, Paul, Stacey, Taylor, Waldrep, Willis. Total, 12.

Not voting: Dixon, Hutchinson, Powers, Ray, Reed, Stewart, Thomas. Total, 7.

Absent: Howard, Sowards. Total, 2.

Excused: Chamberlin, Commons, Coppock, Daugherty, Liggett, Logan, Rutherford. Total, 7.

The vote occurring on the Memminger amendment it was declared adopted.

Senator Curnutt raised a point of order against the Memminger amendment, stating it was not germane, which point was overruled by the Chair for the reason it was raised too late.

Senator Curnutt moved to reconsider the vote by which the Memminger amendment was adopted, which motion prevailed.

Senator Nance moved that the Memminger amendment be tabled, which motion prevailed.

Upon motion of Senator Nance, House Joint Resolution No. 38 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,  
Building.

SIR:

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

ENGROSSED HOUSE BILL NO. 305—By BATSON, GRAY, COX, BLOCKER, HENDERSON and LEECRAFT, entitled:

An Act amending Sections 10268, 10269, 10271, 10272, 10273, 10274, 10278, 10280, 10283, 10288, 10316, 10317, 10320 and 10323, Oklahoma Statutes, 1931; defining motor vehicles, vehicles and other terms; levying license fees on such vehicles when owned, possessed or operated within this State, licensing manufacturers and dealers in such vehicles, and prescribing method of computing such fees; defining the purposes of this Act; regulating the use of vehicles on the public highways of the State, and limiting certain of them as to width, length, height, weight and speed; providing for the computation and collection of such fees; authorizing rules and regulations pertaining thereto; providing for the disposition of the revenues derived under this Act; prescribing penalties for the violation hereof; repealing Sections 10270, 10275, 10276, 10277, 10279, 10281, 10282 and 10284, Oklahoma Statutes 1931, and all Acts or parts of Acts in conflict herewith; providing that vehicles not licensed for the year 1933 and prior years, when this Act becomes effective shall be licensed hereunder: and declaring an emergency,

together with Conference Committee Report thereon, and to inform you, and through you, the Honorable Senate, that the Conference Report has been adopted by the House of Representatives and the bill has been passed AS AMENDED, thereby.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on House Bill No. 305 was submitted, as follows:

To the Honorable Senate

and

Honorable House of Representatives  
of the State of Oklahoma:

We, your Conference Committee, appointed to confer on Engrossed Senate Amendments Nos. 1 to 32 inclusive, to Engrossed House Bill No. 305, by Batson, Gray, Blocker, Henderson and Leecraft, have had the same under consideration and beg to report:

That the House Concurs in Senate Amendments Nos. 1 to 4 inclusive.

That the Senate recedes from Senate Amendments Nos. 5 and 6.

That the House concurs in Senate Amendments Nos. 7 to 22 inclusive.

That the Senate recedes from Amendment No. 23.

That the House concurs in Senate Amendment No. 24.

That the House and Senate Conference Committee submits the following amendment in lieu of Senate Amendments Nos. 25 and 26:

“(b) 1. From and after June 30, 1934, no truck, truck with semi-trailer attached, truck-tractor with semi-trailer attached, or trailer, or any one of them when unladen, or when loaded with severable objects, or objects which can be readily dismantled, shall be moved upon any road or highway within this State when



any such vehicle, or vehicle including such load thereon, shall exceed a gross weight of Twenty-five Thousand (25,000) pounds, and from and after the effective date of this Act and until July 1, 1934, no such vehicle or vehicles including load thereon, shall exceed a gross weight of Twenty-seven Thousand Five Hundred (27,500) pounds.

That the House and Senate Conference Committee amend Senate Amendment No. 27 as follows:

That the words "*December*" and the Figures "*31st, 1934*" be stricken, and in lieu thereof the words and figures *June 30th, 1934* be inserted.

That the House and Senate Conference Committee offers the following Amendment to the House Bill (En-grossed):

Section 16, Line 1, Page 48, by striking the word "*And*," between the words "Country" and "display," and in lieu thereof, insert the word "*or*."

That the House and Senate Conference Committee concurs in offering the following amendment to the En-grossed House Bill:

Section 16, line 4, page 48, strike the period after the word "Oklahoma" and inserting in lieu thereof, a comma, and by adding the following: "unless there shall also be displayed upon such vehicles at all times the current license plate assigned to it by the Oklahoma Tax Commission."

That the House and Senate Conference Committee concurs in offering the following amendment to En-grossed House Bill 305:

Page 21, line 1 after the word "for" strike the word "Each", and in lieu thereof insert the words "the fourth," and between the word "*year*" and the word "*thereafter*" insert the following: *and 10¢ for each year*"

The House concurs in Senate Amendments Nos. 28 to 32 inclusive.

Respectfully submitted,

J. S. BATSON

Chairman.

JULIUS W. COX

R. C. BLOCKER

S. F. PARKS

NAT HENDERSON

HOMER PAUL

J. C. NANCE

PAUL STEWART

J. M. WHITAKER

CLAUD BRIGGS

W. P. MORRISON.

Senator Nance presiding.

Senator Whitaker moved that consideration of Conference Committee Report on House Bill No. 305, be deferred until the next legislative day, which motion prevailed.

To the President of the Senate,  
Building.

SIR:

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

ENGROSSED HOUSE BILL NO. 416—By LEE-CRAFT, entitled:

An Act for the purpose of carrying out the provisions of Section 3, Article X, of the Constitution of Oklahoma, relating to the payment of the current expenses of the State Government, when the same shall exceed the income from previous fiscal years; levying taxes for the payment of the outstanding warrant indebtedness of the State representing deficiencies for previous fiscal years; amending the provisions of Article 9 H, Chapter 20, and Article 11, Chapter 50, and Article 16, Chapter 66, Oklahoma Statutes 1931, and amendments thereto, relating, respectively, to motor carrier taxes, motor vehicle licenses, and to the excise tax on gasoline,

together with Conference Committee Report thereon, and to inform you, and, through you, the Honorable Senate, that the Conference Report has been adopted by

the House of Representatives and the bill has been passed  
AS AMENDED thereby.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on House Bill No. 416  
was submitted, as follows:

To the Honorable State Senate and

To the Honorable House of Representatives:

We, your Conference Committee, appointed to confer on Engrossed House Bill No. 416, by LEECRAFT, have had under consideration the Senate Amendments to said bill, and, after due consideration thereof, beg leave to report as follows:

1st. That the Senate recede from Senate Amendment No. 1; and that in lieu thereof Section 1 of said bill be amended to read as follows:

“SECTION 1. That Section 12527, Oklahoma Statutes 1931, be, and the same is, amended to read as follows:

“Section 12527. There is hereby levied an excise tax of four cents (4c) per gallon upon the sale of each and every gallon of gasoline sold, or stored and distributed, or withdrawn from storage, within this State, for sale or other use, to be reported and collected as provided by law; provided, that ninety-seven per centum (97%) of the gallonage reported to the Oklahoma Tax Commission shall be the basis used in the computation of the amount of tax due the State.”

2nd. That the Senate recede from Senate Amendment No. 2; and that in lieu thereof Section 2 of said bill be amended to read as follows:

“SECTION 2. That Section 12536, Oklahoma Statutes 1931, be, and the same is hereby amended to read as follows:

“Section 12536. Three cents (3c) of the gasoline excise tax derived from each gallon of gasoline shall be deposited in the State depository to the credit of the

State Highway Construction and Maintenance Fund, and which shall be expended as provided by law, under rules and regulations not inconsistent therewith, to be promulgated by the State Highway Commission; and that the said fund so deposited shall be expended: First, in the repair and maintenance of state highways heretofore or hereafter constructed, through the use of State funds, with or without Federal Aid, or the proceeds of county bonds issued in connection with State or Federal Aid; Second, in the construction of a primary system of State Highways, which shall fairly serve all parts of the State, according to Chapter 48, of the Session Laws, 1923-1924; Provided, that on and after May 1, 1933, an amount equal to forty per centum (40%) of the gasoline excise taxes collected, and required to be deposited to the credit of the State Highway Construction and Maintenance Fund, as hereinabove provided, shall be deposited in the State Treasury and placed to the credit of a special account, to be used exclusively for the payment of the indebtedness of the State represented by outstanding interest bearing State warrants or any other securities authorized by law and based upon such warrants, issued in payment of obligations incurred prior to July 1, 1933, until such indebtedness shall have been paid; and thereafter, all of such gasoline excise taxes shall be credited to the State Highway Construction and Maintenance Fund, for the uses and purposes hereinabove provided."

3rd. That an additional amendment be made to said bill to be known as Section 3 to read as follows:

"SECTION 3. That one cent (1¢) of the gasoline tax derived from each gallon of gasoline shall be apportioned, by the State Highway Commission, to each county in the State, in the manner and for the uses and purposes provided in Section 12535, Oklahoma Statutes, 1931."

4th. That Senate amendment No. 3 be amended to



be designated as Section 4 of said bill; and that the same as amended be adopted by the Senate and the House of Representatives.

5th. That the Senate recede from Senate Amendment No. 4; and that in lieu thereof the title of said bill be amended to read as follows:

“AN ACT AMENDING SECTIONS 12527 AND 12536, OKLAHOMA STATUTES 1931, LEVYING A GASOLINE EXCISE TAX; PROVIDING FOR THE DISPOSITION OF THE REVENUES ARISING THEREFROM; AND PROVIDING FOR THE PAYMENT OF THE INDEBTEDNESS OF THE STATE REPRESENTED BY OUTSTANDING INTEREST BEARING WARRANTS; AND DECLARING AN EMERGENCY.”

Respectfully submitted,

JOE M. WHITAKER

A. N. LEECRAFT,

W. C. FIDLER

G. B. STURGELL

LOUIS A. FISCHL

JESSEE A. HARP

Senate Conferees.

House Conferees.

By unanimous consent, consideration of Conference Committee Report on House Bill No. 416, was deferred until the next legislative day.

To the President of the Senate,  
Building.

SIR:

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

ENGROSSED SENATE BILL NO. 389—By HUTCHINSON of the Senate and O'NEILL and EASON of the House, entitled:

An Act authorizing and directing the County Treasurer of Garfield County, Oklahoma, to sell to the highest bidder for cash at Tax Resales in said county any real property whether vacant or improved that is located in the town of Covington in said county and directing that the amounts so received be paid to the

Covington Independent School District No. 77 to be used in paying outstanding warrants of said district; providing that resale tax deeds on said real property shall cancel all prior taxes, penalties, and costs and all prior unpaid assessments for special improvements levied or assessed against said real property, directing the County Treasurer not to issue resale tax deeds on said property until one year after date of resale and granting legal owners thereof the privilege of having such deeds issued to them upon the payment to the successful bidders of the amount of their bids and six per cent interest thereon; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 389 was ordered referred for enrollment.

#### RESOLUTIONS

Senator Garvin asked unanimous consent, which was granted, to introduce the following Resolution:

SENATE RESOLUTION NO. 25—By GARVIN, BRIGGS and MacDONALD, entitled:

A RESOLUTION REQUESTING THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA TO ISSUE AN ORDER, CLOSING IN ALL OIL OR GAS WELLS IN THE OKLAHOMA CITY FIELD, EXCEPT THOSE WHICH WOULD BE DAMAGED BY WATER, UNTIL SUCH TIME AS THE BILL NOW PENDING BEFORE THE LEGISLATURE IS ENACTED AND THE MACHINERY PROVIDED FOR THEREUNDER SET INTO ACTION.

Senator Whitaker asked unanimous consent, to which

objection was voiced, to take up for immediate consideration Senate Resolution No. 25.

Senator Johnston moved that the rules of the Senate be suspended for the purpose of considering Senate Resolution No. 25, which motion failed of adoption.

Senator Moon moved that the Senate Auditor be instructed to purchase Ten Dollars (\$10.00) worth of postage for each member of the Senate.

Senator Pugh moved to table the Moon motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Clark, Fidler, Hutchinson, Johnston, Lester, MacDonald, Memminger, Morrison, Paul, Pugh, Ray, Rizley, Stacey, Thomas, Willis. Total, 16.

Nays: Briggs, Carmack, Curnutt, Garvin, Jennings, Moon, Nance, Ritzhaupt, Stewart, Waldrep, Whitaker, Wilbanks. Total, 12.

Not voting: Carlile, Dixon, Fischl, Nichols, Powers, Reed, Taylor. Total, 7.

Absent: Howard, Sowards: Total, 2.

Excused: Chamberlin, Commons, Coppock, Daugherty, Liggett, Logan, Rutherford. Total, 7.

#### COMMITTEE REPORTS

Senator Willis submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 70 and 283, each, correctly enrolled.

WILLIS, Acting Chairman.

Senate Bills Nos. 70 and 283 were, each, read at length 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.

By unanimous consent, 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. 399, by Jennings, entitled:

An Act amending Section 5964, Oklahoma Statutes, 1931, relating to liability of officers of counties, townships, cities, towns, or school districts, and every person, for the unauthorized, unlawful, or fraudulent payment of money or transfer of property belonging to any such municipality, and providing a penalty in such cases, and for recovery thereof at the suit of proper officers or taxpayers; and also amending Section 5965, Oklahoma Statutes, 1931, relating to the right of a resident taxpayer after the proper officers of such municipality have failed or refused to institute and diligently prosecute such suit or suits upon, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WALDREP, Vice Chairman.

Senator MacDonald moved that the Senate adjourn, to meet at 1:30 p. m., Monday, April 3d, as ordered by a previous motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carmack, Clark, Jennings, Lester, MacDonald, Moon, Paul, Ray, Rizley, Stacey, Taylor, Thomas, Waldrep. Total, 14.

Nays: Curnutt, Fidler, Johnston, Memminger, Morrison, Nance, Nichols, Pugh, Ritzhaupt, Whitaker, Wilbanks, Willis. Total, 12.

Not voting: Briggs, Carlile, Dixon, Fischl, Garvin, Hutchinson, Powers, Reed, Stewart. Total, 9.

Absent: Howard, Sowards: Total, 2.

Excused: Chamberlin, Commons, Coppock, Daugherty, Liggett, Logan, Rutherford. Total, 7.



## SIXTY-SIXTH LEGISLATIVE DAY

Monday, April 3, 1933

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Pursuant to adjournment, the Senate 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 40.

Excused: Clark, Coppock, Logan, Powers. Total, 4.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Commons moved that the Senate work under the Call of the House, which motion prevailed.

Upon roll call being ordered, the following were noted "not present": Senators Ballard, Briggs, Daugherty, Fidler, Howard, Jennings, Liggett, Moon, Morrison, Paul, Ray, Rutherford, and Sowards.

The Sergeant-at-Arms was instructed to notify all absent Senators of the Senate's proceedings.

The following members asked to be recorded "present," which was the order: Senators Ballard, Fidler, Jennings, Sowards, and Liggett.

### 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 Education, to whom was referred Engrossed House Concurrent Res-

olution No. 11, by Phillips (Okfuskee) and Wingo, entitled:

A Resolution authorizing the various institutions of higher learning in the state of Oklahoma to formulate rules and regulations pertaining to the standards and affiliation of said institutions 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.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred Engrossed House Concurrent Resolution No. 15, by Cox, Henderson, Williams, Jones, Albright, Mallory, Wingo, Wright, Hinds, Haile and Allen, entitled:

Concurrent Resolution memorializing Congress to make it mandatory upon the Secretary of Agriculture of the United States to equitably allocate Federal aid highway funds,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be printed and placed upon the calendar.

BRIGGS, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred Engrossed House Bill No. 100, by Childers, Babb, Conner and Phillips (Atoka), entitled:

An Act amending Section 3580, Oklahoma Statutes 1931, relating to the marking of state-owned automobiles and trucks, 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.

BRIGGS, Chairman.

Mr. President: We, your Committee on Banks and

Banking, to whom was referred Engrossed House Bill No. 366, by Daniel, Chambers, Conner and Leecraft, entitled:

An Act to amend Sections 4900, 4901, 4903, 4904, and 4907, Chapter 24, Article 23, Oklahoma Statutes 1931, relating to the sale of securities, 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.

MEMMINGER, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred House Bill No. 564, by Gibson, entitled:

An Act repealing Chapter 197, Section 1 of the Session Laws of 1923, the same being Section 10171, Oklahoma Statutes 1931, the same referring to road supervisors and extension lines in Lincoln County, 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.

BRIGGS, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 572, by Phillips (Okfuskee), Hill, Singleton and Batson, entitled:

An Act amending Section 12473, Oklahoma Statutes, 1931, by including, as additional taxable transfers, for inheritance tax purposes, trust estates, joint estates, estates by the entirety and the proceeds of certain life insurance policies; 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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Roads and

Highways, to whom was referred Engrossed House Bill No. 656, by Henderson, Batson, Babb, Jones, Rawls, Bennett and Wagner, entitled:

An Act amending Subdivision H, Article 9, Chapter 20, Oklahoma Statutes, 1931, and providing for the regulation of the use of the public highways by motor vehicles operated for commercial purposes; levying a tax and providing for the disposition thereof; making such tax, penalties and costs a first lien on the property owned or used by motor carriers; providing for the collection of said tax, issuance of tax warrants therefor and the enforcement of the provisions hereof; making persons procuring passengers on freight transported by unlicensed motor carriers liable, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

BRIGGS, Chairman.

Mr. President: We, your Committee on Roads and Highways, to whom was referred Senate Bill No. 65, by Lester, Dixon and Nance, entitled:

An Act authorizing the State Highway Commission to take over, improve, maintain and construct any street in any city having a population not exceeding twenty thousand and according to the last Federal Census, upon which are located state highways; 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.

BRIGGS, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 267, by Fischl of Senate and Cavins of House, entitled:

An Act providing that tax moneys collected upon any estimate made to pay warrants, which have been



merged in funding bonds or judgments, shall be deposited and become a part of the sinking fund of the political subdivision for which the levy was made, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WHITAKER, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 382, by Fischl, Dixon and Ray of the Senate; Batson, Grunert, Cavins, Rawls and Strickland (Marshall) of the House, entitled:

An Act authorizing the State Board of Public Affairs to acquire by purchase or condemnation approximately 16,300 acres of land in township 5 south, range 2 east, and in township 5 south, range 3 east in Carter County, Oklahoma, and in township 6 south, range 2 east, in Love County, Oklahoma, at an aggregate cost of not to exceed \$90,000, for the purpose of having constructed a state lake thereon by the use of Federal funds appropriated for made-work, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the Committee Substitute attached hereto do pass.

WALDREP, Chairman.

Senator Nance submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 389 correctly enrolled.

NANCE, Vice-Chairman.

Senate Bill No. 389 was read at length for the fourth time, the enrolled copy signed, in open session by the President, 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,  
Building  
SIR:

In compliance with the request of your Honorable Body, I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 337 — By CHAMBERLIN, NANCE and GARVIN, entitled:

An Act providing for an appropriation of five thousand (\$5,000.00) dollars for the remainder of the fiscal year ending June 30th, 1933, and twenty thousand (\$20,000.00) dollars for the fiscal year ending June 30th, 1934, and twenty thousand (\$20,000.00) dollars for the fiscal year ending June 30th, 1935, for maintenance or supervision of Oklahoma orphan children who are not in state institutions; providing for the expenditure of the same by the State Board of Public Affairs on a per capita basis; and declaring an emergency, for the purpose of further consideration.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Chamberlin, the vote was re-considered by which Engrossed Senate Bill No. 337 was passed by the Senate.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED AND ENROLLED SENATE JOINT RESOLUTION NO. 11—By NICHOLS, entitled:

A Joint Resolution regulating the management and liquidation of delinquent loans under the management

and control of the Commissioners of the Land Office of the State of Oklahoma and regulating the management with reference to interest charges on loans to be hereafter made by the Commissioners of the Land Office of the State of Oklahoma; 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 by the Senate upon reconsideration, and signed by the Speaker Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Amendments to Enrolled Senate Joint Resolution No. 11 were ordered referred to the Committee on Enrolled and Engrossed Bills for enrollment.

To the President of the Senate,

Building

SIR:

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

ENROLLED SENATE BILL NO. 70 — By BRIGGS, entitled:

An Act giving the United States Forest Service authority to establish game refuges in the United States forests, and declaring an emergency.

ENROLLED SENATE BILL NO. 283—By WIL-  
LIS of the Senate and HANKLA of the House, entitled:

An Act validating certain warrants issued by counties for county highway purposes during the fiscal year ending June 30th, 1931, providing for the payment thereof, and declaring an emergency.

ENROLLED SENATE BILL NO. 188—By NICH-  
OLS, entitled:

An Act authorizing the superintendents or wardens of state penal, reformatory and eleemosynary institutions and of state institutions for the benefit of the insane, blind, deaf, mute and tubercular, to locate burial

grounds on lands of said institutions and to bury therein the bodies of deceased inmates or patients of said institutions that are not claimed for private burial by friends or relatives thereof, providing that the expenses of such burials, which shall not exceed \$25.00 shall be paid from the support or maintenance appropriations or any other appropriation made for operating expenses of the institution; 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 70, 188, and 283, were, each, ordered transmitted to the Governor for consideration.

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE BILL NO. 480—By COMMITTEE, entitled:

An Act to encourage the propagation of pheasants in the state of Oklahoma, and to provide licenses therefor, and declaring an emergency.

ENROLLED HOUSE BILL NO. 94—By DANIEL of the House and CHAMBERLIN, NANCE and GARVIN of the Senate, entitled:

An Act providing for an appropriation of ten thousand (\$10,000.00) dollars for the remainder of the fiscal year ending June 30th, 1933, thirty-two thousand five hundred (\$32,500.00) dollars for the fiscal year ending June 30th, 1934, and thirty-two thousand five hundred (\$32,500.00) dollars for the fiscal year ending June 30th, 1935, for the maintenance of Oklahoma orphan children who are not in state institutions; providing for



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the expenditure of the same by the State Board of Public Affairs on a per capita basis; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 94 and 480 were, each, read at length for the fourth time, the enrolled copies signed, in open session by the President, and ordered returned to the Honorable House.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 271—By CHILDERS and BABB, entitled:

An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563, 12565, 12566, 12567, 12569, 12571, 12573 and 12529 Oklahoma Statutes, 1931, relating to, and providing for, the enforcement of the gasoline excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission; defining the term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto; defining embezzlement and perjury, for violation of this Act and prescribing penalties; further extending provision for injunction and giving the Commission authority in certain cases to declare the excise tax due and payable forthwith; authorizing exercise of discretion by Commission in issuance, extension, reinstatement, suspension and cancellation of licenses; declaring what may be admitted as evidence in certain cases; repealing conflicting laws and declaring an emergency,

together with Conference Committee Report thereon, and to inform you, and, through you, the Honorable Senate, that the Conference Report has been adopted by the House of Representatives and the bill has been passed AS AMENDED thereby.

Respectfully,

R. M. McCOOL, Chief Clerk.

The following Conference Committee Report on Engrossed House Bill No. 271 was submitted:  
TO THE HONORABLE HOUSE OF REPRESENTATIVES:

We, your Conference Committee of the House of Representatives of the Fourteenth Oklahoma Legislature, to whom was referred House Bill No. 271, by Childers and Babb, beg leave to report that we have met with the Conference Committee of the Senate and carefully considered Senate Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, and that we have reached an agreement with the Conference Committee of the Senate that Senate Amendments Nos. 2 and 3 be adopted as submitted by the Senate; that Senate Amendment No. 4 be changed to read as follows: "Provided however, this requirement shall not apply to quantity of 15 gallons or less when same is being transported by consumer from distributor to points of consumption" and that the same be adopted.

We have further considered Senate Amendments Nos. 5, 7, and 9 and recommend that they be adopted as submitted by the Senate.

Upon consideration of amendments Nos. 1, 6, 8, and 10, it was agreed that the Senate recede from Amendment No. 1 and Amendment No. 8 and that Amendment No. 6 should be adopted in the following form:

SENATE AMENDMENT NO. 6. By adding after the word "commission" and the period (.), Line 8, Page 6, the following:

“Provided, that any distributor or proposed distributor who feels aggrieved at the action of the Oklahoma Tax Commission that it has acted unreasonably or arbitrarily in refusing to grant a license, in suspending or revoking a license or in fixing the amount of bond, or has unreasonably and arbitrarily refused to approve the sureties, securities or collateral for any such bond, may appeal from the action of said Commission to the Supreme Court of the State for a review of any such alleged unreasonable or arbitrary action; and the decision of said Court shall be final and binding upon said Commission; provided, that any such order of said Commission shall be binding upon any such distributor until reversed by said court, and then it is recommended that Amendment No. 10 be adopted.”

Now, therefore, we recommend that the House of Representatives of the Fourteenth Legislature adopt the report of the Conference Committee as set out above on House Bill No. 271.

KNOX L. GARVIN,	WAYLAND CHILDERS,
CLAUD BRIGGS,	JAMES BABB,
GEO. A. HUTCHINSON,	KRIT LOGSDON,
Senate Conferees.	House Conferees.

Senator Nance moved that the report of the Conference Committee on Engrossed House Bill No. 271 be adopted, which motion prevailed.

HOUSE BILL NO. 271 was read at length.

The question being, “Shall House Bill No. 271, as amended in conference, pass?” the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Commons, Daugherty, Dixon, Fidler, Fischl, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Curnutt, Hutchinson, Jennings, Rizley, Total, 4.

Not Voting: Carmack, Howard, Moon, Morrison, Ray, Reed, Rutherford. Total, 7.

Excused: Clark, Coppock, Logan, Powers. 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 House Bill No. 271, as amended in conference, become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Dixon, Fidler, Fischl, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Curnutt, Hutchinson, Jennings. Total, 3.

Not Voting: Howard, Moon, Ray, Rutherford. Total, 4.

Excused: Clark, Coppock, Logan, Powers. 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.

Engrossed House Bill No. 271, together with Conference Committee Report thereon, was ordered returned to the Honorable House.

Senator Nance asked unanimous consent, which was granted, to take up for consideration Conference Committee Report on HOUSE BILL NO. 305.

Senators Ray and Rutherford asked to be recorded "present," which was the order.

Senator Curnutt moved that the Senate refuse to adopt the Conference Committee Report on Engrossed House Bill No. 305 and ask for a further conference.

Senator Nance, as a substitute, moved that the re-



port of the Conference Committee on Engrossed House Bill No. 305 be adopted.

Senator Howard asked to be recorded "present," which was the order.

Senator Chamberlin presiding.

Senator Ballard in lieu of all pending motions, moved that the Senate reject the Conference Committee Report on Engrossed House Bill No. 305 and ask the Honorable House to concur in Senate Amendments Nos. 5 and 6.

Senator Morrison asked unanimous consent, which was granted, to submit the following motion:

Mr. President: I move that the report of the Conference Committee be rejected and that said committee be requested to deliberate further and report not later than 2 p. m., Tuesday, April 4th, 1933.

MORRISON.

Senator Curnutt asked unanimous consent, which was granted, to withdraw his motion and substitute therefor the Morrison motion.

Senator Nance moved to amend the Ballard motion, by adding, "and that no further amendments be considered by the Conference Committee."

Senator Ballard raised a point of order against the Nance motion, stating his motion was not directed to the Conference Committees.

Senator Nance asked unanimous consent, which was granted, to withdraw his amendment to the Ballard motion.

Upon motion of Senator Wilbanks, the previous question was ordered.

Senator Morrison asked unanimous consent, to which objections were voiced, to permit the submission of an amendment to the Ballard motion.

Senator Nance moved that the rules of the Senate be suspended for the purpose of amending the Ballard motion, which motion prevailed.

Senator Paul moved to amend the Ballard motion to provide "that the weights so designated shall mean to each carrying unit."

Senator Ballard asked unanimous consent, which was granted, to withdraw his motion now pending before the Senate and substitute the following therefor, which was adopted:

Mr. President: I move that the Senate reject the Conference Committee Report on Engrossed House Bill No. 305 and ask for a further conference in connection with Engrossed Senate Amendments Nos. 5 and 6, and B-1, the same being a substitute for Senate Amendments Nos. 25 and 26, for the purpose of clarifying the same.

BALLARD.

#### SPECIAL ORDER

Referring to ENROLLED SENATE BILL NO. 354, by Nance, of the Senate, and Mooney, of the House.

Senator Nance moved that Senate Bill No. 354 be passed, notwithstanding the veto of the Governor thereof.

The question being, "Shall Senate Bill No. 354, notwithstanding the veto of the Governor, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Not Voting: Daugherty, Moon, Rutherford. Total, 3.

Excused: Clark, Coppock, Logan, Powers. Total, 4.

The Bill 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 Senate Bill No. 354, notwithstanding the veto of the Governor, become an emer-

gency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Not Voting: Daugherty, Moon, Rutherford. Total, 3.

Excused: Clark, Coppock, Logan, Powers. Total, 4.

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

Enrolled Senate Bill No. 354 was ordered transmitted to the Honorable House for consideration.

Senator MacDonald moved that Senators Carlile and Chamberlin be added as additional Senate Counferes under ENGROSSED SENATE BILL NO. 27, by MacDonald, which motion prevailed.

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 693—By MARTIN, entitled:

An Act creating the "Oklahoma Tax Commission Fund"; making appropriations therefrom for the support of the Oklahoma Tax Commission, in the performance of its lawful duties; providing for the disposition of unexpended balances; repealing conflicting laws; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 693.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith and to advise you, and, through you, the Honorable Senate, that the House has granted further conference on:

ENGROSSED SENATE BILL NO. 27—By MacDONALD, 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 year ending June 30, 1934, and June 30, 1935, by functions of each department in accordance with the budget classifications by the Governor,

and the Presiding Officer has appointed: MARTIN, PHILLIPS (Okfuskee), SINGLETON, REMUND, JESSEE, JONES, WILLIAMS, JOHNSON (Comanche), and BUSHYHEAD, as House Conferees thereon.

In compliance with your request the House Conferees have been instructed to work in executive session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer re-appointed the Senate Conferees, heretofore designated, as Senate Conferees under Senate Bill No. 27.



To the President of the Senate,  
Building  
SIR:

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

ENGROSSED SENATE BILL NO. 323—By WALDREP, by request, entitled:

An Act authorizing and empowering school boards and county excise boards to make transfer of certain school funds in school districts of this state, making other provisions with reference thereto, 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.

Respectively,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 323 was ordered referred for enrollment.

### SECOND READING

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

SENATE BILL NO. 403—By FIDLER and RAY.  
—Referred to Committee on Commerce and Labor.

SENATE BILL NO. 404—By NICHOLS.

Senator Nichols asked unanimous consent, which was granted, to place Senate Bill No. 404 upon the Calendar, without reference to a Committee.

SENATE BILL NO. 405—By MEMMINGER.

Senator MacDonald asked unanimous consent, to which objections were voiced, to place Senate Bill No. 405 upon the Calendar, without reference to a committee.

Upon motion of Senator MacDonald, Senate Bill No. 405 was ordered placed upon the Calendar, without reference to a Committee.

SENATE BILL NO. 406—By WILBANKS, of the Senate and DARKS, of the House.

By unanimous consent, Senate Bill No. 406 was ordered placed upon the Calendar, without reference to a Committee.

SENATE BILL NO. 407—By RIZLEY of the Senate and WRIGHT of the House.

Senator Rizley asked unanimous consent, which was granted, to place Senate Bill No. 407 upon the Calendar, without reference to a Committee.

SENATE BILL NO. 408—By MORRISON and FIDLER.—Referred to Judiciary Committee No. 1.

ENGROSSED HOUSE BILL NO. 121—By DANIEL and MALLORY.—Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 503—By COE.

Senator MacDonald asked unanimous consent, which was granted, to place House Bill No. 503 upon the Calendar, without reference to a Committee.

#### CONFERENCE COMMITTEE REPORT

Referring to the Conference Committee Report on ENGROSSED HOUSE BILL NO 416, it was upon motion of Senator Whitaker that consideration of the same was deferred until the next legislative day.

SENATE BILL NO. 51, by Pugh, et al, as amended by the Honorable House, was taken up for consideration.

Upon motion of Senator Pugh, the Senate refused to concur in Engrossed House Amendments to Engrossed Senate Bill No. 51 and requested the Honorable House to grant a conference thereon, the Presiding Officer appointing as Senate conferees, thereunder, Senators Pugh, Willis, Fischl, Paul and Ballard.

#### GENERAL ORDER

Senator Hutchinson asked unanimous consent, to which objections were voiced, to take up for consideration HOUSE BILL NO. 169, by O'Neill.

Senator Hutchinson moved that the rules of the Senate be suspended for the purpose of considering House Bill No. 169.

Senator Nichols, as a substitute, moved that the Senate proceed to the consideration of revenue raising bills, under General Order.

Senator Hutchinson raised a point of order against the Nichols motion, which was sustained, stating he had not yielded the floor.

The vote occurring on the Hutchinson motion, it was declared failed of adoption.

Senator Moon asked to be recorded "present," which was the order.

Senator Ray asked unanimous consent, to which objections were voiced, to reconsider the vote by which SENATE BILL NO. 274, by Ray, Rizley, et al, was passed.

Senator Ray moved that the vote be reconsidered by which Senate Bill No. 274 was passed.

Senator Ballard raised a point of order, which was sustained, stating Senate Bill No. 274 was under Third Reading and the motion would require a suspension of the rules.

Senator Ray moved that the rules of the Senate be suspended for the purpose of reconsidering the vote by which Senate Bill No. 274 was passed which motion failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carmack, Chamberlin, Daugherty, Dixon, Fischl, Garvin, Johnston, Lester, MacDonald, Nance, Paul, Pugh, Ray, Reed, Rizley, Sowards, Stewart, Taylor, Thomas, Wilbanks. Total, 21.

Nays: Ballard, Carlile, Commons, Curnutt, Fidler, Howard, Liggett, Memminger, Moon, Nichols, Ritzhaupt, Rutherford, Stacey, Waldrep, Whitaker. Total, 15.

Not voting: Hutchinson, Jennings, Morrison, Willis. Total, 4.

Excused: Clark, Coppock, Logan, Powers. Total, 4.

MESSAGES

The following Messages from the Governor were received and read:

To the Fourteenth Legislature  
of the State of Oklahoma:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 168—By O'NEILL and EASON.

An Act repealing 8010 Oklahoma Statutes 1931, relating to the salary of certain county officers and the number and salaries of certain deputy county officers in all counties of this State having a population of not less than 37,499 and not more than 37,750, and declaring an emergency,

which bill having passed the Senate and House of Representatives was presented to me March 27th and held by me, without my signature, for more than five days, (Sunday excepted) whereby the same became a law.

Witness my hand, this April 3rd, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

Senator Nance raised a point of order against the order of business of reading Messages.

The Presiding Officer declared the receiving and reading of Messages was a privileged matter.

To the Fourteenth Legislature  
of the State of Oklahoma:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 460—By BROADDUS and SHOEMAKE.

An Act amending Section 6502, Oklahoma Statutes, 1931, providing for the amount of bond of judge, marshal and clerk in all cities having a population of 25,000 and



less than 55,000 as shown by last federal census or any federal census hereafter, which bill having passed the Senate and House of Representatives was presented to me March 27th and held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this April 3d, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

To the Fourteenth Legislature  
of the State of Oklahoma:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED SENATE BILL NO. 188—By NICHOLS.

An Act authorizing the superintendents or wardens of state penal, reformatory and eleemosynary institutions and of state institutions for the benefit of the insane, blind, deaf, mute and tubercular, to locate burial grounds on lands of said institution and to bury therein the bodies of deceased inmates or patients of said institutions that are not claimed for private burial by friends or relatives thereof, providing that the expenses of such burials, which shall not exceed \$25.00, shall be paid from the support or maintenance appropriation or any other appropriation made for operating expenses of the institution; and declaring an emergency, which bill I have this day signed and approved.

Witness my hand this April 3d., A. D., 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

The Presiding Officer announced the next order of business was bills under THIRD READING.

Senator Paul asked unanimous consent, to which objections were voiced, to revert to the order of business—  
RESOLUTIONS AND NOTICES.

Senate Nance moved that the Senate revert to the order of business of RESOLUTIONS AND NOTICES.

Senator Ballard raised a point of order against the Nance motion, which was sustained, stating the motion would require a suspension of the rules.

Senator Nance announced his appeal from the decision of the Chair.

The Presiding Officer advised the Senate that, "motion to reconsider the vote properly comes up under bills on Third Reading."

Senator Nance asked unanimous consent, which was granted, to withdraw his request for an appeal from the decision of the Chair.

Senator Nance moved that the Senate proceed to reconsider the vote whereby SENATE BILL NO. 274 was passed.

Senator Wilbanks moved to table the Nance motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carmack, Daugherty, Dixon, Fischl, Garvin, Johnston, Lester, MacDonald, Nance, Paul, Pugh, Ray, Reed, Rizley, Sowards, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 21.

Nays: Ballard, Carlile, Chamberlin, Commons, Currutt, Fidler, Howard, Hutchinson, Jennings, Liggett, Memminger, Moon, Morrison, Nichols, Ritzhaupt, Rutherford, Stacey, Waldrep, Whitaker. Total, 19.

Excused: Clark, Coppock, Logan, Powers. Total, 4.

Senate Bill No. 274 was ordered referred for engrossment.

Senator Nichols moved that the rules of the Senate be suspended for the purpose of taking up for consideration Revenue bills, which motion, by unanimous consent, he withdrew.

Senator Whitaker, citing Rule 20, called up for consideration HOUSE BILL NO. 316, by Ottesen, Fraley, Leecraft, et al.

Section 1 was read.

Senator Whitaker submitted the following amendment:

Mr. President: I move to amend House Bill No. 316, line 1, page 3, by striking after the word, "provided," the words "and provided," and all of lines 2, 3, 4, 5, 6, 7, 8 and down to and including the words, "January first," on line 9.

WHITAKER.

Senator Stacey moved to table the Whitaker amendment which motion failed of adoption.

The vote occurring on the Whitaker amendment it was declared failed of adoption.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 316, line 17, page 2, by striking after the word, "years," the remaining portion of line 17, all of line 18, page 2, and to and including the words, "otherwise provided," in line 1, page 3.

JENNINGS.

Senator MacDonald moved that House Bill No. 316 be advanced to engrossment and third reading, which motion, by unanimous consent, he withdrew.

Upon motion of Senator Whitaker, Section 1 was adopted.

Section 2 was read.

Senator Whitaker submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 316, line 18, page 4, by adding after the word, "prescribe," and before the word, "for," the words, "and furnish"

WHITAKER.

Senators Rutherford and Fidler asked unanimous consent, which was granted, to be recorded "excused,"

for the remainder of this legislative day.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator MacDonald:

Mr. President: I move to amend House Bill No. 316, line 6, page 6, by striking after the word, "property," and before the words, "ownership," line 11.

JENNINGS.

Senator Pugh submitted the following amendment:

Mr. President: I move to amend House Bill No. 316, line 6, page 6, by adding after the word, "property," and before the word, "by," the words, "which may be"

PUGH.

Upon motion of Senator Whitaker, the previous question was ordered.

The vote occurring on the Pugh amendment, it was declared adopted.

Upon motion of Senator Whitaker, Section 2, as amended, was adopted.

Section 3 was read.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Whitaker:

Mr. President: I move to amend House Bill No. 316, line 6, page 9, by striking after the word, "delinquent," the remaining portion of line 6, and all of lines 7, 8, 9, 10, 11, 12, 13 and 14.

JENNINGS.

Upon motion of Senator Whitaker, Section 3 was adopted.

Section 4 was read.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend House Bill No. 316, line 15, page 12, by striking the word, "corporation," and inserting the word, "taxpayer."

JENNINGS.



Senator Taylor asked to be recorded "excused," for the remainder of this legislative day, which was the order.

Senator Ray presiding.

Upon motion of Senator Nichols, the Jennings amendment was tabled.

Senator Stacey submitted the following amendment:

Mr. President: I move to amend House Bill No. 316, page 10, by striking the clause, beginning in line 3, with the word, "provided," and ending with the word, "persons," line 7.

STACEY.

Senator Jennings raised the question of "no quorum."

Upon a roll being ordered and called, the Presiding Officer declared a quorum present.

Senator Pugh asked unanimous consent, which was granted, to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 316, line 14, page 13, by adding after the word, "property," and before the word, "by," the words, "which may be"

PUGH.

Senator MacDonald moved that House Bill No. 316 be advanced to engrossment and third reading.

Senator Curnutt, in lieu of all pending motions, moved that the Senate proceed to the consideration of Sections 6 to 14, inclusive, which motion was tabled, upon motion of Senator MacDonald, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Fischl, Johnston, Liggett, MacDonald, Memminger, Moon, Nichols, Pugh, Ray, Reed, Ritzhaupt, Stacey, Thomas, Whitaker, Wilbanks, Willis. Total, 21.

Nays: Curnutt, Dixon, Howard, Hutchinson, Jennings, Rizley, Waldrep. Total, 7.

Not voting: Briggs, Daugherty, Garvin, Lester, Morrison, Nance, Paul, Sowards, Stewart. Total, 9.

Excused: Clark, Coppock, Fidler, Logan, Powers, Rutherford, Taylor. Total, 7.

Senator Jennings sent up the following explanation of his vote:

Mr. President: I object to the MacDonald motion, to advance House Bill No. 316 to engrossment and third reading, for the reason that Sections 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 have not been read, considered or adopted.

JENNINGS.

Upon motion of Senator MacDonald, the previous question was ordered.

The vote occurring on the MacDonald motion, it was declared adopted.

Senator Whitaker requested that HOUSE BILL NO. 151, by Grisso, et al., be taken up for consideration.

Senator MacDonald moved that House Bill No. 151 be advanced to engrossment and third reading.

Senator Curnutt, as a substitute, moved that the Senate proceed to the consideration of House Bill No. 151, under General Order.

Senator Fischl raised a point of order against the Curnutt motion, which was sustained, stating the motion would require a suspension of the rules.

Senator Curnutt moved that the rules of the Senate be suspended for the purpose of taking up for consideration House Bill No. 151, which motion was tabled, upon motion of Senator MacDonald.

The vote occurring on the MacDonald motion, it was declared adopted.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled bills begs leave to report Senate Bill No. 274 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Bill No. 274 and ordered it transmitted to the Honorable House, for consideration.

MESSAGE

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 151—By DAUGHERTY, FISCHL, JOHNSTON and REED, entitled:

An Act to supplement Chapter 72, Oklahoma Statutes 1931, known as the "Workmen's Compensation Law," by the enactment of Supplemental Article 2 to said Chapter 72 containing Sections 1 to 23 inclusive, creating a fund to be known as "The State Insurance Fund" to be used for the payment of losses sustained on account of insurance and for assuring to the persons entitled thereto compensation as provided by said Chapter 72, and providing for the manner of raising said fund, its custody, and disbursement, necessary employees, making an appropriation therefor, and providing for the repayment of the same to the State, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 151 was ordered referred for enrollment.

FIRST READING

By unanimous consent, the following bill was introduced and read for the first time:

SENATE BILL NO. 409—By FISCHL: An Act authorizing the Board of Affairs to purchase a portrait of former Governor Lee Cruce; making an appropriation therefor, and declaring an emergency.

GENERAL ORDER

Senator Whitaker called up for consideration HOUSE BILL NO. 132, by Leecraft, Haile, Bushyhead, Babb, McElhaney, et al.

Senator Dixon moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., Tuesday, April 4th, which motion failed of adoption.

Upon motion of Senator Whitaker, House Bill No. 132 was advanced to engrossment and third reading.

Upon motion of Senator Dixon, the Senate adjourned, to meet at 10:00 o'clock, a. m., Tuesday, April 4th, 1933.



## SIXTY-SEVENTH LEGISLATIVE DAY

Tuesday, April 4th, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock a. m., and was called to order by the President, who announced the Senate would recess to meet at 11:00 o'clock a. m.

At 11:00 o'clock, a. m., the Senate re-assembled with the President presiding and announced the Senate recessed, to meet at 1:30 o'clock p. m.

### AFTERNOON SESSION

At 1:30 o'clock p. m., the Senate re-assembled with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 36.

Absent: Dixon, Liggett, Nance, Paul. Total, 4.

Excused: Coppock, Logan, Powers, Taylor. Total, 4.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Commons moved that when the Senate recess this afternoon, that it recess at 5:30 p. m. to re-assemble at 7:30 p. m., which motion prevailed.

Senator Jennings sent up the following motion, which was seconded by Senator MacDonald:

Mr. President: I move that all revenue raising measures pending on the Calendar of the Senate, or before committees, be advanced and disposed of before any

other measures on the Calendar are considered by the Senate.

JENNINGS.

Senator Jennings asked unanimous consent, which was granted, to amend his motion by striking the word "advanced" and inserting the word "considered."

Senator Memminger moved to amend the Jennings motion, by striking the words "or before committees," which motion prevailed.

Senator Hutchinson moved to amend the Jennings motion, by adding "except local bills shall be considered," which motion was tabled, upon motion of Senator Jennings.

The vote occurring on the Jennings motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, MacDonald, Memminger, Moon, Morrison, Nichols, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Carmack, Reed. Total, 2.

Not Voting: Briggs, Carlile, Lester, Pugh, Stewart. Total, 5.

Absent: Dixon, Liggett, Nance, Paul. Total, 4.

Excused: Coppock, Logan, Powers, Taylor. Total, 4.

Senator Commons moved that the Senate work under a Call of the House, which motion prevailed.

Upon a roll of the Senate being ordered called, the following were noted "absent": Senators Briggs, Carlile, Dixon, Lester, Liggett, Nance, and Paul.

The Sergeant-at-Arms was instructed to notify absent Senators of the Senate's proceedings.

Senator Jennings sent up the following motion, which was seconded by Senator Rizley:

Mr. President: I move that all appropriation bills pending on the Calendar and before the Senate Com-

mittee on Appropriations be withdrawn from the Committee, considered and disposed of before any other measures upon the Calendar, except revenue raising measures.

#### JENNINGS.

Senator Jennings asked unanimous consent, which was granted, to amend his motion, by striking the words "and before the Senate Committee on Appropriations be withdrawn from the Committee and."

The following members of the Senate asked to be recorded "present," which was the order: Senators Lester and Carlile.

Senator Waldrep moved to table the Jennings motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Morrison, Nichols, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Waldrep, Whitaker, Willis. Total, 24.

Nays: Ballard, Clark, Curnutt, Fidler, Jennings, Moon, Rutherford, Wilbanks. Total, 8.

Not Voting: Briggs, Garvin, Reed, Sowards. Total, 4.

Absent: Dixon, Liggett, Nance, Paul. Total, 4.

Excused: Coppock, Logan, Powers, Taylor. Total, 4.

Senator Jennings moved that the Senate take up for consideration, Conference Committee Report on HOUSE BILL NO. 1, by Batson, Leecraft and Landingham.

The Presiding Officer declared the Jennings motion out of order, for the reason that the Senate was not considering such order of business.

Senator MacDonald presiding.

#### 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. 225, by Abernethy (Harmon) and Landingham, entitled:

An Act levying a tax on certain freight cars operated in this state measured by gross earnings; prescribing the rate therefor; defining terms; making such tax a lien on the property of the taxpayer; providing for withholding and payment by railroad companies, 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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Engrossed House Bill No. 622, by Committee on Appropriations, entitled:

A Bill to be entitled an Act making an appropriation from the public building fund for repairs and improvements, and for the purchase of land, at certain state institutions hereinafter named and in the amount set opposite each for the purposes specified; 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.

MacDONALD, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Engrossed House Bill No. 623, by Committee on Appropriations, entitled:

An Act making an appropriation to pay claims against deficiency certificates, Numbers 19 and 22 to 30, inclusive, for fiscal year ending June 30, 1931; numbers 1 to 6, inclusive, for fiscal year ending June 30, 1932; numbers 1 to 4, inclusive, for fiscal year ending June 30, 1933; as approved and certified to by the Governor under authority of Chapter 231, of Session Laws of Oklahoma,



1915, as amended by Chapter 229, of the Session Laws of Oklahoma, 1919; 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.

MacDONALD, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Engrossed House Bill No. 628, by Committee on Appropriations, entitled:

An Act making supplemental appropriations to pay confederate pensions for the remainder of the fiscal year ending June 30, 1933, 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 Privileges and Elections, to whom was referred House Bill No. 629, by Hankla of the House and Willis of the Senate, entitled:

An Act amending Section 6604, Oklahoma Statutes 1931, relating to the nomination and election of city marshals and street commissioners in cities situated in two 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.

BALLARD, Chairman.

Mr. President: We, your Committee on Appropriations, to whom was referred Senate Bill No. 363, by Carmack, entitled:

An Act appropriating \$2,500.00 out of the revolving fund of the Oklahoma state reformatory, at Granite, Oklahoma, to be used as a cash emergency fund for said institution, providing for the replenishment thereof, and declaring an emergency, beg leave to report that we had the same under consid-

eration and herewith return the same with the recommendation that it do pass.

MacDONALD, Chairman.

Mr. President: We, your Judiciary Committee No. 2, to whom was referred Senate Bill No. 393, by Commons and Chamberlin, entitled:

An Act defining conditions which, if shown, shall require a change of venue; specifying proceedings to obtain the change, 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.

CHAMBERLIN, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 395, by Committee on Education, entitled:

An Act abolishing the boards of regents of the Eastern Oklahoma College located at Wilburton, Oklahoma, of the Northeastern Oklahoma Junior College located at Miami, Oklahoma, of the Oklahoma College for Women at Chickasha, Oklahoma, and of the University Preparatory School, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that THE COMMITTEE SUBSTITUTE DO pass.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 402, by Reed, entitled:

An Act amending Senate Bill No. 105 of the Acts of the Fourteenth Legislature of the State of Oklahoma relating to the depositing of county funds in banks and giving of security therefor; repealing all Acts and etc., beg leave to report that we had the same under consideration and herewith return the same with the recom-

mendation that SENATE BILL NO. 402 be printed and placed on the calendar as amended.

MEMMINGER, Chairman.

Mr. President: We, your Committee on Commerce and Labor, to whom was referred Senate Bill No. 403, by Fidler and Ray, entitled:

An Act to prevent fraud and deception in the sale and offering for sale of rebuilt electric storage batteries; et ce.era,

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.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Senate Bill No. 408, by Morrison and Fidler, entitled:

An Act amending Section 4 of Chapter 178, Session Laws of Oklahoma, 1923, and Section 6173, Oklahoma Statutes, 1931, relating to powers of cities with respect to building sites, areas, trades and industries; authorizing the creation of zoning districts; amending said section to provide for etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CURNUTT, Chairman.

#### FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 410—By CURNUTT and COMMONS.—An Act making an appropriation of One Hundred and Seventy-five (\$175.00) Dollars out of any monies in the State Treasury not otherwise appropriated, for the fiscal year ending June 30, 1933, for the purpose of purchasing stamps by the clerk of the Supreme Court during the remainder of said fiscal year; and declaring an emergency.

Senator Jennings moved that the Senate proceed to the consideration of the Conference Committee Report on HOUSE BILL NO. 1.

Senator Whitaker, as a substitute, moved that the Senate proceed with the regular order of business.

The Presiding Officer announced the Senate would proceed with Bills on Second Reading.

### SECOND READING

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

SENATE BILL NO. 409—By FISCHL.

By unanimous consent, Senate Bill No. 409 was ordered placed upon the Calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 693—By MARTIN.

By unanimous consent, House Bill No. 693 was ordered placed upon the Calendar, without reference to a Committee.

Senator Jennings moved that the Senate proceed to the consideration of the Conference Committee Report on HOUSE BILL NO. 1.

Senator Garvin, as a substitute, moved that the Senate proceed to the consideration of HOUSE BILL NO. 483, by Holliman, et al, which motion prevailed.

Section 1 was read.

Senator Garvin submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 483, by substituting therefor, the following:

HOUSE BILL NO. 483—By HOLLIMAN, HAILE, PHILLIPS (Okfuskee) of the House, and GARVIN, WALDREP and WILBANKS of the Senate.

“AN ACT LEVYING AN EXCISE TAX OF ONE-EIGHTH OF ONE CENT PER BARREL ON PETROLEUM OIL PRODUCED IN THE STATE OF OKLAHOMA SUBSEQUENT TO THE PASSAGE



AND APPROVAL OF THIS ACT; PROVIDING FOR THE DEPOSIT OF THE PROCEEDS OF SUCH TAX IN THE STATE TREASURY TO THE CREDIT OF THE "PRORATION FUND" CREATED HEREBY, AND THE APPROPRIATION OF SAID FUND FOR THE PAYMENT OF SALARIES AND EXPENSES OF THE PRORATION UMPIRE, HIS ASSISTANT AND DEPUTIES, AND THE PRORATION ATTORNEY, AND FOR THE PAYMENT OF SALARIES AND EXPENSES OF REPORTERS, STENOGRAPHERS, AND CLERKS, AND ALL ITEMS OF OFFICE EXPENSE AND SUPPLIES, AS FIXED AND AUTHORIZED BY THE PROVISIONS OF HOUSE BILL NO. 481 OF THE ACTS OF THE FOURTEENTH SESSION OF THE LEGISLATURE OF THE STATE OF OKLAHOMA; PROVIDING FOR THE TIME AND MANNER OF THE PAYMENT OF SAID TAX BY THE PURCHASER OR PRODUCER; PROVIDING FOR PENALTIES AND PROCEEDINGS ON DELINQUENCIES, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ACT; REPEALING ALL ACTS IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES; AND DECLARING AN EMERGENCY."

"SECTION 1. Until June 30, 1935, there is hereby levied an excise tax of one-eighth of one cent per barrel on each and every barrel of petroleum oil produced in the State of Oklahoma after the passage and approval of this Act. Such excise tax of one-eighth of one cent per barrel shall be reported to and collected by the Oklahoma Tax Commission at the same time and in the same manner as is *now* provided by Chapter 66, Article 5 of the Oklahoma Session Laws of 1931, for the collection of gross production tax on petroleum oil. On petroleum oil sold at the time of production, the excise tax thereon shall be paid by the purchaser, who is hereby authorized to deduct, in making settlement with the producer

and/or royalty owner, the amount of tax so paid; provided that in the event oil on which such tax becomes due is not sold at the time of production, but is retained by the producer, the tax on such oil not so sold shall be paid by the producer for himself, including the tax due on royalty oil not sold; provided, further, that in settlement with the royalty owner, such producer shall have the right to deduct the amount of tax so paid on royalty oil, or to deduct therefrom royalty oil equivalent in value at the time such tax becomes due with the amount of tax paid."

"SECTION 2. All funds derived from the levy of the tax of one-eighth of one cent per barrel on petroleum oil produced in the State of Oklahoma shall be deposited in the State Treasury to the credit of a separate and distinct fund to be known as the "Proration Fund." All monies in said fund are hereby appropriated, and shall be used, for the payment of salaries and expenses, including premiums on surety bonds as are required by law, of the Proration Umpire, Assistant Proration Umpire, deputy umpires, Proration Attorney, reporters, stenographers and clerks, and all items of office expense and office supplies, including stationery, telegraph and telephone, postage and printing, and all other items of expense, as fixed and authorized by the provisions of House Bill No. 481, of the Acts of the Fourteenth Session of the Legislature of the State of Oklahoma, but no salary, and no expense account of either of such officials or employees herein named, and no item of expense for office supplies or other items of office expense, shall be allowed until the same has been itemized and verified by claimant, and approved by the Proration Umpire, and, when so approved, the State Auditor shall draw his warrants therefor upon the State Treasury, and the same shall be paid out of the "Proration Fund" hereby created."

"SECTION 3. The tax provided for in Section 1

hereof shall become due on the first day of each calendar month on all petroleum oil produced in the State of Oklahoma during the preceding monthly period, and if the tax is not paid on or before the end of such month the same becomes due, such tax shall become delinquent and from such time shall, as a penalty for such delinquency, bear interest at the rate of eighteen per centum per annum. When any tax provided for in this Act shall become delinquent, as above provided, the Oklahoma Tax Commission shall issue its warrant directed to the sheriff of any county for the collection of the amount of said tax, interest, and penalty, and the sheriff to whom said warrant shall be directed shall proceed to levy upon the property, assets, and effects of the person, firm, association, or corporation purchasing or producing petroleum oil required hereby to pay the tax so assessed, and to sell the same and to make return thereof as upon execution. Such tax, interest, and penalty shall constitute and remain a lien upon the property, assets, and effects of such person, firm, association, or corporation purchasing or producing petroleum oil and hereby required to pay said tax until the same is paid, and may be recovered at suit of the State in any court of competent jurisdiction wherein any such person, firm, association, or corporation may own or have property, assets, and effects therein located."

"SECTION 4. Any person who shall make any false oath to any report required by the provisions of this Act shall be deemed guilty of perjury."

"SECTION 5. If any person, firm, association, or corporation shall fail to make the report of the production and purchase, or production without sale, as the case may be, of petroleum oil, or the computation of the excise tax hereby levied, within the time prescribed by law for such report, it shall be the duty of the Oklahoma Tax Commission to examine the books, records, and files of such person, firm, association, or corporation to

ascertain the amount of oil produced and/or sold, and to compute the taxes thereon, as provided herein, to which shall be added the costs of such examination, together with any and all penalties accrued thereon; and any person, firm, association or corporation who shall fail to file any sworn statement or report required by the provisions of this Act, in the manner and in the time prescribed, shall be liable to a penalty of five hundred dollars for each day such person, firm, association or corporation shall fail or refuse to file such statement or report or comply with the provisions hereof, which shall be a lien upon all the property and assets of such person, firm, association, or corporation located in this State, and may be recovered at a suit of the State in any court of competent jurisdiction."

"SECTION 6. If any section, paragraph, sentence, or phrase of this Act shall be declared unconstitutional or void for any reason by any court of final jurisdiction, such act shall not in any way affect the remaining sections, paragraphs, sentences, or phrases of this Act, but the same shall continue in full force and effect."

Sections 1, 2, 3, 4, 5, 6, and 7, of the substitute for House Bill No. 483 were read and adopted, upon motions of Senator Nichols.

Upon motion of Senator Nichols, House Bill No. 483 was advanced to engrossment and third reading.

Senator Nichols moved that the rules of the Senate be suspended and House Bill No. 483 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

HOUSE BILL NO. 483 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, MacDonald, Mem-



minger, Moon, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Not Voting: Ballard, Howard, Hutchinson. Total, 3.

Absent: Dixon, Liggett, Nance, Paul. Total, 4.

Excused: Coppock, Logan, Powers, Taylor. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Not Voting: Ballard, Howard, Hutchinson. Total, 3.

Absent: Dixon, Liggett, Nance, Paul. Total, 4.

Excused: Coppock, Logan, Powers, Taylor. 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.

House Bill No. 483 was ordered referred for engrossment.

Senator Whitaker moved that the Senate refuse to adopt the Conference Committee Report on HOUSE BILL NO. 416, by Leecraft, and request the Honorable House to grant a further conference thereon, which motion prevailed.

Upon motion of Senator Whitaker, the original Sen-

ate Conferees appointed on House Bill No. 416 were re-appointed for the further conference on the bill.

Senator Jennings moved that the Senate proceed to the consideration of the Conference Committee Report on HOUSE BILL NO. 1.

Senator Briggs, as a substitute, moved that the Senate proceed to the consideration of HOUSE BILL NO. 656, by Henderson, et al, which motion prevailed.

Section 1 was read.

Upon the request of Senator Curnutt, further consideration of Section 1 was deferred temporarily.

Section 2 was read and adopted, upon motion of Senator Briggs.

Senator Coppock asked to be recorded "present," which was the order.

Section 3 was read.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend House Bill No. 656, line 5, page 7, by striking the word and figure "three (3)" and inserting the word and figure "five (5)"; line 8, strike the word and figure "five (5)" and insert the word and figure "seven (7)"; line 11, strike the word and figure "seven (7)" and insert the word and figure "nine (9)"; line 14, strike the word and figure "nine (9)" and insert the word and figure "eleven (11) "

**CURNUTT.**

Senator Ballard moved to table the Curnutt amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Fidler, Fischl, Garvin, Johnston, MacDonald, Memminger, Moon, Nichols, Pugh, Ray, Rizley, Stewart, Thomas, Whitaker, Wilbanks. Total, 24.

Nays: Curnutt, Jennings, Ritzhaupt, Stacey, Willis. Total, 5.

*Sixty-seventh Day, Tuesday, Apr. 4, 1933*    1749

Not voting: Howard, Hutchinson, Lester, Morrison, Reed, Rutherford, Sowards, Waldrep. Total, 8.

Absent: Dixon, Liggett, Nance, Paul. Total, 4.

Excused: Logan, Powers, Taylor. Total, 3.

Senator Curnutt submitted the following amendment, which was tabled, upon motion of Senator Ballard:

Mr. President: I move to amend House Bill No. 656, line 17, page 7, by striking the word and figures "eleven (11)", and inserting the word and figures "thirteen (13)".

CURNUTT.

Upon motion of Senator Briggs, Section 3 was adopted.

Section 4 was read.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 656, line 1, page 23, by inserting after the word "and" and before the words "the injured party", the words "after judgment against the carrier for any such damage."

BRIGGS.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 656, line 12, page 23, by striking after the words "provisions of" and before the word "Laws" the words and figures "Chapter 253, Session", and inserting the word "the".

BRIGGS

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 656, line 13, page 23, by striking after the word "Oklahoma" and before the word "or", the figures "1929."

BRIGGS.

Upon motion of Senator Briggs, Section 4, as amended, was adopted.

Sections 5 and 6 were read and adopted, upon motions of Senator Briggs.

Senators Briggs and Ballard asked unanimous consent, which was granted to strike the word and figures "sixteen (16)" and inserting the word and figures "eighteen (18)", as shown on lines 7 and 18, page 14, and lines 4 and 9, page 15.

Senator Fischl submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 656, line 1, page 23, after the word "after" and before the word "the", by inserting "after judgment against the carrier for any such damage".

FISCHL.

Sections 7 and 8 were read and adopted, upon motions of Senator Briggs.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Enrolled and Engrossed Bills begs leave to report Senate Joint Resolution No. 11, and Senate Bill No. 323, correctly enrolled.

LIGGETT, Chairman.

Senate Joint Resolution No. 11 and Senate Bill No. 323 were, each, read at length 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.

#### MESSAGE

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

To the President of the Senate,  
Building.

SIR:

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



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ENROLLED HOUSE BILL NO. 271—By CHIL-  
DERS and BABB:

An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563, 12565, 12566, 12567, 12569, 12571, 12573, and 12529 Oklahoma Statutes, 1931, relating to, and providing for, the enforcement of the gasoline excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission; defining the term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto; defining embezzlement and perjury, for violation of this Act and prescribing penalties; further extending provision for injunction and giving the Commission authority in certain cases to declare the excise tax due and payable forthwith; authorizing exercise of discretion by Commission in issuance, extension, reinstatement, suspension and cancellation of licenses; declaring what may be admitted as evidence in certain cases; repealing conflicting laws 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 271 was read at length for the fourth time, the enrolled copy signed, in open session by the Presiding Officer, and ordered returned to the Honorable House.

Senator Dixon asked to be recorded "present", which was the order.

Referring further to Section 1 of HOUSE BILL NO. 656.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend House Bill No.

656, line 1, page 4, by adding at the end of the line, the following: "who charge or collect from consignee, purchaser, or recipient of such property, goods or merchandise for transporting or delivering the same."

CURNUTT.

Senator Briggs moved to table the Curnutt amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Dixon, Fischl, Howard, Hutchinson, Johnston, MacDonald, Memminger, Moon, Nichols, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Curnutt, Fidler, Jennings, Rizley, Rutherford, Waldrep. Total, 6.

Not voting: Garvin, Lester, Morrison, Reed. Total, 4.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, Powers, Taylor. Total, 3.

Senator Curnutt moved that Section 3 of House Bill No. 656 be stricken, which motion was tabled, upon motion of Senator Briggs.

Senator Fischl submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 656, line 12, page 3, by changing the word "or" before the word "persons" to the word "of".

FISCHL.

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

Upon motion of Senator Briggs, House Bill No. 656 was advanced to engrossment and third reading.

Senator Briggs moved that the rules of the Senate be suspended and House Bill No. 656 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

The Presiding Officer declaring that House Bill No. 656 had been read at length for the third time, put the question: "Shall the Bill pass?"

Senator Curnutt moved that the Senate proceed to read Sections 3, 5, and 6, of House Bill No. 656 before calling the roll on the bill.

The Chair declared the Curnutt motion out of order, for the reason that House Bill No. 656 has been considered Section by Section and read at length for the third time.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Dixon, Fischl, Garvin, Howard, Johnston, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Curnutt, Fidler, Hutchinson, Jennings, Rizley, Rutherford. Total, 7.

Not voting: Lester. Total, 1.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, Powers, Taylor. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Dixon, Fischl, Garvin, Howard, Johnston, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Coppock, Curnutt, Fidler, Hutchinson, Jennings, Rutherford. Total, 6.

Not voting: Lester. Total, 1.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, Powers, Taylor. 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. 656 was ordered referred for engrossment.

#### MESSAGE

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

To the President of the Senate,  
Building.

SIR:

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

ENROLLED SENATE BILL NO. 389—By HUTCHINSON of the Senate; and O'NEILL and EASON of the House, entitled:

An Act authorizing and directing the County Treasurer of Garfield County, Oklahoma, to sell to the highest bidder for cash at tax resales in said county any real property whether vacant or improved that is located in the town of Covington in said County and directing that the amounts so received be paid to the Covington Independent School District No. 77 to be used in paying outstanding warrants of said district; providing that resale tax deeds on said real property shall cancel all prior taxes, penalties, and costs and all prior unpaid assessments for special improvements levied or assessed against said real property, directing the County Treasurer not to issue tax deeds on said property until one year after date of resale and granting legal owners thereof the privilege of having such deeds issued to them upon the payments to the successful bidders of the amount of their bids and six per cent. interest thereon; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 389 was ordered referred to the Governor for consideration.

Senator Whitaker moved that the Senate proceed with the consideration of HOUSE BILL NO. 572, by Phillips, et al.

Senator Jennings, as a substitute, moved that the Senate proceed to the consideration of the Conference Committee Report on HOUSE BILL NO. 1.

Senator Commons moved to table the Jennings motion.

President Burns presiding.

Upon a roll call, as follows, the Commons motion was declared adopted:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, MacDonald, Memminger, Nichols, Pugh, Reed, Ritzhaupt, Sowards, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 23.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Rizley, Rutherford, Stacey. Total, 12.

Not voting: Lester, Morrison, Ray. Total, 3.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, Powers, Taylor. Total, 3.

The vote occurring on the Whitaker motion, it was declared adopted.

Section 1 was read.

Senator Ballard submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 572, line 15, page 3, by striking sub-section (3).

BALLARD.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend House Bill No. 572, line 1, page 4, by striking the words and figures "Twenty-thousand (\$20,000.00) Dollars" and inserting the words and figures "Fifty-thousand (\$50,000.00) Dollars" and by striking the words and figures "Twenty-thousand (\$20,000.00) Dollars" on lines 8 and 9, page 4, and inserting the words and figures "Fifty-thousand (\$50,000.00) Dollars.

JENNINGS.

Senator Commons moved to table the Jennings amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Dixon, Fischl, Johnston, MacDonald, Memminger, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 24.

Nays: Ballard, Coppock, Curnutt, Fidler, Garvin, Howard, Jennings, Moon, Morrison, Rizley, Rutherford. Total, 11.

Not voting: Hutchinson, Lester, Stewart. Total, 3.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, Powers, Taylor. Total, 3.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Whitaker:

Mr. President: I move to amend House Bill No. 572, line 8, page 4, by adding after the word "beneficiary" and before the word "the," the words, "unless the beneficiary or beneficiaries be the widow or minor child or children, or both, of the injured, in which event

the provisions of this Act shall not apply to the proceeds of such policy."

JENNINGS.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Whitaker:

Mr. President: I move to amend House Bill No. 572, line 15, page 3, by striking all of sub-divisions 3 and 4, being lines 15 to 18, both inclusive, page 3, and lines 1 to 7, both inclusive, page 4, and re-numbering the following paragraph.

JENNINGS.

Senator Whitaker moved the adoption of Section 1.

Upon motion of Senator Chamberlin, the previous question was ordered.

The vote occurring on the Whitaker motion, it was declared adopted.

Section 2 was read.

Senator MacDonald moved that House Bill No. 572 be advanced to engrossment and third reading.

Senator Jennings, voicing an objection to the MacDonald motion, was permitted to submit the following amendment:

Mr. President: I move to amend House Bill No. 572, line 13, page 8, by striking the words "General Revenue Fund of the State," and inserting the words "Common School Fund of the State to be distributed on the enumeration basis as other monies in the Common School Fund of the State and disposed."

JENNINGS.

The President declared the MacDonald motion a superior one to the Jennings amendment.

Senator Briggs moved that the rules of the Senate be suspended, for the purpose of advancing House Bill No. 572 to engrossment and third reading, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark,

Commons, Daugherty, Dixon, Fischl, Garvin, Howard, Johnston, MacDonald, Memminger, Morrison, Nichols, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Ballard, Coppock, Curnutt, Fidler, Hutchinson, Jennings, Moon, Rizley, Rutherford. Total, 9.

Not voting: Lester, Pugh. Total, 2.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, Powers, Taylor. Total, 3.

Senator MacDonald renewed his motion to advance House Bill No. 572 to engrossment and third reading, which motion prevailed.

Senator Whitaker moved that the rules of the Senate be suspended and that House Bill No. 572 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

HOUSE BILL NO. 572 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fischl, Howard, Hutchinson, Johnston, MacDonald, Memminger, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Fidler, Garvin, Jennings, Moon, Rizley, Rutherford. Total, 6.

Not voting: Coppock, Lester, Morrison, Stewart. Total, 4.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, Powers, Taylor. Total, 3.

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

Senator Whitaker moved that the vote on the emer-



gency section be deferred until the next legislative day.

Senator Morrison, as a substitute, moved that the emergency section be stricken, which motion was tabled, upon motion of Senator MacDonald.

The vote occurring on the Whitaker motion, it was declared failed of adoption.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Johnston, MacDonald, Memminger, Nichols, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Sowards, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Fidler, Jennings, Moon, Rutherford. Total, 5.

Not voting: Lester, Morrison, Stewart. Total, 3.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, Powers, Taylor. Total, 3.

House Bill No. 572 was ordered referred for engrossment.

Senator Jennings asked unanimous consent, to which objections were voiced, to withdraw a Minority Committee Report, submitted on March 23d, in connection with HOUSE BILL NO. 229, by Gray.

Senator Jennings moved that the Minority Committee Report, submitted on March 23d, in connection with House Bill No. 229, be withdrawn, which motion prevailed.

Senator Curnutt asked unanimous consent, which was granted, to withdraw Committee Report on SENATE BILL NO. 408, submitted on this legislative day, and re-fer the bill for further consideration.

#### COMMITTEE REPORT

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. 20, by Martin, entitled:

An Act making appropriations from the General Revenue Fund of the State of Oklahoma for all State Educational, Eleemosynary and Penal Institutions, and from the Revolving Funds of certain institutions; providing for the appropriation and distribution of the new College Funds in accordance with Section 5626 Oklahoma Statutes 1931, to the institutions entitled to the same, and providing for the appropriation and distribution of Section 13 funds as provided in Section 5464 Oklahoma Statutes 1931, to the institutions entitled to the same and appropriating the Public Building Fund to certain institutions herein specified, 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.

MacDONALD, Chairman.

Mr. President: We, your Committee on Judicial Redistricting, to whom was referred Engrossed House Bill No. 220, by Judicial Redistricting Committee of the House of Representatives, entitled:

An Act creating twenty-three District Court Judicial Districts in the State of Oklahoma: Fixing time for convening court in the various counties of said districts; providing for the nomination and election of judges thereof: Repealing Sections 3832, etc., 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.

WILBANKS, Chairman.

Senator Fischl moved that House Bill No. 220 be recommitted to the Committee on Judicial Re-District-

ing, with instructions to redraft the bill so as to reduce the number of District Judges to Thirty (30).

Senate Briggs presiding.

The President designated Senator Chamberlin to act as President Pro Tempore for the evening session, to convene at 7:30 p. m., this date.

Upon motion of Senator Chamberlin, the Senate recessed to meet at 7:30 p. m.

#### EVENING SESSION

The Senate reassembled at 7:30 p. m., with Senator Chamberlin presiding.

Senator Taylor asked to be recorded "present," which was the order.

#### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House grants the request of your Honorable Body for a further conference on:

ENGROSSED HOUSE BILL NO. 305—By BATSON, GRAY, COX, BLOCKER, HENDERSON and LEECRAFT.

An Act amending Sections 10268, 10269, 10271, 10272, 10273, 10274, 10278, 10280, 10283, 10288, 10316, 10317, 10320 and 10323, Oklahoma Statutes 1931; defining motor vehicles and other terms; levying license fees on such vehicles, when owned, possessed or operated within this state, licensing manufacturers and dealers in such vehicles, and prescribing method of computing such fees; defining the purposes of this Act; regulating the use of vehicles on the public highways of the state, and limiting certain of them as to width, length, height, weight and speed; providing for the computation

and collection of such fees; authorizing rules and regulations pertaining thereto; providing for the disposition of the revenues derived under this Act; prescribing penalties for the violation hereof; repealing Sections 10270, 10275, 10276, 10277, 10279, 10281, 10282, 10284, Oklahoma Statutes 1931, and all Acts or parts of Acts in conflict herewith; providing that vehicles not licensed for the year 1933 and prior years, when this Act becomes effective shall be licensed hereunder; and declaring an emergency,  
and has re-appointed the same conferees, namely, REPRESENTATIVES HENDERSON, BATSON, BLOCKER, PARKS, COX, and KING (Coal).

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Whitaker, the Senate Conferees, heretofore appointed, were re-appointed as Senate Conferees under House Bill No. 305.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to inform you, and, through you, the Honorable Senate, that the House grants the request of your Honorable Body for a further conference on:

ENGROSSED HOUSE BILL NO. 416—By LEE-CRAFT.

An Act for the purpose of carrying out the provisions of Section 3, Article X, of the Constitution of Oklahoma, relating to the payment of the current expenses of the state government, when the same shall exceed the income from previous fiscal years; levying taxes for the payment of the outstanding warrant indebtedness of the state representing deficiencies for previous fiscal years; amending the provisions of Article 9 H, Chapter 20, and Article 11, Chapter 50, and Article 16, Chapter 66, Oklahoma Statutes 1931, and amendments thereto,



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relating, respectively, to motor carrier taxes, motor vehicle licenses, and to the excise tax on gasoline, and has re-appointed the same Conferees, namely, REPRESENTATIVES LEECRAFT, STURGELL, and HARP.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 481—By HOLIMAN, HAILE, WATSON and PHILLIPS (Okfuskee) of the House, and GARVIN, WALDREP and WILBANKS of the Senate.

An Act defining and prohibiting waste of crude petroleum and natural gas, and providing for the ratable and equitable taking thereof from common sources of supply conferring authority upon, and defining the duties, powers, and authority of, the Corporation Commission in connection with the enforcement of this Act, and prescribing the character of notice and procedure to be followed by the Corporation Commission hereunder; regulating all producers, purchasers and common carriers of crude petroleum so as to prevent inequitable taking and waste; prescribing penalties and other relief for violation of this Act and of rules, regulations or orders promulgated by the Corporation Commission hereunder; providing for proceedings for injunction in the district courts to enjoin the violation of and to enforce the provisions of this Act and the orders, rules, and regulations of the Corporation Commission made in pursuance hereof; declaring certain violations hereof, and violations of certain rules, regulations or orders promulgated by the Corporation Commission hereunder, to be crimes, and prescribing the punishment therefor; creating the offices of Proration Umpire, Assistant Pro-

ration Umpire and Proration Attorney, for the enforcement of this Act, and providing for their appointment and removal and defining their duties, powers and authority, and fixing their term of office, bonds and compensation; providing for the appointment of deputies and employees to aid in the enforcement of this Act; defining their duties, power and authority, and fixing their compensation; providing for expenses of administration in connection with this Act and for the creation of a special fund, to be known as the "Proration Fund," to be used exclusively in the enforcement of this Act; repealing all laws in conflict herewith, and for other purposes; and declaring an emergency,

together with Conference Committee Report thereon, and to inform you, and, through you, the Honorable Senate, that the House has refused to adopt the Conference Committee Report thereon, and respectfully requests your Honorable Body to grant a further conference. The Speaker has re-appointed the same Conferees, namely, REPRESENTATIVES HOLLIMAN, GRISSO, HAILE, CAVINS, and WATSON.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Garvin moved that the Senate grant no further conference on Engrossed House Bill No. 481 and the Honorable House be respectfully requested to adopt the Conference Committee Report thereon, which motion prevailed.

To The President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 701—By MARTIN and PHILLIPS (Okfuskee), entitled:

An Act making appropriations to pay the salaries

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and traveling expenses of district judges and court reporters 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 701.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED HOUSE BILL NO. 715—By LEE-CRAFT, HAILE, PHILLIPS (Okfuskee) and BATSON.

An Act providing for funding of certain outstanding warrant indebtedness of the state of Oklahoma, and the issuance of treasury notes therefor; providing for the form and execution thereof, and making an appropriation for the payment of expenses in connection therewith; providing for the payment of same, and creating a fund and levying a tax therefor, providing for the acceptance of such treasury notes as legal security for public funds and other funds required to be secured, and fixing the rate of interest state funds secured by such treasury notes shall draw, and authorizing the purchase of said notes with sinking funds created by law and with other trust funds, and the acceptance of the interest coupons attached to said notes in payment of taxes due the state; providing for the call and redemption of such warrants not funded, and for other purposes; and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION  
NO. 51—By BABB and STEWART.

A Joint Resolution authorizing Herbert Z. Ward,

of Heavener, Oklahoma, to bring suit against the state of Oklahoma to recover certain gross production and other taxes alleged to have been illegally collected from him by the state of 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Joint Resolution No. 51 and Engrossed House Bill No. 715.

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE JOINT RESOLUTION NO. 17—By STACEY of the Senate and ROBERTS of the House.

A Resolution consenting, authorizing and empowering Elbert C. Haywood to sue the state of Oklahoma for damages sustained by him while engaged as a member of the National Guard, and while engaged with others in suppressing a riot at the county jail in Chickasha, Oklahoma, on the 30th day of May, 1930; and declaring an emergency.

ENGROSSED SENATE BILL NO. 121—By MacDONALD, BRIGGS, CARMACK, STEWART, WHITAKER, MORRISON, GARVIN, LESTER, COMMONS, FISCHL, FIDLER, RITZHAUPT, RAY, THOMAS, CHAMBERLIN, RUTHERFORD, and HUTCHINSON.

An Act amending Sections 10091 and 10095, Oklahoma Statutes, 1931, relating to the construction and maintenance of the state highway system and to con-



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tracts let for the construction 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Joint Resolution No. 17 and Engrossed Senate Bill No. 121 were, each, ordered referred for enrollment.

To the President of the Senate,  
Building  
SIR:

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

· ENGROSSED SENATE BILL NO. 51—By PUGH and WILLIS, entitled:

An Act fixing the salaries of county officers on a population basis,  
and to advise you, and, through you, the Honorable Senate, that the House has granted your request for a Conference and the Speaker has appointed REPRESENTATIVES GLEN, SUTHERLAND, WILMOT, EBY (Pontotoc), and PHILLIPS (Okfuskee),  
and has named Representative Singleton as an additional Conferee, and respectfully requests your Honorable Body to add an additional Senate Conferee.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Commons, the Senate Conferees, heretofore appointed under Engrossed Senate Bill No. 51, were discharged and the following named were appointed as Senate Conferees under said bill: Senators Pugh, Willis, Memminger, Commons, Garvin and Ritzhaupt.

Senators Willis and Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bills Nos. 316, 483 and Senate Bills Nos. 339, 352 and 364, each, correctly engrossed; and Senate Joint Resolution No. 17, correctly enrolled.

WILLIS and HOWARD, Acting Chairmen.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 483, as amended, and ordered the bill returned to the Honorable House.

Senate Joint Resolution No. 17 was read at length 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.

### THIRD READING

HOUSE BILL NO. 316 was considered, under Third Reading.

Senator Whitaker asked unanimous consent, which was granted, to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 316, Section 4, page 10, line 4, by inserting at the end of such line the words, "and Building and Loan Associations."

WHITAKER.

Senator Whitaker asked unanimous consent, which was granted, to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 316, page 31, Section 14, line 17, by inserting after the figures, "1931," the following, "and House Bill No. 306, enacted by the 14th Legislature."

WHITAKER.

Senator Whitaker asked unanimous consent, which was granted, to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 316, line 18, page 4, by striking after the word, "prescribe," and before the word, "for," the words, "and furnish"

WHITAKER.

Senator Jennings moved that further consideration of House Bill No. 316 be indefinitely postponed, which motion was tabled, upon motion of Senator MacDonald.

Senator Whitaker asked unanimous consent, which was granted, to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 316, page 16, line 10, by striking the word, "undertaking," and inserting the word, "understanding"

WHITAKER.

House Bill No. 316 was ordered referred for re-engrossment.

Senator Willis submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bills Nos. 572 and 656, each, correctly engrossed.

WILLIS, Vice Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 572 and 656, each as amended, and ordered the same returned to the Honorable House.

Senator Nichols moved that the Senate proceed to the consideration of HOUSE BILL NO. 434, by Singleton and Jones.

Senator Dixon, as a substitute, moved that the Senate proceed to the consideration of HOUSE BILL NO. 229, by Gray.

Senator Whitaker moved to table the Dixon motion.

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

Senator Coppock moved to table the Nichols motion, which motion failed of adoption.

Senator Jennings, as a substitute, moved that the Senate proceed to the consideration of the Conference Committee Report on HOUSE BILL NO. 1, which motion was tabled, upon motion of Senator MacDonald.

The vote occurring on the Nichols motion, it was declared adopted.

Section 1 was read.

By unanimous consent, the following named were added as joint Authors of House Bill No. 434: Senators Daugherty, Nichols, Ballard, Garvin, Reed and Rizley.

Upon motion of Senator Ballard, House Bill No. 434 was advanced to engrossment and third reading.

Upon motion of Senator Nichols, the rules of the Senate were suspended and House Bill No. 434 was considered engrossed and placed upon third reading and final passage.

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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, MacDonald, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Memminger. Total, 1.

Not Voting: Briggs, Hutchinson, Lester, Moon, Morrison, Rutherford, Sowards, Waldrep. Total, 8.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, 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 emer-



gency measure?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, MacDonald, Memminger, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Briggs, Hutchinson, Lester, Moon, Morrison, Rutherford, Sowards, Waldrep. Total, 8.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, 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.

House Bill No. 434, as amended, was ordered referred for engrossment.

### THIRD READING

Senator MacDonald asked unanimous consent, which was granted, to take up for Third Reading and final passage SENATE BILL NO. 352, by Carmack.

Senator Garvin moved that further consideration of Senate Bill No. 352 be indefinitely postponed.

Senator MacDonald, as a substitute, moved that further consideration of Senate Bill No. 352 be deferred until the next legislative day, which motion was tabled, upon motion of Senator Garvin.

Upon motion of Senator Garvin, the previous question was ordered.

The vote occurring on the Garvin motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Garvin, Johnston, Pugh, Ray, Ritzhaupt, Rizley, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 20.

Nays: Briggs, Carmack, Fidler, Fischl, Howard,

Jennings, MacDonald, Memminger, Nichols, Reed, Ruth-  
erford, Stacey, Whitaker. Total, 13.

Not Voting: Hutchinson, Lester, Moon, Morrison,  
Sowards, Waldrep. Total, 6.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, Powers. Total, 2.

Senator Ballard served notice on the Senate that he  
would, on some future legislative day, move to recon-  
sider the vote by which further consideration of Senate  
Bill No. 352 was indefinitely postponed.

#### GENERAL ORDER

Senator Nichols moved that the Senate proceed to  
the consideration of HOUSE JOINT RESOLUTION  
NO. 45, by Cox, et al, of the House.

Senator Jennings, as a substitute, moved that con-  
sideration of the Conference Committee Report on  
House Bill No. 1 be set for Special Order at 9:00 o'clock,  
a. m., on the next legislative day, which motion failed of  
adoption.

Senator Fischl raised a point of order against con-  
sideration of the Nichols motion, which was overruled,  
stating the disposal of the substitute motion also dis-  
posed of the original motion.

The vote occurring on the Nichols motion, it was  
declared adopted.

Upon motion of Senator Nichols, House Joint Res-  
olution No. 45 was advanced to engrossment and third  
reading.

Upon motion of Senator Nichols, the rules of the  
Senate were suspended and House Joint Resolution No.  
45 was considered engrossed and placed upon third read-  
ing and final passage.

HOUSE JOINT RESOLUTION NO. 45 was read  
for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Cham-

berlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Howard, Jennings, Johnston, MacDonald, Memminger, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Ritzley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Dixon, Fischl, Garvin, Hutchinson, Lester, Moon, Ray, Sowards, Waldrep. Total, 9.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Howard, Jennings, Johnston, MacDonald, Memminger, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Ritzley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Dixon, Fischl, Garvin, Hutchinson, Lester, Moon, Ray, Sowards, Waldrep. Total, 9.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, 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 Presiding Officer, in open session, signed the engrossed copy of House Joint Resolution No. 45, and ordered the same transmitted to the Honorable House.

### THIRD READING

Senator Johnston asked unanimous consent, which was granted, to take up, under Third Reading, SENATE BILL NO. 339, by Johnston.

SENATE BILL NO. 339 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, MacDonald, Memminger, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nay: Ballard. Total, 1.

Not voting: Coppock, Hutchinson, Jennings, Lester, Moon, Sowards, Stewart, Waldrep. Total, 8.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, MacDonald, Memminger, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nay: Ballard. Total, 1.

Not voting: Coppock, Hutchinson, Jennings, Lester, Moon, Sowards, Stewart, Waldrep. Total, 8.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 339, and ordered the same transmitted to the Honorable House.

Senator Jennings served notice on the Senate that



he would, on some future legislative day, move to reconsider the vote by which HOUSE BILL NO. 656 was passed.

Upon the advice that House Bill No. 656 had been transmitted to the Honorable House, Senator Jennings asked unanimous consent, which was granted, to withdraw his notice.

Senator Curnutt served notice that he would, on some future legislative day, move to reconsider the vote by which House Bill No. 656 was passed.

#### GENERAL ORDER

Senator Wilbanks asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 406, by Wilbanks, of the Senate, and Darks, of the House.

Upon motion of Senator Wilbanks, the rules of the Senate were suspended and Senate Bill No. 406 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 406 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fischl, Jennings, Johnston, MacDonald, Memminger, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Dixon, Fidler, Garvin, Howard, Hutchinson, Lester, Moon, Sowards, Waldrep. Total, 9.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, 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 emer-

agency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fischl, Jennings, Johnston, MacDonald, Memminger, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Dixon, Fidler, Garvin, Howard, Hutchinson, Lester, Moon, Sowards, Waldrep. Total, 9.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, 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.

Senate Bill No. 406 was ordered referred for engrossment.

Senator Briggs asked unanimous consent, which was granted, to advance to engrossment and third reading HOUSE BILL NO. 624, by Committee on Appropriations.

Upon motion of Senator Briggs, the rules of the Senate were suspended and House Bill No. 624 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 624 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Fischl, Howard, Johnston, MacDonald, Memminger, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Jennings, Thomas. Total, 2.

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Not voting: Dixon, Garvin, Hutchinson, Lester, Moon, Sowards, Waldrep. Total, 7.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Fischl, Howard, Johnston, MacDonald, Memminger, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Jennings, Thomas. Total, 2.

Not voting: Dixon, Garvin, Hutchinson, Lester, Moon, Sowards, Waldrep. Total, 7.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, 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.

House Bill No. 624 was ordered referred for engrossment.

### THIRD READING

Senator Commons asked unanimous consent, which was granted, to take up under third reading, HOUSE JOINT RESOLUTION NO. 10.

HOUSE JOINT RESOLUTION NO. 10 was read for the third time at length, as follows:

ENGROSSED HOUSE JOINT RESOLUTION NO. 10—By MARSHALL, CONNER, GRAHAM, BATSON, of the HOUSE, and LOGAN and FIDLER of the SENATE.

A JOINT RESOLUTION PROVIDING FOR THE

SUBMISSION OF A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF OKLAHOMA, PROVIDING THAT THE LEGISLATURE MAY ENACT LAWS AUTHORIZING CITIES TO PENSION MERITORIOUS AND DISABLED POLICE OFFICERS, AND AMENDING ARTICLE 5 OF SAID CONSTITUTION BY ADDING AN ADDITIONAL SECTION TO BE KNOWN AS SECTION 61 OF ARTICLE 5 OF THE CONSTITUTION OF THE STATE OF OKLAHOMA.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. That the following proposed amendment to Article 5 of the Constitution of the State of Oklahoma, shall be referred by the Secretary of State to the people, for their approval or rejection, at the next regular general election held in the State of Oklahoma, as and in the manner provided by law, said proposed amendment being an amendment of Article 5 of the Constitution of the State of Oklahoma by adding an additional section thereto, to be known as Section 61 of Article 5 of the Constitution of the State of Oklahoma, and being as follows, to-wit:

“Section 61. The Legislature may enact laws authorizing cities to pension meritorious and disabled police officers.”

Said proposed amendment shall be submitted as provided by law in the following form:

“Shall the proposed amendment be adopted?

☐ YES

☐ NO.”



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If a majority of all the electors voting at such election shall vote in favor of the above amendment, it shall thereby become a part of the Constitution of the State of Oklahoma.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, MacDonald, Memminger, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Dixon, Hutchinson, Lester, Moon, Ray, Sowards, Stewart, Waldrep. Total, 8.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, Powers. 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 Presiding Officer, in open session, signed the engrossed copy of House Joint Resolution No. 10, and ordered the same transmitted to the Honorable House.

#### GENERAL ORDER

Senator Fischl asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 89, by Coppock and Fischl, of the Senate, and Stewart and Massey, of the House.

#### THIRD READING

Senator Rutherford asked unanimous consent, which was granted, to consider under third reading, HOUSE BILL NO. 499, by Logsdon and Chambers.

HOUSE BILL NO. 499 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin,

Clark, Commons, Coppock, Curnutt, Daugherty, Fidler,  
 • Fischl, Garvin, Howard, Jennings, Johnston, MacDonald,  
 Memminger, Nichols, Pugh, Ray, Reed, Rizley, Rutherford,  
 Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks,  
 Willis. Total, 31.

Not Voting: Dixon, Hutchinson, Lester, Moon, Mor-  
 rison, Ritzhaupt, Sowards, Waldrep. Total 8.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, 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 emer-  
 gency measure?" the roll was called with the following  
 results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin,  
 Clark, Commons, Coppock, Curnutt, Daugherty, Fidler,  
 Fischl, Garvin, Howard, Jennings, Johnston, MacDonald,  
 Memminger, Nichols, Pugh, Ray, Reed, Rizley, Rutherford,  
 Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks,  
 Willis. Total, 31.

Not Voting: Dixon, Hutchinson, Lester, Moon, Mor-  
 rison, Ritzhaupt, Sowards, Waldrep. Total 8.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, 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 Presiding Officer, in open session, signed the en-  
 grossed copy of House Bill No. 499, and ordered the same  
 transmitted to the Honorable House.

#### GENERAL ORDER

Senator Ray asked unanimous consent, which was  
 granted, to advance to engrossment and third reading,  
 SENATE BILL NO. 382, by Fischl, Dixon, and Ray, of  
 the Senate, and Batson, et al, of the House.

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### THIRD READING

Senator Ballard asked unanimous consent, which was granted, to consider under third reading, SENATE BILL NO. 364, By Ballard (By Request).

SENATE BILL NO. 364 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, MacDonald, Memminger, Morrison, Nichols, Ray, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 28.

Not Voting: Carmack, Daugherty, Fidler, Hutchinson, Lester, Moon, Pugh, Reed, Ritzhaupt, Sowards, Waldrep. Total, 11.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, 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.

Upon motion of Senator Ballard, the emergency section was ordered stricken.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 364, by striking therefrom the words, "AND DECLARING AN EMERGENCY,"

BALLARD.

Senate Bill No. 364, as amended, was referred for engrossment.

### GENERAL ORDER

Senator MacDonald asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading, SENATE BILL NO. 405, by Memminger.

Senator MacDonald moved that Senate Bill No. 405 be advanced to engrossment and third reading.

Senator Whitaker, as a substitute, moved that further consideration of Senate Bill No. 405 be indefinitely postponed.

Senator MacDonald moved to table the Whitaker motion.

Senator Taylor, in lieu of all pending motions, moved to re-consider the vote by which Senate Bill No. 382 was advanced to engrossment and third reading.

Senator Whitaker raised a point of order against the Taylor motion, which was sustained, stating a motion to advance takes precedence.

The vote occurring on the MacDonald motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Fischl, Johnston, MacDonald, Memminger, Nichols, Stewart, Thomas, Willis. Total, 9.

Nays: Ballard, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Fidler, Garvin, Howard, Jennings, Rizley, Rutherford, Stacey, Taylor, Whitaker. Total, 16.

Not Voting: Carmack, Daugherty, Dixon, Hutchinson, Lester, Moon, Morrison, Pugh, Ray, Reed, Ritzhaupt, Sowards, Waldrep, Wilbanks. Total, 14.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, Powers. Total, 2.

Senator Curnutt, in lieu of all pending motions, moved that the Senate proceed to the consideration of SENATE BILL NO. 143, by Curnutt, of the Senate, and Sturgell and Johnson, of the House, which motion prevailed.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No.



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143, line 2, page 2, by striking the word "shall" and inserting the word "may."

CURNUTT.

Senator Curnutt asked unanimous consent, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 143, by striking Section 5 and re-numbering the succeeding sections.

CURNUTT.

Upon motion of Senator Curnutt, Senate Bill No. 143, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Johnston, the Senate proceeded to the consideration of SENATE BILL NO. 265, by Johnston.

Section 1 was read.

Senator Briggs submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 265, line 1, page 2, as follows: By inserting after close of sentence the following: "In all cases any such bank may be permitted to have its assets disposed of and liquidation of its affairs carried on as hereinafter provided."

BRIGGS.

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

Section 2 was read.

Senator Briggs submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 265, line 9, page 2, as follows: By inserting after the close of sentence the following: "Or, in lieu thereof said depositors and owners of fifty-one per cent (51%) of the stock may with the approval of the bank commissioner adopt and put into force any plan or plans for the liquidation and settlement of the affairs of such bank which plan or plans may include a system of allowing

off-sets or counter claims between debtors and creditors and transfer and exchange of debit and credit liabilities with third parties when the same will not result in impairing or reducing the ultimate recovery by or payment to depositors upon liabilities, and may also include a general plan of revenue raising to overcome any final deficit to depositors by inaugurating and putting into effect in the trade territory of said failed bank any system of contribution or raising of funds approved by the bank commissioner and the district court as hereinafter provided.

BRIGGS.

Senator Memminger submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 265, line 3, page 2, as follows: By striking after the word "representing" in line 2 and before the word "eighty-five" in line 3 the following: "not more than" and substituting the following: "at least."

MEMMINGER.

Senator Ballard submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 265, lines 7 and 8, page 2, as follows: By striking the word and figures "twelve (12)" and inserting in lieu thereof the word and figures "seven (7)."

BALLARD.

Senator Ballard submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 265, line 9, page 2, as follows: By adding after the word "effect," the following: "Said plan shall be approved by the State Bank Commissioner, if in his discretion the same is in the best interest of the depositors, when the same shall have been concurred in by a majority of the stockholders of said failed or insolvent bank."

BALLARD.

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Senator Memminger submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 265, line 3, page 2, as follows: By striking after the word "the" in line 3 and before the word "may" in line 4, the words "Depositors liable" and substituting the following "total individual deposits."

MEMMINGER.

Upon motion of Senator Johnston, Section 2, as amended, was adopted.

Section 3 was read.

Senator Briggs submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 265, line 11, page 3, as follows: By inserting after the word "that" and before the word "such" the word "any" and at end of line 18 strike the period and insert the following: "or, in case of a plan or plans for liquidation of affairs of said bank, the court may make an order approving in whole or in part such plan or plans, or may make such further order, decree or direction relative thereto as in its judgment it may deem proper.

BRIGGS.

Upon motion of Senator Johnston, Section 3, as amended, was adopted.

Section 4 was read and adopted, upon motion of Senator Johnston.

Section 5 was read.

Senator Ballard submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 265, line 8, page 4, as follows: By striking Section 5 and adding in lieu thereof the following: "At the hearing provided for in Section 3 herein, the court may approve the plan of the depositors and stockholders or may reject the same, or may approve the same in part, and upon the approval of said plan by the district court the

same shall be binding upon all of the depositors and stockholders of said bank with the same force and effect as if they had signed and accepted said plan."

BALLARD.

Upon motion of Senator Johnston, Section 5, as amended, was adopted.

Senator Johnston submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 265, between lines 1 and 2, page 6, as follows: By adding a new section as follows: "Section 7. During the period such bank is being operated as a reopened Moratorium bank the deposits received by it shall be kept separate from the old assets and liabilities of such bank and shall not be used in making individual loans and may be used for investments in such State, United States, and County Warrants and bonds as may be approved by the depositors Committee and the Oklahoma State Bank Commissioner."

JOHNSTON.

Senator Ballard submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 265, line 1½, page 6, as follows: By adding a new Section as follows: "Section 8. In any case where a failed or insolvent Bank has heretofore entered into a moratorium agreement, and the same has been approved by the District Court of the county in which said Bank is located, the same is hereby validated and the provisions of this Act are hereby made applicable to the same, in so far as may be, with the same force and effect as if this Act had been in effect at the time said moratorium plan was approved by the District Court," and re-numbering succeeding sections.

BALLARD.

Upon motion of Senator Johnston, Senate Bill No.



265, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Memminger, Senate Bill No. 265, as amended, was ordered printed.

Upon motion of Senator Commons, SENATE BILL NO. 311, by Commons, was advanced to engrossment and third reading.

Upon motion of Senator Commons, SENATE BILL NO. 390, by Commons, of the Senate, and Batson, of the House, was advanced to engrossment and third reading.

Upon motion of Senator Jennings, SENATE BILL NO. 399, by Jennings, was advanced to engrossment and third reading.

Upon motion of Senator Morrison, SENATE BILL NO. 260, by Morrison, was advanced to engrossment and third reading.

Senator Rizley asked unanimous consent, which was granted, to advance to engrossment and third reading, HOUSE BILL NO. 677, by Williams, and HOUSE BILL NO. 670, by Williams.

Senator Nichols moved that HOUSE BILL NO. 387, by Ebey (Pontotoc), and Haile, be set for Special Order at 3:00 p. m., on the next legislative day.

Senator Rutherford moved to table the Nichols motion.

Senator Garvin raised the question of "no quorum."

Upon a roll call being ordered the Presiding Officer declared a quorum was present.

The vote occurring on the Rutherford motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Coppock, Curnutt, Fischl, Jennings, Johnston, Ray, Rutherford, Stacey, Taylor. Total, 10.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Garvin, MacDonald, Memminger, Nichols, Rizley, Whitaker, Wilbanks, Willis. Total, 13.

Not voting: Clark, Daugherty, Dixon, Fidler, How-

ard, Hutchinson, Lester, Moon, Morrison, Pugh, Reed, Ritzhaupt, Sowards, Stewart, Thomas, Waldrep. Total, 16.

Absent: Liggett, Nance, Paul. Total, 3.

Excused: Logan, Powers. Total, 2.

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

Senator Memminger moved that SENATE BILL NO. 405, by Memminger, be advanced to engrossment and third reading.

Senator Whitaker, as a substitute, moved that further consideration of Senate Bill No. 405 be indefinitely postponed.

Senator Memminger moved to table the Whitaker motion.

Senator Garvin, in lieu of all pending motions, moved that the Senate adjourn, to meet at 1:30 p. m., Wednesday, April 5, which motion prevailed.

## SIXTY-EIGHTH LEGISLATIVE DAY

Wednesday, April 5, 1933

Pursuant to adjournment, the Senate 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Absent: Lester. Total, 1.

Excused: Logan. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Upon the request of Senator Moon, Senator Taylor was recorded "excused" for the remainder of this legislative day.

Senator Rizley asked to be recorded "excused" for two hours, which was the order.

Senator Nichols moved, when the hour of 5:30 p. m., this date, arrives, the Senate recess, to meet at 7:30 p. m., which motion prevailed.

### COMMITTEE REPORT

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. 625, by Committee on Appropriations, entitled:

A Bill to be entitled an Act making an appropriation from the general revenue fund and other funds, for the purpose of paying claims against certain state

departments and institutions hereinafter set out, 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.

MacDONALD, Chairman.

## SECOND READING

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

SENATE BILL NO. 410—By CURNUTT and COMMONS.

Senator MacDonald asked unanimous consent, which was granted, to place Senate Bill No. 410 upon the Calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 701—By MARTIN and PHILLIPS (Okfuskee).

Senator MacDonald asked unanimous consent, which was granted, to place House Bill No. 701 upon the Calendar, without reference to a Committee.

ENGROSSED HOUSE JOINT RESOLUTION NO. 51—By BABB and STEWART.—Referred to Judiciary Committee No. 1.

ENGROSSED HOUSE BILL NO. 715—By LEE-CRAFT, HAILE, PHILLIPS (Okfuskee), and BATSON.

Senator Nichols asked unanimous consent, which was granted, to place House Bill No. 715, 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,

Building

SIR:

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



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ENGROSSED HOUSE BILL NO. 641—By PHILIPS (Okfuskee), SINGLETON, WRIGHT and MARTIN, entitled

An Act amending Section 5973, Oklahoma Statutes, 1931, relating to the responsibility for purchases made by any municipality, superintendent, principal, coach, teacher or any employee of any State school or any other state or public institution or department of state; fixing the personal liability therefor upon the governing body of any such municipality, superintendent, principal, coach, teacher or employee of any state or public school, institution or department of state, 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 641.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED SENATE BILL NO. 138—By RITZ-HAUPT, entitled

An Act making it unlawful to plant, cultivate, protect, harvest, cure, prepare, barter, sell, give away or use or offer to sell, furnish or give away, or to have possession of marihuana, or any drug or preparation made from any species or variety of the botanical genus cannabis, or any compound derivative or preparation thereof; providing penalties for violation of this Act; 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, AS AMENDED, and signed by the Speaker Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 138 was read, as follows:

AMENDMENT NO. 1. Page 1; Section 1, Line 20: By inserting immediately following the word "physician," the following words, to-wit; "osteopathic surgeon."

Upon motion of Senator Ritzhaupt, the Senate concurred in Engrossed House Amendment to Engrossed Senate Bill No. 138.

SENATE BILL NO. 138 was read at length.

The question being, "Shall Senate Bill No. 138, as amended by the Honorable House, pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Howard, Jennings, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Briggs, Dixon, Fischl, Hutchinson, Moon, Pugh, Ray, Thomas. Total, 8.

Absent: Lester. Total, 1.

Excused: Logan, Rizley, Taylor. 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 Senate Bill No. 138, as amended by the Honorable House, become an emergency measure?" the roll was called with the following results:

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Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Howard, Jennings, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Briggs, Dixon, Fischl, Hutchinson, Moon, Pugh, Ray, Thomas. Total, 8.

Absent: Lester. Total, 1.

Excused: Logan, Rizley, Taylor. 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, in open session, signed Engrossed House Amendment to Engrossed Senate Bill No. 138 and ordered the bill, as amended, referred for enrollment.

To the President of the Senate,  
Building

SIR:

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

ENROLLED SENATE JOINT RESOLUTION NO. 11—By NICHOLS, CHAMBERLIN and REED.

A Joint Resolution relating to management and liquidation of delinquent loans under the management and control of the Commissioners of the Land Office of the State of Oklahoma; empowering the Commissioners of the Land Office to extend the payment of such loans at the constitutional rate of five per centum per annum; prescribing the time for such extension; and declaring an emergency; and

ENROLLED SENATE BILL NO. 323—By WALDREP.

An Act authorizing and empowering school boards

and county excise boards to make transfer of certain school funds in school districts of this State, making other provisions with reference thereto, 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Joint Resolution No. 11 and Enrolled Senate Bill No. 323 were, each, ordered referred to the Governor for consideration.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has considered

ENROLLED SENATE BILL NO. 354—By NANCE of the Senate and MOONEY of the House, entitled

An Act providing for additional compensation in excess of the annual salary of the county commissioners of Cotton County; fixing their duties; repealing all Acts in conflict therewith and declaring an emergency, over the Governor's veto and that same failed to receive a two-thirds majority of the votes of all members elected to and constituting the House of Representatives. Notice was served that on some future Legislative Day a Motion would be made to reconsider the vote by which Senate Bill 354 failed to pass over the Governor's Veto.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Liggett submitted the following Committee Report:



*Sixty-eighth Day, Wednesday; Apr. 5, 1933 1795*

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 434, 624, Senate Bills Nos. 364 and 406, each, correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 434 and 624, each, as amended, and ordered the bills returned to the Honorable House.

The President, in open session, signed Engrossed Senate Bills Nos. 364 and 406, and ordered, each, transmitted to the Honorable House for consideration.

Senator Stewart moved that the Senate proceed to the consideration of HOUSE BILL NO. 4, by Daniel.

Senator Nichols raised a point of order against the Stewart motion, which was overruled, stating the motion would require a suspension of the rules.

Senator Commons moved to table the Stewart motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Fidler, Liggett, MacDonald, Memminger, Moon, Nichols, Ritzhaupt, Sowards, Willis. Total, 17.

Nays: Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, Morrison, Nance, Paul, Powers, Stacey, Stewart, Wilbanks. Total, 15.

Not voting: Hutchinson, Pugh, Ray, Reed, Rutherford, Thomas, Waldrep, Whitaker. Total, 8.

Absent: Lester. Total, 1.

Excused: Logan, Rizley, Taylor. Total, 3.

Senator Curnutt moved that House Bill No. 4 be set for Special Order at 4:00 p. m., this day, which motion was tabled, upon motion of Senator Commons.

Senator Commons moved that the Senate work under the Call of the House, which motion prevailed.

Upon a roll being called, the following were noted "absent": Senators Carmack, Fischl, Hutchinson, Lester, Ray, Reed, Rutherford, Waldrep and Whitaker.

The Sergeant-at-Arms was instructed to notify the absent Senators of the Senate's proceedings.

Senator Johnston moved that House Bill No. 4 be set for Special Order at 2:00 p. m., on the next legislative day.

Senator MacDonald raised a point of order against the Johnston motion, which was overruled, stating the Senate had designated the next legislative day for the consideration of educational bills under Special Order.

Senators Carmack and Waldrep asked to be recorded "present," which was the order.

Senator Commons moved to table the Johnston motion, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Chamberlin, Clark, Commons, Coppock, Fidler, Liggett, MacDonald, Memminger, Moon, Nichols, Pugh, Ritzhaupt, Willis. Total, 14.

Nays: Briggs, Carlile, Carmack, Curnutt, Daugherty, Dixon, Garvin, Howard, Jennings, Johnston, Morrison, Nance, Paul, Powers, Stacey, Stewart, Thomas, Waldrep, Wilbanks. Total, 19.

Not Voting: Fischl, Hutchinson, Ray, Reed, Rutherford, Sowards, Whitaker. Total, 7.

Absent: Lester. Total, 1.

Excused: Logan, Rizley, Taylor. Total, 3.

Senator Johnston moved the adoption of the previous question, which was the order.

Senators Fischl and Whitaker asked to be recorded "present," which was the order.

The vote occurring on the Johnston motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Curnutt, Daugherty, Dixon, Garvin, Howard, Jennings, Johnston, Mor-

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rison, Nance, Paul, Powers, Stacey, Stewart, Waldrep, Whitaker, Wilbanks. Total, 19.

Nays: Ballard, Chamberlin, Clark, Commons, Coppock, Fidler, Fischl, Liggett, MacDonald, Memminger, Moon, Nichols, Pugh, Ritzhaupt, Thomas, Willis. Total, 16.

Not Voting: Hutchinson, Ray, Reed, Rutherford, Sowards. Total, 5.

Absent: Lester. Total, 1.

Excused: Logan, Rizley, Taylor. Total, 3.

Senators Hutchinson and Reed asked to be recorded "present," which was the order.

#### MESSAGES

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 94—By DANIELS of the House, and CHAMBERLIN, NANCE and GARVIN of the Senate.

An Act providing for an appropriation of five thousand (\$5,000.00) dollars for the remainder of the fiscal year ending June 30, 1933, and twenty thousand (\$20,000.00) dollars for the fiscal year ending June 30, 1934, and twenty thousand (\$20,000.00) dollars for the fiscal year ending June 30, 1935, for maintenance or supervision of Oklahoma orphan children who are not in state institutions; providing for the expenditure of the same by the State Board of Public Affairs on a per capita basis; and declaring an emergency, which bill I have this day signed and approved.

Witness my hand, this April 4th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 271—By CHIL-  
DERS and BABB.

An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563, 12565, 12566, 12567, 12569, 12571, 12573, and 12529 Oklahoma Statutes, 1931, relating to, and providing for the enforcement of the gasoline excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission; defining the term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto; defining embezzlement and perjury, for violation of this Act and prescribing penalties; further extending provision for injunction and giving the Commission authority in certain cases to declare the excise tax due and payable forthwith; authorizing exercise of discretion by Commission in issuance, extension, reinstatement, suspension and cancellation of licenses; declaring what may be admitted as evidence in certain cases; repealing conflicting laws and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand, this April 5th, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE HONORABLE, THE SENATE OF THE  
FOURTEENTH LEGISLATURE:

Gentlemen:

I return herewith, without my approval,  
SENATE BILL NO. 319

An Act authorizing certain persons to bring suit against Logan County for the recovery of moneys due



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for supplies furnished the poor and needy of said county; making it mandatory upon the District Judge to enter judgment upon proof of the correctness of such accounts; authorizing the levy of a tax to pay said judgment; and declaring an emergency.

This is a local bill affecting a single county in the state and no other. I here renew and repeat my objection to THE POLICY OF LOCAL LEGISLATION as expressed in my veto of Senate Bill No. 354 on March 31st.

It appears that a large number of merchants of Guthrie, Logan County, sold to the County Commissioners of that County, goods, wares and merchandise in various amounts aggregating about \$7,000.

It is not necessary to enter into the question as to whether the County Commissioners had authority to make these purchases and bind the County. If they had no such authority they are themselves liable for the debts created. If they had such authority, the County is liable.

It requires no special act of the Legislature to authorize any person to prosecute his claim against a County for a debt due him. There is a plain, adequate and complete remedy for such a creditor under, *Sections 7670 to 7683, inclusive, Oklahoma Statutes of 1931*. The claim must be filed with the County Commissioners and if denied the creditor can appeal to the District Court and there the cause is heard and determined de novo.

The proposed bill is in direct conflict with two paragraphs of Section 46 of Article 5 of the Constitution:

FIRST, THE LEGISLATURE SHALL NOT PASS ANY LOCAL OR SPECIAL LAW REGULATING THE AFFAIRS OF COUNTIES, CITIES, TOWNS, WARDS OR SCHOOL DISTRICTS, AND,

SECOND, THE LEGISLATURE SHALL NOT PASS ANY LOCAL OR SPECIAL LAWS

REGULATING THE PRACTICE OR JURISDICTION OF, OR CHANGING THE RULES OF EVIDENCE IN JUDICIAL PROCEEDINGS OR INQUIRY BEFORE THE COURTS, JUSTICES OF THE PEACE, SHERIFFS, COMMISSIONERS, ARBITRATORS, OR OTHER TRIBUNALS, OR PROVIDING OR CHANGING THE METHODS FOR THE COLLECTION OF DEBTS, OR THE ENFORCEMENT OF JUDGMENTS OR PRESCRIBING THE EFFECT OF JUDICIAL SALES OF REAL ESTATE;

For the foregoing reasons the said SENATE BILL NO. 319 is hereby disapproved and vetoed by me.

This the 1st day of April, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Ritzhaupt served notice that he would on some legislative day move that Senate Bill No. 319 become a law notwithstanding the veto of the Governor.

TO THE HONORABLE, THE SENATE OF THE  
FOURTEENTH LEGISLATURE:

Gentlemen:

I hereby return, without my approval, SENATE BILL NO. 389, a LOCAL BILL which provides that the money received from the RESALE of real estate, situated in the town of Covington, Garfield County, to satisfy delinquent taxes, be paid to the COVINGTON INDEPENDENT SCHOOL DISTRICT NO. 77 to liquidate outstanding warrants of said district.

Said bill proposes to divert the money collected on ad valorem taxes for ALL PURPOSES, state, county, township, city, and school district, for the benefit of an independent school district.

This bill is in direct violation of SECTION 9 and ARTICLE 10 of the Constitution.

EXCEPT AS HEREIN OTHERWISE PROVIDED, THE TOTAL TAXES, ON AN AD

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VALOREM BASIS, FOR ALL PURPOSES, STATE, COUNTY, TOWNSHIP, CITY OR TOWN, AND SCHOOL DISTRICT TAXES, SHALL NOT EXCEED IN ANY ONE YEAR THIRTY-ONE AND ONE-HALF MILLS ON THE DOLLAR, TO BE DIVIDED AS FOLLOWS:

STATE LEVY, NOT MORE THAN THREE AND ONE-HALF MILLS; COUNTY LEVY, NOT MORE THAN EIGHT MILLS; PROVIDED, THAT ANY COUNTY MAY LEVY NOT EXCEEDING TWO MILLS ADDITIONAL FOR COUNTY HIGH SCHOOL AND AID TO THE COMMON SCHOOLS OF THE COUNTY, NOT OVER ONE MILL OF WHICH SHALL BE FOR SUCH HIGH SCHOOL, AND THE AID OF SAID COMMON SCHOOLS SHALL BE APPORTIONED AS PROVIDED BY LAW; TOWNSHIP LEVY, NOT MORE THAN FIVE MILLS; CITY OR TOWN LEVY, NOT MORE THAN TEN MILLS; SCHOOL DISTRICT LEVY, NOT MORE THAN FIVE MILLS ON THE DOLLAR FOR SCHOOL PURPOSES, FOR SUPPORT OF COMMON SCHOOL.

Likewise it violates SECTION 14 of ARTICLE 10 of the Constitution as follows:

TAXES SHALL BE LEVIED AND COLLECTED BY GENERAL LAWS AND FOR PUBLIC PURPOSES ONLY.

For the reasons given, the said Senate Bill No. 389 is by me disapproved and vetoed.

Done, this 5th day of April, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Ray asked to be recorded "present," which was the order.

Senator Hutchinson asked unanimous consent, which was granted, to take up for consideration the veto

of the Governor of SENATE BILL NO. 389, by Hutchinson, of the Senate, and O'Neill and Eason of the House.

Senator Hutchinson moved that Senate Bill No. 389 be passed, notwithstanding the veto of the Governor.

The question being, "Shall Senate Bill No. 389, notwithstanding the veto of the Governor, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, MacDonald, Memminger, Moon, Morrison, Nance, Paul, Powers, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks. Total, 30.

Nays: Carlile, Carmack, Chamberlin, Commons, Liggett, Nichols. Total, 6.

Not voting: Howard, Pugh, Rutherford, Willis. Total, 4.

Absent: Lester. Total, 1.

Excused: Logan, Rizley, Taylor. Total, 3.

The Bill 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 Senate Bill No. 389, notwithstanding the veto of the Governor, become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Powers, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Carlile, Chamberlin, Garvin, Nichols. Total, 4.

Not voting: Paul, Pugh, Rutherford. Total, 3.

Absent: Lester. Total, 1.



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Excused: Logan, Rizley, Taylor. Total, 3.

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

Enrolled Senate Bill No. 389 was ordered transmitted to the Honorable House for consideration.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 220 correctly engrossed and Senate Bills Nos. 121 and 151 correctly enrolled.

LIGGETT, Chairman.

Senate Bills Nos. 121 and 151 were, each, read at length for the fourth time, the enrolled copies signed, in open session by the President, and ordered transmitted to the Honorable House for the signature of the Speaker.

The President announced matters were on his desk for the consideration of the Senate in executive session.

Upon motion of Senator Commons, the Senate closed its doors and went into executive session.

\* \* \* \* \*

The Senate re-assembled in open session, with the President presiding, who announced the Senate, in executive session, had refused to advise and consent to the confirmation of the following executive nomination: W. N. Barry, Okemah, Oklahoma, whose term expired March 24, 1933, as a member of the Board of Regents of the University of Oklahoma, for a term of seven years.

Senator Dixon presiding.

#### THIRD READING

Senator Pugh asked unanimous consent, which was granted, to take up under third reading, SENATE BILL NO. 220, by Pugh (By Request).

SENATE 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 33.

Not voting: Briggs, Commons, Daugherty, Fidler, Paul, Rutherford, Waldrep. Total, 7.

Absent: Lester. Total, 1.

Excused: Logan, Rizley, Taylor. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 33.

Not voting: Briggs, Commons, Daugherty, Fidler, Paul, Rutherford, Waldrep. Total, 7.

Absent: Lester. Total, 1.

Excused: Logan, Rizley, Taylor. 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 Senate Bill No. 220, and ordered the same transmitted to the Honorable House.

Senator Nichols asked unanimous consent, which was granted, to take up under third reading HOUSE

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BILL NO. 618, by Ebey (Pontotoc), and Strickland (Pontotoc).

Senator Rutherford asked to be recorded "present," which was the order.

HOUSE BILL NO. 618 was read for the third time at length.

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

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Powers, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Not voting: Briggs, Paul, Ray. Total, 3.

Absent: Lester. Total, 1.

Excused: Logan, Rizley, Taylor. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Powers, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Not voting: Briggs, Paul, Ray. Total, 3.

Absent: Lester. Total, 1.

Excused: Logan, Rizley, Taylor. 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. 618, and ordered the same transmitted to the Honorable House.

#### GENERAL ORDER

Senator Reed asked unanimous consent, which was granted, to advance to engrossment and third reading, HOUSE BILL NO. 364, by Jones.

By unanimous consent, House Bill No. 364, was considered engrossed and placed upon third reading and final passage.

Senator Lester asked to be recorded "present," which was the order.

HOUSE BILL NO. 364 was read for the third time at length.

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

Ayes: Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Not voting: Ballard, Briggs, Garvin, Ray. Total, 4.

Excused: Logan, Rizley, Taylor. 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: Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt,



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Rutherford, Sowards, Stacey, Stewart, Thomas, Wal-  
drep, Whitaker, Wilbanks, Willis. Total, 37.

Not voting: Ballard, Briggs, Garvin, Ray. Total, 4.

Excused: Logan, Rizley, Taylor. 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. 364, and ordered the  
same transmitted to the Honorable House.

Senator Chamberlin asked unanimous consent, which  
was granted, to advance to engrossment and third read-  
ing, SENATE BILL NO. 281, by Chamberlin and Com-  
mons.

#### MESSAGE

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

To the President of the Senate,  
Building.

SIR:

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

ENROLLED SENATE JOINT RESOLUTION  
NO. 17—By STACEY of the Senate and ROBERTS of  
the House, entitled:

A Resolution consenting, authorizing and empower-  
ing Elbert C. Haywood to sue the State of Oklahoma for  
damages sustained by him while engaged as a member  
of the National Guard, and while engaged with others  
in suppressing a riot at the county jail in Chickasha,  
Oklahoma, on the 30th day of May, 1930; and declaring  
an emergency,

and to advise 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Joint Resolution No. 17 was ordered referred to the Governor for consideration.

Senator MacDonald moved that the Senate proceed to the consideration of revenue raising measures, which motion prevailed.

Senator Taylor asked to be recorded "present", which was the order.

Senator Whitaker called up for consideration, HOUSE BILL NO. 516, by McElhaney and Misenheimer.

Section 1 was read.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend House Bill No. 516, lines 7 and 9, page 2, by striking the word "shall" and inserting the word "may".

CURNUTT.

Upon motion of Senator Curnutt, the previous question was ordered.

The vote occurring on the Curnutt amendment, it was declared adopted, the roll call thereon being as follows:

Ayes: Clark, Coppock, Curnutt, Fidler, Garvin, Hutchinson, Jennings, Liggett, Morrison, Nance, Paul, Powers, Pugh, Ray, Ritzhaupt, Rutherford, Sowards, Stacey, Thomas, Waldrep, Willis. Total, 21.

Nays: Ballard, Carlile, Carmack, Chamberlin, Commons, Dixon, Fischl, Johnston, Lester, MacDonald, Memminger, Moon, Nichols, Stewart, Taylor, Whitaker, Wilbanks. Total, 17.

Not voting: Briggs, Daugherty, Howard, Reed. Total, 4.

Excused: Logan, Rizley. Total, 2.

Senator Memminger submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 516, line 10, page 2, by striking the words "County Treas-

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urer" and substituting the words "County Excise Board."

MEMMINGER.

Senator Memminger submitted the following amendment:

Mr. President: I move to amend House Bill No. 516, by striking after the word "invested" line 9, page 2, the following: "under the direction of the County Treasurer" and substituting the words, "by the County Treasurer on order of the County Excise Board."

MEMMINGER.

Senator Nance submitted the following amendment:

Mr. President: I move to amend the Memminger amendment, by adding the following: "and the direction shall be in written form, signed by a majority of said Board and filed for record in the office of the County Clerk."

NANCE.

Senator Whitaker, as a substitute, moved that further consideration of House Bill No. 516 be postponed until the next legislative day.

Senator MacDonald, in lieu of all pending motions, moved that further consideration of House Bill No. 516 be set for Special Order at 8:00 p. m., this date.

Senator Paul raised a point of order against the MacDonald motion, which was overruled, stating the motion would require a suspension of the rules.

Senator Rizley asked to be recorded "present," which was the order.

Upon motion of Senator Whitaker, the previous question was ordered.

The vote occurring on the MacDonald motion, it was declared adopted.

MESSAGES

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

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 483—By HOLLI-MAN, HAILE, PHILLIPS (Okfuskee) of the House and GARVIN, WALDREP and WILBANKS of the Senate, entitled

An Act levying an excise tax of one-eighth of one cent per barrel on petroleum oil produced in the State of Oklahoma subsequent to the passage and approval of this Act, providing for the deposit of the proceeds of such tax in the State Treasury to the credit of the "Proration Fund" created hereby, and the appropriation of said fund for salaries and expenses of the proration umpire, his assistant and deputies, employees in the proration office, and the proration attorney, repealing all Acts in conflict herewith and declaring an emergency,  
and respectfully request a conference be granted thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Garvin moved that the request of the Honorable House for a conference on Engrossed House Bill No. 483 be granted and the Senate Conferees, appointed under House Bill No. 481, be appointed as Senate Conferees under House Bill No. 483, which motion prevailed.



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To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 572—By PHILIPS (Okfuskee), HILL, SINGLETON and BATSON, entitled

An Act amending Section 12473, Oklahoma Statutes, 1931, by including as additional taxable transfers, for inheritance tax purposes, trust estates, joint estates, estates by the entirety and the proceeds of certain life insurance policies: providing for an estate tax to absorb the credit allowed by the Federal Revenue Act of 1926, and all amendments thereto; amending Section 12477, Oklahoma Statutes 1931, by providing for penalties, time for payment and abolishing discounts; amending Section 12494, Oklahoma Statutes, 1931, by providing for disposition of all inheritance, transfer or estate taxes and penalties; providing that the provisions of this Act shall apply to all transfers and estates not closed; and declaring an emergency,

and the same has been passed AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

#### CONFERENCE COMMITTEE REPORT

Senator Whitaker called up for consideration, Conference Committee Report on Engrossed HOUSE BILL NO. 1.

The Conference Committee Report, shown in the Journal for March 30th on House Bill No. 1, was read.

Senator Paul moved that the Conference Committee Report on House Bill No. 1 be rejected and the Hon-

orable House requested to grant a further conference thereon.

Senator Whitaker, as a substitute, moved that the Conference Committee Report on House Bill No. 1 be adopted and filed.

Senator Nance, in lieu of all pending motions, moved that the Conference Committee Report on House Bill No. 1 be returned to the Honorable House, with the request for further conference on the bill, and that the Conferees of the Senate be instructed to eliminate the so-called exemption clause provided for foreign life insurance companies.

President Burns presiding.

Senator Moon moved to table the Nance motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Howard, Jennings, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Willis. Total, 23.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Hutchinson, Johnston, Liggett, Nance, Paul, Powers, Ray, Reed, Rizley, Thomas, Waldrep, Wilbanks. Total, 20.

Excused: Logan. Total, 1.

Senator Paul, in lieu of all pending motions, moved that the Conference Committee Report on House Bill No. 1 be adopted, with the exception of the provision that exempted the insurance companies.

Senator Ballard raised a point of order against the Paul motion, which was sustained, stating the report in full can only be adopted or rejected.

Upon motion of Senator Whitaker, the previous question was ordered.

The vote occurring on the Whitaker motion, it

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was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Howard, Jennings, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Willis. Total, 23.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Hutchinson, Johnston, Liggett, Nance, Paul, Powers, Ray, Reed, Rizley, Thomas, Wal-drep, Wilbanks. Total, 20.

Excused: Logan. Total, 1.

Upon motion of Senator Paul, the Senate recessed, to meet at 7:30 p. m.

#### EVENING SESSION

At 7:30 p. m., the Senate reassembled, with the President presiding.

#### MESSAGES

The following Messages from the Governor were received and read:

To the Fourteenth Legislature  
of the State of Oklahoma:  
Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE JOINT RESOLUTION NO.  
11—By NICHOLS, CHAMBERLIN and REED.

A Joint Resolution relating to management and liquidation of delinquent loans under the management and control of the Commissioners of the Land Office of the State of Oklahoma; empowering the Commissioners of the Land Office to extend the payment of such loans at the constitutional rate of five per centum per annum; prescribing the time for such extension; and declaring an emergency,

which bill I have this day signed and approved.

Witness my hand, this April 5th, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

To the Honorable,  
The Senate of the Fourteenth Legislature:  
Gentlemen:

I return herewith, without my approval, Senate  
Bill No. 283

An Act validating certain warrants issued by  
counties for county highway purposes during the fiscal  
year ending June 30th, 1933, providing for the pay-  
ment thereof, and declaring an emergency.

This bill upon its face purports to enact a gen-  
eral law. In truth and fact it is a local bill applying  
to a single county with the purpose of validating war-  
rants issued by said County void and worthless under  
the general law.

In my veto message of March 31st, returning Sen-  
ate Bill No. 354, I denounce the vicious policy of  
such LOCAL BILLS, allowed to go through without  
investigation or proper consideration by the Legisla-  
ture, out of a false sense of deference and courtesy  
to the authors of the bill.

I repeat what I said in that Message:

LET US HOPE THAT WE MAY SET A  
PRECEDENT FOR THE ENACTMENT OF GEN-  
ERAL LAWS, AND ABANDON ANY FURTHER  
EFFORT TO ENACT SPECIAL LAWS, EXCEPT  
WHERE IT IS ABSOLUTELY NECESSARY AND  
WITHIN THE LIMITS OF THE CONSTITUTION,  
BECAUSE ONLY IN GENERAL STATUTES IS  
A CRITICISM OF THE WISDOM OF SUCH  
LAWS MADE BY THE ENTIRE LEGISLATIVE  
BODY.

I veto said bill for the further reason that if the



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defect in the warrants was merely clerical, the error can be corrected by the District Court under its general equity powers.

If the warrants are in fact illegal, the fiat of the Legislature in the form of law cannot make them legal.

For the reasons given the said SENATE BILL NO. 283 is hereby disapproved and vetoed by me.

Done, this the 4th day of April, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Willis served notice on the Senate that he would, on some future legislative day, move that Senate Bill No. 283 become a law, notwithstanding the veto of the Governor.

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

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your signature;

ENROLLED HOUSE BILL NO. 572—By PHIL-  
LIPS (Okfuskee), HILL, SINGLETON and BATSON,  
entitled:

An Act amending Section 12473, Oklahoma Statutes, 1931, by including, as additional taxable transfers, for inheritance tax purposes, trust estates, joint estates, estates by the entirety and the proceeds of certain life insurance policies; providing for an estate tax to absorb the credit allowed by the Federal Revenue Act of 1926 and all amendments thereto; amending Section 12477, Oklahoma Statutes, 1931, by providing for penalties, time for payment and abolishing discounts; amending Section 12494, Oklahoma Statutes, 1931, by providing for disposition of all inheritance, transfer or estate taxes and penalties; provid-

ing that the provisions of this Act shall apply to all transfers and estates not closed; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 572 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 42 correctly engrossed and Senate Bill No. 138 correctly enrolled.

LIGGETT, Chairman.

Senate Bill No. 138 was read at length for the fourth time, the enrolled copy signed, in open session, and ordered returned to the Honorable House.

#### GENERAL ORDER

Senator MacDonald asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 503, by Coe.

Senator MacDonald asked unanimous consent, which was granted, to submit the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 503, line 6, page 1, by striking after the word "corporations," and before the word, "business," the word, "doing," and inserting the following, "having their domicile or place of"

MacDONALD.

Senator MacDonald asked unanimous consent,

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which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 503, line 6, page 1, by adding after the word, "persons," and before the word, "firms," the words, "having their domicile or," and by adding after the word, "corporations," the words, "having their place of," and by striking the word, "doing"

MacDONALD.

Upon motion of Senator MacDonald, House Bill No. 503, as amended, was advanced to engrossment and third reading.

### THIRD READING

Senator Commons asked unanimous consent, which was granted, to submit the following amendment to SENATE BILL NO. 390:

Mr. President: I move to amend Senate Bill No. 390, line 13, page 3, by inserting after the word, "last," and before the word, "general," the word, "statewide," and on line 16, page 5, after the word, "last," and before the word, "general," insert the word, "statewide"

COMMONS.

By unanimous consent, the Commons amendment was adopted.

### GENERAL ORDER

Upon motion of Senator Commons, SENATE BILL NO. 310, by Morrison, Briggs, Chamberlin, Curnutt, Commons and Nichols, was advanced to engrossment and third reading.

Upon motion of Senator Reed, HOUSE BILL NO. 219, by Collins, was advanced to engrossment and third reading.

Upon motion of Senator Willis, HOUSE BILL NO. 629, by Hankla, of the House, and Willis, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Ritzhaupt, SENATE

BILL NO. 320, by Ritzhaupt, was advanced to engrossment and third reading.

Upon motion of Senator Ritzhaupt, SENATE BILL NO. 321, by Ritzhaupt, was advanced to engrossment and third reading.

Upon motion of Senator Commons, SENATE BILL NO. 186, by Commons, was advanced to engrossment and third reading.

Upon motion of Senator Moon, HOUSE BILL NO. 243, by Batson, was advanced to engrossment and third reading.

Upon motion of Senator Coppock, HOUSE BILL NO. 179, by Graham, was advanced to engrossment and third reading.

Upon motion of Senator Howard, HOUSE BILL NO. 318, by Timmons, et al, was advanced to engrossment and third reading.

Upon motion of Senator Moon, HOUSE BILL NO. 504, by Cloyd, Broadus, et al, was advanced to engrossment and third reading.

Senator Stacey asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading HOUSE BILL NO. 39, by Cloyd, of the House, and Stacey, of the Senate.

Senator Thomas asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading HOUSE BILL NO. 666, by Todd and Fitzgerald.

Senator Commons moved that SENATE BILL NO. 42, by Logan, be ordered stricken from the calendar.

Senator Curnutt raised a point of order against the Commons motion, which was overruled, stating the motion would require unanimous consent.

Senator Ritzhaupt, as a substitute, moved that Senate Bill No. 42 be read, which motion was tabled, upon motion of Senator Commons.

Senator MacDonald presiding.



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Senator Curnutt, in lieu of all pending motions, moved that Senate Bill No. 42 be set for Special Order at 2:00 p. m., on the next legislative day, which motion was tabled, upon motion of Senator Commons.

The vote occurring on the Commons motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Clark, Commons, Fidler, Garvin, Howard, Johnston, Liggett, MacDonald, Moon, Morrison, Nichols, Ray, Stewart, Waldrep, Whitaker. Total, 18.

Nays: Ballard, Coppock, Curnutt, Daugherty, Dixon, Fischl, Jennings, Memminger, Powers, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Thomas, Willis. Total, 17.

Not Voting: Chamberlin, Hutchinson, Lester, Nance, Paul, Rizley, Taylor, Wilbanks. Total, 8.

Excused: Logan. Total, 1.

Upon motion of Senator Clark, HOUSE JOINT RESOLUTION NO. 40, by Cline, et al, was advanced to engrossment and third reading.

Senator Nichols moved that the Senate proceed to the consideration of HOUSE BILL NO. 532, by Fitzgerald, et al, under Special Order.

Senator Briggs raised a point of order against the Nichols motion, which was overruled, stating the motion would require a suspension of the rules, the Senate having previously voted to first consider revenue raising measures.

Senator Pugh, as a substitute, moved that further consideration of House Bill No. 532 be indefinitely postponed.

Senator Ballard raised a point of order against the Pugh motion, which was sustained, stating a motion to table is a superior motion.

Senator Pugh moved to table the Nichols motion, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Chamberlin, Coppock, Daugherty, Fidler, Jemings, Johnston, Liggett, MacDonald, Memminger, Pugh, Ray, Reed, Stacey, Thomas, Waldrep, Whitaker, Willis. Total, 18.

Nays: Ballard, Carlile, Carmack, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Howard, Moon, Morrison, Nichols, Powers, Ritzhaupt, Rutherford, Sowards, Stewart. Total, 18.

Not Voting: Hutchinson, Lester, Nance, Paul, Rizley, Taylor, Wilbanks. Total, 7.

Excused: Logan. Total, 1.

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

Senator Whitaker moved that further consideration of House Bill No. 532 be indefinitely postponed, which motion, by unanimous consent, he withdrew.

Senator Moon asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 303, by Moon.

Senator Reed moved that the Senate proceed to the consideration of SENATE BILL NO. 384, by Reed.

The Presiding Officer made the observation that the hour had arrived for the consideration of HOUSE BILL NO. 516, by McElhaney and Misenheimer, under Special Order.

Senator Reed moved that Senate Bill No. 384, by Reed, be set for Special Order at 2:00 p. m., on the next legislative day.

Senator Curnutt, as a substitute, moved that Senate Bill No. 384 be set for Special Order at 9:30 p. m., this day.

Senator Whitaker, in lieu of all pending motions, moved that the Senate proceed to the consideration of HOUSE BILL NO. 225, by Abernethy (Harmon).

The Presiding Officer declared all pending motions out of order, for the reason the hour had arrived for

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the consideration of HOUSE BILL NO. 516, under Special Order.

Senator Whitaker called for the consideration of HOUSE BILL NO. 225.

Senator Ballard raised a point of order against the Whitaker request, which was sustained, stating it would require a suspension of the rules.

Senator Whitaker moved that the Senate proceed to the consideration of House Bill No. 225, which motion, by unanimous consent, he withdrew.

By unanimous consent, the Reed and Curnutt motions were placed before the Senate for consideration.

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

The vote occurring on the Reed motion, it was declared failed of adoption.

Senator Briggs asked unanimous consent, to which objections were voiced, to withdraw the reference on HOUSE JOINT RESOLUTION NO. 51, by Babb, of the House, and Stewart, of the Senate, on Second Reading today, and order the resolution referred to the calendar without reference to a Committee.

#### UNFINISHED BUSINESS

Senator Ballard moved that the Senate proceed to the consideration of HOUSE BILL NO. 1, under "Unfinished Business."

A roll call was demanded, sustained and ordered by the Chair.

Senator Whitaker, as a substitute, moved that the Senate proceed to the consideration of HOUSE BILL NO. 225, by Abernethy (Harmon).

Senator Ballard raised a point of order against the Whitaker motion, which was sustained, stating a roll call had been ordered, on his motion.

The vote occurring on the Ballard motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Jennings, Moon, Morrison, Powers, Rutherford, Stacey. Total, 12.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Thomas, Waldrep, Whitaker, Willis. Total, 24.

Not Voting: Daugherty, Hutchinson, Nance, Paul, Rizley, Taylor, Wilbanks. Total, 7.

Excused: Logan. Total, 1.

Senator Whitaker moved that the Senate proceed to the consideration of HOUSE BILL NO. 225.

Senator Curnutt raised a point of order against the Whitaker motion, which was sustained, stating the hour had arrived for the Special Consideration of HOUSE BILL NO. 516.

Upon motion of Senator Chamberlin, further consideration of House Bill No. 516 was deferred until 2:00 o'clock, p. m., on the next legislative day.

Upon motion of Senator Johnston, SENATE BILL NO. 344, by Johnston, was advanced to engrossment and third reading.

Upon motion of Senator Whitaker, the Senate proceeded to the consideration of HOUSE BILL NO. 225, by Abernethy (Harmon), et al.

Section 1 was read and adopted, upon motion of Senator Commons.

Sections 2, 3 and 4 were read and adopted, upon motions of Senator Whitaker.

Section 5 was read.

Senator Morrison submitted the following amendment, which was tabled, upon motion of Senator Whitaker:

Mr. President: I move to amend House Bill No. 225, line 8, page 7, by striking after the word, "payment," and before the word, "of," the words and fig-



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ures, "four (4%) per centum," and inserting the words and figures, "two and one-half (2 1/2%) per centum."

MORRISON.

Upon motion of Senator Whitaker, Section 5 was adopted.

Sections 6, 7, 8, 9, 10, 11, 12, 13 and 14 were read and adopted, upon motions of Senator Whitaker.

Senator Morrison submitted the following amendment, which was tabled, upon motion of Senator Whitaker:

Mr. President: I move to amend House Bill No. 225, by striking all of the sections of said bill and substituting in lieu thereof the following:

SECTION 1. The property of car companies shall be annually assessed as prescribed in this article by the State Board of Equalization.

SECTION 2. The president or other chief officer of every car company, mercantile or other company or corporation, other than a railroad company operating a line of railroad, and every firm, corporation or individual owning or operating any stock cars, furniture cars, refrigerator cars, fruit cars, poultry cars, tank cars, or any other kind of cars except sleeping cars, through, in or into the State of Oklahoma, shall, on or before the second Monday in December, of each year, make to the Oklahoma Tax Commission a true, full and accurate statement, verified by the affidavit of the officer or person making the report, showing the aggregate number of miles made by their cars on the several lines of railroad in the State ending with the 30th day of June last past, and a further statement showing the average number of miles traveled per day of a particular class covered by the statement in the ordinary course of business during the year, and the total number of cars owned by said company, individual or firm.

SECTION 3. The president or other officer of every railroad company whose lines run through, in or

into the state shall, on or before the second Monday in December in each year, furnish to the Oklahoma Tax Commission a statement, verified by the affidavit of the officer or person making the same, showing the total number of miles made by the cars of every car company, mercantile or other company, firm or individual on their lines, branches, sidings, spurs and warehouse tracks in this State during the year ending on the 30th day of June last past.

SECTION 4. It shall be the duty of the State Board of Equalization to ascertain from said statements the number of cars required to make the total mileage of the cars of each person, firm, corporation or company required to make reports under Section 2 hereof, and such number of cars so found shall be the number of cars on which said company, firm or individual shall be assessed for said year. The State Board of Equalization shall ascertain and fix the valuation upon each particular class of cars, which as nearly as possible shall be the true value of such cars, and the number so ascertained shall be assessed to the respective car company, mercantile or other company, firm or individual. For the purpose of making the assessment the board is authorized to base the assessment upon the returns of the several railroad companies; and in determining the number of such cars, the State Board of Equalization, insofar as may be practicable, shall harmonize the statements of the several railroad companies, car companies, mercantile or other companies, firms or individuals with respect thereto.

SECTION 5. There is hereby levied for general state purposes a tax of four per centum (4%) of the value of the property as hereinbefore assessed, the same to be in lieu of all tax of whatsoever kind and nature upon such property, it being the intention of this law to levy said tax in lieu of ad valorem tax upon said

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property, and the method herein provided being intended to provide a method of computation of said tax.

SECTION 6. Within ten (10) days after the Board of Equalization shall have made the determination of the value of the property to be taxed hereunder, the State Tax Commission shall notify the owner of such property of the amount so determined and the owner of such property shall within thirty (30) days thereafter pay to the Oklahoma Tax Commission the amount of such tax.

SECTION 7. The tax levied by this Act shall constitute and be a first and paramount lien upon any property, real or personal, situated or found in the State of Oklahoma, of any freight line company, equipment company or mercantile company, and should the tax as herein levied and computed, become delinquent, as hereinbefore provided, the Oklahoma Tax Commission shall issue a tax warrant to the sheriff of any county wherein the company may have any property, for the collection of the amount of said tax and penalty and costs; and the sheriff to whom said warrant shall be directed shall levy upon any property, assets or effects of the company against whom said tax has been assessed; and sell the same and make return thereof as upon execution.

SECTION 8. All monies collected by and under the provisions of this Act, less any interest paid pursuant to judgment, as provided in Section 5, shall be paid into the general Revenue Fund of the State for the general expense of the State Government.

SECTION 9. PENALTY FOR FAILURE TO MAKE STATEMENT. In case any such car company, mercantile or other company, firm or individual shall fail or refuse to make the statement herein required within the time above specified, or shall make a false statement, the said board shall proceed to assess the property of such car company, mercantile or other company, firm or individual so failing, and shall add 50

per cent to the value thereof as ascertained and determined by the board.

**SECTION 10. RAILROADS AND SLEEPING CAR COMPANIES NOT GOVERNED BY PRECEDING SECTION.** This law shall not apply to railroad companies operating railroads within this State, nor to sleeping car companies whose cars are used regularly by railroads running in, into and through this State.

**SECTION 11.** Sections 12386 to 12397, inclusive, Oklahoma Statutes 1931, and Articles X and XIII of Chapter 66, Oklahoma Statutes 1931, are hereby expressly repealed; provided, however, that all property heretofore paying gross earnings, gross receipts or gross revenue taxes under the provisions of any of said Acts and not included herein, such as that of telegraph companies, shall be subject to the payment of ad valorem taxes on and after January 1, 1933, as provided in the general laws relating thereto.

**SECTION 12.** 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.

**MORRISON.**

Upon motion of Senator Whitaker, House Bill No. 225 was advanced to engrossment and third reading.

Upon motion of Senator Whitaker, the rules of the Senate were suspended and House Bill No. 225 was considered engrossed and placed upon third reading and final passage.

**HOUSE BILL NO. 225** was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Dixon, Fischl, Gar-



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vin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Stacey, Stéwart, Thomas, Wal-drep, Whitaker, Willis. Total, 31.

Nays: Curnutt, Fidler, Jennings, Moon, Mor-rison. Total, 5.

Not Voting: Coppock, Hutchinson, Powers, Reed, Rutherford, Taylor, Wilbanks. Total, 7.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Cham-berlin, Clark, Commons, Daugherty, Dixon, Fischl, Gar-vin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Ritz-haupt, Rizley, Sowards, Stacey, Stewart, Thomas, Wal-drep, Whitaker, Willis. Total, 31.

Nays: Curnutt, Fidler, Jennings, Moon, Mor-rison. Total, 5.

Not Voting: Coppock, Hutchinson, Powers, Reed, Rutherford, Taylor, Wilbanks. Total, 7.

Excused: Logan. 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. 225 was ordered referred for en-grossment.

Senator Garvin served notice on the Senate that he would, on some future legislative day, move to recon-sider the vote by which the Conference Committee Re-port was adopted on HOUSE BILL NO. 1.

Senator Jennings raised a point of order against

the Garvin notice, which was overruled, stating the mover did not vote with the **majority**.

### THIRD READING

Senator Moon asked unanimous consent, which was granted, to take up for consideration under Third Reading HOUSE BILL NO. 243, by Batson.

HOUSE BILL NO. 243 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Clark, Commons, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Thomas, Waldrep, Whitaker, Willis. Total, 35.

Nay: Coppock. Total, 1.

Not voting: Chamberlin, Curnutt, Hutchinson, Reed, Stewart, Taylor, Wilbanks. Total, 7.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Clark, Commons, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Thomas, Waldrep, Whitaker, Willis. Total, 35.

Nay: Coppock. Total, 1.

Not voting: Chamberlin, Curnutt, Hutchinson, Reed, Stewart, Taylor, Wilbanks. Total, 7.

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Excused: Logan. 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. 243, and ordered the same transmitted to the Honorable House.

Senator Curnutt served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which SENATE BILL NO. 42, by Logan, was ordered stricken from the calendar.

Senator Commons moved that the Senate adjourn, to meet at 1:30 p. m., Thursday, April 6th, 1933, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Commons, Coppock, Curnutt, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Pugh, Ritzhaupt, Rutherford, Stacey, Whitaker, Willis. Total, 20.

Nays: Ballard, Briggs, Clark, Daugherty, Dixon, Fischl, Garvin, Morrison, Nance, Paul, Powers, Ray, Rizley, Sowards, Thomas, Waldrep. Total, 16.

Not voting: Chamberlin, Fidler, Hutchinson, Reed, Stewart, Taylor, Wilbanks. Total, 7.

Excused: Logan. Total, 1.

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Excused: Logan, Taylor. Total, 2.

The President 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 Congressional and Legislative Re-districting, to whom was referred Engrossed House Bill No. 320, by King, Landingham and Watson, entitled:

An Act dividing Creek County, Oklahoma, into three legislative nominating districts for the purpose of nominating candidates for the legislature by the various legally constituted political parties, to become candidates in the general election to the House of Representatives of the state of Oklahoma, for the remainder of the decennial period ending on the 15th day after the general election in 1942,

beg leave to report that we had the same under consid-



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eration and herewith return the same with the recommendation that it do pass.

WALDREP, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 604, by Mallory, Kight, Speck, O'Neill, Allen, Cline, Mooney, Sturgell, King, Lindsey, Leecraft, Cloyd and Conner, entitled:

An Act levying a tax on homesteads in this state; providing the time for the collection of such tax, 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.

WHITAKER, Chairman.

#### FIRST READING

The following Bills were introduced and read for the first time:

SENATE BILL NO. 411 — By JOHNSTON, BRIGGS, WALDREP, WILLIS and CARLILE.—An Act creating a court of claims, defining its jurisdiction, powers and duties; authorizing all persons having claims against the State of Oklahoma for the recovery of money to commence and maintain actions thereon before said Court; prescribing procedure; providing for appeals from judgments to the Supreme Court, and declaring an emergency.

SENATE BILL NO. 412—By BRIGGS of the Senate and BABB and STEWART of the House.—An Act authorizing certain persons to bring suit against the State of Oklahoma for damages sustained by them from flood occasioned by faulty construction of highways in LeFlore County, Oklahoma; making an appropriation to pay judgments in event of recovery; and declaring an emergency.

#### SECOND READING

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

ENGROSSED HOUSE BILL NO. 641—By PHILIPS (Okfuskee), SINGLETON, WRIGHT and MARTIN.

Senator Nichols asked unanimous consent, which was granted, to place House Bill No. 641 upon the Calendar, without reference to a committee.

Senator Briggs asked unanimous consent, which was granted, to withdraw House Joint Resolution No. 51, by Babb and Stewart, from Judiciary Committee No. 1 and place the Resolution upon the calendar.

Senator Fischl moved that House Bill No. 220, by Judicial Redistricting Committee of the House, be re-committed to the Committee on Judicial Redistricting, with instructions to re-draft the bill as to reduce the number of District Judges to thirty, which motion was tabled, upon motion of Senator Wilbanks.

Senator Moon asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading, SENATE BILL NO. 398, by Moon.

Senator Fischl moved that House Bill No. 220 be re-committed to the Committee on Judicial Redistricting, for the purpose of giving the citizens in the counties embraced in Judicial District No. 19, an opportunity to appear before the committee, which motion failed of adoption.

Senator Fischl moved that further consideration of House Bill No. 220 be indefinitely postponed, which motion was tabled, upon motion of Senator Wilbanks.

Senator Commons moved that the Senate work under a Call of the House, which motion prevailed.

Upon roll call being ordered, the following were noted "absent": Senators Ballard, Curnutt, Dixon, Hutchinson, Jennings, Lester, MacDonald, Nance, Paul, Ray, Reed, Sowards and Waldrep.

The Sergeant-at-Arms was instructed to notify all absent Senators of the Senate's proceedings.

Senator Wilbanks asked unanimous consent, which

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was granted, to strike from the Calendar SENATE BILL NO. 272, by Wilbanks, of the Senate, and Darks, of the House.

The following members asked to be recorded "present," which was the order: Senators Ballard, Jennings, MacDonald, Nance, Ray, Waldrep, Curnutt, Paul, Sowards, Reed, Hutchinson, and Dixon.

President Pro Tempore Stewart presiding.

Senator Briggs moved that the vote be re-considered by which HOUSE BILL NO. 656, by Henderson, et al, was passed, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Rutherford, Stacey, Stewart, Waldrep, Wilbanks. Total, 35.

Nays: Carmack, Daugherty, Whitaker, Willis. Total, 4.

Not Voting: Sowards, Thomas. Total, 2.

Absent: Lester. Total, 1.

Excused: Logan, Taylor. Total, 2.

Upon motion of Senator Briggs, the vote was reconsidered by which House Bill No. 656 was advanced to engrossment and third reading.

Upon motion of Senator Briggs, the vote was reconsidered by which Section 1 was adopted.

Senator Briggs submitted the following amendment:

Mr. President: I move to amend House Bill No. 656, line 16, page 3, by inserting after the word "the" and before the word "transportation," the word "inter-city" and strike from line 4, page 4, the word "rough."

BRIGGS.

Senator Ballard, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 656, line 14, page 3, by striking all of paragraph 3, down to and including all of line 1, page 4, and adding in lieu thereof, the following: "Class C motor carrier shall include all carriers which are operated by owners for the transportation of their own property, goods, or merchandise, who charge or collect from the consignee, purchaser, or recipient of such property, goods or merchandise for transporting or delivering the same."

BALLARD.

Senator Lester asked to be recorded "present," which was the order.

Senator MacDonald moved to table the Ballard amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Pugh, Ray, Reed, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 22.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Garvin, Hutchinson, Jennings, Moon, Nance, Nichols, Paul, Powers, Ritzhaupt, Rizley, Rutherford, Waldrep. Total, 18.

Not Voting: Morrison, Sowards. Total, 2.

Excused: Logan, Taylor. Total, 2.

Senator Wilbanks submitted the following amendment, which was adopted:

Mr. President: I move to amend the Briggs amendment, by striking the following: "and strike from line 4, page 4, the word 'rough'."

WILBANKS.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator MacDonald:

Mr. President: I move to amend House Bill No. 656, line 16, page 3, by adding after the word "receivers"



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and before the word "engaged," the word "regularly."  
JENNINGS.

### MESSAGE

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

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to  
advise you, and, through you, the Honorable Senate,  
that the House refuses to adopt the Conference Com-  
mittee Report on:

ENGROSSED HOUSE BILL NO. 481—By HOL-  
LIMAN, WATSON, HAILE and PHILLIPS (Okfus-  
kee) of the House, and GARVIN, WALDREP of the  
Senate.

An Act defining and prohibiting waste of crude pe-  
troleum and natural gas, and providing for the ratable  
and equitable taking thereof from common sources of  
supply; conferring authority upon, and defining the  
duties, powers, and authority of, the Corporation Com-  
mission in connection with the enforcement of this Act,  
and prescribing the character of notice and procedure  
to be followed by the Corporation Commission here-  
under; regulating all producers, purchasers and com-  
mon carriers of crude petroleum so as to prevent inequi-  
table taking and waste; prescribing penalties and other  
relief for violation of this Act and of rules, regulations  
or orders promulgated by the Corporation Commission  
hereunder; providing for proceedings for injunction in  
the district courts to enjoin the violation of and to en-  
force the provisions of this Act and the orders, rules  
and regulations of the Corporation Commission made in  
pursuance hereof; declaring certain violations hereof,  
and violations of certain rules, regulations or orders  
promulgated by the Corporation Commission hereunder,  
to be crimes, and prescribing the punishment therefor;

creating the offices of Proration Umpire, Assistant Proration Umpire and Proration Attorney, for the enforcement of this Act, and providing for their appointment and removal and defining their duties, powers and authority and fixing their term of office, bonds and compensation; providing for the appointment of deputies and employees to aid in the enforcement of this Act, defining their duties, power and authority, and fixing their compensation; providing for expenses of administration in connection with this Act and for the creation of a special fund, to be known as the "Proration Fund" to be used exclusively in the enforcement of this Act; repealing all laws in conflict herewith, and for other purposes; and declaring an emergency, and respectfully requests your Honorable Body for a further open conference thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Garvin, the request of the Honorable House was granted.

Senator Commons moved that the Senate Conferees under House Bill No. 481, be instructed to eliminate that phase of the bill which provides for the confirmation, by the Senate, of the Proration Umpire, Assistant Proration Umpire and Proration Attorney.

Senator Curnutt, in lieu of all pending motions, moved that the Senate Conferees be instructed to inform the Honorable House that the Senate will concur in a conference amendment to permit the Honorable House to confirm the three appointments, provided under House Bill No. 481, which motion was tabled, upon motion of Senator Chamberlin.

Senator Paul moved to amend the Commons motion by providing "that the Conferees of the two Houses, shall not consider any other question that might be involved in the bill," which motion prevailed.

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The vote occurring on the Commons motion, as amended, it was declared adopted.

Referring further to HOUSE BILL NO. 656.

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

Senator Briggs moved that House Bill No. 656 be advanced to engrossment and third reading.

Senator Jennings attempted to submit an amendment to House Bill No. 656.

Senator Nance raised a point of order against the Jennings amendment, which was sustained, stating a motion to advance is superior.

The vote occurring on the Briggs motion, it was declared adopted.

Upon motion of Senator Briggs, the rules of the Senate were suspended and House Bill No. 656 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 656 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Ballard, Coppock, Curnutt, Dixon, Fidler, Jennings, Nance, Rutherford, Waldrep. Total, 9.

Not Voting: Hutchinson, Morrison, Reed. Total, 3.

Excused: Logan, Taylor. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Ballard, Coppock, Curnutt, Dixon, Fidler, Jennings, Nance, Rutherford, Waldrep. Total, 9.

Not Voting: Hutchinson, Morrison, Reed. Total, 3.

Excused: Logan, Taylor. 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. 656 was ordered referred for engrossment.

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 248—By HAILE, JONES, OTTESEN, BABB and LANDINGHAM, entitled:

An Act amending Sections 12428, 12429, 12431, 12432, 12434, 12437, 12440, 12441 and 12444, Oklahoma Statutes 1931 providing for payment of gross production tax of asphalt, or of ores bearing lead, zinc, jack, gold, silver or copper, or of petroleum or crude oil or other mineral oil, or of natural gas or of casinghead gas; **providing for enforcement thereof and apportionment of taxes and penalty, repealing conflicting laws and declaring an emergency,** and to advise you, and, through you, the Honorable Senate, that the same has been passed by the House of Rep-



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representatives and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 248.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker of the House has appointed Representatives Holliman, Grisso, Haile, Cavins, and Watson, as Conferees on:

ENGROSSED HOUSE BILL NO. 483—By HOLLIMAN, HAILE, PHILLIPS (Okfuskee) of the House and GARVIN, WALDREP and WILBANKS of the Senate, entitled:

An Act levying an excise tax of one-eighth of one cent per barrel on petroleum oil produced in the state of Oklahoma subsequent to the passage and approval of this Act, providing for the deposit of the proceeds of such tax in the State Treasury to the credit of the "Proration Fund" created hereby, and the appropriation of said fund for salaries and expenses of the Proration Umpire, his assistant and deputies, employees in the proration office, and the Proration Attorney, repealing all Acts in conflict herewith and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE JOINT RESOLUTION

NO. 1—By NICHOLS, PAUL, GARVIN, WHITAKER, SOWARDS, LOGAN, LESTER, NANCE, REED, RAY, FISCHL and CARLILE, entitled:

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the state of Oklahoma, relating to Section 9, Article 10, of said Constitution,

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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Joint Resolution No. 1 were read as follows:

ENGROSSED HOUSE AMENDMENT NO. 1. On page 1, Section 1, line 19, by striking the word and figures "three (3)" and inserting in lieu thereof the word and figure "two (2)."

ENGROSSED HOUSE AMENDMENT NO. 2. On page 2, Section 1, line 21, by adding the following language after the word "schools": "Provided further where property, real or personal or both, is used wholly or partly in interstate commerce in such a way and manner, that an income or net or gross proceeds tax may not be levied upon or collected from such income as may be derived from such service or use in interstate commerce, that an additional annual tax on an ad valorem basis, on such property located within the State not to exceed five mills on the dollar valuation on such property to be apportioned between county, city, town and school districts, may be levied and collected, such tax not to exceed the income or excise tax levied, collectible and collected from other sources, or property in the State, where such property is of like value, it being intended that this provision is severable from the other parts of this amendment and in the event it should be finally adjudicated to be repugnant to any provision of

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the Federal Constitution, it shall not operate to cause other parts of this constitutional provision to be ineffective."

ENGROSSED HOUSE AMENDMENT NO. 3. By adding as joint author "Cavins."

By unanimous consent, consideration of Engrossed House Amendments to Engrossed Senate Joint Resolution No. 1 was deferred.

To the President of the Senate,  
Building  
SIR:

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

ENROLLED SENATE BILL NO. 354 — By NANCE of the Senate and MOONEY of the House, entitled:

An Act providing for additional compensation in excess of the annual salary of the County Commissioners of Cotton County; fixing their duties; repealing all Acts in conflict therewith and declaring an emergency, which bill was passed by the Fourteenth Legislature, and vetoed by the Governor, and to advise you, and, through you, the Honorable Senate, that under the Provisions of Section 11, Article 6 of the Constitution of the State of Oklahoma, the House has reconsidered and passed said bill over the Governor's veto by two-thirds vote of all members elected to and constituting the House of Representatives, said vote being as follows: Ayes, 91, Nays, 14, Excused 6, Absent 7; Emergency: Ayes 91, Nays 14, Excused 6, Absent 7.

And to further advise you, that the proceedings thereunder have been spread of record in the Journal of the Honorable House, and the said bill is herewith returned.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 354 was ordered transmitted to the Secretary of State.

The following Message from the Governor was received and read:

TO THE HONORABLE STATE SENATE OF THE  
FOURTEENTH LEGISLATURE OF THE STATE  
OF OKLAHOMA:

Gentlemen:

I return herewith Enrolled Senate Bill No. 323, entitled:

An Act authorizing and empowering school boards and county excise boards to make transfer of certain school funds in school districts of this state, making other provisions with reference thereto, and declaring an emergency.

The same is hereby returned, with my disapproval and veto.

This Bill is written in the form of a general law, and, from that standpoint, the question of "local" or special legislation need not be brought into question; but, in effect, it is clearly intended to meet certain "local" deposits of funds, that they may be used for other purposes than that for which they were collected. The Bill is vicious in this, that if the school boards may be permitted to divert funds collected for one purpose, it would encourage the issuance of excessive bonded obligations; say, for instance, for the construction of school houses, knowing that the amount issued was not required for the construction or repairs, as the case may be, but made with a design to use the remainder for other purposes; and thus the Bill would encourage local debts, now a burden on the people.

For instance, I happen to know one county, or one school district, that issued bonds to construct a school building; and, after its completion, they had a remainder of \$40,000.00. They could use this \$40,000.00 for other purposes than for the payment of the obligation



in constructing the school building, whereas, in all good conscience and public policy, that \$40,000.00 ought to be used to extinguish the debt of constructing the school building, and not be used for other purposes.

This is sufficient that you may understand the viciousness of this Bill. As a "general" law, it would be much more vicious than if it were a "special" law, to meet special requirements, in that it would encourage excessive bond issues in various school districts to avoid the limitation placed upon the taxing power of the district, and would, in the end, in many districts, wreck the tax payers.

I trust the Senate will understand the danger of such a Bill, and will recognize fully the motives behind this veto and disapproval.

Respectfully submitted on this the 6th day of April, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Waldrep served notice on the Senate that he would, on some future legislative day, move that Senate Bill No. 323 become a law, notwithstanding the veto of the Governor.

Upon motion of Senator Paul, Senator Commons was added as a Senate Conferee under HOUSE BILL NO. 305, by Batson, et al.

Senator Whitaker moved that the Senate proceed to call the roll on HOUSE BILL NO. 1, which motion prevailed.

Senator Ballard moved that the vote be re-considered by which the Conference Committee Report on House Bill No. 1 was adopted.

Senator Jennings raised a point of order against the Ballard motion, which was sustained, stating he did not vote with the majority.

Senator Ballard moved that the Senate reject the Conference Committee Report on House Bill No. 1 and

ask the Honorable House to grant a further conference.

Senator Jennings raised a point of order against the Ballard motion, which was sustained, stating his motion would require a re-consideration of the vote by which the Conference Committee Report on House Bill No. 1 was adopted.

Senator Ballard moved that the rules of the Senate be suspended for the purpose of re-considering the vote by which the Conference Committee Report on House Bill No. 1 was adopted, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Coppock, Dixon, Hutchinson, Nance, Rizley, Sowards, Wilbanks. Total, 8.

Nays: Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fidler, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Thomas, Waldrep, Whitaker, Willis. Total, 32.

Not Voting: Briggs, Fischl. Total, 2.

Excused: Logan, Taylor. Total, 2.

House Bill No. 1, as amended in conference, was read at length.

The question being, "Shall House Bill No. 1, as amended in conference, pass?" the roll was called with the following results:

Ayes: Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Whitaker, Willis. Total, 25.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Morrison, Powers, Rizley, Rutherford, Thomas, Waldrep, Wilbanks. Total, 16.

Not Voting: Briggs. Total, 1.

Excused: Logan, Taylor. Total, 2.

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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 House Bill No. 1, as amended in conference, become an emergency measure?" the roll was called with the following results:

Ayes: Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Whitaker, Willis. Total, 24.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Morrison, Powers, Rizley, Rutherford, Stacey, Thomas, Waldrep, Wilbanks. Total, 17.

Not Voting: Briggs. Total, 1.

Excused: Logan, Taylor. Total, 2.

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 Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 1, by striking therefrom, the words "AND DECLARING AN EMERGENCY."

WHITAKER.

House Bill No. 1 was ordered returned to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 316 correctly engrossed.

LIGGETT, Chairman.

THIRD READING .

Senator Whitaker moved that the Senate proceed to call the roll on HOUSE BILL NO. 316, by Ottesen, Fraley, et al.

HOUSE BILL NO. 316 was read for the third time at length.

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

Ayes: Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugn, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Ballard, Coppock, Curnutt, Fidler, Jennings, Rutherford. Total, 6.

Not Voting: Briggs, Liggett. Total, 2.

Excused: Logan, Taylor. 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: Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Ballard, Coppock, Curnutt, Fidler, Jennings, Rutherford. Total, 6.

Not Voting: Briggs, Liggett. Total, 2.

Excused: Logan, Taylor. 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 question being "Shall the title of the Bill become the title of the Act?" Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 316, by inserting after the words "OKLAHOMA STATUTES, 1931" in the last part of said title, the following: "AND HOUSE BILL NO. 306 PASSED BY THE FOURTEENTH SESSION OF THE LEGISLATURE."

WHITAKER.

House Bill No. 316 was ordered referred for engrossment.

President Burns presiding.

Senator Whitaker moved that the Senate proceed to call the roll on HOUSE BILL NO. 151, by Grisso, et al.

HOUSE BILL NO. 151 was read for the third time at length.

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

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Not voting: Briggs, Coppock, Jennings, Liggett, Morrison. Total, 5.

Excused: Logan, Taylor. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Not voting: Briggs, Coppock, Jennings, Liggett, Morrison. Total, 5.

Excused: Logan, Taylor. 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, in open session, signed the engrossed copy of House Bill No. 151, and ordered the same transmitted to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 225 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate amendments to and Engrossed House Bill No. 225, as amended, and ordered the bill returned to the Honorable House.

Senator Commons moved that HOUSE BILL NO. 715, by Leecraft, et al, be advanced to engrossment and third reading.

Senator Curnutt raised a point of order against the Commons motion, which was overruled, stating the motion would require a suspension of the rules.

The vote occurring on the Commons motion, it was declared adopted.

HOUSE BILL NO. 715 was read for the third time at length.

During the third reading of House Bill No. 715,

Senator Curnutt moved that Senate Bill No. 98 be substituted for House Bill No. 715.

Senator Chamberlin raised a point of order against the Curnutt motion, which was sustained, stating that a motion made during the reading of a bill is out of order.

Senator Commons moved the adoption of Section 1.

Senator Curnutt raised a point of order against the Commons motion, which was sustained, stating the bill was under third reading.

Following the third reading of House Bill No. 715, Senator Curnutt moved that House Bill No. 715 be re-committed to a Special Committee of three, to be appointed by the President, with instructions to re-draft the same by substituting Senate Bill No. 98 therefor, which motion was tabled, upon motion of Senator Commons, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Fidler, Fischl, Garvin, Johnson, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Sowards, Stacey, Waldrep, Whitaker, Wilbanks, Willis. Total, 26.

Nays: Coppock, Curnutt, Hutchinson, Jennings, Moon, Powers, Rutherford, Thomas. Total, 8.

Not voting: Briggs, Dixon, Howard, Liggett, Morrison, Pugh, Rizley, Stewart. Total, 8.

Excused: Logan, Taylor. Total, 2.

Senator Whitaker asked unanimous consent, to which objections were voiced to submit an amendment to Section 5 of House Bill No. 715.

Senator Whitaker moved that the rules of the Senate be suspended for the purpose of submitting an amendment to Section 5, which motion prevailed.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 715, line 6, page 7, by inserting after the word "Okla-

homa," the following: "which, under the term of said Act, are apportioned to and deposited in the State Treasury to the special account for the payment of the indebtedness of the State, represented by outstanding interest bearing state warrants and other securities based upon such warrants."

WHITAKER.

Senator Nichols, at the request of Senator Fidler, asked unanimous consent, which was granted, to add "Fidler," as a joint author of House Bill No. 715.

Senator Nichols moved that the rules of the Senate be suspended and House Bill No. 715 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

HOUSE BILL NO. 715 was read at length.

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

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 36.

Nay: Thomas. Total, 1.

Not voting: Briggs, Liggett, Nance, Paul, Rizley. Total, 5.

Excused: Logan, Taylor. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings,



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Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 36.

Nay: Thomas. Total, 1.

Not voting: Briggs, Liggett, Nance, Paul, Rizley. Total, 5.

Excused: Logan, Taylor. 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. 715, as amended, was referred for engrossment.

Senator Stacey moved that the Senate proceed to call the roll on SENATE JOINT RESOLUTION NO. 2, by Stacey.

Senator Whitaker, as a substitute, moved that the Senate proceed to the consideration of HOUSE BILL NO. 387, by Ebey (Pontotoc) and Haile, which motion prevailed.

Section 1 was read.

Senator Fischl submitted the following amendment, which by unanimous consent, he withdrew.

Mr. President: I move to amend House Bill No. 387, by striking all of lines 14, 15, and 16, page 6, and re-lettering the following subdivisions.

FISCHL.

Senator Fischl submitted the following amendment:

Mr. President: I move to amend House Bill No. 387, lines 15 and 16, page 6, by changing the words and figures "one and one-half ( $1\frac{1}{2}$ ) mills" to the words and figures "one (1) mill".

FISCHL.

Senator Curnutt, in lieu of all pending motions, moved that further consideration of House Bill No. 387 be indefinitely postponed, which motion was tabled, upon motion of Senator Chamberlin.

Upon motion of Senator Chamberlin, the Fischl amendment was tabled.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Paul.

Mr. President: I move to amend House Bill No. 387, line 13 $\frac{1}{2}$ , page 6, by adding a new paragraph, as follows: "In all counties the Excise Board may levy not to exceed one-half of one mill in addition to other levies authorized hereby, for the purpose of defraying the expenses of juries and witnesses and court reporters' supplies in the District Court of such county when, in the opinion of such Board, such levy is necessary for the operation of the functions of such court, provided, however, that said fund shall not be used for any other purpose herein authorized."

JENNINGS.

Senator Commons presiding.

Senator Pugh submitted the following amendment, which was tabled, upon motion of Senator Whitaker:

Mr. President: I move to amend House Bill No. 387, line 7, page 4, by striking after the word "exceed" and before the word "mills", the words and figures "three and one-half ( $3\frac{1}{2}$ )" and inserting the word and figure "three (3)", and in line 1, page 5, after the word "exceed" and before the word "mills", strike the word and figure "four (4)" and insert the words and figures "three and one-half ( $3\frac{1}{2}$ )".

PUGH.

Senator Ritzhaupt submitted the following amendment:

Mr. President: I move to amend House Bill No. 387, line 13, page 6, by striking the word and figure "one (1)" and inserting the word and figure "two (2)".

RITZHAUPT.

Senator Paul moved to table the Ritzhaupt amendment, which motion failed of adoption.

The vote occurring on the Ritzhaupt motion, it was declared failed of adoption.

Senator Johnston submitted the following amendment, which was tabled, upon motion of Senator Ballard:

Mr. President: I move to amend House Bill No. 387, line 16, page 6, at the end of line, "when all charges and regular obligations of any township against any fund have been fully paid and in all cases where any fund has been abolished by law and there remains a balance in it to the credit of such fund, the township board may, by unanimous vote, and with the written approval of the County Attorney of the county, and by the further approval of the County Excise Board, carry the unused balance to the general funds of the township to be used to reduce the levy of such township for the ensuing year."

JOHNSTON.

Senator MacDonald moved that when the Senate recesses today, it recess to meet at 7:30 p. m., this day, which motion prevailed.

Senator Curnutt submitted the following amendment, which was tabled, upon motion of Senator MacDonald.

Mr. President: I move to amend House Bill No. 387, line 2, page 1, by inserting after the word "follows", a new paragraph to read: "The total state levy shall not exceed two mills."

CURNUTT.

Senator Curnutt submitted the following amendment, which was tabled, upon motion of Senator Ballard:

Mr. President: I move to amend House Bill No. 387, line 13½, page 4, by inserting the following: "Where the assessed valuation of any county is less than \$50,000,000.00 and not less than \$48,000,000.00 the county levy for current expenses shall not exceed four mills, provided that such levy may be increased to not exceed

seven mills by the County Excise Board, when such levy is necessary.”

CURNUTT.

Upon motion of Senator MacDonald, Section 1 was adopted.

Section 2 was read.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 387, by striking therefrom Section 2.

MacDONALD.

Senator Dixon moved the rules of the Senate be suspended and House Bill No. 387 be advanced to engrossment and third reading, which motion prevailed.

Upon motion of Senator Chamberlin, the Senate resolved itself into Executive Session.

\* \* \* \* \*

The Senate re-assembled in open session, with Senator Commons presiding, who announced the Senate in Executive Session had refused to advise and consent to the confirmation of the Executive nomination of C. Robert Bellatti, of Blackwell, Oklahoma, to be a member of the Board of Regents of the University of Oklahoma, for a term of seven years to succeed W. N. Barry, whose term expired March 24, 1933.

Senator Jennings asked unanimous consent, which was granted, to submit an amendment to House Bill No. 387, as follows:

Mr. President: I move to amend House Bill No. 387, line 8, page 8, by striking the words and figures “in Section 2 of this Act” and inserting in lieu thereof the words, “by law”.

JENNINGS.

By unanimous consent the Jennings amendment was adopted.

Upon motion of Senator MacDonald, the Senate recessed, to meet at 8:00 p. m., this day.



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### EVENING SESSION

At 8:00 o'clock, p. m., the Senate reassembled, with the President presiding.

Senator Taylor asked to be recorded "present," which was the order.

### MESSAGES

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

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the Speaker of the House has appointed Representative Babb, as additional Conferee on

ENGROSSED HOUSE BILL NO. 481—By HOL-  
LIMAN, HAILE, WATSON and PHILLIPS (Okfus-  
kee) of the House, and GARVIN, WALDREP and WIL-  
BANKS of the Senate, entitled:

An Act defining and prohibiting waste of crude petroleum and natural gas, and providing for the ratable and equitable taking thereof from common sources of supply; conferring authority upon, and defining the duties, powers and authority of, the Corporation Commission in connection with the enforcement of this Act, and prescribing the character of notice and procedure to be followed by the Corporation Commission hereunder; regulating all producers, purchasers and common carriers of crude petroleum so as to prevent inequitable taking and waste; prescribing penalties and other relief for violation of this Act and of rules, regulations or orders promulgated by the Corporation Commission hereunder; providing for proceedings for injunction in the District Courts to enjoin the violation of and to enforce the provisions of this Act and the orders, rules and regulations of the Corporation Commission made in pursuance hereof; declaring certain

violations hereof, and violation of certain rules, regulations or orders promulgated by the Corporation Commission hereunder, to be crimes, and prescribing the punishment therefor; creating the offices of proration umpire, assistant proration umpire and proration attorney, for the enforcement of this Act, and providing for their appointment and removal and defining their duties, powers and authority, and fixing their term of office, bonds and compensation; providing for the appointment of deputies and employees to aid in the enforcement of this Act, defining their duties, power and authority, and fixing their compensation; providing for expenses of administration in connection with this Act and for the creation of a special fund, to be known as the "Proration Fund" to be used exclusively in the enforcement of this Act; repealing all laws in conflict herewith, and for other purposes; and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

The following Message from the Governor was received and read:

TO THE HONORABLE,  
THE STATE SENATE OF THE FOURTEENTH  
LEGISLATURE:

Gentlemen:

I return herewith for correction a Concurrent Resolution erroneously entitled Enrolled SENATE JOINT RESOLUTION NO. 17, authorizing one Elbert C. Haywood to sue the State for damages he is alleged to have suffered on official duty as a member of the National Guard.

The enacting clause of this document reads:

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

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This language makes the resolution a CONCURRENT RESOLUTION and nothing more.

A CONCURRENT RESOLUTION of a legislative body under parliamentary practice is merely the form in which that body expresses an opinion. It binds no one and does not require the approval of the Executive. Though filed with the Secretary of State it is not law.

On the other hand a JOINT RESOLUTION is a form of legislation having the force of law, requiring the approval of the Executive, by the Constitution.

The enacting clause should be:

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

I am in sympathy with the purpose of this bill, which is to enable a member of the National Guard, alleged to have been injured while in line of duty, to prosecute his claim for damages against the State.

The proposed resolution makes no provision for bringing the State into Court. I suggest that the bill give jurisdiction to any DISTRICT COURT in the State to try the Cause, that being the only Court having *nisi prius* jurisdiction of all cases.

The bill should provide that citation issue out of the Court to be served as in other cases, and that service be had upon the Governor of the State, who is by the Constitution the Representative of the State's sovereignty.

With these corrections I shall approve the Resolution, otherwise consider this message to be my veto and disapproval of the same.

Done, this April 6th, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
COMMITTEE REPORTS

By unanimous consent, the following Committee Re-

port was submitted, the bill ordered printed and placed upon the calendar:

Mr. President: We, your committee on Banks and Banking, to whom was referred Senate Bill No. 383, by Reed, Nance, of the Senate and Mallory, Kight, Todd, Leecraft and Abernathy of the House, entitled:

An Act to provide for the organization, operation and supervision of cooperative savings and credit associations to be termed "Credit Unions" and to define their powers,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

MEMMINGER, Chairman.

Senator Liggett submitted the following Committee Report:

The Committee on Engrossed and Enrolled bills begs leave to report House Bills Nos. 316, 656 and 715 and Senate Bill No. 382, each, correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 316, 656, and 715, each as amended, and ordered the bills returned to the Honorable House.

#### GENERAL ORDER

Senator Memminger asked unanimous consent, to which objections were voiced, to advance to engrossment and Third Reading SENATE BILL NO. 405, by Memminger.

Senator Memminger moved that Senate Bill No. 405 be advanced to engrossment and third reading, which motion was tabled, upon motion of Senator Rizley.

Upon motion of Senator MacDonald, SENATE BILL NO. 347, by Sowards (by request), was advanced to engrossment and third reading.

Senator Nance moved that SENATE BILL NO.



340, by Waldrep (by request) be advanced to engrossment and third reading, which motion prevailed.

Senator Nance moved that the rules of the Senate be suspended and Senate Bill No. 340 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

SENATE BILL NO. 340 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 31.

Nays: Hutchinson, Powers, Rizley. Total, 3.

Not Voting: Ballard, Jennings, Lester, Moon, Morrison, Rutherford, Sowards, Stewart, Wilbanks. Total, 9.

Excused: Logan. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 31.

Nays: Hutchinson, Powers, Rizley. Total, 3.

Not Voting: Ballard, Jennings, Lester, Moon, Morrison, Rutherford, Sowards, Stewart, Wilbanks. Total, 9.

Excused: Logan. 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. 340 was ordered referred for engrossment.

Senator MacDonald presiding.

### THIRD READING

Senator Ray moved that the Senate proceed to call the roll on SENATE BILL NO. 382, by Fischl, Dixon and Ray, of the Senate, and Grunert, et al, of the House.

Senator Ritzhaupt, as a substitute, moved that the Senate proceed to the consideration of Educational bills.

### MESSAGES

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

To the President of the Senate,  
Building

SIR:

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

ENGROSSED HOUSE BILL NO. 481—By HOL-  
LIMAN, HAILE, WATSON and PHILLIPS (Okfus-  
kee) of the House, and GARVIN, WALDREP and WIL-  
BANKS of the Senate.

An Act defining and prohibiting waste of crude petroleum and natural gas, and providing for the ratable and equitable taking thereof from common sources of supply; conferring authority upon, and defining the duties, powers and authority of, the Corporation Commission in connection with the enforcement of this Act, and prescribing the character of notice and procedure to be followed by the Corporation Commission hereunder; regulating all producers, purchasers and common carriers of crude petroleum so as to prevent inequitable taking and waste; prescribing penalties and other relief for violation of this Act and of rules, regulations or

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orders promulgated by the Corporation Commission hereunder; providing for proceedings for injunction in the district courts to enjoin the violation of and to enforce the provisions of this Act and the orders, rules and regulations of the Corporation Commission made in pursuance hereof; declaring certain violations hereof, and violation of certain rules, regulations or orders promulgated by the Corporation Commission hereunder, to be crimes, and prescribing the punishment therefor; creating the offices of proration umpire, assistant proration umpire and proration attorney, for the enforcement of this Act, and providing for their appointment and removal and defining their duties, powers and authority, and fixing their term of office, bonds and compensation; providing for the appointment of deputies and employees to aid in the enforcement of this Act, defining their duties, power and authority, and fixing their compensation; providing for expenses of administration in connection with this Act and for the creation of a special fund, to be known as the "Proration Fund" to be used exclusively in the enforcement of this Act; repealing all laws in conflict herewith, and for other purposes; and declaring an emergency.

together with Conference Committee Report and Conference Committee Supplemental Report thereon, and to inform you, and, through you, the Honorable Senate, that the Conference Reports, have been adopted by the House of Representatives and the bill has been passed, AS AMENDED, thereby.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on Engrossed House Bill No. 481, together with Supplemental Conference Committee report on said bill, was read, as follows:

**TO THE PRESIDENT OF THE SENATE, AND  
THE SPEAKER OF THE HOUSE OF REPRESENTA-  
TIVES.**

We, your Conference Committee, appointed to consider Engrossed House Bill No. 481, beg leave to report that we have had the same under consideration and, herewith, return the same with the following recommendation:

The amendment amending the title of the bill was concurred in as follows:

Strike from the title of the Act the last words thereof reading as follows: "Repealing all laws in conflict herewith and for other purposes and declaring an emergency," and inserting in lieu thereof the following:

"CONTINUING IN FORCE CERTAIN ORDERS, RULES AND REGULATIONS OF THE CORPORATION COMMISSION UNTIL MODIFIED OR REPEALED, AND CONTINUING CERTAIN PROCEEDINGS PENDING BEFORE THE CORPORATION COMMISSION AND PROVIDING FOR THE HEARING AND DISPOSITION OF SAID PROCEEDINGS AND OTHER PROCEEDINGS THAT MAY BE BROUGHT BEFORE THE CORPORATION COMMISSION; AND FOR OTHER PURPOSES AND DECLARING AN EMERGENCY."

Senate Amendment No. 1, House concurs.

Senate Amendment No. 2, House concurs.

Senate Amendment No. 3, House concurs.

Senate Amendment No. 4, House concurs.

Senate Amendment No. 5, House concurs.

Senate Amendment No. 6, House refused to concur and the conferees adopted the following: Amend Section 6 of the Act by striking out all parts thereof commencing with the first word down to and including the last word of said section and substitute therefor the following:

"Section 6. For the purpose of determining the total production from any common source of supply,



and the amount of oil which the operators of the wells therein are entitled to take therefrom, the capacity of each well to produce oil shall be from time to time ascertained and determined by the Commission under rules and regulations prescribed by it. All or any two or more of the wells on any lease or holding in any prorated common source of supply in this State may, when so provided by rule or regulation issued by the commission, be regarded and treated by the Commission as an entirety instead of prorating each well thereon separately when and to the extent that such can be done without waste and without injury or injustice to the operators of other leases or holdings in the same common source of supply, and when an over-production of oil occurs from any prorated well producing in any common source of supply, the over-production of oil from such well may be by the Commission charged to the lease on which such well is located as an entirety, when the Commission finds that the same may be done without injury or injustice to the operators and owners of offset wells; provided further that the capacity of each well in any prorated common source of supply to produce oil, hereinafter called potential, shall be ascertained and determined at regular intervals, provided that not more than six (6) months shall elapse between the determining of one potential before another potential shall be determined, and provided further that regardless of anything in this Act to the contrary contained or authorized the Commission shall not by rule, regulation, order or otherwise reduce the allowable production from any oil well in this State below twenty-five (25) barrels of oil per day or its full production if it is incapable of producing twenty-five (25) barrels per day.

Senate Amendment No. 7, House refused to con-

cur, conferees agreed in lieu thereof the following: That in section 9, line 3, page 17 of the Senate printed bill the words "if ordered by the Commission" be inserted after the word "and" and before the word "the." This amendment was unanimously adopted.

That the remainder of section 9 beginning with the word "if" in line 9, page 17, of House Bill No. 481 (Senate printed copy) be stricken.

Senate Amendments No. 8, 9 and 10 House Committee refused to concur in these amendments, Senate Committee receded.

Senate Amendment No. 11, Senate Committee receded from this amendment.

Senate Amendment No. 12, House refused to concur, conferees adopted the following in lieu thereof:

Amendment No. 1. "Amend Section 12 by striking therefrom lines 6 to 9, inclusive on page 20 (Senate printed bill) and inserting in lieu thereof the following:

"which shall show (a) the quantity of oil produced and the quantity of oil removed by each operator from his or its each lease or property in said common source of supply, and, unless otherwise provided by rule or regulation of the Commission, from his or its each well in said common source of supply, and (b) the."

Amendment No. 2. Amend Section 12 by changing the period after the last word in said section to a semi-colon and by adding thereto immediately following said semi-colon the following words, to-wit:

"provided when any such operator shall have filed with the Commission any such report or reports as required by this section, or any order, rule or regulation of the Commission, the Commission shall permit such operator to produce his or its well or wells, therefore shut down by such order of the Commission, so as to recover and make up the oil that such operator

would have been lawfully entitled to produce during the period such well or wells were shut down, if the order of the Commission requiring him or it to discontinue production of oil therefrom until such report or reports were filed had not been made."

Senate Amendment No. 13, House concurs.

Senate Amendment No. 14, House concurs.

Senate Amendment No. 15, House concurs.

Senate Amendment No. 16, House concurred in Senate Amendment to Section 22 and the conferees agreed to insert after the last word in the last sentence of said section the following:

"Provided, however, that if upon final hearing before the Commission in such proceeding, or upon appeal to the Supreme Court, if an appeal from the decision of the Commission in such proceeding shall be taken, it shall be determined that any such temporary order was wrongfully issued by the Commission, the defendant or defendants shall be permitted to produce their well or wells, shut down, or the production from which was reduced by such temporary order of the Commission, so as to recover or make up the oil such defendant or defendants could have lawfully produced from such well or wells during the period such well or wells were shut down or the production thereof was reduced, if such temporary order of the Commission requiring such well or wells to be shut down, or the production therefrom to be reduced, had not been made by the Commission."

Senate Amendment No. 17, House concurs.

Senate Amendment No. 18, House concurs.

Senate Amendment No. 19-A, House concurs.

Senate Amendment No. 20, House concurs.

Senate Amendment No. 20-A, House refused to concur and conferees agreed on the following:—by striking after the word "commission," in line 7, page 58

section 39 of printed copy of Engrossed House Bill No. 481, the following "subject, however, to removal at the pleasure and direction of the governor as hereinafter provided."

Senate Amendment No. 21, House refused to concur and the following was adopted by the conferees: by changing the words and figures "ten (10) years" to "seven (7) years."

Senate Amendment No. 22, House concurs.

Senate Amendment No. 23, House refused to concur and the conferees agreed on the following:—adopt Senate Section and amend by inserting in place of "two-thirds (2/3)" the word "majority" lines 6 and 12 printed bill and in place of "thirty (30)" the word and figure "sixty (60)" line 11.

Senate Amendment No. 24, House concurs.

Senate Amendment No. 25, House refused to concur and the conferees agreed on the following: "provided that not less than two-thirds (2/3) of the Deputy Proration Umpires shall have had at least five (5) years practical experience in the production of oil."

Senate Amendment No. 26, House concurred.

Senate Amendment No. 27, House refused to concur and the conferees agreed on the following:

"That a new section be added immediately before Section 45 to be known as Section 44-A to read as follows:

"Except as otherwise provided in this act, all vacancies in any office, or in any employment, provided or authorized under the provisions of this act, may be filled by the same officer or officers and in the same manner, and with the same terms as is provided for the original appointment of such officers or employment."

Senate Amendment No. 28, House concurs.



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Senate Amendment No. 29, House concurs.

Senate Amendment No. 30, House concurs.

Respectfully submitted,

Senate Conferees.

House Conferees.

KNOX L. GARVIN,

JOHN M. HOLLIMAN,

S. M. RUTHERFORD,

GRISSE,

JOHN A. MacDONALD,

TOM G. HAILE,

AL G. NICHOLS,

BOB CAVINS.

LOUIS A. FISCHL.

CONFERENCE COMMITTEE SUPPLEMENTAL  
REPORT

TO THE PRESIDENT OF THE SENATE, AND  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

We, your Conference Committee appointed to consider engrossed House Bill No. 481, beg leave to report that we have had the same under further consideration and herewith return the same with the following recommendations:

That the Conferees have adopted their original Conference Committee Report as hereto submitted, in its entirety, except as to Senate Amendment No. 23, and that the House Conferees have refused to concur in said Senate Amendment No. 23, and that the Conferees have agreed to the following Amendment in lieu of Senate Amendment No. 23:

“SECTION 40-A. The Proration Umpire, Assistant Proration Umpire, and Proration Attorney, shall be appointed by the Commission.”

Respectfully submitted,

Senate Conferees

House Conferees

KNOX L. GARVIN,

JOHN M. HOLLIMAN,

ALLEN G. NICHOLS,

BOB CAVINS,

JOHN A. MacDONALD,

J. A. WATSON,

S. M. RUTHERFORD,

W. GRISSE,

LOUIS A. FISCHL,

TOM G. HAILE,

JAMES BABB.

Upon motion of Senator Garvin, the Conference Committee Report on House Bill No. 481, as amended by the Supplemental Conference Committee report thereon, was adopted.

House Bill No. 481, as amended in conference, was read at length.

The question being, "Shall House Bill No. 481, as amended in Conference, pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 32.

Nays: Coppock, Hutchinson, Stacey, Waldrep. Total, 4.

Not Voting: Ballard, Jennings, Lester, Moon, Morrison, Rutherford, Wilbanks. Total, 7.

Excused: Logan. 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 in Conference, become an emergency measure?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 32.

Nays: Coppock, Hutchinson, Stacey, Waldrep. Total, 4.

Not Voting: Ballard, Jennings, Lester, Moon, Morrison, Rutherford, Wilbanks. Total, 7.

Excused: Logan. Total, 1.

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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. 481, together with Conference Committee Reports thereon, was ordered returned to the Honorable House.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 647—By GARLAND, BEARD, GRAHAM and RAWLS, entitled:

An Act levying a tax on all non-intoxicating beverages sold within the state of Oklahoma; requiring a manufacturers and retailers license or permit providing the amount of said license and tax; prohibiting the sale of beverages containing more than one-half of one per cent of alcohol to minors, fixing the penalty for violation thereof and providing for revocation of manufacturer's and retailer's license who violates provisions of said Act; providing for the manner of collection of said license and tax; placing all funds collected hereunder in the common school and common school equalization funds; making the county treasurer of each county the custodian of such common school funds; fixing the time of payment of said funds into said school district funds; repealing all laws 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk

The Presiding Officer announced First Reading of Engrossed House Bill No. 647.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 714—By HILL, WOOTEN, and GRISSE.

An Act fixing the number and salaries of assistants, deputies, stenographers, reporters and employees of county officers in all counties having a population in excess of 70,000 and not to exceed 100,000, according to the 1930 decennial census; repealing all Acts in conflict therewith and declaring an emergency.

ENGROSSED HOUSE BILL NO. 710—By HILL, GRISSE and WOOTEN.

An Act fixing the salaries of county officers in counties having a population in excess of 75,000 and not to exceed 100,000, according to the 1930 decennial census, repealing all Acts in conflict therewith 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 710 and 714.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 416—By LEE-CRAFT, entitled:

An Act for the purpose of carrying out the provisions of Section 3, Article X, of the Constitution of Okla-



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homa, relating, to the payment of the current expenses of the state government, when the same shall exceed the income from previous fiscal years; levying taxes for the payment of the outstanding warrant indebtedness of the state representing deficiencies for previous fiscal years; amending the provisions of Article 9 H, Chapter 20, and Article 11, Chapter 50, and Article 16, Chapter 66, Oklahoma Statutes, 1931, and amendments thereto, relating, respectively, to motor carrier taxes, motor vehicle licenses, and to the excise tax on gasoline, together with Conference Committee report thereon, and to inform you, and through you, the members of the Honorable Senate, that the Conference report has been adopted by the House of Representatives, and the bill passed, AS AMENDED, thereby.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on Engrossed House Bill No. 416 was read, as follows:

TO THE HONORABLE STATE SENATE AND  
TO THE HONORABLE HOUSE OF REPRESENTA-  
TIVES:

We, your Conference Committee, appointed to confer on Engrossed House Bill No. 416, by Leecraft, have had under consideration the Senate Amendments to said bill, and, after due consideration thereof, beg leave to report as follows:

1st. That the Senate recede from Senate Amendment No. 1; and that in lieu thereof Section 1 of said bill be amended to read as follows:

"SECTION 1. That Section 12527, Oklahoma Statutes 1931, be, and the same is amended to read as follows:

"Section 12527. There is hereby levied an excise tax of four cents (4c) per gallon upon the sale of each and every gallon of gasoline sold, or stored and distributed, or withdrawn from storage, within this State,

for sale or other use, to be reported and collected as provided by law; provided, that ninety-seven per centum (97%) of the gallonage reported to the Oklahoma Tax Commission shall be the basis used in the computation of the amount of tax due the State; Provided, no gasoline shall be the basis of the gasoline excise tax hereby imposed, more than once; and such gasoline excise tax shall be computed and collected as provided by law."

2nd. That the Senate recede from Senate Amendment No. 2; and that in lieu thereof Section 2 of said bill be amended to read as follows:

"SECTION 2. That Section 12536, Oklahoma Statutes 1931, be, and the same is hereby amended to read as follows:

"Section 12536. Three cents (3c) of the gasoline excise tax derived from each gallon of gasoline shall be deposited in the State Depository to the credit of the State Highway Construction and Maintenance Fund, and which shall be expended as provided by law, under rules and regulations not inconsistent therewith, to be promulgated by the State Highway Commission; and that the said fund so deposited shall be expended: First, in the repair and maintenance of state highways heretofore or hereafter constructed, through the use of State funds, with or without Federal Aid, or the proceeds of county bonds issued in connection with State or Federal Aid; Second, in the construction of a primary system of State Highways, which shall fairly serve all parts of the State, according to Chapter 48, of the Session Laws, 1923-1924; Provided, that on and after May 1, 1933, an amount equal to forty per centum (40%) of the gasoline excise taxes collected, and required to be deposited to the credit of the State Highway Construction and Maintenance Fund, as hereinabove provided, shall be deposited in the

State Treasury and placed to the credit of a special account, to be used exclusively for the payment of the indebtedness of the State represented by outstanding interest bearing State warrants or any other securities authorized by law and based upon such warrants, issued in payment of obligations incurred prior to July 1, 1933, until such indebtedness shall have been paid; and thereafter, all of such gasoline excise taxes shall be credited to the State Highway Construction and Maintenance Fund, for the uses and purposes hereinabove provided."

3rd. That an additional amendment be made to said bill to be known as Section 3 to read as follows:

"SECTION 3. That one cent (1c) of the gasoline tax derived from each gallon of gasoline shall be apportioned, by the State Highway Commission, to each county in the State, in the manner and for the uses and purposes provided in Section 12535, Oklahoma Statutes, 1931."

4th. That an additional amendment be made to said bill to be known as Section 4 to read as follows:

"SECTION 4. That Section 12552, Oklahoma Statutes, 1931, be and the same is hereby amended to read as follows:

"Section 12552. Gasoline produced, refined, manufactured, compounded or imported into this State, or withdrawn from storage, and which gasoline is subsequently sold for exportation and exported, or withdrawn and exported, shall not be subject to the gasoline excise tax hereby levied; provided, however, gasoline produced, refined, manufactured or compounded, in this State, and transported out of this State, and brought back within this State, shall be subject to the gasoline excise tax hereby levied."

5th. That Senate amendment No. 3 be amended to be designated as Section 5 of said bill as follows:

"SECTION 5. 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 become effective and be in full force from and after its passage and approval." and that the same, as amended, be adopted by the Senate and the House of Representatives.

6th. That the Senate recede from Senate Amendment No. 4; and that in lieu thereof the title of said bill be amended to read as follows:

"AN ACT AMENDING SECTION 12527 AND 12536 and 12552, OKLAHOMA STATUTES 1931, LEVYING A GASOLINE EXCISE TAX; PROVIDING FOR THE DISPOSITION OF THE REVENUES ARISING THEREFROM; AND PROVIDING FOR THE PAYMENT OF THE INDEBTEDNESS OF THE STATE REPRESENTED BY OUTSTANDING INTEREST BEARING WARRANTS; AND DECLARING AN EMERGENCY."

Respectfully submitted,

LEECRAFT,

WHITAKER,

STURGELL,

FISCHL,

JESSE A. HARP,

Senate Conferees.

House Conferees.

Senator Briggs raised a point of order against consideration of Conference Committee Report on Engrossed House Bill No. 416, citing Section 15 of the Joint Rules, concerning Conference Committee Reports, stating further the Conference Committee had substituted "an entirely new bill for the original House Bill No. 416, as well as inserting an entirely new title for the said bill."

The Presiding Officer, ruling on the Briggs point of order, stated "unless this Conference Committee were restricted, it was a free conference, and the report is in



due form, unless they have changed the number of the bill."

Senator Whitaker moved that consideration of the Conference Committee Report on House Bill No. 416 be deferred until the next legislative day.

Senator Briggs, as a substitute, moved that the substitute bill for House Bill No. 416, reported by the Conference Committee, appointed to confer with the Honorable House on Engrossed Senate Amendments to the bill, be printed and that action thereon be deferred until the next legislative day, which motion prevailed.

### THIRD READING

Senator Ballard asked unanimous consent, to which objections were voiced, that the Senate proceed to call the roll on Senate Bill No. 314, by Reed.

Referring further to SENATE BILL NO. 382, by Fischl, Dixon, Ray, et al:

Senator Pugh moved that further consideration of Senate Bill No. 382 be indefinitely postponed, which motion was tabled, upon motion of Senator Nance, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Clark, Commons, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Ray, Reed, Ritzhaupt, Rizley, Stewart, Taylor, Thomas, Waldrep. Total, 28.

Nays: Ballard, Chamberlin, Jennings, Pugh, Rutherford, Stacey, Willis. Total, 7.

Not voting: Coppock, Daugherty, Hutchinson, Lester, Morrison, Sowards, Whitaker, Wilbanks. Total, 8.

Excused: Logan. Total, 1.

Senator Ray moved that the Senate proceed to call the roll on Senate Bill No. 382, which motion prevailed.

SENATE BILL NO. 382 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Clark, Commons, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Powers, Ray, Reed, Ritzhaupt, Rizley, Stewart, Thomas, Waldrep, Whitaker. Total, 26.

Nays: Ballard, Chamberlin, Curnutt, Jennings, Paul, Pugh, Rutherford, Stacey, Taylor, Willis. Total, 10.

Not voting: Coppock, Daugherty, Hutchinson, Lester, Morrison, Sowards, Wilbanks. Total, 7.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stewart, Taylor, Thomas, Waldrep, Whitaker. Total, 32.

Nays: Jennings, Rutherford, Stacey, Willis. Total, 4.

Not voting: Coppock, Daugherty, Hutchinson, Lester, Morrison, Sowards, Wilbanks. Total, 7.

Excused: Logan. 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. 382, and ordered the same transmitted to the Honorable House.

#### GENERAL ORDER

Upon motion of Senator Nance HOUSE BILL NO 695, by Phillips (Atoka), Fraley, et al, was advanced to engrossment and third reading.

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Senator Whitaker moved that the Senate proceed to the consideration of HOUSE BILL NO. 516, by Batson, Leecraft, et al., under Special Order.

Senator Ballard asked unanimous consent, to which objections were voiced, to proceed to the roll call on SENATE BILL NO. 314, by Reed.

Senator Ballard, as a substitute, moved that the Senate proceed to call the roll on Senate Bill No. 314, which motion, by unanimous consent, he withdrew.

The vote occurring on the Whitaker motion, it was declared adopted.

Senator Paul moved to reconsider the vote by which the Curnutt amendment, to lines 7 and 9, page 2, of House Bill No. 516, striking the word, "shall," and inserting the word, "may," was adopted.

Senator Curnutt moved to table the Paul motion, which motion failed of adoption.

Senator Nance moved that the Senate adjourn to meet at 1:30 p. m., Friday, April 7th, 1933.

Senator Pugh, as a substitute, moved that the Senate adjourn to meet at 10:00 o'clock, a. m., Friday, April 7, 1933, which motion failed of adoption.

The vote occurring on the Nance motion, it was declared adopted.

## SEVENTIETH LEGISLATIVE DAY

Friday, April 7, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Daugherty, Lester. Total, 2.

Excused: Logan. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### RESOLUTIONS AND NOTICES

Senator Commons asked unanimous consent, which was granted, to take up for consideration SENATE CONCURRENT RESOLUTION NO. 17, by Chamberlin, Commons, Nichols and Nance.

Senate Concurrent Resolution No. 17 was read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 17—By CHAMBERLIN and COMMONS, NICHOLS and NANCE.

A CONCURRENT RESOLUTION FIXING THE DAY AND HOUR OF THE SINE DIE ADJOURNMENT OF THE REGULAR SESSION OF THE 14TH LEGISLATURE OF THE STATE OF OKLAHOMA.

WHEREAS, the time for the adjournment sine die of the Regular Session of the 14th Legislature is now near at hand, and matters of legislation of vital im-



portance have been considered during the Session, and

WHEREAS, the Constitution of the State of Oklahoma provides that one House cannot adjourn for more than three days without the consent of the other; and

WHEREAS, no hour for the final adjournment of the regular Session of the 14th Legislature of the State of Oklahoma has been specifically fixed in pursuance of said Constitutional provisions:

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

That the hour of twelve o'clock Noon, March 17th, 1933, be, and the same is hereby fixed as the hour and day of the final adjournment sine die of the Regular Session of the 14th Legislature of the State of Oklahoma.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Concurrent Resolution No. 17, line 9, page 2, by striking the word and figures, "March 17th," and inserting in lieu thereof the word and figures, "April 15th."

CHAMBERLIN.

Upon motion of Senator Commons, Senate Concurrent Resolution No. 17, as amended, was adopted.

Senate Concurrent Resolution No. 17, as amended, was ordered referred for engrossment.

Referring to SENATE JOINT RESOLUTION NO. 17, by Stacey, of the Senate, and Roberts, of the House, returned by the Governor, on the last legislative day:

Upon motion of Senator Chamberlin, the vote was reconsidered by which Senate Joint Resolution No. 17 was passed.

Senator Chamberlin moved that the Honorable House be requested to reconsider the vote by which Senate Joint Resolution No. 17 was passed and to amend

the resolution, to conform with the suggestions of the Governor, which motion prevailed.

Referring to SENATE JOINT RESOLUTION NO. 1, by Nichols, Paul, et al, returned by the Honorable House on the last legislative day, AS AMENDED:

Senator Nichols moved that the Senate refuse to concur in Engrossed House Amendments to Senate Joint Resolution No. 1, and request the Honorable House to recede from said amendments, which motion prevailed.

Senator Commons moved, when the Senate recesses today, it recess at 5:00 o'clock, p. m., to meet at 7:30 p. m., which motion prevailed.

Senator Stewart moved that, when the Senate adjourns on the next legislative day, (Saturday, April 8th), it adjourn at 5:00 o'clock, p. m., to meet at 1:30 p. m., Monday, April 10th, which motion prevailed.

#### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 27—By TIMMONS, KIRKPATRICK and BATSON, entitled:

A Concurrent Resolution fixing the day and hour of the sine die adjournment of the regular session of the Fourteenth Legislature of the State 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

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To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Presiding Officer of the House has appointed Representative Singleton as additional House Conferee on:

ENGROSSED HOUSE BILL NO. 305—By BATSON, GRAY, COX, BLOCKER, HENDERSON and LEECRAFT, entitled:

An Act amending Sections 10268, 10269, 10271, 10272, 10273, 10274, 10278, 10280, 10283, 10288, 10316, 10317, 10320 and 10323, Oklahoma Statutes 1931; defining motor vehicles and other terms; levying license fees on such vehicles, when owned, possessed or operated within this state, licensing manufacturers and dealers in such vehicles, and prescribing method of computing such fees; defining the purposes of this Act; regulating the use of vehicles on the public highways of the state, and limiting certain of them as to width, length, height, weight and speed; providing for the computation and collection of such fees; authorizing rules and regulations pertaining thereto; providing for the disposition of the revenues derived under this Act; prescribing penalties for the violation hereof; repealing Sections 10270, 10275, 10276, 10277, 10279, 10282, 10283, 10284, Oklahoma Statutes 1931, and all Acts or parts of Acts in conflict herewith; providing that vehicles not licensed for the year 1933 and prior years, when this Act becomes effective shall be licensed hereunder; and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 434 — By SINGLETON and JONES, entitled:

An Act providing for the cancellation and remission of penalties on delinquent special assessments by the governing board of cities and towns under certain conditions; and further providing for the compromise of certain delinquent special assessments by said governing board under certain conditions, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 624—By COMMITTEE ON APPROPRIATIONS, entitled:

An Act providing that the state gasoline excise tax and motor vehicle license tax, in addition to the purposes which under existing laws are now levied and collected and deposited to the credit of the state highway construction and maintenance fund, shall hereafter also be levied and collected for the purpose of paying final judgments now or hereafter rendered against the state of Oklahoma which are based on suits authorized by the Legislature and arising out of improper construction of state highways; making an appropriation out of any monies hereafter accruing as aforesaid to the credit of the state highway construction and maintenance fund to pay final judgments rendered against the state of Oklahoma in suits authorized by the Legislature of Oklahoma, and arising out of improper construction of a state highway and directing the State Auditor upon presentation of sworn claims therefor to pay respective judgment creditors and all referee's fees and costs as fixed by the court, and six per cent interest; and declaring an emergency,



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and the same have been passed, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 669 — By KIGHT, TODD, LEECRAFT, MALLORY, PALMER, ABERNETHY (Harmon) and GRISSO of the House and REED and NANCE of the Senate, entitled:

An Act to provide for the organization, operation and supervision of cooperative savings and credit associations to be termed "credit unions" and to define their powers.

ENGROSSED HOUSE BILL NO. 489—By BABB, entitled:

An Act abolishing the laws creating the offices of township trustee, township clerk and township treasurer of each township in Oklahoma and transferring the duties of said offices upon certain persons and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION NO. 32—By BABB, STURGILL, PAXTON, MISENHEIMER, WHITFORD, BROADDUS and CHAMBERS, entitled:

A Joint Resolution providing for the method and manner of nominating delegates to a state convention to ratify or reject the proposed twenty-first Article of Amendment to the Constitution of the United States; providing for the call of county conventions and prescribing qualifications of delegates to county conventions; providing for the time, place and manner of holding same; providing for the holding of Congressional District Conventions and prescribing qualifications of delegates and manner, time and place of holding same;

providing for the manner in which delegates shall be elected and manner in which convention of delegates shall meet; providing for payment of expenses; providing manner of certifying results of the election and results of the ballot of delegates, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Joint Resolution No. 32 and Engrossed House Bills Nos. 489 and 669.

To the President of the Senate,

Building

SIR:

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

ENROLLED SENATE BILL NO. 121—By MacDONALD, BRIGGS, CARMACK, STEWART, WHITAKER, MORRISON, GARVIN, LESTER, COMMONS, FISCHL, FIDLER, RITZHAUPT, RAY, THOMAS, CHAMBERLIN, RUTHERFORD and HUTCHINSON, entitled:

An Act amending Sections 10091 and 10095, Oklahoma Statutes, 1931, relating to the construction and maintenance of the state highway system and to contracts let for the construction thereof; and declaring an emergency.

ENROLLED SENATE BILL NO. 151 — By DAUGHERTY, FISCHL, JOHNSTON and REED, entitled:

An Act to supplement Chapter 72, Oklahoma Statutes, 1931, known as the "Workmen's Compensation Law," by the enactment of Supplemental Article 2, to said Chapter 72, containing Sections 1 to 23 inclusive,

creating a fund to be known as "The State Insurance Fund" to be used for the payment of losses sustained on account of insurance and for assuring to persons entitled thereto compensation as provided by said Chapter 72, and providing for the manner of raising said fund, its custody, and disbursement, necessary employees, making an appropriation therefor, and providing for the repayment of the same to the state, and to advise you, and, through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 121 and 151 were, each, ordered referred to the Governor, for consideration.

To the President of the Senate,  
Building

SIR:

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

ENROLLED SENATE BILL NO. 138—By RITZ-HAUPT, entitled:

An Act making it unlawful to plant, cultivate, protect, harvest, cure, prepare, barter, sell, give away or use, or offer to sell, furnish or give away, or to have possession of marihuana, or any drug or preparation made from any species or variety of the botanical genus cannabis, or any compound derivative or preparation thereof; providing penalties for violation of this Act; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 138 was ordered referred to the Governor, for consideration.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED SENATE BILL NO. 367 — By NICHOLS, PAUL, CHAMBERLIN and WALDREP, entitled:

An Act providing for the payment of paving or improvement assessments by the paving or improvement bonds or warrants issued therefor by any city or town in the state of Oklahoma, and providing for the discharge of the paving or improvement lien on such property to the extent of such bonds and warrants tendered in payment of the same, and providing for the issuance of a receipt therefor by the clerk of such city or town, and the cancellation of such bonds and warrants so delivered and providing that in case such assessment is delinquent and in the hands of the county treasurer for collection, when such receipt is presented to the county treasurer he shall enter a satisfaction of such delinquent assessment on his record, providing that if any part of the Act is for any reason declared void, such invalidity shall not affect the validity of the remaining portions of the Act, and repealing all laws or parts of laws in conflict therewith; and declaring an emergency, and to advise you, and, through you, the Honorable Senate, that the same has been passed, AS AMENDED, and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment, being a substitute bill, was read, as follows:

ENGROSSED SUBSTITUTE FOR SENATE BILL NO. 367—By NICHOLS, PAUL, CHAMBERLIN, and WALDREP of the Senate and SINGLETON and LINDSEY of the House.



AN ACT PROVIDING FOR THE PAYMENT OF PAVING, DRAINAGE AND IMPROVEMENT ASSESSMENTS BY THE PAVING, DRAINAGE OR IMPROVEMENT BONDS, OR WARRANTS ISSUED THEREFOR BY ANY CITY, TOWN OR DRAINAGE DISTRICT, OR BOARD OF COUNTY COMMISSIONERS FOR SUCH DRAINAGE DISTRICT, IN THE STATE OF OKLAHOMA, AND PROVIDING FOR THE DISCHARGE OF THE PAVING, DRAINAGE OR IMPROVEMENT LIEN ON SUCH PROPERTY TO THE EXTENT OF SUCH BONDS OR WARRANTS TENDERED IN PAYMENT OF THE SAME, AND PROVIDING FOR THE ISSUANCE OF A RECEIPT THEREFOR BY THE CLERK OF SUCH CITY, TOWN OR COUNTY TREASURER, AND THE CANCELLATION OF SUCH BONDS OR WARRANTS SO DELIVERED, AND PROVIDING THAT IN CASE SUCH ASSESSMENT IS DELINQUENT AND IN THE HANDS OF THE COUNTY TREASURER FOR COLLECTION WHEN SUCH RECEIPT IS PRESENTED TO THE COUNTY TREASURER HE SHALL ENTER A SATISFACTION OF SUCH DELINQUENT ASSESSMENT ON HIS RECORD, AND PROVIDING THAT ALL PENALTIES HEREAFTER COLLECTED AND ALL PENALTIES HERETOFORE COLLECTED, WHICH MAY BE IDENTIFIED, BY THE COUNTY TREASURERS ON SUCH DRAINAGE ASSESSMENTS SHALL BE PAID INTO THE FUNDS OF SAID DISTRICT AND BE USED ONLY FOR THE PAYMENT OF THE BONDS OR WARRANTS

AND THE INTEREST THEREON ISSUED FOR THE CONSTRUCTION OF SUCH DRAINS, AND PROVIDING THAT IF ANY PART OF THIS ACT IS FOR ANY REASON DECLARED INVALID, SUCH INVALIDITY SHALL NOT AFFECT THE REMAINING PORTIONS OF THE ACT, AND REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. That the owner of any paving, drainage or improvement warrants or bonds, heretofore or hereafter issued, by any City, Town or Drainage District, or the Board of County Commissioners for such Drainage District, in the State of Oklahoma, for the payment of paving, drainage or street improvement in any such City, Town or Drainage District, shall have the right to pay and discharge the lien and taxes assessed or apportioned for such paving, drainage or street improvement upon any property which he owns in the paving, drainage or street improvement district in and for which such warrants or bonds were issued to pay for such paving, drainage or street improvement; provided, that the taxpayer must be both the owner of such warrants or bonds, and the property on which the same is a lien for such assessment for such paving, drain or improvement, at the time said warrants or bonds are tendered as payment as in this Act provided.

SECTION 2. When the owner of such warrants or bonds tenders the same to the Clerk of said City, Town or the County Treasurer in the case of a drainage district, in payment of the paving, drainage or street improvement assessment liens or any installment thereof upon his property in the paving, drainage or street improvement district, in which such warrants or

bonds were issued, the same shall be accepted at their face value by such City or Town Clerk, or the County Treasurer, in payment of such improvement assessment liens or any installment thereof upon said owner's property in such improvement or drainage district, whether due or to become due, and shall operate to discharge all paving, drainage or street improvement assessments upon such property, to the extent of the face value of such warrants or bonds, so tendered, and the Clerk of said City or Town, or the County Treasurer of such County, shall issue a receipt to the owner of such property and the owner of such warrants or bonds to the extent of all such improvement taxes and liens on said property, whether due or to become due, to the amount of the face of such warrants or bonds tendered in payment, including the interest due thereon, and thereupon said Clerk of such City or Town or the County Treasurer of such County shall cancel said warrants or bonds, so delivered in discharge of such assessments or liens, or endorse said payment on said warrant or bond in case the amount due on said assessment at said time is less than the face value of said warrants or bonds so tendered.

SECTION 3. In the event any such paving or improvement assessments or installments thereof mentioned in Sections 1 and 2 of this Act are delinquent and in the hands of the County Treasurer of the County in which such City or Town is located, for collection, then said receipt issued by the Clerk of such City or Town, as provided by Section 2 of this Act, may be presented by the holder thereof to the County Treasurer of such County who shall thereupon endorse upon his records the satisfaction and discharge of the paving or improvement taxes upon the property for the installments described in such receipt, and thereafter such property shall be free and discharged of and from all further lien for such assessments or installments thereof.

SECTION 4. That all penalties hereafter collected and all penalties heretofore collected, which may be identified, by any County Treasurer of the State of Oklahoma, on any delinquent assessments for any drainage shall be paid and credited to the funds of such drainage district, and shall be used only in the payment of the warrants or bonds and the interest thereon, issued for the construction of the improvement for which such assessments were made.

SECTION 5. It is the intent and purpose of this Act to allow the owner of any paving, drainage or street improvement warrants or bonds heretofore or hereafter issued, as described in Sections 1 and 2 of this Act, to use the same to the extent of their face value in the payment and satisfaction of all paving, drainage and street improvement assessments which have been levied upon his property located in the paving, drainage, or street improvement district in and for which such paving, drainage or improvement warrants or bonds were issued in payment, whether such assessments or installments are due or to become due, and to the extent of the face value of such warrants or bonds tendered in payment thereof, and to cause all penalties hereafter collected, and all such penalties heretofore collected, which may be identified, by the County Treasurer on such drainage assessments to be credited to and placed in the funds of such district from which only the warrants and bonds of such district and the interest thereon, issued for the construction of said improvements, may be paid and discharged.

SECTION 6. If any part of this Act is for any reason declared void, such invalidity shall not affect the validity of the remaining portions of this Act.

SECTION 7. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

SECTION 8. 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.

Upon motion of Senator Nichols, the Senate concurred in House Amendment to Engrossed Senate Bill No. 367.

SENATE BILL NO. 367, as amended, was read at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Johnston, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Coppock, Dixon, Garvin, Howard, Hutchinson, Jennings, Liggett, Morrison, Powers, Ray, Rizley. Total, 11.

Absent: Daugherty, Lester. Total, 2.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Johnston, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Coppock, Dixon, Garvin, Howard, Hutchinson, Jennings, Liggett, Morrison, Powers, Ray, Rizley. Total, 11.

Absent: Daugherty, Lester. Total, 2.

Excused: Logan. 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 Engrossed House Amendment to Engrossed Senate Bill No. 367 and ordered the bill, as amended, referred for enrollment.

To the President of the Senate,  
Building  
SIR:

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

ENROLLED HOUSE BILL NO. 618—By EBEY of Pontotoc and STRICKLAND of Pontotoc.

An Act repealing Sections 8300, 8301, and 8302 Oklahoma Statutes 1931, relating to the salaries of county officers and the number and salaries of deputy county officers and employees, of Pontotoc County, Oklahoma, and declaring an emergency.

ENROLLED HOUSE BILL NO. 243—By BATSON.

An Act authorizing the State Board of Public Affairs to use inmates of the Deaf, Blind and Orphan Institute at Taft and of the Training School for Negro Girls at Taft, in farming, gardening and improving lands belonging to the State Hospital for the Negro Insane at Taft pending the completion thereof and the removal of patients thereto, and declaring an emergency.

ENROLLED HOUSE BILL NO. 499—By LOGSDON and CHAMBERS.

An Act amending Section 6532, Oklahoma Statutes, 1931, authorizing judges of municipal courts in cities of the state of Oklahoma having a population of more than 139,000 and not exceeding 145,000 inhabitants, as determined by the last preceding Federal Decennial or Special Federal Census, to perform marriages and to

practice as attorneys in civil courts of this state, and prohibiting such judges from appearing as attorneys in criminal proceedings commenced after taking their oaths of office as judges of said courts, and declaring an emergency.

ENROLLED HOUSE JOINT RESOLUTION NO. 45—By COX, WILLIAMS, FITZGERALD, ALLEN, HANKLA, ULMARK, JONES, CAVITT, DUKE, DAVIS, GIBSON, MASSEY, REMUND, BUSHY-HEAD, WILMOT, CHAMBERS, GRAHAM, WINGO, SPECK, BURNHAM, FRALEY, WRIGHT, ALBRIGHT, ABERNATHY (Pottawatomie), BEAMAN, HOGG, and ABERNETHY (Harmon).

A Joint Resolution validating certain school land loans made by the School Land Department of the state of Oklahoma; providing a method of extending said loans; providing a method of redeeming purchase certificates, and declaring an emergency.

ENROLLED HOUSE JOINT RESOLUTION NO. 10—By MARSHALL, CONNER, GRAHAM, BATSON of the House, and LOGAN and FIDLER of the Senate.

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma, providing that the Legislature may enact laws authorizing cities to pension meritorious and disabled police officers, and amending Article 5 of said Constitution by adding an additional section to be known as Section 61 of Article 5 of the Constitution of 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Joint Resolutions Nos. 10 and 45 and House Bills Nos. 243, 499 and 618 were, each, read for the fourth

time, at length, the enrolled copies signed, in open session, and ordered returned to the Honorable House.

Senator Commons moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll of the Senate being called, the following were noted "absent": Senators Coppock, Daugherty, Fidler, Garvin, Howard, Jennings, Lester, Liggett, Morrison, Powers, Ray, Rizley and Thomas.

The Sergeant-at-Arms was instructed to notify all absent members of the Senate's proceedings.

The following members asked to be recorded "present," which was the order: Senators Fidler, Garvin, Howard, Thomas, Rizley and Powers.

#### COMMITTEE REPORTS

Senator Pugh submitted the following Conference Committee Report:

TO THE HONORABLE MEMBERS OF THE SENATE AND THE HONORABLE MEMBERS OF THE HOUSE OF REPRESENTATIVES:

We, your Conference Committee, appointed to confer on Senate Bill 51, by Pugh and Willis, as amended by the House, having had same under consideration, and after due consideration thereof, beg leave to report as follows:

In paragraph (a) of Section 1, we recommend that the figures "15,000" be stricken and the figures "14,500" be inserted, and that the "County Treasurer" be taken out of the bracket with "County Attorney" and "Sheriff" be placed in the lower bracket with other county officers, and that the "County Judge" be taken out of the lower bracket and be placed in the higher bracket with "County Attorney" and "Sheriff."

We recommend that paragraph (aa) be amended as follows: Strike out "15,000" and insert "14,500" in the first line of said paragraph.

We agree that paragraph (b) of Section 1 be amended by striking out the figures "24,500" in line 2



of said paragraph and inserting therefor "25,000," and we agree that the "County Judge" shall be taken out of the lower bracket and put in the higher bracket with the "County Attorney" and "Sheriff."

We agree that paragraph (c) of Section 1 be stricken.

We agree that paragraph (d) of Section 1 be amended in the last line of paragraph (d) by striking out the figures and words "Two hundred forty dollars (\$240.00)" and inserting therefor the words and figures "One hundred twenty (\$120.00)."

We agree that paragraph (e) of Section 1 be amended as follows: In the ninth line of said paragraph, strike the figures and words "Fourteen Hundred and forty dollars" and insert therefor the words and figures "Fifteen hundred dollars (\$1500.00)."

In paragraph (g) we agree that the "County Sheriff" be taken out of the lower bracket and put in the higher bracket with the "County Judge" and "County Attorney."

In paragraph (i) in line 8, we agree that the figures and words "Four Thousand Dollars (\$4,000.00)" shall be stricken and the words and figures "Thirty-six hundred dollars (\$3600.00)" added.

In line 5 of SECTION 2, we agree that the words "five cents per mile" be stricken and the words "Seven and one-half cents per mile" be inserted.

In line 13 of Section 2, after the word "attorney" strike the following: "and provided further, that in any county where 'radio patrol duty' may be performed, then and in such event, the sheriff and his deputies shall be entitled to and shall receive the mileage fee herein provided for each mile traveled while on such duty."

In line 26 of Section 2 after the word "prisoners" and before the word "upon" add the words "not to exceed fifty cents per day for each prisoner."

In section 6 in line 2 after the word "repealed" strike the rest of Section 6.

These amendments all go to an Engrossed House Substitute for Engrossed Senate Bill No. 51.

Respectfully submitted,

SCOTT GLEN,	JOHN D. PUGH,
JACK SUTHERLAND,	LOUIS H. RITZHAUPT,
LEON C. PHILLIPS,	BEN R. WILLIS,
W. H. EBEL,	C. B. MEMMINGER,
House Conferees.	A. L. COMMONS,
	Senate Conferees.

Senator Pugh moved the adoption of the Conference Committee Report on Engrossed Senate Bill No. 51.

Senator Nance, as a substitute, moved that Senate Bill No. 51, as amended in conference, be printed, consideration of the bill to be deferred until the next legislative day, which motion prevailed.

Senators Liggett and Morrison asked to be recorded "present," which was the order.

#### FIRST READING

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

SENATE BILL NO. 413—By CHAMBERLIN and MEMMINGER.—An Act relating to Building and Loan Associations, designating employees and fixing salaries, and amending Section 9344, Oklahoma Statutes 1931, and repealing laws in conflict herewith.

SENATE BILL NO. 414—By JOHNSTON.—An Act exempting motor fuel used for the purpose of operating farm tractors, from any excise tax; and declaring an emergency.

#### SECOND READING

The following bills were read for the second time, and referred to the committees indicated:

SENATE BILL NO. 411 — By JOHNSTON, BRIGGS, WALDREP, WILLIS and CARLILE.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 412—By BRIGGS of the Senate and BABB and STEWART of the House.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 248—By HAILE, JONES, OTTESEN, BABB, and LANDINGHAM.

Senator Whitaker asked unanimous consent, which was granted, to place House Bill No. 248 upon the Calendar, without reference to a committee.

ENGROSSED HOUSE BILL NO. 710—By HILL, GRISSO, and WOOTEN.

By unanimous consent, House Bill No. 710 was ordered placed upon the Calendar, without reference to a committee.

ENGROSSED HOUSE BILL NO. 714—By HILL, WOOTEN, and GRISSO.

By unanimous consent, House Bill No. 714 was ordered placed upon the Calendar, without reference to a committee.

ENGROSSED HOUSE BILL NO. 647—By GARLAND, BEARD, GRAHAM and RAWLS.

Senator Fischl moved that House Bill No. 647 be referred to the Committee on Privileges and Elections.

Senator Pugh, as a substitute, moved that House Bill No. 647 be referred to the Committee on Prohibition Enforcement.

Senator Ballard, in lieu of all pending motions, moved that House Bill No. 647 be referred to a Special Committee of seven, to be appointed by the President, for the purpose of re-drafting the bill.

Senator Pugh raised a point of order against the Ballard motion, which was overruled, stating a motion to commit with instructions, must be in writing.

Senator Pugh moved to table the Ballard motion.

Senator Fischl raised a point of order against the Pugh motion, which was sustained, stating the motion followed discussion.

Senator Stacey moved to table the Ballard motion, which motion failed of adoption.

Senator Memminger, in lieu of all pending motions, moved that further consideration of House Bill No. 647 be indefinitely postponed.

Senator Fischl raised a point of order against the Memminger motion, which was sustained, stating a motion "in lieu of all pending" is before the Senate.

Senators Jennings and Ray asked to be recorded "present," which was the order.

The vote occurring on the Ballard motion, it was declared adopted.

The President appointed as a Special Committee under the Ballard motion, Senators Ballard, Whitaker, Rutherford, Fischl, Nance, Memminger and Reed.

Senator Paul moved that the Senate proceed to the consideration of HOUSE BILL NO. 692, by Cloyd, of the House, and Paul, of the Senate, which motion prevailed.

Upon motion of Senator Paul, House Bill No. 692 was advanced to engrossment and third reading.

Upon motion of Senator Paul, the rules of the Senate were suspended and House Bill No. 692 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 692 was read for the third time at length.

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

Ayes: Carlile, Carmack, Commons, Howard, Johnston, Liggett, Morrison, Nance, Paul, Pugh, Ray, Reed, Sowards, Stacey, Taylor. Total, 15.

Nays: Ballard, Briggs, Clark, Fidler, Jennings, MacDonald, Memminger, Moon, Powers, Ritzhaupt, Rizeley, Thomas, Whitaker, Wilbanks, Willis. Total, 15.

Not Voting: Chamberlin, Coppock, Curnutt, Dixon,



Fischl, Garvin, Hutchinson, Nichols, Rutherford, Stewart, Waldrep. Total, 11.

Absent: Daugherty, Lester. Total, 2.

Excused: Logan. Total, 1.

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 Paul served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which HOUSE BILL NO. 692 failed of adoption.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 340 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Bill No. 340, and ordered it transmitted to the Honorable House for consideration.

Senator Johnston asked unanimous consent, to which objections were voiced, to take up under third reading, SENATE BILL NO. 265, by Johnston.

Senator Whitaker moved that the Senate proceed to the consideration of HOUSE BILL NO. 416, as amended in conference, report thereof having been submitted on the last legislative day, which motion prevailed.

Senator Chamberlin presiding.

Senator Whitaker moved the adoption of the Conference Committee Report on House Bill No. 416, which motion prevailed.

Senator Coppock asked to be recorded "present," which was the order.

House Bill No. 416, as amended in conference, was read at length.

The question being, "Shall House Bill No. 416, as

amended in conference, pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Fidler, Fischl, Howard, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Briggs, Clark, Coppock, Curnutt, Hutchinson, Jennings, Moon, Powers, Rizley, Sowards, Stacey, Stewart, Thomas. Total, 13.

Not voting: Dixon, Garvin, Rutherford. Total, 3.

Absent: Daugherty, Lester. Total, 2.

Excused: Logan. 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 House Bill No. 416, as amended in conference, become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Briggs, Clark, Coppock, Curnutt, Hutchinson, Jennings, Powers, Rizley, Rutherford, Stacey, Stewart. Total, 11.

Absent: Daugherty, Lester. Total, 2.

Excused: Logan. 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. 416, together with the Conference Committee Report thereon was ordered returned to the Honorable House.

Senator Stacey submitted the following explanation of his vote:

Mr. President: I voted against House Bill No, 416 because I am afraid that as written it repeals the law exempting tractor gas from taxation.

STACEY.

### MESSAGES

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

To the President of the Senate,  
Building.

SIR:

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

ENGROSSED SENATE JOINT RESOLUTION  
NO. 1—By NICHOLS, PAUL, GARVIN, WHITAKER,  
SOWARDS, LOGAN, LESTER, NANCE, REED, RAY,  
FISCHL and CARLILE, entitled:

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma, relating to Section 9, Article 10, of said Constitution,

and to advise you, and, through you, the Honorable Senate, that the House refuses to recede from Amendments and respectfully asks that a Conference be granted thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Nichols, the request of the Honorable House for a conference on Engrossed Senate Joint Resolution No. 1 was granted, the Presiding Officer appointing as Senate Conferees thereunder, Senators Nichols, Paul, and Moon.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to

advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 656—By HENDERSON, BATSON, BABB, JONES, RAWLS, BENNETT, WAGNER, and PALMER.

An Act amending Subdivision H, Article 9, Chapter 20, Oklahoma Statutes, 1931, and providing for the regulation of the use of the public highways by motor vehicles operated for commercial purposes; levying a tax and providing for the disposition thereof; making such tax, penalties and costs a first lien on the property owned or used by motor carriers; providing for the collection of said tax, issuance of tax warrants therefor and the enforcement of the provisions hereof; making persons procuring passengers or freight transported by unlicensed motor carriers liable for taxes and authorizing injunctions; repealing Sections 3692, 3693, 3694, 3695, 3696, 3697, 3698, and 3699 of Subdivision H, Article 9, Chapter 20, Oklahoma Statutes, 1931, and all Acts or parts of Acts in conflict therewith and declaring an emergency,  
and respectfully asks that a Conference be granted thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Briggs, the request of the Honorable House, for a conference on Engrossed House Bill No. 656 was granted, the Presiding Officer appointing as Senate Conferees thereunder, Senators Briggs, Fischl, Carmack, Ballard and Carlile.

To the President of the Senate,  
Building.

SIR:

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

ENGROSSED HOUSE BILL NO. 305—By BAT-



*Seventieth Day, Friday, Apr. 7, 1933* 1903

SON, GRAY, COX, BLOCKER, HENDERSON and LEECRAFT.

An Act amending Sections 10268, 10269, 10271, 10272, 10273, 10274, 10278, 10280, 10283, 10288, 10316, 10317, 10320 and 10323, Oklahoma Statutes 1931; defining motor vehicles, vehicles and other terms; levying license fees on such vehicles, when owned, possessed, or operated within this State, licensing manufacturers and dealers in such vehicles, and prescribing method of computing such fees; defining the purposes of this Act; regulating the use of vehicles on the public highways of the State, and limiting certain of them as to width, length, height, weight and speed; providing for the computation and collection of such fees; authorizing rules and regulations pertaining thereto; providing for the disposition of the revenue derived under this Act; prescribing penalties for the violation hereof; repealing Sections 10270, 10275, 10276, 10277, 10279, 10281, 10282 and 10284, Oklahoma Statutes 1931, and all Acts or parts of Acts in conflict herewith; providing that vehicles not licensed for the year 1933 and prior years, when this Act becomes effective shall be licensed hereunder; and declaring an emergency, together with Conference Committee Report, and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted by the House of Representatives and the Bill has been passed, AS AMENDED, thereby.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Conference Committee Report on House Bill No. 305, was submitted, as follows:

To the Honorable Senate

and

Honorable House of Representatives  
of the State of Oklahoma.

We, your Conference Committee, appointed to con-

fer on Engrossed Senate Amendments Nos. 1 to 32 inclusive, to Engrossed House Bill No. 305, by Batson, Gray, Blocker, Henderson and Leecraft, have had the same under consideration and beg to report:

That the House concurs in Senate Amendments Nos. 1 to 4 inclusive.

That the House concurs in Senate Amendments Nos. 5 and 6.

That the House concurs in Senate Amendments Nos. 7 to 22 inclusive.

That the Senate recedes from Amendment No. 23.

That the House concurs in Senate Amendment No. 24.

That the House and Senate Conference Committee submits the following amendment in lieu of Senate Amendments Nos. 25 and 26:

“Sub-division (b) 1. No truck or trailer when unladen or when loaded with severable objects, or objects which can be readily dismantled, having a gross weight in excess of twenty-four thousand (24,000) pounds, and no truck with semi-trailer attached or truck tractor with semi-trailer attached when unladen or loaded with severable objects shall exceed a gross weight of thirty-one thousand (31,000) pounds. No motor vehicle, commercial vehicle, truck, truck tractor, trailer or semi-trailer having a greater weight than six hundred (600) pounds per inch width of tire upon any wheel concentrated upon the surface of the highway shall be permitted on the public highways outside of the limits of an incorporated city or town.”

That the House and Senate Conference Committee amends Senate Amendment No. 27 as follows: That the words “December” and the figures “31st.” “1934” be stricken, and in lieu thereof the word and figures *June 30th, 1934* be inserted.

That the House and Senate Conference Committee

*Seventieth Day, Friday, Apr. 7, 1933* 1905

offers the following Amendment to the House Bill (Engrossed)

Section 16, Line 1, page 48, by striking the word "*And*", between the words Country and display, and in lieu thereof, insert the word "*or*".

That the House and Senate Conference Committee concurs in offering the following amendment to the Engrossed House Bill:

Section 16, line 4, page 48, strike the period after the word "Oklahoma" and inserting in lieu thereof, a comma, and by adding the following: "unless there shall also be displayed upon such vehicle at all times the current license plate assigned to it by the Oklahoma Tax Commission."

That the House and Senate Conference Committee concurs in offering the following amendment to Engrossed House Bill 305:

Page 21, line 1 after the word "for" strike the word "Each", and in lieu thereof insert the words "the fourth", and between the word "*Year*" and the word "*thereafter*", insert the following: "*and 10¢ for each year.*"

The House concurs in Senate Amendments Nos. 28 to 32, inclusive.

Respectfully submitted,

House Conferees

Senate Conferees

Henderson

Paul

Batson

Nance

Parks

Stewart

Blocker

Whitaker

Cox

Briggs

Morrison

Upon motion of Senator Briggs, the Conference Committee Report on Engrossed House Bill No. 305 was adopted.

House Bill No. 305, as amended in conference, was read at length.

The question being, "Shall House Bill No. 305, as amended in conference, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 35.

Nays: Hutchinson, Powers, Waldrep. Total, 3.

Not voting: Jennings, Moon, Rutherford. Total, 3.

Absent: Daugherty, Lester. Total, 2.

Excused: Logan. 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 House Bill No. 305, as amended in conference, become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 35.

Nays: Hutchinson, Powers, Waldrep. Total, 3.

Not voting: Jennings, Moon, Rutherford. Total, 3.

Absent: Daugherty, Lester. Total, 2.

Excused: Logan. 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. 305, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

Senator Liggett submitted the following Committee Report:



Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolution No. 17, correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Concurrent Resolution No. 17 and ordered it transmitted to the Honorable House for consideration.

Senator Waldrep moved that the Senate proceed to the consideration of HOUSE BILL NO. 58, by Gray, et al.

Senator Whitaker, as a substitute, moved that the Senate proceed to the consideration of HOUSE BILL NO. 229, by Gray, et al.

Senator Nance moved to table the Whitaker motion, which motion failed of adoption.

The vote occurring on the Whitaker motion, it was declared adopted.

President Burns presiding.

Section 1 of House Bill No. 229 was read.

Senator Morrison asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 229, by substituting therefor, the following:  
ENGROSSED HOUSE BILL NO. 229.

SECTION 1. The title of this Act shall be "Oklahoma Selective Gross Sales Tax Law."

SECTION 2. (a) It is hereby declared to be the purpose of this Act to provide for the reduction of the rate of ad valorem Taxation throughout the State, so far as may be; and for that purpose and to that end, it is hereby expressly provided that the revenue derived from all taxes and penalties and interest thereon, shall be used for the following purposes:

(b) Ninety-five per centum of such moneys shall be apportioned as follows, to-wit: One-fourth thereof for the retirement of any State Deficit and thereafter

to the expenses of State Government; and three-fourths for the support of common schools, to be distributed upon a scholastic enumeration per capita basis, as provided by law.

(c) Funds available for distribution for the support of common schools shall be distributed to the various counties with existing law for distribution of like funds, and thereafter, in determining the amount of funds to be approved for expenditure for general purposes by school district, the county excise boards of the several counties of the State shall be limited by the laws in force at and prior to the passage of this Act, without regard to the amount available to any school district from funds distributed under the provisions hereof; and from such total amount thus determined, shall deduct the amount available to such school district from funds to be distributed to it under the provisions of this Act, and after making such deduction, shall compute and make the tax levy necessary to raise the remaining portion of such approved estimate, it being the intent and purpose of this Act to reduce the total maximum mill rate levy, upon ad valorem basis, in a sum equal to the amount distributed to any such interest from the proceeds hereof. None of the provisions of this Act shall prevent any school district from receiving State aid under the proceeds hereof. None of the provisions of this Act shall prevent any school district from receiving State aid under the provisions Chapter 34, Art. 21, Oklahoma Statutes 1931; provided, such school district shall have levied an ad valorem tax which, when added to its quota under this Act, shall equal a levy of fifteen mills; and such action by any school district shall be a full compliance with the requirements of said Act, and shall entitle any such school district to State Aid out of the "Special Common School Equalization Fund" provided by said Act, in all respects, as though this Act had never been passed.

(d) The remaining five per centum of such moneys so collected under the above tax shall be used to defray the expenses of the Tax Commission in the collection of such taxes; and further for the refund of any overpayments which any taxpayer may make. This money shall be placed in the State Treasury to the credit of the Oklahoma Tax Commission in a fund designated as the "Oklahoma Receipts Sales Tax Fund."

SECTION 3. When used in this Act the term "person" shall include an individual, firm, corporation, co-partnership, association, or any other group or combination acting as a unit.

The term "Tax Commission" shall mean the Oklahoma Tax Commission, the term "sale" or "sales" shall mean sales at retail for money, or money collected on sales previously made.

SECTION 4. On or after the first day of May, 1933, there is hereby levied an excise tax upon all persons engaged in the sale of tangible goods, wares and merchandise sold at retail in the State of Oklahoma, other than articles of food, and wearing apparel, a tax of two per centum (2%) of the gross receipts of such sales. Provided, however, nothing herein contained shall be construed to prevent such persons subjected to said tax, from adding the amount of said tax to the sale price of said articles and provided further that the said tax herein provided shall be payable monthly under rules and regulations to be prescribed by the Oklahoma Tax Commission. Any taxpayer may report cash and credit sales separately and exclude the credit sales from the measure of the tax until payment on such credit sales is received. When such credit sales are so excluded, the taxpayer shall thereafter include in each monthly report all collections made during the month next preceding on such credit sales and pay the taxes due thereon at the time of filing such report.

SECTION 5. All persons engaged in selling ar-

ticles of food and clothing who also sell other articles of tangible goods, wares and merchandise which are subject to said tax under Section 4 of this Act are hereby required to make return of the gross receipts from such sales of such non-exempt articles and pay the said tax provided in this Act in the same manner and under the same regulations as provided in Section 4 of this Act.

SECTION 6. The tax herein provided shall apply to the sale of tickets at theatres and all places of amusement where a charge for admission is made, and the tax on such gross receipts shall be two per centum (2%) thereon and the amount of said tax may at the direction of the management of said theatres or places of amusement, be added to the sale price of said tickets.

SECTION 7. In addition to the two per centum (2%) tax provided for in this Act there is hereby levied an additional one per centum (1%) of the receipts from the gross sales of articles as tangible goods, wares, merchandise, other than articles of food and clothing, for a period of twenty-four (24) months, beginning with and dating from the first day of May 1933, said additional one per centum (1%) tax to be collected by the Oklahoma Tax Commission in the same manner; at the same time and under the same regulations as is provided in this Act for the collection of the two per centum (2%) tax, and the proceeds derived from this said one per centum (1%) temporary additional tax shall be used for the purpose of retiring the State deficit.

Provided, further, that if and when the State deficit has been retired, there remains an unused balance from the proceeds of this said temporary one per centum (1%) tax, the Governor of the State of Oklahoma is hereby authorized and directed to place such unexpended balance to the credit of any other State fund or funds heretofore appropriated for the purpose of augmenting said fund or funds and for the purpose of carrying out this provision said unused balance derived from said ad-



ditional one per centum (1%) tax is hereby appropriated for said use.

SECTION 8. The tax herein provided shall not apply to the sale by farmers of raw materials from their farms; nor to the sale of other raw material by the producers thereof; nor to sales at wholesale; nor to gasoline or other commodities subject under the present laws to special excise taxes now levied; nor to sales in interstate commerce; nor to any person whose gross sales in any one month do not exceed \$100.00.

SECTION 9. Each person, firm, or corporation engaged in the business of selling goods, wares, or merchandise at retail who are subject to the tax provided in this Act shall apply to the Tax Commission and obtain an annual license upon an application therefor, the form of which shall be prescribed by the Oklahoma Tax Commission under payment of a license fee of Fifty Cents (50¢).

SECTION 10. The Tax Commission shall have the right to examine the books of each and every tax-payer hereunder and to check the correctness of returns made, and to issue tax warrants against the property of any taxpayer failing or refusing to pay the tax due within twenty (20) days after demand by the Tax Commission. Provided, further, that a penalty of one per centum (1%) per month shall be added for failure or refusal to pay said taxes when due.

SECTION 11. Any person, firm or corporation subject to the provisions of this Act who shall wilfully fail or refuse to make return of gross receipts in the manner required under the rules and regulations promulgated by the Oklahoma Tax Commission and, or any person, firm or corporation required to obtain a license under the provisions of this Act who shall wilfully fail or refuse to procure said license shall, upon conviction, be guilty of a misdemeanor.

SECTION 12. All Acts or parts of Acts in conflict herewith are hereby repealed.

SECTION 13. 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.

MORRISON.

Senator Whitaker moved to table the Morrison amendment, which motion, by unanimous consent, he withdrew.

Senator Taylor asked to be "excused," which was the order.

President Pro Tempore Stewart presiding.

Senator Paul moved the adoption of the previous question, which motion prevailed.

The vote occurring on the Morrison amendment, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Coppock, Curnutt, Dixon, Fidler, Garvin, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Wilbanks, Willis. Total, 33.

Nays: Carlile, Commons, Howard, Rutherford, Whitaker. Total, 5.

Not voting: Fischl, Nance. Total, 2.

Absent: Daugherty, Lester. Total, 2.

Excused: Logan, Taylor. Total, 2.

Senator Morrison moved that House Bill No. 229, as amended, be advanced to engrossment and third reading, which motion prevailed.

Senator Morrison moved that the rules of the Senate be suspended and House Bill No. 229 be considered engrossed and placed upon third reading and final passage.

Senator Briggs, as a substitute, moved that the rules of the Senate be suspended for the purpose of considering House Bill No. 229, section by section.

Upon motion of Senator Commons, the Senate recessed, to meet at 7:30 p. m.

#### EVENING SESSION

At 7:30 p. m., the Senate reassembled, with the President presiding.

Senator Taylor asked to be recorded "present," which was the order.

Senator Commons asked unanimous consent, which was granted, to have the record show Senators Howard and Rutherford "excused," for the remainder of this legislative day and the next legislative day.

#### MESSAGES

The following Message from the Governor was received and read:

TO THE HONORABLE THE STATE SENATE OF  
THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

The Bill for the diversion of the gasoline tax is on the calendar of the Senate for today.

All classes of citizens are for this Bill, because it means the establishment of the credit of the State so that the warrants of the State may be cashed, except these contractors and their agents and beneficiaries.

I suggest that in order to accommodate the members, they might provide a desk somewhere near for Beekman and his agents so that one may pass through the doors into the Senate without stumbling over them; when this Bill is up for consideration.

It ought not to be necessary to call your attention again to the importance of the passage of this Bill, and the Bill diverting the funds in the several counties in

order to restore the credit of the State, and, at the same time, reduce the taxes upon the people by paying the public debt.

I observe a proposition of leaving with each county the question as optional. To make that provision would leave nothing to the county, but to the county commissioners, very few of whom care anything about reducing the public debt, and that would destroy the Bill.

I therefore plead with the Senate to pass the Bill as submitted by the Committee, in order to meet the situation that confronts the State, and make possible the cashing of the warrants of the State and of the several counties in the State, for we cannot expect the banks to purchase any more warrants until the ones now outstanding have been taken up by securities that fix a definite pay day.

There has also been suggested that a "Sinking Fund" should be provided for. That suggestion would be wise if these Treasury Notes were to run for more than one year, but these notes may be made payable each year as the taxes are collected and payment made, so as to avoid as much interest as possible, prevent the loss of the "Sinking Fund," and thereby render unnecessary the provision for a "Sinking Fund."

These Bills were drawn in the light of sound business, and having the full credit of the State behind them, will be readily purchased by any bank, although certain bankers having no care for the State would like to have these notes to run for as many years as possible, because the commissions thereon would be greater, in which the State is not interested. The thing the State is interested in is to pay the obligation as quickly as possible and as rapidly as the taxes are collected. Therefore it is folly to speak of a "Sinking Fund." Remember, the "Funding Bill" passed is worthless, and would have to be vetoed, unless this Diversion Bill is passed.



*Seventieth Day, Friday, Apr. 7, 1933* 1915

Respectfully submitted, on this the 7th day of April,  
A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

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

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to  
advise you, and, through you, the Honorable Senate,  
that the Speaker of the House has appointed Representa-  
tives Darks, Kirkpatrick and O'Neill, as House Con-  
fererees on:

ENGROSSED SENATE JOINT RESOLUTION  
NO. 1—By NICHOLS, PAUL, GARVIN, WHITAKER,  
SOWARDS, LOGAN, LESTER, NANCE, REED,  
RAY, FISCHL and CARLILE, entitled:

A Joint Resolution providing for the submission of  
a proposed amendment to the Constitution of the State  
of Oklahoma, relating to Section 9, Article 10, of said  
Constitution.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

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

ENROLLED HOUSE BILL NO. 151—By GRIS-  
SO, HAILE, DUKE, DANIELS, LEE CRAFT,  
PALMER, EBNEY (Pontotoc), LANDINGHAM, FITZ-  
GERALD, GRUNERT, ALBRIGHT, STURGILL,  
LINDSEY, HAYS, JONES and KING (Coal), CAV-  
INS, entitled:

An Act amending Section 12719, Oklahoma Stat-  
utes 1931, providing for the payment of ad valorem

taxes in four equal installments, fixing penalty for delinquent taxes, and declaring an emergency,

ENROLLED HOUSE BILL NO. 316—By OTTESEN, FRALEY, COX, HAILE, DUKE, DANIELS, LEECRAFT, PALMER, EBNEY (Pontotoc), LANDINGHAM, FITZGERALD, GRUNERT, ALBRIGHT, STURGELL, LINDSEY, HAYS, JONES and KING (Coal), of the House, and WHITAKER of the Senate, entitled:

An Act amending Sections 6842, 12372, 12581, 12582, 12593, 12613, 12615, 12640, 12646, 12660, 12661 and 12674, Oklahoma Statutes, 1931, relating to the listing, assessing and equalizing of property for ad valorem taxation; defining the duties, powers and authority of certain officials in relation thereto and also in relation to levies and appropriations; providing administrative appeals; making the performance of such duties mandatory; fixing penalty for neglect or delay; repealing Sections 12594, 12612, 12641, 12642, 12643, 12647, 12651, 12652, 12655, Oklahoma Statutes, 1931, and all conflicting laws; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 151 and 316 were, each, read for the fourth time at length, the enrolled copies signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building  
SIR:

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

ENROLLED HOUSE BILL NO. 434—By SINGLETON and JONES.

An Act providing for the cancellation and remission of penalties on delinquent special assessments by the governing board of cities and towns under certain conditions; and further providing for the compromise of certain delinquent special assessments by said governing board, under certain conditions, and declaring an emergency,

ENROLLED HOUSE BILL NO. 624—By COMMITTEE ON APPROPRIATIONS.

An Act providing that the state gasoline excise tax and motor vehicle license tax, in addition to the purposes which under existing laws are now levied and collected and deposited to the credit of the state highway construction and maintenance fund, shall hereafter also be levied and collected for the purpose of paying final judgments now or hereafter rendered against the state of Oklahoma which are based on suits authorized by the Legislature and arising out of improper construction of state highways; making an appropriation out of any monies hereafter accruing as aforesaid to the credit of the state highway construction and maintenance fund to pay final judgments rendered against the state of Oklahoma in suits authorized by the Legislature of Oklahoma, and arising out of improper construction of a state highway and directing the State Auditor upon presentation of sworn claims therefor to pay respective judgment creditors and all referee's fees and costs as fixed by the court; and six per cent interest; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 434 and 624 were, each, read for the fourth time at length, the enrolled copies signed, in

open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building

SIR:

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

ENROLLED HOUSE BILL NO. 715—By LEE-CRAFT, HAILE, PHILLIPS (Okfuskee), and BATSON.

An Act providing for funding of certain outstanding warrant indebtedness of the state of Oklahoma, and the issuance of treasury notes therefor; providing for the form and execution thereof, and making an appropriation for the payment of expenses in connection therewith; providing for the payment of same, and creating a fund and levying a tax therefor; providing for the acceptance of such treasury notes as legal security for public funds and other funds required to be secured, and fixing the rate of interest state funds secured by such treasury notes shall draw, and authorizing the purchase of said notes with sinking funds created by law and with other trust funds, and the acceptance of the interest coupons attached to said notes in payment of taxes due the state; providing for the call and redemption of such warrants not funded, and for other purposes; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 715 was read for the fourth time at length, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.



### COMMITTEE REPORT

By unanimous consent, 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. 582, by Gray, entitled:

An Act amending Section 5444, Oklahoma Statutes 1931, relating to the revolving fund of the Oklahoma Agricultural and Mechanical College at Stillwater, Oklahoma, creating a contingent fund for said college, providing for the expenditure 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.

MacDONALD, Chairman.

Senator Chamberlin moved that the President appoint a Committee of 6, to consider immediately certain amendments to be offered to Engrossed HOUSE BILL NO. 229, the report to be made not later than 8:30 p. m., this day.

The Chamberlin motion was declared adopted, the President appointing as the Special Committee, thereunder, Senators Chamberlin, MacDonald, Nichols, Morrison, Whitaker and Rizley.

The President declared the Senate at ease, pending the report of the Special Committee, appointed under the Chamberlin motion.

The Senate reassembled, with the President presiding.

### GENERAL ORDER

Upon motion of Senator Commons, SENATE BILL NO. 393, by Commons and Chamberlin, was advanced to engrossment and third reading.

Upon motion of Senator Commons, SENATE BILL NO. 410, by Curnutt and Commons, was advanced to engrossment and third reading.

Senator Pugh asked unanimous consent, which was granted, to take up for consideration HOUSE CONCURRENT RESOLUTION NO. 15, by Cox, et al, which was read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 15—By COX, HENDERSON, WILLIAMS, JONES, ALBRIGHT, MALLORY, WINGO, WRIGHT, HINDS, HAILE, ALLEN.

CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO MAKE IT MANDATORY UPON THE SECRETARY OF AGRICULTURE OF THE UNITED STATES TO EQUITABLY ALLOCATE FEDERAL AID HIGHWAY FUNDS.

WHEREAS, the failure of Congress to direct the fair and equitable distribution of Federal Aid Highway Funds to the major sections of all states in the Federal Aid Highway Act, has resulted in the unfair, inequitable and arbitrary allocation of Federal Aid Highway funds to favored sections of the different states, to the exclusion of other sections of said states; and

WHEREAS, information from the National Capitol indicates that the amount of Federal Aid that will hereafter be extended to the various states for highway construction, will be drastically curtailed on account of the economic situation, and that it will be impossible to secure sufficient Federal Aid to continue the construction of interstate and transcontinental highways on the same scale as has characterized such construction in the past, or to continue the use of high priced paving material on account of its prohibitive cost in the surfacing of such highways, and that as a result of the curtailment of such Federal Aid and the greatly reduced available state funds for highway construction purposes, many towns and counties of Oklahoma and other states that have not been provided with all-weather roads, face the possibility of being permanently denied the benefit of such

roads, unless what Federal and State funds, that may hereafter be available are fairly and equitably allocated to the major sections of each state;

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

SECTION 1. That the Congress of the United States be memorialized to pass such an act or an amendment to the present law, that will make it mandatory upon the Secretary of Agriculture of the United States, to allocate to each major section of each state, of not more than one hundred (100) miles square, its just proportion of Federal Aid Highway funds, taking into consideration those sections of each state that have not received their just proportion of such funds in the past, and that in allocating such funds the population, taxable wealth and tillable area of each such section shall be taken into consideration.

SECTION 2. That the Congress be memorialized to direct the Federal Bureau of Roads to use Federal Aid Highway funds in such manner as will extend the benefits of all-weather roads to as many towns and counties in the neglected sections as is possible, by using such types of material for surfacing as will give the greatest mileage of durable highways at the smallest cost, taking into consideration the amount of traffic that uses each road on which Federal Aid is extended.

SECTION 3. That a copy of this resolution be sent to the Senate and House of Representatives and to each member of the Oklahoma delegation in Congress.

Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend House Concurrent Resolution No. 15, by adding at the end of Section 2, the following:

“WHEREAS, the Oklahoma Stockyards, located at

Oklahoma City, do not permit the patrons of such yard to provide their own feed for their own stock that they bring there to sell and market, and

WHEREAS, said Stockyards charge patrons from eighty (.80) cents to One (\$1.00) Dollar per bale for hay and eighty (.80) cents per bushel for corn and this works an undue hardship on the patrons of such concern and the citizens of Oklahoma feel that an investigation is entirely justifiable and necessary by the Federal Department," and by amending the title of Engrossed House Concurrent Resolution No. 15 to conform with the provisions of the Act.

PAUL.

Senator Memminger moved that Sections 1 and 2 of House Concurrent Resolution No. 15 be stricken, which motion was tabled upon motion of Senator Paul.

Upon motion of Senator Pugh, House Concurrent Resolution No. 15, as amended, was adopted.

House Concurrent Resolution No. 15, as amended, was ordered referred for engrossment.

Senator Paul asked unanimous consent, which was granted, to have a copy of House Concurrent Resolution No. 15, as amended, forwarded to the Secretary of the Federal Bureau of Agriculture.

Upon motion of Senator Nance, HOUSE BILL NO. 604, by Mallory, Kight, et al, was advanced to engrossment and third reading.

Senator Briggs asked unanimous consent, which was granted, to be added as a joint author of House Bill No. 604.

Senator Waldrep asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 206, by Waldrep.

Senator Waldrep asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator Curnutt:

Mr. President: I move to amend Senate Bill No.



206, line 1, page 1, by striking the word, "shall," in said line, and inserting the word, "may"

WALDREP.

Upon motion of Senator Waldrep, Senate Bill No. 206 was advanced to engrossment and third reading.

THIRD READING

Senator Nance moved that the rules of the Senate be suspended and House Bill No. 604 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

HOUSE BILL NO. 604 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Johnston, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 30.

Nays: Fidler, Hutchinson, Jennings, Liggett, Moon. Total, 5.

Not Voting: Ballard, Clark, Howard, Powers, Rutherford, Whitaker. Total, 6.

Excused: Daugherty, Logan. Total, 2.

Absent: Lester. Total, 1.

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

By unanimous consent, the following were added as joint authors of House Bill No. 604: Senators Nance, Briggs, Fischl, and Paul.

House Bill No. 604 was ordered referred for engrossment.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled bills begs leave to report Senate Bill No. 265 correctly engrossed.

LIGGETT, Chairman.

THIRD READING

Senator Johnston asked unanimous consent, which was granted, to call the roll on SENATE BILL NO. 265, by Johnston.

SENATE BILL NO. 265 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Liggett, Memminger, Moon, Nance, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 30.

Not Voting: Chamberlin, Clark, Howard, Hutchinson, MacDonald, Morrison, Nichols, Powers, Rizley, Rutherford, Whitaker. Total, 11.

Absent: Lester. Total, 1.

Excused: Daugherty, Logan. 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: Ballard, Briggs, Carlile, Carmack, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Liggett, Memminger, Moon, Nance, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 30.

Not Voting: Chamberlin, Clark, Howard, Hutchinson, MacDonald, Morrison, Nichols, Powers, Rizley, Rutherford, Whitaker. Total, 11.

Absent: Lester. Total, 1.

Excused: Daugherty, Logan. 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, in open session, signed the engrossed copy of Senate Bill No. 265, and ordered the same transmitted to the Honorable House.

### GENERAL ORDER

Senator Stewart moved that HOUSE BILL NO. 4, by Daniels, et al, be advanced to engrossment and third reading.

Senator Commons moved to table the Stewart motion, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Commons, Coppock, Fidler, Fischl, Hutchinson, Liggett, Memminger, Moon, Pugh, Ritzhaupt, Thomas, Waldrep, Willis. Total, 15.

Nays: Briggs, Carmack, Curnutt, Dixon, Garvin, Johnston, Nance, Paul, Ray, Reed, Sowards, Stacey, Stewart, Taylor, Wilbanks. Total, 15.

Not Voting: Chamberlin, Clark, Howard, Jennings, MacDonald, Morrison, Nichols, Powers, Rizley, Ruth-erford, Whitaker. Total, 11.

Absent: Lester. Total, 1.

Excused: Daugherty, Logan. Total, 2.

Senator Dixon presiding.

Senator Memminger moved that the Senate proceed to the consideration of House Bill No. 4 section by section.

Senator Nance raised a point of order against the Memminger motion, which was sustained, stating a motion to advance to engrossment and third reading is a superior one.

The vote occurring on the Stewart motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carmack, Curnutt, Dixon, Johnston, Nance, Paul, Ray, Reed, Sowards, Stacey, Stewart, Taylor, Wilbanks. Total, 14.

Nays: Ballard, Carlile, Chamberlin, Commons, Coppock, Fidler, Fischl, Garvin, Hutchinson, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Ritzhaupt, Rizley, Thomas, Waldrep, Whitaker, Willis. Total, 21.

Not Voting: Clark, Howard, Jennings, Powers, Pugh, Rutherford. Total, 6.

Absent: Lester. Total, 1.

Excused: Daugherty, Logan. Total, 2.

Senator Chamberlin, on behalf of the Special Committee appointed to re-draft HOUSE BILL NO. 229, reported the Committee ready to submit its amendments to the Bill.

Upon motion of Senator Morrison the Senate proceeded to the consideration of the substitute for House Bill No. 229.

Section 1 was read and adopted, upon motion of Senator Morrison.

Section 2 was read.

The following Special Committee amendment was submitted and adopted:

Mr. President: We move to amend House Bill No. 229, lines 12 to 14, page 1, by striking after the word "to-wit", the remaining portion of lines 10, 11, 12, 13 and 14, and inserting in lieu thereof the following: "one fourth thereof to be placed in the State Treasury to the credit of the General Revenue fund of the State, to be used exclusively for the payment of obligations evidenced by state warrants issued prior to July 1st, 1933, or any evidence of State indebtedness into which the same have or may be converted, until all of said obligations have been paid, and thereafter to the use in paying the general government expense; one-fourth thereof to be placed to the credit of the "Special Com-



mon School Equalization Fund" in the State Treasury to be used and expended as provided under the provisions of Chapter 34, Article 21, Oklahoma Statutes 1931; and the remaining one-half thereof to be placed to the credit of the Common School fund in the State Treasury to be expended and distributed upon a scholastic enumeration per capita basis as provided by law for the distribution of other common school funds, subject, however, to the provisions of sub-section "(c)" following.

CHAMBERLIN, Chairman.

RIZLEY

NICHOLS

WHITAKER

MacDONALD

MORRISON.

Senator Morrison asked unanimous consent, which was granted, to amend the Special Committee amendment, by changing "lines 12 to 14" to read "lines 10 to 14".

Upon motion of Senator Morrison, Section 2, as amended, was adopted.

Section 3 was read and adopted, upon motion of Senator Morrison.

Section 4 was read.

The following Special Committee amendment was submitted:

Mr. President: We move to amend House Bill No. 229, line 28, page 2, by adding after the word "apparel" and before the letter "a", the following: "and all machinery, tools and equipment used for agricultural purposes, except power driven machinery, and all farm and garden seed."

CHAMBERLIN, Chairman

RIZLEY

NICHOLS

WHITAKER

MacDONALD

MORRISON.

Senator Nance, as a substitute, submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 229, line 28, page 2, by adding after the word "apparel" and before the letter "a", the following: "and all field

and garden seed and all machinery, tools and equipment used for agricultural purposes, except power driven machinery.

NANCE.

Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 229, page 2, commencing with the word "however" on line 29, by striking all of the remainder of said line, and all of lines 30, 31, and all of line 32 down to and including the word "further" in said line.

PAUL.

Upon motion of Senator Morrison, Section 4, as amended, was adopted.

Section 5 was read.

The following Special Committee amendment was submitted and adopted:

Mr. President: We move to amend House Bill No. 229, lines 8 and 9, page 3, by striking after the word "articles," line 8, the following: "of food and clothing", and insert: "exempt under this Act."

CHAMBERLIN, Chairman.

RIZLEY

NICHOLS

WHITAKER

MacDONALD

MORRISON.

Upon motion of Senator Morrison, Section 5, as amended, was adopted.

Section 6 was read.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 229, lines 18, 19, 20, page 3, by striking the remainder of the section after the word "thereon."

CURNUTT.

Upon motion of Senator Chamberlin, Section 6, as amended, was adopted.

The following Special Committee amendment was submitted:

Mr. President: We move to amend House Bill No. 229, by adding after Section 6, a new Section as "Section 7" follows: "Sec. 7. (a) There is hereby levied an excise tax upon every person engaged and/or continuing within this State in the business of furnishing to consumers electricity, electric lights, current, power or gas, natural or artificial, a tax on account of the business engaged in when gas and/or electricity is sold for industrial purposes, one per cent, and on said gas companies and electric light and power companies when gas and/or electricity is sold for any and all other purposes, two per cent.

(b) And upon every person engaging or continuing within this state in the business of owning and/or operating a telegraph business, and/or owning and/or operating a telephone business for the transmission of messages and/or conversations to, from, through, in or across this state, there is likewise hereby levied and shall be collected a tax, on account of the business engaged in, equal to two per cent of the gross income of the business, provided this tax shall not apply to interstate messages," and renumbering the following Sections.

CHAMBERLIN, Chairman.

NICHOLS

MacDONALD

RIZLEY

WHITAKER

MORRISON.

Senator Paul submitted the following amendment:

Mr. President: I move to amend the Special Committee amendment, by striking the figures "2%" and inserting the figures "5%".

PAUL.

Senator Nance, as a substitute, for the Paul amendment, submitted the following amendment, which was tabled, upon motion of Senator Curnutt:

Mr. President: I move to amend the Paul amendment by striking the figures "5%" and inserting the figures "3%".

NANCE.

Senator Morrison moved to table the Paul amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Hutchinson, Jennings, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Ray, Reed Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Garvin, Johnston, Liggett, Nance, Paul, Sowards, Taylor. Total, 7.

Not voting: Clark, Powers, Waldrep. Total, 3.

Absent: Lester. Total, 1.

Excused: Daugherty, Howard, Logan, Rutherford. Total, 4.

Upon motion of Senator Nichols, the Special Committee amendment was adopted.

Section 8 was read.

The following Special Committee amendment was submitted:

Mr. President: We move to amend House Bill No. 229, line 24, page 3, by striking the words: "other than articles of food and clothing", and inserting "taxable under this Act."

CHAMBERLIN, Chairman,

RIZLEY

NICHOLS

WHITAKER

MacDONALD

MORRISON.

Senator Jennings, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 229, line 21, page 3, by striking all of Section 8 and by renumbering following sections.

JENNINGS.

Senator Nance, in lieu of all pending motions, submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 229, line 24, page 3, by adding after the word "merchan-



dise" and before the word "taxable," "electricity, electric lights, current power and gas, natural or artificial, telegraph business, telephone business."

NANCE.

Senator Jennings asked unanimous consent, which was granted, to withdraw his amendment.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend House Bill No. 229, line 21, page 3, by striking all of Section 8 and by re-numbering succeeding sections.

JENNINGS.

Senator Jennings asked unanimous consent, to which objections were voiced, to amend his amendment, by adding the words "as amended" after the words "Section 8."

Upon motion of Senator Nichols, the Jennings amendment was tabled.

Upon motion of Senator Chamberlin, Section 8, as amended, was adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Dixon, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 28.

Nays: Ballard, Curnutt, Fidler, Fischl, Garvin, Hutchinson, Jennings, Moon, Wilbanks. Total, 9.

Not voting: Clark, Powers. Total, 2.

Absent: Lester. Total, 1.

Excused: Daugherty, Howard, Logan, Rutherford. Total, 4.

Section 9 was read.

The following Special Committee amendment was submitted, which was adopted:

Mr. President: We move to amend House Bill No. 229, line 2, page 5, by inserting after the word "farmers"

and before the word "of," the following: "and horticulturalists," and same line, same page, after "farms" and before "nor," the following: "orchards and gardens."

CHAMBERLIN, Chairman,  
NICHOLS  
MacDONALD

RIZLEY  
WHITAKER  
MORRISON.

Senator Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 229, line 4, page 5, by striking the words "or other commodities."

JOHNSTON.

Senator Ritzhaupt submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 229, line 5, page 5, by striking after the word "commerce" and remainder of section.

RITZHAUPT.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 229, line 2, page 5, by adding after the word "farms" and before the word "nor," "livestock, poultry, and all farm products whatsoever."

NANCE.

Upon motion of Senator Morrison, Section 9, as amended, was adopted.

Section 10 was read and adopted, upon motion of Senator Chamberlin.

Senator Fischl submitted the following amendment, which was ruled out of order as not being germane to the bill, raised by Senator Nichols.

Mr. President: I move to amend House Bill No. 229, page 5, line 17½, by adding a new section, to be numbered Section 11, as follows: "Section 11. There is hereby created a revolving fund for the common school districts of the State of Oklahoma and the money collected hereunder for school purposes shall be credited to such revolving fund

and the State Treasurer is authorized to pay out the monies credited to said revolving fund as herein provided. To provide funds for immediate relief, credit is hereby pledged to this revolving fund in the amount of Six Million (\$6,000,000.00) Dollars, for the purpose of securing from the Reconstruction Finance Corporation this amount or so much thereof as may be needed to pay and retire outstanding warrants of various school districts as herein provided, and the Governor is authorized and empowered in connection with the State Treasurer to pledge the assets of said revolving fund to the repayment of said loan. One half the money collected from the funds, provided in this act for common school purposes, shall be used to retire said loan from the Reconstruction Finance Corporation, as herein provided. The money so collected by the Tax Commission shall be credited quarterly to the revolving fund and the State Treasurer shall reimburse the Reconstruction Finance Corporation with the money available under the provisions of this Act; or in the event a loan is not obtained as herein provided, the State Treasurer shall distribute the money in said revolving fund to the various school districts of the State as herein provided.

(a) The amount of money derived from this fund shall be credited in the revolving fund to each school district on a per capita enumeration basis and the money thus available in this fund shall not be considered as income or revenue for the fiscal year and shall not be apportioned or taken into consideration in the making of any appropriation or estimating revenue to be received from sources other than ad valorem taxes.

(b) Each school district receiving a credit hereunder shall have the funds used first to pay and retire all outstanding warrants which have been regularly issued against valid appropriation which shall have been outstanding and unpaid for at least one (1) year prior to the beginning of the fiscal year in which the monies are available to such

districts. The oldest of said outstanding warrants shall be paid first, the others shall be in the order of their date of issuance.

(c) When any school district shall have had paid from this fund all such outstanding warrants as herein provided or shall have accumulated sufficient funds to pay the same, or shall any such school district have no outstanding warrants which have been outstanding and unpaid for at least one (1) year prior to the beginning of the fiscal year in which the money is collected hereunder, and credited to such district, the monies thus credited to such school district shall be forwarded to the treasurer of said district, and shall be credited to the sinking fund of said district for the purpose of retiring its outstanding bonded indebtedness.

(d) When any school district shall have had paid or accumulated sufficient money to pay from this fund all outstanding warrants as hereinbefore provided, or shall such school district have no outstanding warrants which have been outstanding or unpaid for at least one (1) year prior to the beginning of the fiscal year in which the monies collected herein are credited to such school districts, and when any such school district shall have paid all outstanding bonded indebtedness or accumulated sufficient funds to pay such bonded indebtedness at maturity, or should any such school district have no bonded indebtedness, the monies collected and credited to the school district hereunder shall be sent to the county treasurer to be used by said school district to reduce the rate of ad valorem taxation in accordance with the provisions of Section 12,499, Oklahoma Statutes, 1931, including the provisions thereof relating to the participation of the common school equalization fund.

(e) The State Treasurer shall require as deemed necessary reports from the treasurer of all school districts information relating to outstanding warrants, balances to retire outstanding warrants, and bonded indebtedness.



(f) All funds available for distribution to the common schools under provisions of this Act shall be entered upon the books of the State Treasurer in this revolving fund on the basis of the per capita enumeration of said districts and the available credit for each district shall be used: first, to retire the outstanding warrants as herein provided, and second, to meet payment on bonded indebtedness, and third, for distribution under the provisions of Section 12,499, Oklahoma Statutes, 1931. Any money secured from the Reconstruction Finance Corporation shall be used only to retire outstanding unpaid warrants, but the money secured from the sale of cigarettes and apportioned to the revolving fund, placed to the credit of various school districts as provided herein after the retirement of any loan from the Reconstruction Finance Corporation, shall be used for bonded indebtedness and the reduction of ad valorem tax rate when all outstanding warrants are paid and funds shall not be secured from the Reconstruction Finance Corporation for any purpose except to retire outstanding warrants.

FISCHL.

President Burns presiding.

Section 11 was read and adopted, upon motion of Senator Nichols.

Section 12 was read.

The following Special Committee amendment was submitted, which was adopted:

Mr. President: We move to amend House Bill No. 229, line 19, page 5, by adding after the word "Act" and before the word "who," the following: "Shall keep an accurate record of the sales made by said person, firm or corporation, and any person, firm or corporation."

CHAMBERLIN, Chairman

RIZLEY

NICHOLS

WHITAKER

MacDONALD

MORRISON

Upon motion of Senator Morrison, Section 12, as amended, was adopted.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 229, line 33, page 2, by inserting after the word "monthly," "on or before the 20th of the succeeding month and shall be delinquent thereafter." CURNUTT.

Senator Nichols raised a point of order against the Curnutt motion, which was sustained, stating the mover did not vote with the majority.

Upon motion of Senator Nichols, House Bill No. 229 was advanced to engrossment and third reading.

Senator Nichols moved that the rules of the Senate be suspended and House Bill No. 229 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

Senator Curnutt moved that further consideration of House Bill No. 229 be indefinitely postponed, which motion failed to receive a second.

HOUSE BILL NO. 229 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Dixon, Fidler, Fischl, Jennings, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis  
Total, 32.

Nays: Commons, Curnutt, Garvin, Hutchinson, Moon.  
Total, 5.

Not voting: Clark, Powers. Total, 2.

Absent: Lester. Total, 1.

Excused: Daugherty, Howard, Logan, Rutherford. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Dixon, Fidler, Fischl, Jennings, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Commons, Curnutt, Garvin, Hutchinson, Moon. Total, 5.

Not voting: Clark, Powers. Total, 2.

Absent: Lester. Total, 1.

Excused: Daugherty, Howard, Logan, Rutherford. 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 question being, "Shall the title of the Bill become the title of the Act?" Senators Morrison and Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 229 by adding after the word "MERCHANDISE" the following: "ELECTRIC, GAS, TELEPHONE AND TELEGRAPH SERVICE."

MORRISON  
NICHOLS.

House Bill No. 229, as amended, was ordered referred for engrossment.

Upon motion of Senator Nichols, House Bill No. 229, as amended, was ordered printed.

#### COMMITTEE REPORT

Senator Ballard, on behalf of the Special Committee.

appointed to redraft HOUSE BILL NO. 647, by Garland, Beard, Graham and Rawls, submitted the following Committee Report:

Mr. President: We, your Special Committee to whom was referred Engrossed House Bill No. 647 by Garland, Beard, Graham, and Rawls, entitled:

An Act levying a tax on all non-intoxicating beverages sold within the State of Oklahoma; requiring a manufacturers and retailers license or permit providing the amount of said license and tax; prohibiting the sale of beverages containing more than one-half of one per cent of alcohol to minors, fixing the penalty for violation thereof, etc., beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the committee substitute be printed and placed on the calendar.

BALLARD  
FISCHL

NANCE  
RUTHERFORD

Senator Ballard moved the adoption of the Committee Report, as submitted:

Senators Reed, Memminger and Whitaker submitted the following Minority Committee Report:

Mr. President: We, a minority of your Special Committee appointed to consider House Bill No. 647, move, as a substitute that the substitute bill offered by the Majority of the Committee, be printed but that no action be taken as to placing it on the calendar until a Minority Committee Report is filed on the next legislative day.

(Signed) MEMMINGER,  
REED,  
WHITAKER.

By unanimous consent, 400 copies of the substitute bill for Engrossed House Bill No. 647 were ordered printed.

Upon motion of Senator Commons, the Senate adjourned, to meet at 1:30 p. m., Saturday, April 8th, 1933.



## SEVENTY-FIRST LEGISLATIVE DAY

Saturday, April 8, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Absent: Dixon. Total, 1.

Excused: Clark, Coppock, Daugherty, Howard, Lester, Logan, MacDonald, Powers, Rutherford. Total, 9.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Upon the request of Senator Commons, the following were recorded "excused," for this legislative day: Senators Daugherty, Howard, Lester, MacDonald and Rutherford.

Upon the request of Senator Rizley, Senators Coppock, Clark and Powers were recorded "excused," for this legislative day.

### COMMITTEE REPORTS

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Concurrent Resolution No. 15, House Bills Nos. 229 and 604, each correctly engrossed and Senate Bill No. 367 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Concur-

rent Resolution No. 15, Engrossed House Bills Nos. 229 and 604, each as amended, and ordered the resolution and bills returned to the Honorable House.

Senate Bill No. 367 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered transmitted to the Honorable House, for the signature of the Speaker.

The following Conference Committee Report was submitted by Senator Nichols, and, upon his motion, adopted:

To the President of the Senate, and the Speaker of the House of Representatives:

We, your Conference Committee, appointed to consider Engrossed Senate Joint Resolution No. 1, beg leave to report that we have had the same under consideration, and, herewith, return the same with the following recommendations:

First: That the Senate concur in Engrossed House Amendment No. 1.

Second: That the House of Representatives recede from Engrossed House Amendment No. 2.

Third: That the Senate concur in Engrossed House Amendment No. 3.

Respectfully submitted,

BEN O. KIRKPATRICK,	NICHOLS,
HERMAN DARKS,	MOON,
House Conferees.	PAUL,

Senate Conferees.

Engrossed Senate Joint Resolution No. 1, as amended in Conference, was read at length, as follows:  
ENGROSSED SENATE JOINT RESOLUTION NO.

1—By NICHOLS, PAUL, GARVIN, WHITAKER, SOWARDS, LOGAN, LESTER, NANCE, REED, RAY, FISCHL and CARLILE, of the Senate, and CAVINS of the House.

A JOINT RESOLUTION PROVIDING FOR  
THE SUBMISSION OF A PROPOSED

*Seventy-first Day, Saturday; Apr. 8, 1933* 1941

AMENDMENT TO THE CONSTITUTION  
OF THE STATE OF OKLAHOMA, RELAT-  
ING TO SECTION 9, ARTICLE 10, OF SAID  
CONSTITUTION.

BE IT RESOLVED BY THE SENATE AND THE  
HOUSE OF REPRESENTATIVES OF THE  
FOURTEENTH LEGISLATURE OF THE STATE  
OF OKLAHOMA:

SECTION 1. That the following proposed amend-  
ment to Section 9, Article 10, of the Constitution of  
Oklahoma, shall be referred to the people of the State  
of Oklahoma for their ratification or rejection, at the  
next general election held in the State of Oklahoma, or  
at any special election called therefor by the Governor,  
said proposed amendment to be in lieu of Section 9,  
Article 10, of the Constitution of Oklahoma, being as fol-  
low, to-wit:

“Section 9. Except as herein otherwise pro-  
vided, the total taxes for all purposes, on an ad  
valorem basis, shall not exceed, in any taxable year,  
fifteen (15) mills on the dollar, to be apportioned  
between county, city, town and school district, by  
the County Excise Board, until such time as the  
regular apportionment is otherwise provided for by  
the Legislature.

“No ad valorem tax shall be levied for State  
purposes, nor shall any part of the proceeds of any  
ad valorem tax levy upon any kind of property in  
this State be used for State purposes; provided,  
however, any county of the State may make an ad-  
ditional ad valorem levy, not exceeding two (2)  
mills on the dollar valuation, on any property with-  
in the county, for separate schools for white and  
negro children, such aid or money raised therefor  
to be apportioned as provided by law; provided fur-  
ther, the annual ad valorem tax rate for school pur-  
poses may be increased, in any school district, by

an amount not to exceed ten (10) mills on the dollar valuation, upon all property in the district, on condition that a majority of the qualified voters of such district voting at an election, vote for such increase, provided, however, that the Legislature shall by proper laws prescribe the manner and method of conducting said election, but until such legislative provision is made, said levy may be made and said election held as now provided by law; and provided further, that limitations on the levy of such additional 10 mill levy may be made hereafter by the Legislature.

“Provided, also, an additional levy may be made each year, in the State and in the various subdivisions thereof, on all personal and real property subject to ad valorem taxes, to reasonably take care of bonded and other valid indebtedness of the State and its various subdivisions existing at the time this amendment is adopted and becomes effective, but such necessary additional levy or assessment on such property to take care of such indebtedness existing and owing by the State and its subdivisions at such time shall in no event exceed levy or assessment for which such property would have been liable under the Constitution and laws of the State as same existed immediately prior to the adoption of this amendment. No provision hereof shall be construed to tax churches or schools.

SECTION 2. Said proposed amendment shall be submitted as provided by law, in the following form:

“Shall the proposed amendment be adopted?

☒ YES

☐ NO”

SECTION 3. Said proposed amendment to the Constitution of the State of Oklahoma shall, upon re-



*Seventy-first Day, Saturday, Apr. 8, 1933* 1943

ceiving a majority vote of all electors voting at said election, become effective.

The question being, "Shall Senate Joint Resolution No. 1, as amended in Conference, pass?" the roll was called with the following results:

Ayes: Carlile, Carmack, Chamberlin, Commons, Fidler, Garvin, Hutchinson, Jennings, Johnston, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total 27.

Nays: Curnutt. Total, 1.

Not Voting: Ballard, Briggs, Fischl, Paul, Ray, Waldrep. Total, 6.

Absent: Dixon. Total, 1.

Excused: Clark, Coppock, Daugherty, Howard, Lester, Logan, MacDonald, Powers, Rutherford. Total, 9.

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

Engrossed Senate Joint Resolution No. 1, together with Conference Committee Report thereon was ordered transmitted to the Honorable House, for consideration.

Senator Johnston moved that the vote be reconsidered by which the Senate refused to concur in Engrossed House Amendments to Engrossed Senate Bill No. 85 and requested the Honorable House to grant a conference thereon and conferees be discharged, which motion prevailed.

Senator Johnston moved that the Senate concur in Engrossed House Amendments to Engrossed SENATE BILL NO. 85, by Johnston, of the Senate, and Cavitt, of the House, which motion prevailed.

Senate Bill No. 85, as amended by the Honorable House, was read at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fidler, Garvin, Hutchinson, Jennings, Johnston, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Ballard, Fischl, Paul, Ray. Total, 4.

Absent: Dixon. Total, 1.

Excused: Clark, Coppock, Daugherty, Howard, Lester, Logan, MacDonald, Powers, Rutherford. 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: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fidler, Garvin, Hutchinson, Jennings, Johnston, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Ballard, Fischl, Paul, Ray. Total, 4.

Absent: Dixon. Total, 1.

Excused: Clark, Coppock, Daugherty, Howard, Lester, Logan, MacDonald, Powers, Rutherford. 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, in open session, signed Engrossed Senate Amendments to Engrossed Senate Bill No. 85 and ordered the bill, as amended, referred for enrollment.

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

Mr. President: We, your Judiciary Committee No.

*Seventy-first Day, Saturday, Apr. 8, 1933* 1945

1, to whom was referred Engrossed House Bill No. 199, by Todd, Jones, Collins, Mallory, entitled:

An Act amending Section 4635, Oklahoma Statutes 1931, making it unlawful for persons practicing medicine as defined in said section to charge or collect fees in excess of twenty-five cents per mile, for or in making professional calls, making violations of said section a misdemeanor, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be printed and placed on the Calendar.

CURNUTT, Chairman.

Mr. President: We, your Judiciary Committee No. 1, to whom was referred Senate Bill No. 408, by Morrison and Fidler, entitled:

An Act amending Section 4 of Chapter 178, Session Laws of Oklahoma, 1923, and Section 6173, Oklahoma Statutes, 1931, relating to powers of cities with respect to building sites, areas, trades and industries; authorizing the creation of zoning districts; amending said section to provide, etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be printed and placed on the calendar.

CURNUTT, Chairman.

The following Minority Committee Report on Engrossed House Bill No. 647 was submitted and read:

Mr. President: We, a minority of your special committee appointed to consider House Bill No. 647, beg leave to report that the following be adopted as a substitute for said bill; and that such substitute do pass:

“COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 647—By

A JOINT RESOLUTION PROVIDING FOR THE  
SUBMISSION OF A PROPOSED AMEND-  
MENT TO THE CONSTITUTION OF THE  
STATE OF OKLAHOMA RELATING TO

SECTION 13774 REVISED LAWS OF OKLAHOMA 1931, PROHIBITION AMENDMENT TO THE CONSTITUTION OF THE STATE OF OKLAHOMA.

BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. That the following proposed amendment to Section 13774, Revised Laws of the State of Oklahoma, 1931, Prohibition Amendment to the Constitution of the State of Oklahoma, shall be referred to the people of the State of Oklahoma for their ratification or rejection at the next Special or General Election held in the State of Oklahoma, or at any Special Election called therefor by the Governor of the State of Oklahoma, said proposed amendment to modify and amend the Prohibition Amendment to the Constitution of the State of Oklahoma, as follows, to-wit:

That the manufacture, sale, barter, giving away, or possession of beer of not to exceed 3.2% alcohol by weight, is hereby authorized and permitted in the State of Oklahoma subject to such regulations as may be prescribed by law; all provisions to this amendment shall be in full force and effect if and when adopted as herein provided.

SECTION 2. Said proposed amendment shall be submitted as provided by law in the following form:

“Shall the proposed amendment be adopted?

☐ YES

☐ NO

SECTION 3. Said proposed amendment to the Constitution of the State of Oklahoma shall, upon receiv-



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ing a majority of all electors voting at said election voting in favor of said amendment, be adopted."

REED,  
MEMMINGER,  
WHITAKER,

Upon motion of Senator Reed, consideration of Engrossed House Bill No. 647 was set for Special Order, at 8:00 o'clock, p. m., Monday, April 10th, the Minority Committee substitute bill to be ordered printed.

Senator Commons moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll being called of the Senate, the following were noted "absent": Senators Carlile, Ballard, Dixon, Paul and Ray.

The Sergeant-at-Arms was instructed to notify all absent members of the Senate's proceedings.

Senators Ballard and Carlile asked unanimous consent, which was granted, to be recorded "present," which was the order.

#### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

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

ENROLLED HOUSE BILL NO. 1—By BATSON, LEECRAFT and LANDINGHAM.

An Act providing for relief from ad valorem taxation by levying an annual normal tax and a surtax upon the net income of individuals, corporations, estates and trusts; by levying an annual tax on national banking associations, state banks and trust companies, according to or measured by their net incomes authorized by method four (4) of Section 5219, U. S. Revised Statutes, as amended, relating to national banking associations, and

complying therewith; providing for the disposition of the revenues arising hereunder; prescribing the rates of such taxes herein levied and defining terms; providing for specific exemptions to individual taxpayers; exempting religious, charitable, eleemosynary, educational, benevolent, fraternal and other corporations or organizations not organized for profit; providing for the computation and collection of such taxes by the Oklahoma Tax Commission and empowering said commission to enforce this Act and to prescribe and enforce rules and regulations in relation thereto; defining the powers of said commission in the collection of additional and delinquent taxes and prescribing penalties for the violation of this Act; requiring returns by taxpayers and prescribing how the same shall be prepared and filed; making such taxes and penalties a lien on taxpayers' property, and for the enforcement thereof; requiring persons paying income to individuals to report same to said Commission; providing in certain cases, for withholding such taxes at the source and providing method of payment; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable; repealing Sections 12370, 12371 and all of Articles 6 and 15 of Chapter 66, Oklahoma Statutes, 1931, and all other laws in conflict herewith; and for other purposes.

and to advise you, and, through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 1 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

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To the President of the Senate,  
Building.

SIR:

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

ENROLLED HOUSE BILL NO. 416—By LEE-CRAFT.

An Act amending Sections 12527 and 12536 and 12552, Oklahoma Statutes 1931, levying a gasoline excise tax; providing for the disposition of the revenues arising therefrom; and providing for the payment of the indebtedness of the State represented by outstanding interest bearing warrants; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 416 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

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

ENROLLED HOUSE BILL NO. 481—By HOLLI-MAN, HAILE, WATSON and PHILLIPS (Okfuskee), of the HOUSE, and GARVIN, WALDREP and WILBANKS of the SENATE.

An Act defining and prohibiting waste of crude petroleum and natural gas, and providing for the ratable and equitable taking thereof from common sources of supply; conferring authority upon, and defining the duties, powers and authority of, the Corporation Commission in connection with the enforcement of this Act, and prescribing the

character of notice and procedure to be followed by the Corporation Commission hereunder; regulating all producers, purchasers and common carriers of crude petroleum so as to prevent inequitable taking and waste; prescribing penalties and other relief for violation of this Act and of rules, regulations or orders promulgated by the Corporation Commission hereunder; providing for proceedings for injunction in the District Courts to enjoin the violation of and to enforce the provisions of the Act and the orders, rules and regulations of the Corporation Commission made in pursuance hereof; declaring certain violations hereof, and violations of certain rules, regulations or orders promulgated by the Corporation Commission hereunder, to be crimes, and prescribing the punishment therefor; creating the offices of proration umpire, assistant proration umpire and proration attorney, for the enforcement of this Act, and providing for their appointment and removal and defining their duties, powers and authority, and fixing their term of office, bonds and compensation; providing for the appointment of deputies and employees to aid in the enforcement of this Act, defining their duties, power and authority, and fixing their compensation, providing for expenses of administration in connection with this Act and for the creation of a special fund, to be known as the "proration fund" to be used exclusively in the enforcement of this act; repealing all laws in conflict herewith, and for other purposes; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Garvin presiding.

House Bill No. 481 was read at length for the fourth time, the enrolled copy signed, in open session, by the



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Presiding Officer and ordered returned to the Honorable House.

President Burns presiding.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the request for a Conference has been withdrawn by the House of Representatives on:

ENGROSSED HOUSE BILL NO. 483—By HOL-  
LIMAN, HAILE, PHILLIPS (Okfuskee) of the House,  
and GARVIN, WALDREP and WILBANKS of the Sen-  
ate, entitled:

An Act levying an excise tax of one-eighth of one cent per barrel on petroleum oil produced in the state of Oklahoma subsequent to the passage and approval of this Act, providing for the deposit of the proceeds of such tax in the state treasury to the credit of the "Pro-  
ration Fund" created hereby, and the appropriation of said fund for salaries and expenses of the Proration Umpire, his assistant and deputies, employees in the proration office, and the Proration Attorney, repealing all Acts in conflict herewith, and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker of the House has appointed: Representatives Phillips (Atoka), Douthat, Haile, Hill and Wooten, as House Conferees on:

ENGROSSED HOUSE BILL NO. 656—By HEN-  
DERSON, BATSON, BABB, JONES, RAWLS, BEN-  
NETT, WAGNER and PALMER, entitled:

An Act amending Subdivision H, Article 9, Chapter 20, Oklahoma Statutes 1931, and providing for the regulation of the use of the public highways by motor vehicles operated for commercial purposes; levying a tax and providing for the disposition thereof; making such tax, penalties and costs a first lien on the property owned or used by motor carriers; providing for the collection of said tax, issuance of tax warrants therefor and the enforcement of the provisions hereof; making persons procuring passengers or freight transported by unlicensed motor carriers liable for taxes and authorizing injunctions; repealing Sections 3692, 3693, 3694, 3695, 3696, 3697, 3698 and 3699, of Subdivision H, Article 9, Chapter 20, Oklahoma Statutes 1931, and all Acts or parts of Acts in conflict therewith and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED HOUSE BILL NO. 686—By PHILLIPS (Okfuskee).

An Act to provide for the appointment of a board, to be known as the "Co-ordinating Board," such board to be charged with the duty of co-ordinating and unifying the system of higher education in this state; providing the term of office, and the powers and duties of such board; and repealing Sections 6756, 6757, and 6758 of the Oklahoma Statutes of 1931.

ENGROSSED HOUSE JOINT RESOLUTION NO. 44—By BATSON, COX, ALLEN, HANKLA, CHAMBERS, WILMOT, COLLINS, GRAHAM, LEE-CRAFT and WILLIAMS.

A Joint Resolution authorizing Maude O. Thomas

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of Beaver, Oklahoma, to bring suit against the state of Oklahoma or the Oklahoma State Department of Highways to determine the amount of salary or compensation and expenses, if any due her, by reason of her services rendered the state of Oklahoma or that department; and providing for the method of defense of said action, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Joint Resolution No. 44 and Engrossed House Bill No. 686.

### THIRD READING

Senator Nance asked unanimous consent, to which objections were voiced, to call the roll on HOUSE BILL NO. 695, by Phillips (Atoka), Fraley, et al.

### SECOND READING

The following bills were read for the second time:

SENATE BILL NO. 413—By CHAMBERLIN and MEMMINGER.

Upon the request of Senator Chamberlin, Senate Bill No. 413 was ordered placed upon the calendar, without reference to a Committee.

SENATE BILL NO. 414—By JOHNSTON.

Upon the request of Senator Johnston, Senate Bill No. 414 was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 669 — By KIGHT, TODD, LEECRAFT, MALLORY, PALMER, ABERNETHY (Harmon) and GRISSO of the House and REED and NANCE of the Senate.

Upon the request of Senator Reed, House Bill No. 669 was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE JOINT RESOLUTION NO. 32—By BABB, STURGELL, PAXTON, MISENHEIMER, WHITFORD, BROADDUS and CHAMBERS.

Upon the request of Senator Nichols, House Joint Resolution No. 32 was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 489—By BABB.

Upon the request of Senator Briggs, House Bill No. 489 was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 27—By TIMMONS, KIRKPATRICK and BATSON.

Upon the request of Senator Commons, House Concurrent Resolution No. 27 was ordered placed upon the calendar, without reference to a Committee.

Senator Ray asked to be recorded "present," which was the order.

#### MESSAGES

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

To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE BILL NO. 305—By BATSON, GRAY, COX, BLOCKER, HENDERSON and LEECRAFT.

An Act amending Sections 10268, 10269, 10271, 10272, 10273, 10274, 10278, 10280, 10283, 10288, 10316, 10317, 10320 and 10323, Oklahoma Statutes 1931; defining motor vehicles, vehicles and other terms; levying license fees on such vehicles, when owned, possessed or operated within this state, licensing manufacturers and dealers in such vehicles, and prescribing method of com-



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puting such fees; defining the purposes of this Act; regulating the use of vehicles on the public highways of the state, and limiting certain of them as to width, length, height, weight and speed; providing for the computation and collection of such fees; authorizing rules and regulations pertaining thereto; providing for the disposition of the revenues derived under this Act; prescribing penalties for the violation hereof; repealing Sections 10270, 10275, 10276, 10277, 10279, 10281, 10282, and 10284, Oklahoma Statutes 1931, and all Acts or parts of Acts in conflict herewith; providing that vehicles not licensed for the year 1933 and prior years, when this Act becomes effective shall be licensed hereunder; 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 305 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House. To the President of the Senate,

Building

SIR:

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

ENROLLED HOUSE BILL NO. 364—By JONES, entitled:

An Act repealing Chapter 100, Sections 1 and 2, Session Laws, 1923, the same being Sections 7910 and 7911, Oklahoma Statutes, 1931; repealing Chapter 121, Section 1, Session Laws, 1927, the same being Section 7908, Oklahoma Statutes, 1931; repealing Chapter 180, Section 1, Session Laws, 1927, the same being Section 7905, Oklahoma Statutes, 1931; repealing Chapters 88 and 89, Session Laws, 1929, same being Sections 7907 and 7909,

Oklahoma Statutes, 1931, repealing Article 11, Sections 1, 2 and 3, Chapter 35, Session Laws, 1931, Sections 1 and 2, being Sections 7903 and 7904, Oklahoma Statutes, 1931, all with reference to the salaries of deputies in county offices in Beckham County, Oklahoma, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 364 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

Senator Briggs asked unanimous consent, which was granted, to withdraw SENATE BILL NO. 412, by Briggs, of the Senate, and Babb and Stewart, of the House, from Judiciary Committee No. 2 and place the bill upon the calendar.

Senator Rizley presiding.

Senator Briggs asked unanimous consent, which was granted, to advance to engrossment and third reading HOUSE BILL NO. 366, by Daniel, Chambers, Conner and Leecraft.

Senator Whitaker called up for consideration HOUSE BILL NO. 248, by Haile, Ottesen, et al.

Senator Whitaker asked unanimous consent to advance to engrossment and third reading House Bill No. 248.

Senator Waldrep moved that House Bill No. 248 be referred to a Special Committee of 3, with instructions that the Committee prepare an amendment to the bill to "provide a tax of five (.05) cents per barrel on all crude oil produced in the State."

Senator Commons moved to table the Waldrep motion, which motion failed of adoption, the roll call thereon being as follows:

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Ayes: Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Moon, Morrison, Nance, Nichols, Rizley, Whitaker. Total, 15.

Nays: Briggs, Johnston, Liggett, Memminger, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Willis. Total, 15.

Not Voting: Ballard, Fidler, Paul, Wilbanks. Total, 4.

Absent: Dixon. Total, 1.

Excused: Clark, Coppock, Daugherty, Howard, Lester, Logan, MacDonald, Powers, Rutherford. Total, 9.

Senator Curnutt raised a point of order against the Waldrep motion, stating a motion to advance is a superior one, which point was overruled.

Senator Briggs, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 248, line 6, page 13, by inserting after the word, "two," and before the word, "per," the word and figure, "five (5)," and in line 11, page 13, strike the word and figure, "three (3)," and insert the word and figure "five (5),"

BRIGGS

Senator Jennings raised a point of order against the Waldrep motion, citing Rule 12, of the adopted Senate rules, which point was sustained.

Upon motion of Senator Nance, House Bill No. 248 was advanced to engrossment and third reading.

Senator Nance moved that rules of the Senate be suspended and House Bill No. 248 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

HOUSE BILL NO. 248 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Hutchinson, Jen-

nings, Johnston, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Fidler, Paul. Total, 2.

Absent: Dixon. Total, 1.

Excused: Clark, Coppock, Daugherty, Howard, Lester, Logan, MacDonald, Powers, Rutherford. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Fidler, Paul. Total, 2.

Absent: Dixon. Total, 1.

Excused: Clark, Coppock, Daugherty, Howard, Lester, Logan, MacDonald, Powers, Rutherford. 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 Presiding Officer, in open session, signed the engrossed copy of House Bill No. 248, 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,  
Building.

SIR:

I am directed by the House of Representatives to ad-



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vise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 229—By GRAY of the House and MORRISON and NICHOLS of the Senate.

An Act levying a stamp tax on the sale of cigarettes; prescribing the rate thereof; providing for stamps and the use thereof; providing for the enforcement of this Act by the Oklahoma Tax Commission and for rules and regulations in relation thereto; providing that the revenue derived hereunder, less expenses for collection and enforcement, shall be used to retire obligations of school districts and otherwise to reduce ad valorem taxes; creating a fund for the enforcement of this Act and for refunds, and making appropriations therefor; prescribing penalties; and declaring an emergency, and asks for a Conference thereon. The Speaker has appointed Representatives Leecraft, Mallory, Mooney, Collins, Hinds, Wright, Graham, Blocker, Sturgell, Landingham, Ottesen and Cox, as Conferees on said bill.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Chamberlin moved that the request of the Honorable House, for a conference on Engrossed House Bill No. 229, be granted, and Senate Conferees, in number of 12, be appointed.

President Burns presiding.

The Chamberlin motion prevailed, the President appointing as Senate Conferees thereunder Senators Morrison, Nichols, Chamberlin, Whitaker, Stewart, Fidler, Rizley, Dixon, Jennings, Stacey, Briggs and Moon.

Senator Rizley presiding.

Senator Whitaker asked unanimous consent, which was granted, to withdraw as a member of the Conference Committee under Engrossed House Bill No. 229, and Senator Nance be appointed in his stead.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 483—By HOLIMAN, HAILE, PHILLIPS (Okfuskee) of the House, and GARVIN, WALDREP and WILBANKS of the Senate, entitled:

An Act levying an excise tax of one-eighth of one cent per barrel on petroleum oil produced in the State of Oklahoma subsequent to the passage and approval of this Act, providing for the deposit of the proceeds of such tax in the State Treasury to the credit of the "Proration Fund" created hereby, and the appropriation of said fund for salaries and expenses of the proration umpire, his assistant and deputies, employees in the proration office, and the proration attorney, repealing all Acts in conflict herewith, and declaring an emergency, and that the same has been passed, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

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

ENGROSSED HOUSE BILL NO. 574—By HARP.

An Act to be known as the Cigar and Cigarette School Fund Act; providing for the collection of a license fee from retail dealers in cigars and cigarettes; providing for the manner for making applications for such license to the county treasurer and the manner of issuance of the same by him, providing for the payment of a license fee to the county treasurer for the use and benefit of the school districts of the county, and the

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manner of enforcing collection of such fees; providing for the penalties and fines for violation of this Act; repealing Section 1951 and Section 1952, Oklahoma Compiled Statutes 1931, together with other laws 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 574.

Senator Johnston moved that the Senate proceed to the consideration of ENGROSSED HOUSE BILL NO. 58, by Abernethy (Harmon), et al.

Senator Whitaker, as a substitute, moved that the Senate proceed to the consideration, under Special Order, of HOUSE BILL NO. 516, by Batson, Leecraft, et al, which motion prevailed.

Senator Paul asked to be recorded "present," which was the order.

#### SPECIAL ORDER

Referring further to HOUSE BILL NO. 516:

Senator Curnutt asked unanimous consent, which was granted, to withdraw his motion, submitted on April 6th.

Senator Pugh submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 516, page 3, by making "paragraph 3," read "paragraph 1."

PUGH.

Upon motion of Senator Chamberlin, Section 1 was adopted.

Section 2 was read.

Senator Memminger submitted the following amendment:

Mr. President: I move to amend House Bill No. 516, line 4½, page 5, by adding the following, "of county treasurer on order of the county excise board shall change the orders of the first three purposes above designated."

MEMMINGER.

Senator Chamberlin asked unanimous consent, which was granted, to amend the Memminger amendment to read as follows:

Mr. President: I move to amend House Bill No. 516, line 4½, page 5, by adding the following: "of county treasurer by order of the county excise board shall change the orders of three first purposes above designated."

CHAMBERLIN.

The vote occurring on the Memminger amendment, as amended, it was declared adopted.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 516, line 16, page 4, by striking the word and figure, "Section 4", and inserting in lieu thereof the words, "this Act."

CURNUTT.

Upon motion of Senator Whitaker, Section 2, as amended, was adopted.

Section 3 was read and adopted, upon motion of Senator Whitaker.

Section 4 was read.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 516, line 3, page 6, by inserting after the word and figures, "December 31st," and before the word, "shall," the following: "or if there is no outstanding indebtedness, as described in Section 2 hereof, such funds at the end of each month"

WHITAKER.



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Upon motion of Senator Whitaker, Section 4, as amended, was adopted.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 516, line 6 $\frac{1}{2}$ , page 6, by inserting a new section, to be numbered "Section 5," as follows: "Section 5. The Excise Boards of the several counties of the State, in estimating the income for the next fiscal year from the apportionment of motor vehicle and gasoline excise taxes to the County Highway Construction and Maintenance Fund, shall take into consideration the terms and operation of this Act, and reduce such estimate in accordance therewith." And by renumbering the succeeding sections.

WHITAKER.

Sections 6 and 7 were read and adopted, upon motions of Senator Whitaker.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment to Section 1, which was adopted:

Mr. President: I move to amend House Bill No. 516, lines 9 and 10, page 2, by striking after the word, "invested," the remainder of line 9 and the words, "County Treasurer," on line 10, and inserting the following: "by County Treasurer, upon approval of the County Excise Board."

CURNUTT.

Upon motion of Senator Whitaker, House Bill No. 516, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Whitaker, the rules of the Senate were suspended and House Bill No. 516 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 516 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Johnston, Memminger, Moon, Morrison, Nichols, Paul, Pugh, Ray, Reed, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 23.

Nays: Curnutt, Hutchinson, Jennings, Liggett, Nance, Rizley, Sowards, Stacey, Waldrep. Total, 9.

Not voting: Fidler, Ritzhaupt. Total, 2.

Absent: Dixon. Total, 1.

Excused: Clark, Coppock, Daugherty, Howard, Lester, Logan, MacDonald, Powers, Rutherford. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Hutchinson, Johnston, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Curnutt, Jennings, Liggett, Sowards, Stacey. Total, 5.

Not voting: Fidler. Total, 1.

Absent: Dixon. Total, 1.

Excused: Clark, Coppock, Daugherty, Howard, Lester, Logan, MacDonald, Powers, Rutherford. Total, 9.

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 be-

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come the title of the Act?" Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 516, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

WHITAKER.

House Bill No. 516, as amended, was referred for engrossment.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 387 and Senate Bill No. 390 each correctly engrossed.

LIGGETT.

### THIRD READING

Senator Commons asked unanimous consent, which was granted, to proceed to call the roll on SENATE BILL NO. 390, by Commons, of the Senate, and Batson, of the House.

SENATE BILL NO. 390 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Jennings, Johnston, Liggett, Memminger, Morrison, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Curnutt, Hutchinson, Moon, Rizley. Total, 4.

Not voting: Fidler, Paul. Total, 2.

Absent: Dixon. Total, 1.

Excused: Clark, Coppock, Daugherty, Howard, Lester, Logan, MacDonald, Powers, Rutherford. 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 390, and ordered the same transmitted to the Honorable House.

Senator Nichols asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 387, by Ebey (Pontotoc) and Haile, under Third Reading.

Senator Nichols asked unanimous consent, which was granted, to defer further consideration of House Bill No. 387, for this legislative day.

Senator Johnston moved that the vote be reconsidered by which HOUSE BILL NO. 58, by Abernethy (Harmon), et al, was passed, which motion was tabled, upon motion of Senator Nance.

Senator Wilbanks asked to be recorded "excused," for the remainder of this legislative day, which was the order.

Senator Fischl asked unanimous consent, which was granted, to take up for consideration, under Third Reading, SENATE BILL NO. 89 by Coppock and Fischl, of the Senate, and Stewart and Massey, of the House.

Senator Waldrep moved that further consideration of Senate Bill No. 89 be indefinitely postponed, which motion was tabled, upon motion of Senator Curnutt, the roll call thereon being as follows:

Ayes: Carmack, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Memminger, Moon, Nichols, Ray, Ritzhaupt, Stacey, Thomas, Whitaker. Total, 14.

Nays: Briggs, Carlile, Commons, Johnston, Liggett, Morrison, Pugh, Reed, Rizley, Sowards, Taylor, Waldrep, Willis. Total, 13.

Not voting: Ballard, Chamberlin, Fidler, Nance, Paul, Stewart. Total, 6.

Absent: Dixon. Total, 1.

Excused: Clark, Coppock, Daugherty, Howard, Lester, Logan, MacDonald, Powers, Rutherford, Wilbanks. Total, 10.



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Senator Whitaker moved that further consideration of Senate Bill No. 89 be deferred until the next legislative day.

Senator Morrison moved to table the Whitaker motion, which motion failed of adoption.

The vote occurring on the Whitaker motion, it was declared adopted.

#### GENERAL ORDER

Upon motion of Senator Chamberlin, SENATE BILL NO. 137, by Chamberlin, Ray, Carmack and Commons, was advanced to engrossment and third reading.

Senator Moon moved that SENATE BILL NO. 398, by Moon, be advanced to engrossment and third reading, which motion was tabled, upon motion of Senator Pugh.

Senator Reed moved that SENATE BILL NO. 402, by Reed, be advanced to engrossment and third reading, which motion was tabled upon motion of Senator Pugh.

Upon motion of Senator Waldrep, SENATE BILL NO. 401, by Waldrep, was advanced to engrossment and third reading.

Senator Memminger moved that SENATE BILL NO. 405, by Memminger be advanced to engrossment and third reading.

Senator Morrison, as a substitute, moved that further consideration of Senate Bill No. 405 be indefinitely postponed.

Senator Memminger moved to table the Morrison motion, which motion failed of adoption.

The vote occurring on the Morrison motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Curnutt, Hutchinson, Jennings, Liggett, Moon, Morrison, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Taylor, Whitaker. Total, 13.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Johnston, Memminger, Nance,

Nichols, Paul, Reed, Stacey, Thomas, Waldrep, Willis.  
Total, 17.

Not voting: Ballard, Fidler, Stewart. Total, 3.

Absent: Dixon. Total, 1.

Excused: Clark, Coppock, Daugherty, Howard, Lester, Logan, MacDonald, Powers, Rutherford, Wilbanks. Total, 10.

Upon motion of Senator Memminger, the previous question was ordered.

The vote occurring on the Memminger motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Chamberlin, Commons, Fischl, Garvin, Johnston, Memminger, Nance, Nichols, Paul, Ray, Reed, Stacey, Stewart, Thomas, Waldrep. Total, 17.

Nays: Carmack, Curnutt, Hutchinson, Jennings, Liggett, Moon, Morrison, Pugh, Ritzhaupt, Rizley, Sowards, Taylor, Whitaker, Willis. Total, 14.

Not voting: Ballard, Fidler. Total, 2.

Absent: Dixon. Total, 1.

Excused: Clark, Coppock, Daugherty, Howard, Lester, Logan, MacDonald, Powers, Rutherford, Wilbanks. Total, 10.

Senator Morrison moved that the rules of the Senate be suspended and Senate Bill No. 405 be considered engrossed and placed upon third reading and final passage, which motion was tabled, upon motion of Senator Nance.

Senator Hutchinson asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 213, by Hutchinson.

Upon motion of Senator Chamberlin, Senate Bill No. 213 was advanced to engrossment and third reading.

Senator Chamberlin moved that the Senate adjourn, to meet at 1:30 p. m., Monday, April 10th.

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Senator Waldrep, as a substitute, moved that the Senate adjourn to meet at 10:00 a. m., Monday, April 10th, which motion prevailed.

## SEVENTY-SECOND LEGISLATIVE DAY

Monday, April 10, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock a. m., and was called to order by the President, who announced the Senate was recessed to meet at 1:30 p. m.

### AFTERNOON SESSION

The Senate re-assembled at 1:30 p. m., with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 40.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Liggett submitted the following Committee Reports:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Joint Resolution No. 38, House Bills Nos. 58, 516, Senate Bills Nos. 206, 361 and 410, each, correctly engrossed, and Senate Bill No. 85 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 58 and 516, each, as amended, and ordered the bills returned to the Honorable House.



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Senate Bill No. 85 was read at length for the fourth time, the enrolled copy signed, in open session by the President, 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, \*  
Building.  
SIR:

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

ENROLLED HOUSE BILL NO. 483—By HOL-  
LIMAN, HAILE, PHILLIPS (Okfuskee), of the House,  
and GARVIN, WALDREP and WILBANKS of the  
Senate, entitled:

An Act levying an excise tax of one-eighth of one cent per barrel on petroleum oil produced in the State of Oklahoma subsequent to the passage and approval of this Act; providing for the deposit of the proceeds of such tax in the State Treasury to the credit of the "Proration Fund" created hereby, and the appropriation of said fund for the payment of salaries and expenses of the Proration Umpire, his assistant and deputies, and the Proration Attorney, and for the payment of salaries and expenses of reporters, stenographers, and clerks, and all items of office expense and supplies, as fixed and authorized by the provisions of House Bill No. 481 of the Acts of the Fourteenth Session of the Legislature of the State of Oklahoma; providing for the time and manner of the payment of said tax by the purchaser or producer; providing for penalties and proceedings on delinquencies, and prescribing penalties for the violation of this Act; repealing all Acts in conflict herewith, and for the other purposes; and declaring an emergency,

and to advise 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 483 was read at length for the fourth time, the enrolled copy signed, in open session by the President, and ordered returned to the Honorable House. To the President of the Senate,  
Building.

SIR:

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

ENGROSSED SENATE JOINT RESOLUTION  
NO. 1—By NICHOLS, PAUL, GARVIN, WHITAKER,  
SOWARDS, LOGAN, LESTER, NANCE, REED, RAY,  
FISCHL and CARLILE.

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma, relating to Section 9, Article 10, of said Constitution, together with Conference Committee Report thereon, and, to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted and the Bill has been passed, AS AMENDED, by said report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Joint Resolution No. 1 was referred for enrollment.

To the President of the Senate,  
Building.

SIR:

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

ENROLLED SENATE JOINT RESOLUTION  
NO. 17—By STACEY of the Senate and ROBERTS of the House, entitled:

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A Resolution consenting, authorizing and empowering Elbert C. Haywood to sue the State of Oklahoma for damages sustained by him while engaged as a member of the National Guard, and while engaged with others in suppressing a riot at the County Jail in Chickasha, Oklahoma, on the 30th day of May, 1930; and declaring an emergency, and to advise you, and, through you, the Honorable Senate, that in compliance with your request the House has reconsidered the vote by which same was passed, together with the emergency, and that the same has been AMENDED, and passed by the House, AS AMENDED. Engrossed House Amendments are attached to the Enrolled Bill.

Respectfully,

R. M. McCOOL, Chief Clerk:

Engrossed House Amendments to Enrolled Senate Joint Resolution No. 17 were read as follows, and upon motion of Senator Stacey concurred in by the Senate:

Amendment No. 1. That title be amended to read as follows:

A RESOLUTION CONSENTING, AUTHORIZING AND EMPOWERING ELBERT C. HAYWOOD TO SUE THE STATE OF OKLAHOMA FOR DAMAGES SUSTAINED BY HIM WHILE ENGAGED AS A MEMBER OF NATIONAL GUARDS, AND WHILE ENGAGED WITH OTHERS IN SUPPRESSING A RIOT AT THE COUNTY JAIL IN CHICKASHA, OKLAHOMA, ON THE 30TH DAY OF MAY, 1930. PROVIDING THE METHOD OF BRINGING SUIT, AND DECLARING AN EMERGENCY.

Amendment No. 2. That enacting clause be amended to read as follows:

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

Amendment No. 3. By adding a new section to be known as Section Two as follows:

SECTION 2. The aforesaid Elbert C. Haywood is hereby authorized to bring suit against the State of Oklahoma to determine liability and recover the amount of loss and damages, if any, sustained by him by reason of an injury incurred by him while acting as a member of the National Guard and engaged in suppressing a riot at the Grady County Jail in Chickasha, Oklahoma, on the 30th day of May, 1930. Summons in such case shall be served upon the Governor, and the action shall be brought in the District Court in the County in which said process is served. And renumbering the following section.

Senate Joint Resolution No. 17, as amended, was read at length.

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

Ayes: Briggs, Carmack, Chamberlin, Commons, Fidler, Hutchinson, Jennings, Johnston, Memminger, Moon, Morrison, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Ballard, Coppock, Curnutt, Daugherty. Total, 4.

Not voting: Carlile, Dixon, Fischl, Garvin, Howard, Liggett, MacDonald, Nance, Ray, Stewart, Waldrep. Total, 11.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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: Ballard, Briggs, Carmack, Chamberlin, Com-



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mons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Hutchinson, Jennings, Johnston, Memminger, Moon, Morrison, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis: Total, 30.

Not voting: Carlile, Dixon, Fischl, Howard, Liggett, MacDonald, Nance, Ray, Stewart, Waldrep. Total, 10.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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 Engrossed House Amendments to Enrolled Senate Joint Resolution No. 17 and referred the Resolution for re-enrollment. To the President of the Senate,

Building

SIR:

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

ENROLLED SENATE BILL NO. 367—By NICHOLS, PAUL, CHAMBERLIN and WALDREP of the Senate and SINGLETON and LINDSEY of the House, entitled:

An Act providing for the payment of paving, drainage and improvement assessments by the paving, drainage or improvement bonds, or warrants issued therefor, by any city, town or drainage district, or board of county commissioners for such drainage district, in the state of Oklahoma, and providing for the discharge of the paving, drainage or improvement lien on such property to the extent of such bonds or warrants tendered in payment of the same, and providing for the issuance of a receipt therefor by the clerk of such city, town or county treasurer, and the cancellation of such bonds or warrants so delivered, and providing that in case such assessment

is delinquent and in the hands of the county treasurer for collection when such receipt is presented to the county treasurer he shall enter a satisfaction of such delinquent assessment on his record, and providing that all penalties hereafter collected and all penalties heretofore collected, which may be identified, by the county treasurer on such drainage assessments shall be paid into the funds of said district and be used only for the payment of the bonds or warrants and the interest thereon issued for the construction of such drains, and providing that if any part of this Act is for any reason declared invalid, such invalidity shall not affect the remaining portions of the Act, and repealing all laws or parts of laws in conflict therewith, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 367 was ordered referred to the Governor for consideration.

Senator Commons moved that the Senate work under a Call of the House, which motion prevailed.

Upon roll call, the following members were noted "absent": Senators Carlile, Clark, Dixon, Fidler, Fischl, Howard, Lester, Liggett, MacDonald, Nance, Powers, Ray, Stewart and Waldrep.

#### 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 Engrossed House Bill No. 338, by Johnson, Sturgell and Cline of the House and Curnutt of the Senate, entitled:

An Act amending Section 2274 Oklahoma Statutes

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1931, prohibiting the unlawful connecting to or tapping of any pipe line or conduit through which crude oil, naphtha, gas, gasoline, casinghead gas, or any of the products thereof is transported, defining what constitutes tapping and declaring such acts to be felonies and fixing a punishment for the 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.

GARVIN, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 333, by Stacey, entitled:

An Act regulating the adoption of text books to be used in the public schools of the state of Oklahoma; prescribing the manner of adoption thereof; 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 be printed and placed on the calendar.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 348, by Waldrep, entitled:

An Act amending Section 9851, Oklahoma Statutes, 1931, being the same as Section 10, Chapter 28, Session Laws of Oklahoma, 1925, providing for the regulation, supervision and control of domestic and foreign etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the committee substitute do pass.

MEMMINGER, Chairman.

Mr. President: We, your Committee on Education, to whom was referred Senate Bill No. 386, by Memminger, Logan, and Ballard, entitled:

An Act providing for the appointment of a special

committee to eliminate duplication in institutions of higher learning, to make rules and regulations therefor; to abolish, reduce or consolidate departments in such institutions; to adjust salaries of members, etc., and declaring emergency,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be printed and placed on the calendar.

RITZHAUPT, Chairman.

The following members of the Senate asked to be recorded "present," which was the order: Senators Carlile, Nance, MacDonald, Howard, Waldrep and Stewart.

#### FIRST READING

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

SENATE BILL NO. 415—By BRIGGS, COMMONS, CHAMBERLIN and NICHOLS, of the Senate, and LEECRAFT, of the House.—An Act appropriating funds collected and to be collected and placed to the credit of the State Highway Construction and Maintenance Fund in the State Treasury, to be used and expended by the State Highway Commission of the State of Oklahoma in the payment of salaries, wages and expenses of the State Highway Commission, its agents, servants and employees, and other obligations, and for the construction and maintenance of state highways, and highways constructed under the provisions of Chapter 50, Article 2, Oklahoma Statutes 1931, and Acts amendatory thereof and declaring an emergency.

SENATE JOINT RESOLUTION NO. 24—By NICHOLS, PAUL, GARVIN, WHITAKER, SOWARDS, LOGAN, LESTER, NANCE, REED, RAY, FISCHL and CARLILE, of the Senate, and CAVINS, ANGLIN and BATSON, of the House.—A Joint Resolution ordering a Special Election to be held on the 15th day of August, 1933, on the proposed amendment of Sec-



tion 9, Article 10 of the Constitution of Oklahoma set forth in Senate Joint Resolution No. 1 of the Fourteenth Legislature of the State of Oklahoma.

SENATE JOINT RESOLUTION NO. 25—By FISCHL of the Senate, LOWRANCE of the House.—Joint Resolution authorizing the Board of Affairs to transfer an appropriation made by the 13th Legislature for the Oklahoma School for deaf at Sulphur, for the purpose of remodeling old industrial building for hospital to a fund for the purpose of remodeling and repairing present hospital building, and declaring an emergency.

#### SECOND READING

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

ENGROSSED HOUSE JOINT RESOLUTION NO. 44—By BATSON, COX, ALLEN, HANKLA, CHAMBERS, WILMOT, COLLINS. GRAHAM, LEE-CRAFT and WILLIAMS.

Senator Commons asked unanimous consent, which was granted, to place HOUSE JOINT RESOLUTION NO. 44 upon the Calendar, without reference to a committee.

ENGROSSED HOUSE BILL NO. 686—By PHILLIPS (Okfuskee).

Senator Ritzhaupt asked unanimous consent, which was granted, to place HOUSE BILL NO. 686 upon the Calendar, without reference to a committee.

ENGROSSED HOUSE BILL NO. 574—By HARP.

Senator Commons asked unanimous consent, which was granted, to place HOUSE BILL NO. 574 upon the Calendar, without reference to a committee.

Senator Ritzhaupt moved that the vote be reconsidered by which SENATE BILL NO. 138, by Ritzhaupt, was passed, and the Honorable House be requested to do likewise and amend the bill as suggested by the Governor.

Senator Jennings raised a point of order against the proceedings concerning Senate Bill No. 138, citing Section 11, Article 6, of the Constitution.

The President declined to pass upon the judicial question involved and declared the Ritzhaupt motion before the Senate.

The vote occurring on the Ritzhaupt motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Garvin, Hutchinson, Jennings, Johnston, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Daugherty, Dixon, Fidler, Fischl, Howard, Liggett, MacDonald, Ray, Reed, Sowards. Total, 10.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. Total, 1.

Senator MacDonald moved that the Chief Executive be requested to return to the Senate, SENATE BILL NO. 121, by MacDonald, for the purpose of correction.

Senator Curnutt moved that the Senate refuse to adopt the Conference Committee Report on SENATE BILL NO. 51, previously submitted, and request the Honorable House to grant a further conference thereon, the Senate Conferees to be instructed to report at 2:00 p. m., on the next legislative day.

Senator Pugh, as a substitute, moved that the Conference Committee Report be adopted, which motion, by unanimous consent, he withdrew.

Senator Dixon asked to be recorded "present," which was the order.

Senator Ballard moved to amend the Curnutt motion, concerning Senate Bill No. 51, to provide as follows: "That the conferees shall be further instructed to place the salary of the County Commissioners along

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with the salary of other officers in the lower brackets.”

Senator Moon, in lieu of all pending motions, moved that the Senate refuse to adopt the Conference Committee Report on Senate Bill No. 51 and return the bill to the Honorable House for a further conference, the Senate Conferees to be instructed to fix the County Commissioner's salaries in no county for less than \$100.00 per month, and that they be further instructed to permit any member of either branch of the Legislature to appear before them in connection with the salaries in their respective counties, which motion prevailed.

#### GENERAL ORDER

Senator Paul moved that HOUSE BILL NO. 641, by Phillips (Okfuskee), Singleton, Wright and Martin, be advanced to engrossment and third reading.

Senator Ritzhaupt, as a substitute, moved that further consideration of House Bill No. 641 be indefinitely postponed, which motion was tabled, upon motion of Senator Paul.

Senator Fidler asked to be recorded “present,” which was the order.

Senator Ballard presiding.

Senator Paul, in lieu of all pending motions, moved that the Senate proceed to the consideration of HOUSE BILL NO. 641.

Senator Nichols asked unanimous consent, which was granted, to add Senator Whitaker as a member of the Senate Conference Committee appointed under HOUSE BILL NO. 229, by Gray.

#### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate,

that the House has refused to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 225—By ABERNETHY (Harmon), and LANDINGHAM of the House, entitled:

An Act levying a tax on certain freight cars operated in this state measured by gross earnings; prescribing the rate therefor; defining terms; making such tax a lien on the property of the taxpayer; providing for withholding and payment by railroad companies operating said cars; providing for disposition of funds derived from said tax; providing for enforcement of this act by the Oklahoma Tax Commission; authorizing said commission to prescribe rules and regulations therefor; repealing Sections 12386 to 12397, inclusive, Oklahoma Statutes 1931, and Articles X and XIII, Chapter 66, Oklahoma Statutes 1931, and conflicting laws; and declaring an emergency, and asks your Honorable Body for a conference thereon. The Speaker has appointed Representatives Abernethy (Harmon), Blocker and Landingham, as Conferees thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Whitaker moved that the request of the Honorable House for a conference on Engrossed House Bill No. 225, be granted, and Senate conferees thereunder appointed.

The Whitaker motion prevailed, and the Chair appointed Senators Memminger, Waldrep and Whitaker as Senate Conferees thereunder.

#### GENERAL ORDER

Referring further to HOUSE BILL NO. 641.

Senator Paul, as a substitute for his previous motion, moved that the Senate proceed to the consideration of House Bill No. 641, which motion prevailed.

Section 1 was read.



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Senator Ritzhaupt submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 641, line 8, page 2, by striking after the word "state" and before the word "school," the words "or public," and in line 9, page 2, by striking the words "or public."

RITZHAUPT.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 641, line 1, page 3, by adding the following: "Provided that the provisions of this Act shall not apply to municipal officers managing or operating municipal plants, or enterprises, and that municipal officers shall not be held to answer for any purchase made wherever and whenever the material, merchandise or equipment, was authorized by the governing body of said municipal subdivision and said purchases are to be made from the receipts of municipal enterprises."

NANCE.

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

Upon motion of Senator Paul, House Bill No. 641 was advanced to engrossment and third reading.

HOUSE BILL NO. 641 was read for the third time at length.

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

Ayes: Carlile, Carmack, Chamberlin, Commons, Coppock, Fidler, Garvin, Johnston, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Ballard, Curnutt, Daugherty, Hutchinson, Ritzhaupt, Rizley. Total, 6.

Not Voting: Briggs, Dixon, Fischl, Howard, Jennings, Liggett, Morrison, Ray, Rutherford. Total, 9.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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. 641 was referred for engrossment.  
To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 604—By MAL-  
LORY, KIGHT, SPECK, O'NEILL, ALLEN, CLINE,  
MOONEY, STURGELL, KING, LINDSEY, LEE-  
CRAFT, CLOYD and CONNER, entitled:

An Act levying a tax on homesteads in this state;  
providing the time for the collection of such tax,  
and that the same has been passed, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

### THIRD READING

Senator Pugh moved that the Senate proceed to the third reading and final passage of SENATE BILL NO. 361, by Pugh, which motion prevailed.

Senator Pugh asked unanimous consent, which was granted, to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 361, lines 1 and 2, page 1, by striking after the word "of" in line 1, and before the word "to" in line 2, the figures "50,000," and inserting the figures "50,500."

PUGH.

SENATE BILL NO. 361 was read for the third time at length.

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

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Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Howard, Hutchinson, Johnston, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Ritzley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not Voting: Dixon, Fischl, Jennings, Liggett, MacDonald, Morrison, Ray, Rutherford. Total, 8.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. Total, 1.

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. 361 was referred for re-engrossment.

The following Message from the Governor was received and read:

TO THE HONORABLE STATE SENATE OF THE  
FOURTEENTH LEGISLATURE OF THE STATE  
OF OKLAHOMA:

Gentlemen:

I am returning Senate Bill No. 121, for the purpose of suggested changes;

In the first section of this Bill, which provides:

“Preference shall be given material produced within the State,”

this language is the present law, and the Bill adds a new provision in the following language:

“And bidders domiciled having and maintaining offices in and being citizens of the State of Oklahoma.”

Under the last clause added by the Bill, any citizen of Oklahoma domiciled in the State, acting as agent for a cement company in Missouri or Kansas, is given preference along with a cement plant in this state; in fact, properly considered, the Legislature preferred such agent, although he represented a plant outside of the

State over a plant in the state that may have employed 500 laborers or more.

If the Bill had read that:

“Preference shall be given to material produced within the State over material produced out of the State”; and; also,

“Preference shall be given to bidders domiciled in the State, and who are citizens of the State, over bidders who are not citizens of the State, both representing concerns operating without the State,”

then the preference would first be given to the concern or manufacturer in the State; but, in the absence of any concern in the State, preference then would be given to the citizen-agent over the non-citizen-agent.

Considering the meaning and effect of the foregoing, unless the Bill is thus changed, I shall veto it, as the present law conforms to the plank adopted in the Tulsa Platform in 1930, and serves the whole policy to give preference to a cement plant, a packery, or bottling works, or any other manufacturing plant employing labor in the State. It is to serve this demand for labor that justifies the enactment of the law, and not to serve some Oklahoma citizen who is an agent for an out-state corporation.

If the purpose of the Legislature was to give preference to a citizen-agent for a concern out of the State over a non-citizen-agent domiciled in Oklahoma, representing a state manufacturer, they have successfully done so, and I cannot agree with the policy.

For the foregoing reason.

Respectfully submitted on this the 8th day of April, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator MacDonald moved that Enrolled and En-grossed copies of Senate Bill No. 121 be transmitted to the Honorable House, with the request that the vote be



re-considered by which the bill was passed, for the purpose of amendments, which motion prevailed.

THIRD READING

Senator Waldrep moved that the Senate proceed to call the roll on SENATE BILL NO. 206, by Waldrep, which motion prevailed.

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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Daugherty, Fidler, Garvin, Jennings, Johnston, Liggett, Memminger, Morrison, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 26.

Nays: Nance, Nichols, Paul, Rizley. Total, 4.

Not Voting: Curnutt, Dixon, Fischl, Howard, Hutchinson, MacDonald, Moon, Ray, Ruthenford, Stewart. Total, 10.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fidler, Garvin, Howard, Jennings, Johnston, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total 32.

Nays: Hutchinson, Moon, Rizley. Total, 3.

Not Voting: Dixon, Fischl, MacDonald, Ray, Ruthenford. Total, 5.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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. 206, and ordered the same transmitted to the Honorable House.

#### GENERAL ORDER

Senator Nichols asked unanimous consent, which was granted, to advance to engrossment and third reading, HOUSE BILL NO. 714, by Hill, Wooten, and Grisso.

Senators Liggett and Ray asked to be recorded "present," which was the order.

Senator Nichols moved that the rules of the Senate be suspended and House Bill No. 714 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

HOUSE BILL NO. 714 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Daugherty, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Not Voting: Commons, Dixon, Fischl, MacDonald, Ray, Rutherford, Thomas. Total, 7.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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-

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gency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Daugherty, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Not Voting: Commons, Dixon, Fischl, MacDonald, Ray, Rutherford, Thomas. Total, 7.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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. 714, and ordered the same transmitted to the Honorable House.

### THIRD READING

Senator Wilbanks asked unanimous consent, which was granted, to call the roll on Engrossed HOUSE JOINT RESOLUTION NO. 38, by Darks of the House, and Wilbanks of the Senate.

HOUSE JOINT RESOLUTION NO. 38 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Fidler, Howard, Hutchinson, Johnston, Liggett, MacDonald, Memminger, Moon, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks. Total, 27.

Nays: Ballard, Curnutt, Daugherty, Garvin, Jennings, Taylor, Willis. Total, 7.

Not Voting: Coppock, Dixon, Fischl, Morrison, Nance, Rutherford. Total, 6.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, MacDonald, Memminger, Moon, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Taylor, Thomas. Total, 2.

Not Voting: Coppock, Liggett, Morrison, Nance, Rutherford. Total, 5.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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 Engrossed Senate Amendments to and Engrossed House Joint Resolution No. 38, as amended, and ordered the same returned to the Honorable House.

Senator Curnutt asked unanimous consent, which was granted, to call the roll on SENATE BILL NO. 410, by Curnutt and Commons.

SENATE BILL NO. 410 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Jennings, Johnston, MacDonald, Memminger, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley,



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Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Nance. Total, 1.

Not voting: Dixon, Fidler, Fischl, Hutchinson, Liggett, Morrison, Ray, Rutherford, Stewart. Total, 9.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Jennings, Johnston, MacDonald, Memminger, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Nance. Total, 1.

Not voting: Dixon, Fidler, Fischl, Hutchinson, Liggett, Morrison, Ray, Rutherford, Stewart. Total, 9.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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. 410, and ordered the same transmitted to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 43, correctly engrossed.

LIGGETT, Chairman.

Senator Ritzhaupt asked unanimous consent, which

was granted, to take up for third reading and final passage, HOUSE BILL NO. 43, by Coe, Ellis, et al.

Senator Fischl asked to be recorded "present," which was the order.

Senator Ritzhaupt asked unanimous consent; which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 43, line 6, page 8, by substituting the word "or" for the word "and".

RITZHAUPT.

HOUSE BILL NO. 43 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, MacDonald, Memminger, Moon, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Carmack, Dixon, Fidler, Liggett, Morrison, Nance, Rizley, Rutherford, Stewart. Total, 9.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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: Ballard, Briggs, Carlile, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, MacDonald, Memminger, Moon, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

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Not voting: Carmack, Dixon, Fidler, Liggett, Morrison, Nance, Rizley, Rutherford, Stewart. Total, 9.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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. 43 was referred for re-engrossment.

Senator Howard asked unanimous consent, which was granted, to take up under third reading and final passage, HOUSE BILL NO. 318, by Timmons, Kirkpatrick, et al.

Senator Nichols asked unanimous consent, which was granted, that the Senate Conferees, under House Bill No. 229, be "excused", for the purpose of a conference on the bill, said Conferees being, Senators Morrison, Nichols, Chamberlin, Nance, Stewart, Fidler, Rizley, Dixon, Jennings, Stacey, Briggs, Moon and Whitaker.

Senator Moon asked unanimous consent, which was granted, to take up for consideration, SENATE BILL NO. 293, by Moon.

Senators Moon and Waldrep asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 293, line 6, page 5, by striking the word "securities" and inserting the word "corporation."

MOON  
WALDREP.

#### MESSAGES

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED SENATE BILL NO. 70—By BRIGGS.

An Act giving the United States Forest Service authority to establish game refuges in the United States Forests, and declaring an emergency, which bill having passed the Senate and House of Representatives was presented to me April 3d and held by me, without my signature, for more than five days, (Sundays excepted) whereby the same became a law. I think this bill does neither good nor harm.

Witness my hand, this April 10th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED SENATE BILL NO. 151—By  
DAUGHERTY, FISCHL, JOHNSTON and REED.

An Act to supplement Chapter 72 Oklahoma Statutes 1931, known as the "Workmen's Compensation Law," by the enactment of supplemental Article 2 to said Chapter 72 containing Sections 1 to 23 inclusive, creating a fund to be known as "The State Insurance Fund" to be used for the payment of losses sustained on account of insurance and for assuring to the persons entitled thereto compensation as provided by said Chapter 72, and providing for the manner of raising said fund, its custody, and disbursement, necessary employees, making an appropriation therefor, and providing for the repayment of the same to the State,



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which bill I have this day signed and approved.

Witness my hand, this April 7th, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE HONORABLE,  
THE FOURTEENTH LEGISLATURE:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State:

HOUSE JOINT RESOLUTION NO. 10.

-A Joint Resolution providing for the submission  
of a proposed amendment to the Constitution of the State  
of Oklahoma, providing that the Legislature may en-  
act laws authorizing cities to pension meritorious and  
disabled police officers, and amending Article 5 of said  
Constitution by adding an additional section to be known  
as Section 61 of Article 5 of the Constitution of the State  
of Oklahoma.

Though presented to me said Resolution does not  
require executive approval. Had it been a Joint Resolu-  
tion involving revenue or other state legislation it would  
require Executive approval.

The matter of submitting an amendment to the Con-  
stitution is given to the Legislature alone and, by that  
body it is submitted to the people.

Done, this April 8th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State:

ENROLLED HOUSE JOINT RESOLUTION NO.  
45—By COX, WILLIAMS, FITZGERALD, ALLEN,  
HANKLA, ULMARK, JONES, CAVITT, DUKE, DA-  
VIS, GIBSON, MASSEY, REMUND, BUSHYHEAD,

WILMOT, CHAMBERS, GRAHAM, WINGO, SPECK, BURNHAM, FRALEY, WRIGHT, ALBRIGHT, ABERNATHY (Pottawatomie), BEAMAN, HOGG, and ABERNETHY (Harmon).

A Joint Resolution validating certain school land loans made by the School Land Department of the State of Oklahoma; providing a method of extending said loans; providing a method of redeeming purchase certificates, and declaring an emergency, which bill I have this day signed and approved.

Witness my hand, this April 8th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State HOUSE BILL NO. 1, known as the Income Tax Bill, which Bill I have this day signed and approved.

Witness my hand, this April 8th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 243—By BAT-  
SON.

An Act authorizing the State Board of Public Affairs to use inmates of the Deaf, Blind and Orphan Institute at Taft and of the Training School for Negro girls at Taft, in farming, gardening and improving lands belonging to the State Hospital for the Negro Insane at Taft pending the completion thereof and the removal

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of patients thereto, and declaring an emergency, which Bill I have this day signed and approved.

Witness my hand, this April 7th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 416—By LEE-CRAFT.

An Act amending Sections 12527, and 12536, and 12552, Oklahoma Statutes 1931, levying a gasoline excise tax; providing for the disposition of the revenues arising therefrom; and providing for the payment of the indebtedness of the State represented by outstanding interest bearing warrants; and declaring an emergency, which bill I have this day signed and approved.

Witness my hand, this April 8th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 572—By PHILIPS (Okfuskee), HILL, SINGLETON and BATSON.

An Act amending Section 12473, Oklahoma Statutes, 1931, by including, as additional taxable transfers, for inheritance tax purposes, trust estates, joint estates, estates by the entirety and the proceeds of certain life insurance policies; providing for an estate tax to absorb the credit allowed by the Federal Revenue Act of 1926 and all amendments thereto; amending Section

12477, Oklahoma Statutes, 1931, by providing for penalties, time for payment and abolishing discounts; amending Section 12494, Oklahoma Statutes, 1931, by providing for disposition of all inheritance, transfer or estate taxes and penalties; providing that the provisions of this Act shall apply to all transfers and estates not closed; and declaring an emergency, which bill I have this day signed and approved.

Witness my hand, this April 7th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 715—By LEE-CRAFT, HAILE, PHILLIPS (Okfuskee) and BATSON.

An Act providing for funding of certain outstanding warrant indebtedness of the State of Oklahoma, and the issuance of Treasury Notes therefor; providing for the form and execution thereof, and making an appropriation for the payment of expenses in connection therewith; providing for the payment of same, and creating a fund and levying a tax therefor; providing for the acceptance of such Treasury Notes as legal security for public funds and other funds required to be secured, and fixing the rate of interest State funds secured by such Treasury Notes shall draw, and authorizing the purchase of said notes with sinking funds created by law and with other trust funds, and the acceptance of the interest coupons attached to said notes in payment of taxes due the State; providing for the call and redemption of such warrants not funded, and for other purposes; and declaring an emergency.



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Which bill I have this day signed and approved.

Witness my hand, this April 8th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF

OKLAHOMA: Wm. H. MURRAY.

GENERAL ORDER

Senator Reed moved that HOUSE BILL NO. 294 by Hogg and Jones, be advanced to engrossment and third reading.

Senator Ritzhaupt, as a substitute, moved that the Senate be declared at ease until the return of the Senate Conferees, under House Bill No. 229, which motion prevailed.

The Senate re-assembled with Senator Ballard presiding.

GENERAL ORDER

Senator Stacey asked unanimous consent, which was granted, to advance to engrossment and third reading, HOUSE BILL NO. 681, by Roberts, Lowrance, et al.

Upon motion of Senator Commons, HOUSE BILL NO. 191, by Sturgell was advanced to engrossment and third reading.

Upon motion of Senator Coppock, SENATE BILL NO. 246, by Howard, Coppock, et al, was advanced to engrossment and third reading.

Upon motion of Senator Waldrep, SENATE BILL NO. 44, by Waldrep, was advanced to engrossment and third reading.

Upon motion of Senator Stacey SENATE BILL NO. 256, by Stacey, of the Senate, and Roberts, of the House, was advanced to engrossment and third reading.

Senator Howard moved that HOUSE BILL NO. 469, by Hughes, be advanced to engrossment and third reading.

Senator Pugh moved to table the Howard motion.

Senator Nance raised a point of order against the

ough motion, which was sustained, stating the motion followed discussion.

The vote occurring on the Howard motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Waldrep, Whitaker, Wilbanks. Total, 33.

Nays: Ballard, Curnutt, Paul, Pugh, Willis. Total, 5.

Not voting: Taylor, Thomas. Total, 2.

Absent: Clark, Lester, Powers. Total, 3

Excused: Logan. Total, 1.

Upon motion of Senator Howard, the rules of the Senate were suspended and House Bill No. 469 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 469 was read for the third time at length.

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

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks. Total, 33.

Nays: Ballard, Coppock, Curnutt, Paul, Pugh, Willis. Total, 6.

Not voting: Taylor. Total, 1.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. Total, 1.

The Bill having received the constitutional majority

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of the votes of all members elected to and constituting the Senate was declared passed.

The Presiding Officer signed the engrossed copy of House Bill No. 469 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.

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has refused to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 516—By BATSON, LANDINGHAM, GRAY, CLOYD, LEECRAFT, WINGO, and BEAMAN, entitled:

An Act authorizing the establishment, in each county, of a "County Emergency Investment Fund"; apportioning thereto one-half of all moneys received by any county from motor vehicle license fees and the excise tax on gasoline; providing that said fund, or so much thereof as may be necessary, shall be used, under the direction of the county treasurer, for investment in non-payable county warrants and judgments based upon warrants; providing for payment into sinking fund for retirement of road bond indebtedness; providing for reimbursement of said fund by collections from ad valorem taxes; providing for the disposition of the moneys remaining therein; and declaring an emergency and asks your Honorable Body for a Conference thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Whitaker, the request of the Honorable House for a conference on Engrossed House Bill No. 516 was granted.

The Presiding Officer announced the appointment of the Senate Conferees, under Engrossed House Bill No. 516 to be deferred temporarily.

GENERAL ORDER

Senator Hutchinson asked unanimous consent, to which objections were voiced, to take up for consideration HOUSE BILL NO. 169, by O'Neill.

Upon motion of Senator Hutchinson, the Senate proceeded to the consideration of House Bill No. 169.

Section 1 was read.

Senator Waldrep submitted the following amendment:

Mr. President: I move to amend House Bill No. 169, line 2, page 1, by adding after the word "discontinued," the following: "from and after the first Monday in January, 1935."

WALDREP.

Senator Hutchinson, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 169, line 2, page 1, by adding after the word "discontinued." This Act shall take effect on the 1st day of January, 1934."

HUTCHINSON.

Senator Nichols moved to table the Hutchinson amendment, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Garvin, Howard, Memminger, Morrison, Nance, Nichols, Reed, Stacey, Waldrep. Total, 16.

Nays: Ballard, Coppock, Dixon, Fidler, Fischl, Hutchinson, Jennings, Johnston, Liggett, Moon, Paul, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Whitaker, Wilbanks, Willis. Total, 19.

Not Voting: MacDonald, Rutherford. Stewart. Taylor, Thomas. Total, 5.



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Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. Total, 1.

The vote occurring on the Hutchinson amendment, it was declared failed of adoption.

Senator Hutchinson asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 169, line 2, page 3, by adding the following: Section 4. This Act shall take effect on the 1st day of July, 1934."

HUTCHINSON.

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

Upon motion of Senator Hutchinson, House Bill No. 169 was advanced to engrossment and third reading.

Upon motion of Senator Hutchinson, the rules of the Senate were suspended and House Bill No. 169 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 169 was read for the third time at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Not Voting: Howard, Rutherford, Stewart, Taylor, Thomas. Total, 5.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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. 169 was referred for engrossment.

### THIRD READING

Senator Fischl moved that the Senate proceed to the consideration of SENATE BILL NO. 89, by Coppock and Fischl of the Senate and Stewart and Massey of the House, under third reading.

Senator Chamberlin, as a substitute moved that the Senate proceed to the consideration of SENATE BILL NO. 137, by Chamberlin, Ray, Carmack and Commons, under third reading.

President Burns presiding.

The President announced the appointment of the following named, as Senate conferees under HOUSE BILL NO. 516: Senators Whitaker, Memminger and Jennings.

Senator Wilbanks moved to table the Chamberlin motion, to take up for consideration SENATE BILL NO. 137, which motion prevailed.

Upon motion of Senator Moon, the call of the House was ordered lifted.

### MESSAGES

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

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you and through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 58—By ABERNATHY, GRAY, TURNER, SMALLEY, LANDINGHAM and STRICKLAND, entitled:

An Act requiring licenses for the operation, maintenance, opening or establishing of stores in this state, prescribing the license or filing fees to be paid therefor, providing further for the disposition of the taxes, and license fees so collected hereunder to the common school

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fund of the state, and providing the powers and duties of the Oklahoma Tax Commission in connection therewith, prescribing penalties for the violation thereof and declaring an emergency,  
and that the same has been passed by the House, AS  
AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Presiding Officer of the House has appointed Representative Batson as additional Conferee on:

ENGROSSED HOUSE BILL NO. 229—By GRAY of the House, and MORRISON and NICHOLS of the Senate.

An Act levying a stamp tax on the sale of cigarettes; prescribing the rate thereof; providing for stamps and the use thereof; providing for the enforcement of this Act by the Oklahoma Tax Commission and for rules and regulations in relation thereto; providing that the revenue derived hereunder, less expenses for collection and enforcement, shall be used to retire obligations of school districts and otherwise to reduce ad valorem taxes; creating a fund for the enforcement of this Act and for refunds, and making appropriations therefor; prescribing penalties; and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

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

ENROLLED HOUSE BILL NO. 248—By HAILE,

JONES, OTTESEN, BABB and LANDINGHAM, entitled:

An Act amending Sections 12428, 12429, 12431, 12432, 12434, 12437, 12440, 12441 and 12444, Oklahoma Statutes 1931 providing for payment of gross production tax on asphalt, or of ores bearing lead, zinc, jack, gold, silver or copper, or of petroleum or crude oil or other mineral oil, or of natural gas or of casinghead gas; providing penalties; providing for enforcement thereof and apportionment of taxes and penalty, repealing conflicting laws 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 248 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House. To the President of the Senate,

Building

SIR:

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

ENGROSSED SENATE BILL NO. 51—By PUGH and WILLIS, entitled:

An Act fixing the salaries of county officers on a population basis, and to advise you, and, through you, the Honorable Senate, that the House has granted further Conference on said Bill and the same Conferees have been reappointed; namely: Representatives Glen, Sutherland, Phillips (Okfuskee), Ebey (Pontotoc), and Singleton.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President re-appointed the Senate conferees, under Senate Bill No. 51, the same being Senators Pugh, Memminger, Willis, Garvin, Ritzhaupt and Commons.



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To the President of the Senate,  
Building  
SIR:

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

ENROLLED SENATE BILL NO. 85—By JOHNSTON and STEWART of the Senate and CAVITT of the House, entitled:

A Bill providing for assumption by state of Oklahoma, of obligations incurred in holding special elections to fill vacancies caused by death of members of the House of Representatives of the Fourteenth Legislature of the state of Oklahoma; 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 Acting Speaker, in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 85 was ordered referred to the Governor, for consideration.

To the President of the Senate,  
Building  
SIR:

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

ENGROSSED SENATE BILL NO. 382 — By FISCHL, DIXON and RAY of the Senate, and BATSON, GRUNERT, CAVINS, RAWLS and STRICKLAND (Marshall), of the House, entitled:

An Act authorizing the State Board of Public Affairs to acquire by purchase or condemnation approximately 16,300 acres of land in township 5 south, range 2 east, and in township 5, south, range 3 east in Carter County, Oklahoma, and in township 6 south, range 2 east, in Love County, Oklahoma, at an aggregate cost of not to exceed \$90,000, for the purpose of having constructed a state lake thereon by the use of Federal funds

appropriated for made-work, said lake when constructed to be under the supervision and control of the State Game and Fish Commission under rules and regulations promulgated thereby; authorizing said Commission to lease the shore front or adjacent lands for camp houses, business houses or lodges; making an appropriation of \$90,000, to acquire said lands; providing for a fishing and hunting fee which, together with the revenues derived from camp and business houses and lodges, shall go into a revolving fund for the purpose of reimbursing the state treasury in the amount of said appropriation with interest, or the Reconstruction Finance Corporation, in case a loan can be obtained; creating a revolving fund; authorizing the furnishing of temporary free camp sites; empowering the State Game and Fish Commission to have full charge and authority over said property; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 382 was ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

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

ENGROSSED AND ENROLLED SENATE BILL NO. 121—By MacDONALD, BRIGGS, CARMACK, STEWART, WHITAKER, MORRISON, GARVIN, LESTER, COMMONS, FISCHL, FIDLER, RITZHAUPT, RAY, THOMAS, CHAMBERLIN, RUTHERFORD and HUTCHINSON, entitled:

An Act amending Sections 10091 and 10095, Oklahoma Statutes 1931, relating to the construction and

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maintenance of the state highway system and to contracts let for the construction thereof; and declaring an emergency, and to advise you, and, through you, the Honorable Senate, that in compliance with your request the House has reconsidered the vote by which same was passed, together with the emergency, and that the same has been AMENDED, and passed by the House, AS AMENDED. Engrossed House Amendments are attached to the Enrolled Bill.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Enrolled Senate Bill No. 121 were read as follows, and, upon motion of Senator MacDonald, concurred in by the Senate:

AMENDMENT NO. 1. Line 21, Page 7, of the engrossed bill as follows: By striking all the following language:

“Provided, that, when quality and prices are equal, preference shall be given materials produced within the State of Oklahoma and bidders, domiciled, having and maintaining offices in, and being citizens of the State of Oklahoma,”

and inserting in lieu thereof the following:

“Provided that when quality and prices are equal preference shall be given materials produced within the State of Oklahoma and preference shall also be given highway construction contractors domiciled, having and maintaining offices in, and being citizen tax payers of the State of Oklahoma.”

AMENDMENT NO. 2. Line 25, Page 1 of the engrossed bill as follows:

By striking the comma (,) after the word “State,” inserting a semicolon (;) therefor, and by striking the following language:

“and bidders domiciled, having and maintaining offices in, and being citizens of the State of Oklahoma,”

and substituting therefor the following language:

“and highway construction companies domiciled, having and maintaining offices in, and being citizen tax payers of the State of Oklahoma.”

Upon motion of Senator MacDonald, further consideration of Enrolled Senate Bill No. 121, as amended, was deferred until 8:01 p. m.

To the President of the Senate,

Building

SIR:

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

ENROLLED SENATE BILL NO. 138—By RITZ-  
HAUPT.

An Act making it unlawful to plant, cultivate, protect, harvest, cure, prepare, barter, sell, give away or use or offer to sell, furnish or give away, or to have possession of marihuana, or any drug or preparation made from any species or variety of the botanical genus cannabis, or any compound derivative or preparation thereof; providing penalties for violation of this Act; and declaring an emergency,  
and to advise you, and, through you, the Honorable Senate, that in compliance with your request the House has reconsidered the vote by which the same was passed, together with the emergency, and that the same has been AMENDED, and passed by the House, AS AMENDED. Engrossed House Amendments are attached to the Enrolled Bill.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment to Enrolled Senate Bill No. 138 was read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1. By changing the word “and” after the figures and word “(\$5000.00) Dollars” to read “or,” in Section 2.



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Further consideration of Enrolled Senate Bill No. 138, as amended, was deferred temporarily.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bills Nos. 43, 641, and Senate Bill No. 361, each, correctly engrossed and Senate Joint Resolutions Nos. 1 and 17, each, correctly enrolled.

HOWARD, Vice Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 43 and 641, each as amended, and ordered the bills returned to the Honorable House.

The President, in open session, signed Engrossed Senate Bill No. 361 and ordered the bill transmitted to the Honorable House, for consideration.

Senate Joint Resolutions Nos. 1 and 17 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the President and ordered transmitted to the Honorable House for the signature of the Speaker.

Upon motion of Senator Johnston, SENATE BILL NO. 411, by Johnston, Briggs, et al., was ordered withdrawn from Judiciary Committee No. 2 and placed upon the calendar.

Upon motion of Senator Johnston, Senate Bill No. 411 was advanced to engrossment and third reading.

Upon motion of Senator Briggs, HOUSE JOINT RESOLUTION NO. 51, by Babb and Stewart, was advanced to engrossment and third reading.

Upon motion of Senator Commons, the Senate recessed to meet at 8:00 o'clock, p. m., this date.

#### EVENING SESSION

At 8:00 o'clock, p. m., the Senate reassembled, with the President presiding.

The hour of 8:01, p. m., having arrived, further con-

sideration of SENATE BILL NO. 121, by MacDonald, Briggs, et al was taken up for consideration.

Senator MacDonald moved that the vote be reconsidered by which Senate Bill No. 121 was passed, which motion, on a standing vote, received more than 23 votes.

Senator Ballard moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll of the Senate being called, the following members were noted "absent": Senators Carmack, Clark, Hutchinson, Lester, Nance, Paul, Powers and Wilbanks.

The Sergeant-at-Arms was instructed to notify all absent members of the Senate's proceedings.

Senators Carmack and Hutchinson asked to be recorded "present," which was the order.

Senate Bill No. 121, as amended, was read at length.

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

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 35.

Not voting: Garvin, Hutchinson, Nance, Paul, Wilbanks. Total, 5.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon,

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Fidler, Fischl, Howard, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 35.

Not voting: Garvin, Hutchinson, Nance, Paul, Wilbanks. Total, 5.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. 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 Engrossed Senate Amendments to Enrolled Senate Bill No. 121 and ordered the bill, as amended, referred for re-enrollment.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 89 and 137 correctly engrossed.    LIGGETT, Chairman.

### THIRD READING

Senator Fischl moved that the Senate proceed to the consideration of SENATE BILL NO. 89, by Coppock and Fischl, of the Senate, and Stewart and Massey, of the House, which motion prevailed.

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: Ballard, Briggs, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Memminger, Moon, Rizley, Rutherford, Stacey, Stewart, Thomas, Waldrep, Whitaker. Total, 21.

Nays: Carlile, Carmack, Chamberlin, Commons, Howard, Liggett, MacDonald, Morrison, Nichols,

Pugh, Ray, Reed, Ritzhaupt, Sowards, Taylor, Willis.  
Total, 16.

Not voting: Nance, Paul, Wilbanks. Total, 3.

Absent: Clark, Lester, Powers. Total, 3.

Excused: Logan. Total, 1.

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 MacDonald served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 89 failed of passage.

Senator Ballard requested that the Senate proceed to the consideration of HOUSE BILL NO. 647, by Garland, Beard, et al, the bill having been set as a Special Order, for 8:00 o'clock, p. m.

Senators Nance and Paul asked to be recorded "present," which was the order.

Senator Chamberlin moved that the Senate proceed to the consideration of SENATE BILL NO. 137, by Chamberlin, Ray, et al, under Third Reading.

Senator Morrison, as a substitute, moved that further consideration of Senate Bill No. 137 be indefinitely postponed.

Senator Chamberlin moved to table the Morrison motion, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Garvin, Howard, Johnston, Liggett, Memminger, Nance, Paul, Pugh, Ray, Reed, Sowards, Stacey, Stewart, Taylor, Willis. Total, 19.

Nays: Ballard, Briggs, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Hutchinson, Jennings, MacDonald, Moon, Morrison, Nichols, Ritzhaupt, Rizley, Rutherford, Thomas, Waldrep, Whitaker. Total, 20.

Not voting: Wilbanks. Total, 1.

Absent: Clark, Lester, Powers. Total, 3.



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Excused: Logan. Total, 1.

Senator Nichols, as a substitute, moved that the Senate proceed to the consideration of HOUSE BILL NO. 647, by Garland, Beard, et al, under Special Order, which motion prevailed.

#### SPECIAL ORDER

Senator Ballard moved that the Majority Committee Report on House Bill No. 647 be adopted.

Senator Waldrep, as a substitute, moved that the Minority Committee Report on House Bill No. 647 be adopted.

Senators Logan and Wilbanks asked to be recorded "present," which was the order.

Senator Ballard raised a point of order against the Waldrep motion, stating the Minority Committee Report attempts to substitute a Joint Resolution for House Bill No. 647.

The President declared the Waldrep motion in order. Senator Paul presiding.

Senator Nance moved that, at 12:00 o'clock, midnight, the Senate proceed to vote on the adoption or rejection of the Committee Reports submitted on House Bill No. 647, which motion prevailed.

Senator Ballard moved that the bill incorporated in the Majority Committee Report on House Bill No. 647 be advanced to engrossment and third reading.

Senator Memminger raised a point of order against the Ballard motion, which was sustained, stating House Bill No. 647 had not been placed upon the calendar.

Upon motion of Senator MacDonald, the previous question was ordered.

The hour of 12:00 o'clock, midnight, having arrived, the vote occurred on the Waldrep motion and it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carmack, Chamberlin, Curnutt, Daugherty, Jennings, Johnston, Liggett, Memminger,

Paul, Pugh, Reed, Sowards, Stacey, Taylor, Waldrep, Whitaker, Willis. Total, 18.

Nays: Ballard, Carlile, Commons, Coppock, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Logan, MacDonald, Moon, Morrison, Nance, Nichols, Ray, Ritzhaupt, Rizley, Rutherford, Stewart, Thomas, Wilbanks. Total, 23.

Absent: Clark, Lester, Powers. Total, 3.

The vote occurring on the Ballard motion, to adopt the Majority Committee Report on House Bill No. 647, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Commons, Dixon, Fidler, Fischl, Garvin, Howard, Logan, MacDonald, Moon, Morrison, Nance, Nichols, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stewart, Wilbanks. Total, 21.

Nays: Briggs, Carmack, Chamberlin, Coppock, Curnutt, Daugherty, Hutchinson, Jennings, Johnston, Liggett, Memminger, Paul, Pugh, Reed, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 20.

Absent: Clark, Lester, Powers. Total, 3.

Senator Johnston moved that House Bill No. 647 be advanced to engrossment and third reading.

Senator Moon moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., Tuesday, April 11, 1933, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Commons, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Logan, MacDonald, Moon, Morrison, Nichols, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stewart, Thomas, Wilbanks. Total, 24.

Nays: Briggs, Carmack, Chamberlin, Coppock, Daugherty, Johnston, Liggett, Memminger, Nance, Paul, Pugh, Reed, Stacey, Taylor, Waldrep, Whitaker, Willis. Total, 17.

Absent: Clark, Lester, Powers. Total, 3.

## SEVENTY-THIRD LEGISLATIVE DAY

Tuesday, April 11, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President, who announced the Senate recessed to meet at 1:30 p. m.

### AFTERNOON SESSION

The Senate reassembled at 1:30 p. m., with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Excused: Clark, Logan, Rizley. Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### MOTIONS, RESOLUTIONS AND NOTICES

Senator Nance moved that HOUSE BILL NO. 4, by Daniels, et al, be advanced to engrossment and third reading, which motion was tabled, upon motion of Senator Commons.

### 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 Joint Resolution No. 23, by Howard of the Senate and Hughes of the House, entitled:

A Resolution confirming the suit of Abraham Lincoln Life Insurance Company versus State Highway

Commission as binding on the state of Oklahoma, and authorizing the prosecution of said suit and also the action of Elizabeth Carlin estate for recovery of damages to realty for road way purposes, and providing for payment of recovery had,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it be printed and placed on the calendar.

BRIGGS, Chairman.

Mr. President: We, your Committee on Commerce and Labor, to whom was referred Senate Bill No. 377, by Ritzhaupt, entitled:

An Act regulating motor truck terminals, agencies and bureaus which solicit, collect and deliver freight to carriers having certificates or permits as provided by law, and giving the Corporation Commission certain powers and authority and providing for the violation thereof,

beg leave to report that we had the same under consideration and herewith return the same without the recommendation that it do pass.

REED, Chairman.

#### FIRST READING

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

SENATE BILL NO. 416—By FIDLER (By Request).—An Act authorizing Jewel Rubrecht to institute and prosecute an action against Oklahoma County, Oklahoma, for the use and benefit of herself and her minor children for the alleged wrongful death of her said husband, R. L. Rubrecht, and declaring an emergency.

SENATE BILL NO. 417—By MacDONALD.—An Act authorizing the appointment by the Governor of a tax code revision commission; authorizing the employment of tax experts, attorneys and statisticians and clerks and stenographers whose compensation is to be



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fixed by said Commission; defining the duties of said commission; making an appropriation of \$25,000 therefor, and declaring an emergency.

### SECOND READING

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

SENATE BILL NO. 415—By BRIGGS, COMMONS, CHAMBERLIN and NICHOLS, of the Senate, and LEECRAFT, of the House.

Senator Commons asked unanimous consent, which was granted, to place Senate Bill No. 415 upon the calendar, without reference to a committee.

SENATE JOINT RESOLUTION NO. 24 — By NICHOLS, PAUL, GARVIN, WHITAKER, SOWARDS, LOGAN, LESTER, NANCE, REED, RAY, FISCHL and CARLILE, of the Senate, and CAVINS, ANGLIN and BATSON, of the House.

Senator Nichols asked unanimous consent, which was granted, to place Senate Joint Resolution No. 24 upon the calendar without reference to a Committee.

SENATE JOINT RESOLUTION NO. 25—By FISCHL of the Senate, LOWRANCE of the House.

Senator Commons asked unanimous consent, which was granted, to place Senate Joint Resolution No. 25 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,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 15—By COX, HENDERSON, WILLIAMS,

JONES, ALBRIGHT, MALLORY, WINGO, WRIGHT, HINDS, HAILE, ALLEN, entitled:

Concurrent Resolution memorializing Congress to make it mandatory upon the Secretary of Agriculture of the United States to equitably allocate Federal highway funds,  
and respectfully requests your Honorable Body to recede therefrom.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon the request of Senator Chamberlin, further consideration of Engrossed House Concurrent Resolution No. 15 was deferred until later in the day.

To the President of the Senate,

Building

SIR:

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

ENGROSSED HOUSE BILL NO. 225—ABERNETHY (Harmon), and LANDINGHAM of the House.

An Act levying a tax on certain freight cars operated in this state measured by gross earnings; prescribing the rate therefor; defining terms; making such tax a lien on the property of the taxpayer; providing for withholding and payment by railroad companies operating said cars; providing for disposition of funds derived from said tax; providing for enforcement of this Act by the Oklahoma Tax Commission; authorizing said Commission to prescribe rules and regulations therefor; repealing Sections 12386 to 12397, inclusive, Oklahoma Statutes 1931, and Articles X and XIII, Chapter 66, Oklahoma Statutes 1931, and conflicting laws; and declaring an emergency,  
together with Conference Committee Report thereon and to advise you and through you, the Honorable Senate, that the Conference Report has been adopted by the

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House and the Bill has been passed, AS AMENDED, by said report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on Engrossed House Bill No. 225 was read, as follows, and, upon motion of Senator Whitaker, adopted:

To the Honorable Senate and Honorable House of Representatives of the State of Oklahoma:

We, your Conference Committee, appointed to confer on Engrossed Senate Amendment No. 1, to Engrossed House Bill No. 225, by Abernethy (Harmon) and Landingham, have had the same under consideration and beg to report:

That the House concurs in Senate Amendment No. 1.

That the House and Senate Conference Committee offers the following amendments to the House Bill (Engrossed):

NO. 1. Section 14, Line 24, page 7, after the word "thereto" add the following:

"Provided further that nothing herein shall operate to repeal, affect or impair the statutes hereinabove referred to relating to gross receipts taxes, penalties and costs accrued or to accrue thereunder, nor shall it affect any civil or penal provisions thereof relating to the collection and enforcement of such statutes.

NO. 2. Section 15. That Section 15, which is the emergency, be stricken.

NO. 3. Title. That the words "and declaring an emergency" be stricken.

R. C. BLOCKER,

O. H. ABERNETHY,

S. LANDINGHAM,

House Conferees.

J. M. WHITAKER,

TOM WALDREP,

C. B. MEMMINGER,

Senate Conferees.

HOUSE BILL NO. 225 was read at length.

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

Ayes: Ballard, Briggs, Carmack, Commons, Daugherty, Dixon, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Pugh, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Fidler, Jennings. Total, 2.

Not Voting: Carlile, Chamberlin, Coppock, Curnutt, Hutchinson, Moon, Nance, Paul, Powers, Ray, Reed, Rutherford, Thomas, Waldrep. Total, 14.

Excused: Clark, Logan, Rizley. Total, 3.

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

Engrossed House Bill No. 225, together with Conference Committee Report, thereon, was ordered returned to the Honorable House.

To the President of the Senate,  
Building

SIR:

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

ENGROSSED HOUSE BILL NO. 340 — By BROADDUS, CHAMBERS, HILL, CONNER, LOGSDON, PHILLIPS (Okfuskee) and SINGLETON, entitled:

An Act amending Section 1678, Chapter 13 of the Oklahoma Statutes of 1931, providing against the marriage of white persons with negroes, or persons of African descent, or fornication between such persons; defining fornication within the meaning of this Act; fixing a penalty, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.



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The Presiding Officer announced First Reading of Engrossed House Bill No. 340.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Presiding Officer of the House has appointed Representatives Batson, Cloyd, and Leecraft, as Conferees on—

ENGROSSED HOUSE BILL NO. 516—By BATSON, LANDINGHAM, GRAY, CLOYD, LEECRAFT, WINGO and BEAMAN.

An Act authorizing the establishment, in each county, of a "County Emergency Investment Fund"; apportioning thereto one-half of all moneys received by any county from motor vehicle license fees and the excise tax on gasoline; providing that said fund, or so much thereof as may be necessary, shall be used, under the direction of the county treasurer, for investment in non-payable county warrants and judgments based upon warrants; providing for payment into sinking fund for retirement of road bond indebtedness; providing for reimbursement of said fund by collection from ad valorem taxes; providing for the disposition of the moneys remaining therein; and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 58—By ABERNATHY, GRAY, TURNER, SMALLEY, LANDINGHAM and STRICKLAND, entitled:

An Act requiring licenses for the operation, main-

tenance, opening or establishing of stores in this state, prescribing the license or filing fees to be paid therefor, providing further for the disposition of the taxes and license fees so collected hereunder to the common school fund of the state, and providing the powers and duties of the Oklahoma Tax Commission in connection therewith, prescribing penalties for the violation thereof, 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 in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 58 was read at length, for the fourth time, the enrolled copy signed in open session by the President and ordered returned to the Honorable House. To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 469 — By HUGHES, entitled:

An Act authorizing the Board of Affairs to acquire the old Union Mission Site in Mayes County, Oklahoma, and make an appropriation to improve and preserve same.

ENROLLED HOUSE BILL NO. 714—By HILL, WOOTEN and GRISSO, entitled:

An Act fixing the number and salaries of assistants, deputies, stenographers, reporters and employees of county officers in all counties having a population in excess of 70,000 and not to exceed 100,000, according to the 1930 Decennial Census; repealing all Acts in conflict therewith and declaring an emergency.

ENROLLED HOUSE BILL NO. 604—By MAL-LORY, KIGHT, SPECK, O'NEILL, ALLEN, CLINE, MOONEY, STURGELL, KING, LINDSEY, LEE-

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CRAFT, CLOYD and CONNER of the House, and BRIGGS, NANCE, FISCHL and PAUL of the Senate, entitled:

An Act classifying homesteads for the purpose of taxation, levying a tax in lieu of all other taxes thereon and providing method and manner of assessing said property for taxation; the levying, collection and distribution thereof,

and to advise 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,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 469 and 714 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the President and ordered returned to the Honorable House.

Senator Briggs presiding.

House Bill No. 604 was read at length for the fourth time, the enrolled copy signed by the Presiding Officer, in open session, and ordered returned to the Honorable House.

President Burns presiding.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 139—By MORRISON and RIZLEY of the Senate, and GRAY, STRICKLAND (Pontotoc), and MARSHALL of the House, entitled:

An Act authorizing the issuance of certificates of registration as registered pharmacists under certain conditions, to persons having certain qualifications; providing for examinations and the fees therefor; limiting

the time during which such certificates may be issued; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 139 was ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE JOINT RESOLUTION NO. 1—By NICHOLS, PAUL, GARVIN, WHITAKER, SOWARDS, LOGAN, LESTER, NANCE, REED, RAY, FISCHL, CARLILE and CAVINS.

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the state of Oklahoma, relating to Section 9, Article 10, of said Constitution.

ENROLLED SENATE JOINT RESOLUTION NO. 17—By STACEY of Senate and ROBERTS of the House.

A Resolution consenting, authorizing and empowering Elbert C. Haywood, to sue the state of Oklahoma for damages sustained by him while engaged as a member of national guards, and while engaged with others in suppressing a riot at the county jail in Chickasha, Oklahoma, on the 30th day of May, 1930; providing, the method of bringing suit; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.



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Enrolled Senate Joint Resolutions Nos. 1 and 17 were, each, ordered referred to the Governor for consideration.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 231, 293, 299, 314, 347 and 401 each correctly engrossed and Senate Bills Nos. 121 and 382, each, correctly enrolled.

LIGGETT, Chairman.

Senate Bill No. 121 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered transmitted to the Honorable House, for the signature of the Speaker.

Senator Fischl presiding.

Senate Bill No. 382 was read at length 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.

President Burns presiding.

Referring further to ENROLLED SENATE BILL NO. 138, by Ritzhaupt:

Senator Ritzhaupt moved that the vote be reconsidered by which Senate Bill No. 138 was passed, which motion prevailed, there being, on a standing vote, 23 members voting "Aye."

Upon motion of Senator Ritzhaupt, the Senate concurred in Engrossed House Amendments to Engrossed Senate Bill No. 138.

SENATE BILL NO. 138 was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols,

Pugh, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Coppock, Curnutt, Moon, Nance, Paul, Powers, Ray, Reed, Thomas, Waldrep. Total, 10.

Excused: Clark, Logan, Rizley. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Pugh, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Coppock, Curnutt, Moon, Nance, Paul, Powers, Ray, Reed, Thomas, Waldrep. Total, 10.

Excused: Clark, Logan, Rizley. 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, in open session, signed Engrossed House Amendment to Enrolled Senate Bill No. 138 and ordered the bill referred for re-enrollment.

#### GENERAL ORDER

Senator Briggs asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 415, by Briggs, Commons, Chamberlin and Nichols, of the Senate, and Leecraft, of the House.

#### THIRD READING

By unanimous consent, the Senate proceeded to call the roll on SENATE BILL NO. 347, by Sowards.

SENATE BILL NO. 347 was read for the third time at length.

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The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Dixon, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Powers, Pugh, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Whitaker, Willis. Total, 28.

Not voting: Coppock, Curnutt, Howard, Moon, Nance, Paul, Ray, Reed, Rutherford, Thomas, Waldrep, Wilbanks. Total, 12.

Excused: Clark, Logan, Rizley. Total, 3.

Excused from voting: Fidler. 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, in open session, signed the engrossed copy of Senate Bill No. 347, and ordered the same transmitted to the Honorable House.

Senator Fidler sent up the following explanation of his request to be "Excused", from voting:

Mr. President: I must be excused from voting on any measure, relating to textbooks, as I own an interest in a publishing house, which interest I owned before Oklahoma became a State.

FIDLER.

Senator Commons asked unanimous consent, which was granted, to take up for Third Reading, HOUSE BILL NO. 65.

Senator MacDonald presiding.

Senator Nichols asked unanimous consent, which was granted, to strike from Engrossed House Bill No. 65, Engrossed Senate Amendment No. 3, as follows: "By striking after the colon in line 11, page 1, the balance of line 11, all of line 12 and that part of line 13, preceding the semi-colon," and inserting in lieu thereof the following: "All those soldiers, or sailors and

widows over 90 years of age shall receive \$40.00 per month; those soldiers or sailors and widows over 70 years and under 90 years of age shall receive not to exceed \$27.00 per month."

HOUSE BILL NO. 65 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nichols, Powers, Pugh, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker. Total, 26.

Nays: Jennings, Willis. Total, 2.

Not voting: Coppock, Curnutt, Daugherty, Hutchinson, Moon, Morrison, Nance, Paul, Ray, Reed, Rutherford, Thomas, Wilbanks. Total, 13.

Excused: Clark, Logan, Rizley. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nichols, Powers, Pugh, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 31.

Not voting: Curnutt, Moon, Morrison, Nance, Paul, Ray, Reed, Rutherford, Thomas, Wilbanks. Total, 10.

Excused: Clark, Logan, Rizley. 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.



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House Bill No. 65, as amended, was referred for re-engrossment.

Senator Ballard asked unanimous consent, which was granted, to be recorded "excused," for the remainder of this legislative day.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 656—By HENDERSON, BATSON, BABB, JONES, RAWLS, BENNETT, WAGNER and PALMER, entitled:

An Act amending subdivision H, Article 9, Chapter 20, Oklahoma Statutes, 1931, and providing for the regulation of the use of the public highways by motor vehicles operated for commercial purposes; levying a tax and providing for the disposition thereof; making such tax, penalties and costs a first lien on the property owned or used by motor carriers; providing for the collection of said tax, issuance of tax warrants therefor and the enforcement of the provisions hereof; making persons procuring passengers or freight transported by unlicensed motor carriers liable for taxes and authorizing injunctions; repealing Sections 3692, 3693, 3694, 3695, 3696, 3697, 3698, and 3699, of Subdivision H, Article 9, Chapter 20, Oklahoma Statutes, 1931, and all Acts or parts of Acts in conflict therewith and declaring an emergency,

together with Conference Committee Report thereon and to advise you, and, through you, the Honorable Senate, that the Conference Report has been adopted

by the House and the Bill has been 'passed, AS AMENDED, by said report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on Engrossed House Bill No. 656 was read, as follows, which upon motion of Senator Briggs, was adopted:

The Honorable President of the Senate:

and

The Honorable Speaker of the House of

Representatives:

We, your Conference Committee, appointed to consider Engrossed House Bill 656, beg leave to report we have had the same under consideration and return the same herewith with the following recommendations:

1. That the House concur in Senate Amendments Nos. 1 to 5, inclusive.

2. That the Senate recede from Senate Amendment No. 6, and the Conferees recommend that in lieu thereof the following amendment be adopted:

PAGE 1, SECTION 1, LINE 11, OF THE ENGROSSED HOUSE BILL TYPEWRITTEN COPY:

After the word "PURPOSES" and before the word "AND", insert the following:

"doing an inter-city business and not operating exclusively within the limits of an incorporated city or town within this State",

3. PAGE 4, LINE 12, TYPEWRITTEN COPY OF THE ENGROSSED HOUSE BILL:

Beginning with the word "AND", and after the words "PER MILE", strike all of the said line, strike line 13, and strike that part of line 14, down to and including the words "per mile", and insert in lieu thereof the following:

"upon each motor vehicle, the unladen weight of which is more than 11000 pounds and not more than 15000 pounds, Seven (7) mills per mile, and upon each motor

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vehicle with an unladen weight which is more than 15000 pounds, Ten (10) mills per mile.

4. The conferees further recommend that said Bill be amended in lines 22 to 28 inclusive, on page 5, of the typewritten copy of the Bill as follows: and that part of line 29 down to and including the words "per mile," and insert in lieu thereof the following:

"Upon each motor vehicle, operated by class "B" motor carriers, the unladen weight of which is not more than 3500 pounds, and upon each motor vehicle, operated by Class "C" motor carriers the unladen weight of which is in excess of 1500 pounds, and not exceeding 3500 pounds, Four (4) mills per mile; upon each motor vehicle operated by Class "B" or by class "C" motor carriers, the unladen weight of which is more than 3500 pounds and not more than 7000, Five (5) mills per mile; upon each motor vehicle operated by class "B" or by class "C" Motor carriers, the unladen weight of which is more than 7000 pounds and not more than 11000 pounds, Six (6) mills per mile; upon each motor vehicle operated by class "B" or "C" motor carriers, the unladen weight which is more than 11000 pounds and not more than 15000 pounds, Seven (7) mills per mile; and upon each motor vehicle operated by class "B" or class "C" motor carriers the unladen weight of which is more than 15000 pounds Ten (10) mills per mile.

Respectfully submitted,

CLAUD BRIGGS, Chairman

TOM G. HAILE

LOUIS A. FISCHL,

MARVIN WOOTEN

JOE M. WHITAKER

C. L. HILL

Senator Garvin moved that the Senate work under a call of the House, which motion failed of adoption.

HOUSE BILL NO. 656 was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Com-

mons, Coppock, Daugherty, Dixon, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Nichols, Pugh, Ritzhaupt, Sowards, Stacey, Stewart, Whitaker, Wilbanks, Willis. Total, 24.

Nays: Fidler, Jennings, Lester. Total, 3.

Not voting: Curnutt, Hutchinson, Moon, Morrison, Nance, Paul, Powers, Ray, Reed, Rutherford, Taylor, Thomas, Waldrep. Total, 13.

Excused: Ballard, Clark, Logan, Rizley. 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: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Powers, Pugh, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Nays: Curnutt. Total, 1.

Not voting: Daugherty, Hutchinson, Jennings, Moon, Paul, Ray, Reed, Rutherford, Wilbanks. Total, 9.

Excused: Ballard, Clark, Logan, Rizley. 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.

Engrossed House Bill No. 656, together with Conference Committee Report, thereon, was ordered returned to the Honorable House.

### THIRD READING

Senator Briggs asked unanimous consent, which was granted, to take up under Third Reading, SENATE BILL NO. 231, by Briggs, of the Senate, and Garland, of the House.



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SENATE 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 results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nichols, Powers, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Willis. Total, 28.

Nays: Moon, Wilbanks. Total, 2.

Not voting: Curnutt, Daugherty, Hutchinson, Jennings, Morrison, Nance, Paul, Ray, Rutherford, Taylor. Total, 10.

Excused: Ballard, Clark, Logan, Rizley. 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 231, and ordered the same transmitted to the Honorable House.

Senator Waldrep asked unanimous consent, which was granted, to take up under Third Reading HOUSE BILL NO. 154, by Martin, Broaddus and Shoemaker.

HOUSE BILL NO. 154 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not voting: Commons, Daugherty, Fidler, Hutchinson, Morrison, Nance, Ray, Rutherford, Taylor. Total, 9.

Excused: Ballard, Clark, Logan, Rizley. 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 Presiding Officer, in open session, signed the engrossed copy of House Bill No. 154, and ordered the same transmitted to the Honorable House.

#### GENERAL ORDER

Senator Commons asked unanimous consent, which was granted, to advance to engrossment and third reading HOUSE BILL NO. 623, by Committee on Appropriations.

Senator Commons asked unanimous consent, which was granted, to advance to engrossment and Third Reading HOUSE BILL NO. 622 by Committee on Appropriations.

Senator Chamberlin asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 413, by Chamberlin and Memminger.

Senator Memminger asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 413, lines 8 and 9, page 2, by striking the words and figures, "Two Thousand Eight Hundred Twenty and no/100 (\$2,820.00) Dollars," and substituting the following: "Two Thousand Eight Hundred and Eighty and no/100 (\$2,880.00) Dollars."

#### MEMMINGER.

Senator Memminger asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No.

413, line 10, page 3, by striking lines 10 and 11, page 3, and substituting the following:

SECTION 2. That Section 9847, Oklahoma Statutes 1931, be and the same is hereby amended to read as follows:

Section 9847. BUILDING AND LOAN ASSOCIATIONS—EXAMINATIONS—FEES.

An examination of every building and loan association doing business in this state shall be required at least once each year. Said Board may require additional examinations to be made at any time when in its judgment an examination may be necessary. Every building and loan association shall pay *Sixteen* (\$16.00) *Dollars*, per day, and actual expenses for each Examiner for actual time consumed in making such examination and an additional sum of *three cents* per thousand dollars of the total assets of such association invested in the State of Oklahoma, as fees for each examination which shall be paid to the State Treasurer and be held and be kept apart by the State Treasurer in a special and distinct fund which is hereby designated as the "Building and Loan Fund." All warrants which may be drawn under the terms of this Act to pay expenses, salaries or compensation provided for in this Act shall be drawn against and paid out of said building and loan fund.

It is hereby declared to be the intent of the Legislature that the necessary expenses of such supervision, control and examination shall be paid by the building and loan association for the purpose of meeting the necessary expenses thereof, and the revenues provided in this Act shall be kept and used by the State Treasurer solely and for the purpose only of paying the expenses provided for in this Act, and the same is hereby appropriated to the payment of such claims.

SECTION 3. *All salaries paid by the Building and Loan Department, and all fees collected from the*

*building and loan associations as provided for in this Act, shall remain in force for a period of two years from date of passage and approval, at the end of which time they will be restored to their original status as provided in Sections 9844 and 9847 U. O. S. 1931.*

MEMMINGER.

Upon motion of Senator Chamberlin, Senate Bill No. 413 was advanced to engrossment and third reading.

Upon motion of Senator Chamberlin, the rules of the Senate were suspended and Senate Bill No. 413 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 413 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Chamberlin, Commons, Currutt, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Powers, Pugh, Reed, Ritzhaupt, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 27.

Not Voting: Carmack, Coppock, Daugherty, Fidler, Hutchinson, Morrison, Nance, Paul, Ray, Rutherford, Sowards, Taylor, Waldrep. Total, 13.

Excused: Ballard, Clark, Logan, Rizley. 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 title of the bill become the title of the Act?" Senator Memminger submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 413, by substituting the following therefor: "AN ACT RELATING TO BUILDING AND LOAN ASSOCIATIONS, DESIGNATING EMPLOYEES AND FIXING SALARIES; FIXING THE FEES FOR



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EXAMINATIONS, AMENDING SECTIONS 9844 AND 9847, OKLAHOMA STATUTES, 1931, AND PROVIDING THAT THIS ACT REMAIN IN EFFECT FOR TWO YEARS.”

MEMMINGER.

Senate Bill No. 413, as amended, was referred for engrossment.

### MESSAGES

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 151—By GRIS-SO, HAILE, DUKE, DANIELS, LEECRAFT, PALMER, EBNEY (Pontotoc), LANDINGHAM, FITZGERALD, GRUNERT, ALBRIGHT, STURGELL, LINDSEY, HAYS, JONES and KING (Coal), CAVINS.

An Act amending Section 12719, Oklahoma Statutes 1931, providing for the payment of ad valorem taxes in four equal installments, fixing penalty for delinquent taxes, and declaring an emergency, which bill I have this day signed and approved.

Witness my hand, this April 10th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENGROSSED HOUSE BILL NO. 305—By BATSON, GRAY, COX, BLOCKER, HENDERSON and LEECRAFT,

known as the Motor Vehicle Act, which bill I have this day signed and approved.

Witness my hand, this April 10th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 316—By OTTESEN, FRALEY, COX, HAILE, DUKE, DANIELS, LEECRAFT, PALMER, EBEEY (Pontotoc), LANDINGHAM, FITZGERALD, GRUNERT, ALBRIGHT, STURGELL, LINDSEY, HAYS, JONES, and KING (Coal) of the House and WHITAKER of the Senate.

An Act amending Sections 6842, 12372, 12581, 12582, 12593, 12613, 12615, 12640, 12646, 12660, 12661, and 12674, Oklahoma Statutes, 1931, relating to the listing, assessing and equalizing of property for ad valorem taxation; defining the duties, powers and authority of certain officials in relation thereto and also in relation to levies and appropriations; providing administrative appeals; making the performance of such duties mandatory; fixing penalty for neglect or delay; repealing Sections 12594, 12612, 12641, 12642, 12643, 12647, 12651, 12652, 12655, Oklahoma Statutes, 1931, and all conflicting laws; and declaring an emergency, which bill I have this day signed and approved.

Witness my hand, this April 10th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

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ENROLLED HOUSE BILL NO. 481—By HOLLI-MAN, HAILE, WATSON and PHILLIPS (Okfuskee) of the House, and GARVIN, WALDREP and NICHOLS of the Senate,  
known as the Proration Law, which bill I have this day signed and approved.

Witness my hand, this April 10th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 483—By HOLLI-MAN, HAILE, PHILLIPS (Okfuskee), of the House, and GARVIN, WALDREP and WILBANKS of the Senate,

levying an excise tax of one-eighth of one cent per barrel on oil for the PRORATION FUND, which bill I have this day signed and approved.

Witness my hand, this April 10th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 369—By GIBSON, FITZGERALD, EBNEY (Pontotoc), and COPELAND, entitled:

An Act authorizing the Insurance Commissioner for certain causes to request the appointment of a receiver for the operation or liquidation of insurance companies

authorized to do business in this state; setting out the manner of the operation of said companies by the Insurance Commissioner; providing that no other person other than the Insurance Commissioner may ask for the appointment of a receiver 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.

Respectfully,

R. M. McCool, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 369.

### THIRD READING

Senator Garvin asked unanimous consent, which was granted, to take up for consideration under Third Reading, SENATE BILL NO. 314, by Reed.

SENATE BILL NO. 314 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Moon. Total, 1.

Not Voting: Daugherty, Hutchinson, Liggett, Nance, Paul, Sowards. Total, 6.

Excused: Ballard, Clark, Logan, Rizley. 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: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Moon. Total, 1.

Not Voting: Daugherty, Hutchinson, Liggett, Nance, Paul, Sowards. Total, 6.

Excused: Ballard, Clark, Logan, Rizley. 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 314, and ordered the same transmitted to the Honorable House.

Senator Waldrep asked unanimous consent, which was granted, to consider SENATE BILL NO. 401, by Waldrep, under Third Reading.

SENATE BILL NO. 401 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 30.

Not Voting: Carmack, Daugherty, Fischl, Howard, Hutchinson, Nance, Paul, Sowards, Stewart, Whitaker. Total, 10.

Excused: Ballard, Clark, Logan, Rizley. 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 emer-

agency measure?" the roll was called with the following results:

Ayes: Briggs, Carlile, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 30.

Not Voting: Carmack, Daugherty, Fischl, Howard, Hutchinson, Nance, Paul, Sowards, Stewart, Whitaker. Total, 10.

Excused: Ballard, Clark, Logan, Rizley. 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 401, and ordered the same transmitted to the Honorable House.

Senator Moon asked unanimous consent, which was granted, to consider SENATE BILL NO. 293, by Moon, under Third Reading.

SENATE BILL NO. 293 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Nichols, Powers, Pugh, Ray, Ritzhaupt, Stacey, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 26.

Nays: Memminger, Nance. Total, 2.

Not Voting: Carmack, Chamberlin, Daugherty, Howard, Hutchinson, Morrison, Paul, Reed, Rutherford, Sowards, Stewart, Whitaker. Total, 12.

Excused: Ballard, Clark, Logan, Rizley. Total, 4.

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 Moon, the emergency section to Senate Bill No. 293 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Moon submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 293 by striking therefrom the words, "AND DECLARING AN EMERGENCY."

MOON.

Senate Bill No. 293 was ordered referred for engrossment.

Senator Nance served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 293 was passed.

Senator Johnston asked unanimous consent, which was granted, to consider SENATE BILL NO. 299, by Johnston, under Third reading.

Senator Johnston asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend Senate Bill No. 299, by striking lines 13 and 14, page 2, and by striking from the title the words, "AND OTHER DEBTS, PUBLIC AND PRIVATE"

JOHNSTON.

Senator Powers moved that further consideration of Senate Bill No. 299 be indefinitely postponed.

Senator Wilbanks, as a substitute, moved that further consideration of Senate Bill No. 299 be deferred until some future legislative day, which motion prevailed.

Senator Fischl asked unanimous consent, which was granted, to advance to engrossment and third reading HOUSE BILL NO. 663, by Cavins and Grunert.

Senator Fischl asked unanimous consent, to which objections were voiced, to advance to engrossment and

third reading HOUSE BILL NO. 621, by Lowrance, et al.

Senator Fischl moved that House Bill No. 621 be advanced to engrossment and third reading.

Upon motion of Senator Wilbanks, the previous question was ordered.

The vote occurring on the Fischl motion, it was declared adopted.

Upon motion of Senator Fischl, the rules of the Senate were suspended and House Bill No. 621 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 621 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carmack, Chamberlin, Commons, Coppock, Dixon, Fischl, Garvin, Johnston, Liggett, MacDonald, Memminger, Nance, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 27.

Nays: Fidler. Total, 1.

Not Voting: Carlile, Curnutt, Daugherty, Howard, Hutchinson, Jennings, Lester, Moon, Morrison, Nichols, Stewart, Whitaker. Total, 12.

Excused: Ballard, Clark, Logan, Rizley. 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 Dixon asked unanimous consent, which was granted, to defer the roll call on the emergency section to House Bill No. 621 until the next legislative day.

Senator Briggs asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 412, by Briggs, of the Senate, and Babb and Stewart, of the House.

Senator Nance moved that HOUSE BILL NO. 4, by



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Daniels, et al, be advanced to engrossment and third reading, which motion failed of adoption.

Senator Fischl moved that SENATE JOINT RESOLUTION NO. 25, by Fischl, of the Senate, and Lowrance, of the House, be stricken from the calendar, which motion prevailed.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 65 correctly engrossed and Senate Bills Nos. 138 and 139, each, correctly enrolled.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 65, as amended, and ordered the bill returned to the Honorable House.

Senate Bills Nos. 138 and 139 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.

Upon motion of Senator Commons, the Senate recessed to meet at 7:30 p. m.

#### EVENING SESSION

At 7:30 p. m., the Senate reassembled, with the President presiding.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building  
SJR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 619—By MAL-  
LORY, entitled:

An Act providing for relief from ad valorem taxation by levying a sales tax upon the gross proceeds derived from all sales of goods, wares and merchandise and from all sales of tickets or admissions to places of amusement and from all sales of electricity, gas and telephone and telegraph and radiocasting services; prescribing the rates of such taxes; prescribing certain exemptions; providing for the disposition of the revenues arising hereunder; providing for computation and collection of such taxes and for the enforcement of this Act, by the Oklahoma Tax Commission; providing for expenses of such collection and enforcement; empowering said Commission to prescribe rules and regulations in relation thereto; prescribing penalties for the violation of this Act; authorizing refunds; making such taxes and penalties a lien on vendors property; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 619.

Senator Morrison moved that 200 copies be ordered printed of House Bill No. 619, which motion prevailed.

Senator Curnutt moved that the Committee on Revenue and Taxation be instructed to provide public hearings on House Bill No. 619, commencing in the morning, which motion was tabled, upon motion of Senator Chamberlin.

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To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 650—By LEE-CRAFT and BATSON of the House and WHITAKER of the Senate, entitled:

An Act amending Sections 12374, 12375, 12376, 12377, 12378, 12379, 12380, 12381, 12382, 12383 and 12385, inclusive, Oklahoma Statutes, 1931, relating to the levy and collection of corporation license fees and providing for the disposition of the same; prescribing penalties; providing for the enforcement of this Act; providing a legal remedy for aggrieved taxpayers; repealing conflicting laws 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 650.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 154—By MARTIN, BROADDUS and SHOEMAKE, entitled:

An Act preventing the confiscation and misuse of milk cans or cream cans; providing for the introduction of evidence; providing for the issuance of a search warrant; providing for the filing and publication of brands; restricting transportation of branded containers and prescribing the penalty for the violation of this Act, and to advise 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 154 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 656—By HENDERSON, BATSON, BABB, JONES, RAWLS, BENNETT, WAGNER and PALMER, entitled:

An Act amending Subdivision H, Article 9, Chapter 20, Oklahoma Statutes, 1931, and providing for the regulation of the use of the public highways by motor vehicles operated for commercial purposes; levying a tax and providing for the disposition thereof; making such tax, penalties and cost a first lien on the property owned or used by motor carriers; providing for the collection of said tax, issuance of tax warrants therefor and the enforcement of the provisions hereof; making persons procuring passengers or freight transported by unlicensed motor carriers liable for taxes and authorizing injunctions; repealing Sections 3692, 3693, 3694, 3695, 3696, 3697, 3698, and 3699 of Subdivision H, Article 9, Chapter 20, Oklahoma Statutes, 1931, and all Acts or parts of Acts in conflict therewith and declaring an emergency.

ENROLLED HOUSE BILL NO. 225—By ABERNETHY (Harmon), and LANDINGHAM of the House, entitled:

An Act levying a tax on certain freight cars operated in this state measured by gross earnings; prescribing



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ing the rate therefor; defining terms; making such tax a lien on the property of the taxpayer; providing for withholding and payment by railroad companies operating said cars; providing for disposition of funds derived from said tax; providing for enforcement of this Act by the Oklahoma Tax Commission; authorizing said Commission to prescribe rules and regulations therefor; repealing Sections 12386 to 12397, inclusive, Oklahoma Statutes 1931, and Articles X and XIII, Chapter 66, Oklahoma Statutes, 1931, and conflicting laws, and to advise 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,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 225 and 656 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 121—By MacDONALD, BRIGGS, CARMACK, STEWART, WHITAKER, MORRISON, GARVIN, LESTER, COMMONS, FISCHL, FIDLER, RITZHAUPT, RAY, THOMAS, CHAMBERLIN, RUTHERFORD, and HUTCHINSON, entitled:

An Act amending Sections 10091 and 10095, Oklahoma Statutes, 1931, relating to the construction and maintenance of the state highway system and to contracts let for the construction thereof; and declaring an emergency,

and to advise you, and, through you, the Honorable Sen-

ate, that the same has been read for the fourth time and signed by the Presiding Officer in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 121 was ordered referred to the Governor, for consideration.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 138—By RITZ-HAAPT.

An Act making it unlawful to plant, cultivate, protect, harvest, cure, prepare, barter, sell, give away or use, or offer to sell, furnish or give away, or to have possession of marihuana, or any drug or preparation made from any species or variety of the botanical genus cannabis, or any compound derivative or preparation thereof; providing penalties for violation of this Act; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 138 was ordered referred to the Governor, for consideration.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 139—By MORRISON and RIZLEY of the Senate, and GRAY, STRICKLAND (Pontotoc) and MARSHALL of the House, entitled:

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An Act authorizing the issuance of certificates of registered pharmacists under certain conditions, to persons having certain qualifications; providing for examinations and the fees therefor; limiting the time during which such certificates may be issued; 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 Presiding Officer, in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 139 was ordered referred to the Governor, for consideration.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 382 — By FISCHL, DIXON and RAY of the Senate, and BATSON, GRUNERT, CAVINS, RAWLS, and STRICKLAND (Marshall) of the House, entitled:

An Act authorizing the State Board of Public Affairs to acquire by purchase or condemnation approximately 16,300 acres of land in township 5 south, range 2 east and in township 5 south, range 3 east, in Carter County, Oklahoma, and in township 6 south, range 2 east, in Love County, Oklahoma, at an aggregate cost of not to exceed \$90,000, for the purpose of having constructed a state lake thereon by the use of Federal funds appropriated for made-work, said lake when constructed to be under the supervision and control of the State Game and Fish Commission under rules and regulations promulgated thereby; authorizing said Commission to lease the shore front or adjacent lands for camp houses, business houses or lodges; making an appropriation of \$90,000 to acquire said lands; providing for a fishing and

hunting fee which, together with revenues derived from camp and business houses and lodges, shall go into a revolving fund for the purpose of reimbursing the State Treasury in the amount of said appropriation with interest, or the Reconstruction Finance Corporation, in case a loan can be obtained; creating a revolving fund; authorizing the furnishing of temporary free camp sites; empowering the State Game and Fish Commission to have full charge and authority over said property; 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 Presiding Officer in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 382 was ordered referred to the Governor, for consideration.

Senator Chamberlin presiding.

#### GENERAL ORDER

Senator Reed asked unanimous consent, to which objections were voiced, to take up for consideration HOUSE BILL NO. 294, by Hogg and Jones.

Upon motion of Senator Reed, the Senate proceeded to the consideration of House Bill No. 294.

Section 1 was read.

Senator Jennings submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 294, line 14, page 3, by striking after the word, "dealer," the remaining portion of Section 1.

#### JENNINGS.

Senator Reed submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 294, line 8, page 3, by inserting after the word, "manu-



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facture," and before the word, "after," the word, "except"

REED.

Senator Reed submitted the following amendment:

Mr. President: I move to amend House Bill No. 294, line 13, page 2, by inserting after the word, "another," and before the word, "after," the word, "except"

REED.

Senator Stewart, as a substitute, moved that further consideration of House Bill No. 294 be indefinitely postponed.

Senator Reed, in lieu of all pending motions, moved that House Bill No. 294 be referred to a Special Committee, for the purpose of correction.

Senator Stewart raised a point of order against the Reed motion, which was overruled, stating motion to "indefinitely postpone," is a superior one.

Senator Curnutt raised a point of order against the Reed motion, citing Rule 25, subdivision "f," which was sustained.

Senator Reed moved to table the Stewart motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Chamberlin, Commons, Coppock, Hutchinson, Johnston, Liggett, MacDonald, Memminger, Morrison, Nance, Paul, Powers, Pugh, Reed, Rizley, Rutherford, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 24.

Nays: Carmack, Curnutt, Jennings, Moon, Nichols, Ritzhaupt, Sowards, Stewart. Total, 8.

Not Voting: Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Lester, Ray, Wilbanks. Total, 9.

Excused: Ballard, Clark, Logan. Total, 3.

Senator Paul moved that House Bill No. 294 be referred to a Special Committee, for the purpose of redrafting the bill.

Senator Nance moved to amend the Paul motion, by "providing that the Special Committee shall report not later than 4:00 o'clock, p. m., on the next legislative day," which motion was adopted.

The vote occurring on the Paul motion, as amended, it was declared adopted and the Presiding Officer appointed as the Special Committee, thereunder, Senators Reed, Memminger and Johnston.

Upon motion of Senator Nance, Senators Stewart and Hutchinson were added as members of the Special Committee, appointed under House Bill No. 294.

Senator Ritzhaupt moved that the Senate proceed to the consideration of HOUSE BILL NO. 686, by Phillips (Okfuskee), which motion prevailed.

Section 1 was read.

Senator Jennings moved that House Bill No. 686 be advanced to engrossment and third reading, which motion, by unanimous consent, he withdrew.

Upon motion of Senator Ritzhaupt, House Bill No. 686 was advanced to engrossment and third reading.

Upon motion of Senator Ray, the Senate proceeded with the consideration of HOUSE BILL NO. 346, by Chambers, et al.

Section 1 was read and adopted, upon motion of Senator Ray.

Section 2 was read.

Senator Ray submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 346, by adding a new section, to be known as Section 2 and renumbering the remaining Sections, Section 2 to read as follows: "Section 2. Every deed or other instrument affecting real estate, which has heretofore been executed by a corporation and attested by an assistant secretary of such corporation, and which instrument is

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now of record, shall be as valid as if attested by the Secretary of such corporation."

RAY.

Senator Ray submitted the following amendment to the title of House Bill No. 346, which was adopted:

Mr. President: I move to amend the title of House Bill No. 346, to read as follows: "AN ACT TO AMEND SECTION 9695, OKLAHOMA STATUTES, 1931, RELATING TO ATTESTING DEEDS OR OTHER INSTRUMENTS AFFECTING REAL ESTATE EXECUTED BY A CORPORATION, EXCEPT WHEN EXECUTED BY AN ATTORNEY IN FACT, VALIDATING INSTRUMENTS HERETOFORE EXECUTED BY CORPORATIONS, REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY."

RAY.

Upon motion of Senator Ray, House Bill No. 346 was advanced to engrossment and third reading.

Senator Curnutt moved to reconsider the vote by which House Bill No. 346 was advanced to engrossment and third reading, which motion, by unanimous consent, he withdrew.

By unanimous consent, further consideration of House Bill No. 346 was deferred for this legislative day.

Senator Rizley asked unanimous consent, which was granted, to advance to engrossment and third reading HOUSE BILL NO. 527, by Cox.

Senator Curnutt asked unanimous consent, which was granted, to strike from the calendar SENATE CONCURRENT RESOLUTION NO. 18, by Stewart, Morrison, Commons, Whitaker and Curnutt.

Senator Curnutt asked unanimous consent, which was granted, to strike from the calendar SENATE BILL NO. 98, by Curnutt.

Senator Memminger asked unanimous consent,

which was granted, to strike from the calendar HOUSE BILL NO. 581, by Committee on Banks and Banking of the Senate and the House.

Senator Briggs asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading HOUSE BILL NO. 489, by Babb.

Upon motion of Senator Briggs, House Bill No. 489 was advanced to engrossment and third reading.

Senator Waldrep raised a point of order against the Briggs motion, stating it would require a suspension of the rules, which point was overruled.

Upon motion of Senator Nance, the Senate adjourned, to meet at 10:00 o'clock, a. m., Wednesday, April 12th, 1933.



## SEVENTY-FOURTH LEGISLATIVE DAY

Wednesday, April 12, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock a. m., and was called to order by the President, who announced the Senate recessed, to meet at 11:00 o'clock a. m.

The Senate re-assembled at 11:00 a. m., and was called to order by the President, who announced the Senate recessed, to meet at 1:30 p. m.

### AFTERNOON SESSION

At 1:30 p. m., the Senate re-assembled with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. Total, 1.

The President 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 Education, to whom was referred Engrossed House Bill No. 121, by Daniel and Mallory, entitled:

An Act creating a Textbook Commission for the State of Oklahoma and providing for adoption of school

textbooks to be used in the common schools and teachers colleges of the state 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 as amended.

RITZHAUPT, Chairman.

Mr. President: We, your Committee on State and County Affairs, to whom was referred Senate Bill No. 394, by Ritzhaupt of the Senate and Garland of the House, entitled:

An Act authorizing the county commissioners of each county in the state to make a special levy for the purpose of taking care of the charity in each county therefor; providing the method of expenditure and designating the kind of people to receive aid; providing that any excess funds remain in said special fund herein authorized shall be held as an emergency fund, the same to accumulate for a period of five years; designating how the emergency fund may be used, et cetera, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

LOGAN, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 413 correctly engrossed.

LIGGETT, Chairman.

Engrossed Senate Bill No. 413 was signed by the President, in open session, and ordered transmitted to the Honorable House.

#### FIRST READING

The following Bills were introduced and read for the first time:

SENATE BILL NO. 418—By NICHOLS.—An Act amending House Bill No. 481 passed by the Fourteenth

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Legislature providing for the removal by the Governor of any employee of the Corporation Commission heretofore or hereafter appointed under said Act.

SENATE BILL NO. 419—By DIXON, GARVIN, NICHOLS and FISCHL.—An Act defining and prohibiting waste of crude petroleum and natural gas, and providing for the ratable and equitable taking thereof from common sources of supply; conferring authority upon, and defining the duties, powers and authority of, the Corporation Commission in connection with the enforcement of this Act, and prescribing the character of notice and procedure to be followed by the Corporation Commission hereunder; regulating all producers, purchasers and common carriers of crude petroleum so as to prevent inequitable taking and waste; prescribing penalties and other relief for violation of this Act and of rules, regulations or orders promulgated by the Corporation Commission hereunder; providing for proceedings for injunction in the District Courts to enjoin the violation of and to enforce the provisions of this Act and the orders, rules and regulations of the Corporation Commission made in pursuance hereof; declaring certain violations hereof, and violations of certain rules, regulations or orders promulgated by the Corporation Commission hereunder, to be crimes, and prescribing the punishment therefor; creating the offices of Proration Umpire, Assistant Proration Umpire and Proration Attorney, for the enforcement of this Act, and providing for their appointment and removal and defining their duties, powers and authority, and fixing their term of office, bonds and compensation; providing for the appointment of deputies and employees to aid in the enforcement of this Act, defining their duties, powers and authority, and fixing their compensation; providing for expenses of administration in connection with this Act and for the creation of a special fund to be known as the "Proration Fund," to be used exclusively in the en-

forcement of this Act; continuing in force certain orders, rules and regulations of the Corporation Commission until modified or repealed and continuing certain proceedings pending before the Corporation Commission and providing for the hearing and disposition of said proceedings that may be brought before the Corporation Commission; repealing House Bill No. 481 of the Fourteenth Legislature of the State of Oklahoma, and declaring an emergency.

Senator Garvin asked unanimous consent, which was granted, to have his name stricken as a joint author of Senate Bill No. 419.

SENATE BILL NO. 420—By FIDLER and NICHOLS.—An Act authorizing and directing producers, refiners and purchasers of oil to prepare and file with the Oklahoma Tax Commission, within 60 days after the passage and approval of this Act, amended producers', refiners' and purchasers' reports showing the particular lease-hold and well or wells from which oil produced or purchased by them was produced; prescribing penalties for the violation of this Act.

SENATE BILL NO. 421—By GARVIN and PAUL.—An Act repealing Paragraph (a) (1), Subsection (a), Section 42, of House Bill No. 1, enacted by the Fourteenth Session of the Oklahoma Legislature, approved April 8th, 1933, relating to offsets allowed to life insurance companies, against their tax on net income, for gross premiums and other taxes paid by foreign and domestic life insurance companies.

SENATE BILL NO. 422—By BALLARD.—An Act creating a special fund in the State Treasurer's office to be known as the Public Election Fund; providing that said fund shall be used for the purpose of defraying the expenses of a Special Election to be held in connection with House Bill No. 647 of the Fourteenth Legislature, defining the duties of the State Treasurer, State Auditor, and Secretary of the State Election Board, in connection



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therewith, and other purposes, and declaring an emergency.

**SENATE BILL NO. 423**—By NANCE and PAUL.—An Act authorizing the Governor to appoint the Pro-ration Attorney provided for in House Bill No. 481, of the Fourteenth Legislature of the Oklahoma Legislature; repealing all provisions of said Act in conflict herewith; and declaring an emergency.

#### SECOND READING

The following Bills were read for the second time and referred to the Committees indicated:

**SENATE BILL NO. 416**—By FIDLER (By Request).

Senator Waldrep asked unanimous consent, which was granted, to place Senate Bill No. 416 upon the Calendar, without reference to a committee.

**SENATE BILL NO. 417**—By MacDONALD.

By unanimous consent, Senate Bill No. 417 was ordered placed upon the Calendar, without reference to a committee.

**ENGROSSED HOUSE BILL NO. 340**—By BROADDUS, CHAMBERS, HILL, CONNER, LOGSDON, PHILLIPS (Okfuskee) and SINGLETON.—Referred to Judiciary Committee No. 1.

**ENGROSSED HOUSE BILL NO. 369**—By GIBSON, FITZGERALD, EBNEY (Pontotoc), and COPELAND.

Senator Commons asked unanimous consent, which was granted, to place House Bill No. 369 upon the Calendar, without reference to a committee.

**ENGROSSED HOUSE BILL NO. 619**—By MALORY.

Senator Whitaker asked unanimous consent, which was granted, to place House Bill No. 619 upon the Calendar, without reference to a committee.

**ENGROSSED HOUSE BILL NO. 650**—By LEE-

CRAFT and BATSON of the House and WHITAKER of the Senate.

Senator Whitaker asked unanimous consent, to which objections were voiced, to place House Bill No. 650 upon the Calendar, without reference to a committee.

Upon motion of Senator Whitaker, House Bill No. 650 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,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 65—By MALLORY, entitled:

An Act amending Section 12040 Oklahoma Statutes 1931 pertaining to the confederate pensions, and declaring an emergency,  
and asks your Honorable Body for a Conference. The Speaker has appointed Representatives Mallory, Grunert, and King (Creek), as House Conferees.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator MacDonald moved that the request of the Honorable House for a conference on Engrossed House Bill No. 65 be granted, and Senate Conferees appointed thereunder, which motion prevailed.

The President appointed as Senate Conferees under Engrossed House Bill No. 65, Senators Carmack, Stewart and Briggs.

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To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE JOINT RESOLUTION  
NO. 38—By DARKS of the House and WILBANKS  
of the Senate.

A Joint Resolution authorizing one, Harold Wright, a former inmate of the State penitentiary at McAlester, Oklahoma, to bring suit against the State of Oklahoma in the District Court in Hughes County to determine the amount of damages, if any, sustained by him by reason of an accident which occurred while he was performing duties assigned to him by the warden of said penitentiary, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 43—By COE, ELLIS, GRAHAM, CONNER, COPELAND, BILLINGS and MARSHALL.

An Act regulating the possession, sale and distribution of certain drugs, compounds, and mixtures; prohibiting the cultivation or harvesting of Cannabis-Sativa—Cannabis Indica; prescribing a penalty for violation thereof; repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 641—By PHILLIPS (Okfuskee), SINGLETON, WRIGHT, and MARTIN.

An Act amending Section 5973, Oklahoma Statutes, 1931, relating to the responsibility for purchasers made by any municipality, superintendent, principal, coach, teacher or any employee of any State School or any State or public institution or department of State; fixing the personal liability therefor upon the governing body of any such municipality, superintendent, prin-

cipal, coach, teacher or employee of any State or public school, institution or department of State.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 516—By BATSON, LANDINGHAM, GRAY, CLOYD, LEECRAFT, WINGO and BEAMAN, entitled:

An Act authorizing the establishment, in each county, of a "County Emergency Investment Fund"; apportioning thereof one-half of all moneys received by any county from motor vehicle license fees and the excise tax on gasoline; providing that said fund, or so much thereof as may be necessary, shall be used, under the direction of the county treasurer, for investment in non-payable county warrants and judgments based upon warrants; providing for payment into sinking fund for retirement of road bond indebtedness; providing for reimbursement of said fund by collections from ad valorem taxes; providing for the disposition of the moneys remaining therein; and declaring an emergency,  
together with Conference Committee Report thereon, and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted by the House of Representatives and the Bill has been passed, AS AMENDED by said report.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Conference Committee Report on House Bill No. 516 was read, as follows:

To the Honorable Senate and

To the Honorable House of Representatives:



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We, your Conference Committee, appointed to confer on Engrossed House Bill No. 516, by Batson and others, have had under consideration the Senate Amendments to said bill, and, after due consideration thereof, beg leave to report as follows:

First: That the House concurs in Senate Amendments Nos. 1, 2, 5, 6, 7, 8 and 9.

Second: That the Senate recede from Senate Amendments Nos. 3 and 4.

Respectfully submitted,

JOE M. WHITAKER,

A. N. LEECRAFT

C. B. MEMMINGER

R. H. CLOYD

GEORGE JENNINGS

Senate Conferees

House Conferees.

Senator Whitaker moved the adoption of the Conference Committee Report.

President Pro Tempore Stewart presiding.

Senator Waldrep, as a substitute, moved that the Senate refuse to adopt the Conference Committee Report on Engrossed House Bill No. 516 and request the Honorable House to grant a further conference.

Senator Curnutt moved to amend the Waldrep motion, by adding "And that Senate Amendment to Section 1 be ordered referred to the Conference Committee for consideration," which motion was adopted.

Senator Whitaker moved to table the Waldrep motion, as amended, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, MacDonald, Nichols, Stewart, Thomas, Whitaker, Wilbanks. Total, 10.

Nays: Clark, Curnutt, Fidler, Howard, Jennings, Johnston, Liggett, Memminger, Paul, Powers, Pugh, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Waldrep, Willis. Total, 18.

Not voting: Ballard, Briggs, Coppock, Dixon, Fischl, Garvin, Hutchinson, Lester, Moon, Morrison,

Nance, Reed, Rizley. Total, 13.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. Total, 1.

The vote occurring on the Waldrep motion, as amended, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Curnutt, Fidler, Howard, Jennings, Johnston, Liggett, Memminger, Moon, Powers, Pugh, Reed, Rutherford, Sowards, Stacey, Waldrep. Total, 15.

Nays: Briggs, Carlile, Carmack, Clark, Commons, Coppock, Lester, MacDonald, Nance, Nichols, Paul, Stewart, Thomas, Whitaker. Wilbanks, Willis. Total, 16.

Not voting: Ballard, Chamberlin, Dixon, Fischl, Garvin, Hutchinson, Morrison, Ritzhaupt, Rizley, Taylor. Total, 10.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. Total, 1.

Senator Curnutt requested that the roll call on the Waldrep motion be sounded, which was the order.

Upon the roll call being sounded, Senator Paul requested that he be recorded as voting "aye", which was the order.

The President Pro Tempore declared the Waldrep motion, as amended, adopted, and appointed as Senate Conferees thereunder, Senators Whitaker, Carlile, Willis, Waldrep and Wilbanks.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 641—By PHILIPS (Okfuskee), SINGLETON, WRIGHT and MARTIN.

An Act amending Section 5973, Oklahoma Statutes, 1931, relating to the responsibility for purchases

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made by any municipality, superintendent, principal, coach, teacher or any employee of any State school or any other State or public institution or Department of State; fixing the personal liability therefor upon the governing body of any such municipality, superintendent, principal, coach, teacher or employee of any State or public school, institution or Department of State, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

President Burns presiding.

House Bill No. 641 was read at length for the fourth time, the enrolled copy signed, in open session, and ordered returned to the Honorable House.

President Pro Tempore Stewart presiding.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 169 correctly engrossed, and Senate Bills Nos. 303, 311, 399, 412 and 415, each, correctly engrossed.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 169, as amended, and ordered the bill returned to the Honorable House.

### THIRD READING

SENATE BILL NO. 415 was read at length for the third time.

Senator Briggs asked unanimous consent, which was granted, to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No.

415, line 5, page 2, by striking the figure "2" after the word "Article", and inserting the figures "11".

BRIGGS.

Senator Briggs asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 415, line 3, page 4, by inserting after the word "thereof," the words "and for other specific purposes provided for by law."

BRIGGS.

Senate Bill No. 415, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 33.

Nays: Jennings, Pugh. Total, 2.

Not voting: Dixon, Fidler, Fischl, Morrison, Waldrep, Whitaker. Total, 6.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Reed, Ritzhaupt, Rizley, Rutherford, Sowards,



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Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis.  
Total, 33.

Nays: Jennings, Pugh. Total, 2.

Not voting: Dixon, Fidler, Fischl, Morrison, Wal-  
drep, Whitaker. Total, 6.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. 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. 415, as amended, was ordered re-  
ferred for re-engrossment.

#### GENERAL ORDER

Senator Nichols asked unanimous consent, which  
was granted, to take up for consideration, SENATE  
JOINT RESOLUTION NO. 24, by Nichols, Paul, Gar-  
vin, Whitaker, et al.

Upon motion of Senator Nichols, the preamble and  
Section 1 were adopted and read.

Upon motion of Senator Nichols, Senate Joint Res-  
olution No. 24 was advanced to engrossment and third  
reading.

Upon motion of Senator Nichols, the rules of the  
Senate were suspended and Senate Joint Resolution  
No. 24 was considered engrossed and placed upon third  
reading and final passage.

SENATE JOINT RESOLUTION NO. 24 was read  
for the third time at length, as follows:

SENATE JOINT RESOLUTION NO. 24—By NICH-  
OLS, PAUL, GARVIN, WHITAKER, SOWARDS,  
LOGAN, LESTER, NANCE, REED, RAY,  
FISCHL and CARLILE, of the Senate, and CAV-  
INS, ANGLIN and BATSON, of the House.

A JOINT RESOLUTION ORDERING A SPE-  
CIAL ELECTION TO BE HELD ON THE  
15TH DAY OF AUGUST, 1933, ON THE  
PROPOSED AMENDMENT OF SECTION

9, ARTICLE 10, OF THE CONSTITUTION  
OF OKLAHOMA, SET FORTH IN SENATE  
JOINT RESOLUTION NO. 1 OF THE FOUR-  
TEENTH LEGISLATURE OF THE STATE  
OF OKLAHOMA.

WHEREAS, Senate Joint Resolution No. 1 of the Fourteenth Legislature of the State of Oklahoma, providing for the submission of a proposed amendment of Section 9, Article 10, of the Constitution of Oklahoma to the people of Oklahoma for their ratification or rejection, has been adopted, and

WHEREAS, Unless a special election is ordered by the legislature on said resolution, by a two-thirds vote of each House thereof, it can not be referred to the people for their approval or rejection until the next regular general election held in this State, and

WHEREAS, It is necessary and proper that said resolution be referred to the people of Oklahoma for their approval or rejection as soon as possible.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. That a special election be, and the same is hereby ordered to be held throughout the State on the 15th day of August, 1933, at which the proposed amendment of Section 9, Article 10 of the Constitution of Oklahoma that is set forth in Senate Joint Resolution No. 1 of the Fourteenth Legislature of the State of Oklahoma, shall be submitted to the people of Oklahoma in the manner provided by law, for their approval or rejection.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, Mac-

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Donald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 33.

Nays: Coppock, Stacey, Waldrep, Willis. Total, 4.

Not voting: Howard, Jennings, Powers, Rutherford. Total, 4.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. 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 amendment to the Constitution of the State of Oklahoma proposed in Senate Joint Resolution No. 24 be submitted by the Secretary of State and referred to the people for their approval or rejection at a special election to be held throughout the State on August 15th, 1933, and shall such election be called for that purpose?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 33.

Nays: Coppock, Stacey, Waldrep, Willis. Total, 4.

Not voting: Howard, Jennings, Powers, Rutherford. Total, 4.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. Total, 1.

The President Pro Tempore announced that two-thirds of all the members elected to and constituting the Senate had voted "aye" thereon and that the Senate had by such vote ordered a special election to be held throughout the State on August 15th, 1933, for the purpose of submitting and referring said proposed

amendment to the people for their approval or rejection.

Senate Joint Resolution No. 24 was ordered referred for engrossment.

President Burns presiding.

### THIRD READING

Senator Moon asked unanimous consent, which was granted, to take up for consideration under third reading, SENATE BILL NO. 303, by Moon.

Senator Nance asked unanimous consent, which was granted, to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 303, lines 8 and 9, page 2, by substituting for subdivision (a), the following: "(a) To the cost and expense of operating, maintaining, and repairing municipal plants or enterprises, or in making replacements in municipal plants, operating, maintaining, repairing, and replacements, expenditures shall be made on the formal authority of the governing board of the municipality and the public officers or employees shall not be held accountable for such expenditure as now provided by law, although said items of expense may not be included in the annual budget of the municipality and there shall be no limitations placed on the action of the municipal officers in making expenditures in managing said municipal enterprise whenever said expenditures are approved by the governing board of the municipality by ordinance enacted and published."

NANCE.

Senator Ritzhaupt asked unanimous consent, to which objections were voiced, to submit an amendment, striking Section 2 of Senate Bill No. 303.

Senator Moon asked unanimous consent, to which objections were voiced, to re-consider the vote by which Senate Bill No. 303 was advanced to engrossment and third reading.



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Senator Nance moved that the rules of the Senate be suspended, for the purpose of considering an amendment, striking at the end of Section 2, the following words "and to provide a sufficient sinking fund to retire at maturity such indebtedness."

Senator Curnutt, in lieu of all pending motions, moved to re-consider the vote by which Senate Bill No. 303 was advanced to engrossment and third reading, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Waldrep, Willis. Total, 26.

Nays: Coppock, Fidler, Moon, Powers, Whitaker, Wilbanks. Total, 6.

Not voting: Dixon, Fischl, Garvin, Hutchinson, Morrison, Reed, Rizley, Rutherford, Stewart. Total, 9.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. Total, 1.

Senator Wilbanks presiding.

By unanimous consent, the vote was re-considered by which Section 2 was adopted.

Senator Briggs submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 303, line 8, page 3, by inserting after the word "and" and before the word "to", the following: "may, in its discretion, include in such rates, a sufficient charge to provide revenue sufficient".

BRIGGS.

Senator Curnutt, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 303, by striking after the word "and", the remainder of lines 8, 9, and 10, page 3.

CURNUTT.

Senator Curnutt asked unanimous consent, which was granted, to correct his amendment, by striking the words "after the word 'and'" and inserting the words "after the word 'utility'".

CURNUTT.

Upon motion of Senator Moon, further consideration of Senate Bill No. 303 was deferred until the next legislative day.

Senator Nichols asked unanimous consent, which was granted, to consider under third reading, HOUSE BILL NO. 387, by Ebey (Pontotoc) and Haile.

HOUSE BILL NO. 387 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Clark, Commons, Fischl, Garvin, Howard, Johnston, Memminger, Moon, Nance, Nichols, Paul, Pugh, Rizley, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 23.

Nays: Chamberlin, Curnutt, Fidler, Jennings, Liggett, Powers, Reed, Ritzhaupt. Total, 8.

Not Voting: Ballard, Coppock, Dixon, Hutchinson, Lester, MacDonald, Morrison, Rutherford, Thomas, Waldrep. Total, 10.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

Prior to the announcement of the result of the roll call on House Bill No. 387, Senator Curnutt raised a point of order, which was overruled, stating, "announcement of the roll call is being held up."

Following the announcement of the result of the roll call, Senator Curnutt requested that the result be sounded, which was the order, and upon the sounding

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of the roll call, the result, as announced, was declared approved.

Senator Curnutt moved that the emergency Section to House Bill No. 387 be stricken, which motion failed for want of a second.

Upon motion of Senator MacDonald, the previous question was ordered.

The question being, "Shall the bill become an emergency measure?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Dixon, Fischl, Garvin, Hutchinson, Jennings, Johnston, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Rizley, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Curnutt, Fidler, Liggett, Powers, Ritzhaupt, Rutherford. Total, 6.

Not Voting: Ballard, Coppock, Howard, Lester, Stewart. Total, 5.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. Total, 1.

Prior to the announcement of the result of the roll call on the emergency section, Senator Curnutt raised a point of order, which was overruled, stating "the result of the roll call was being delayed."

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 387, as amended, and ordered it returned to the Honorable House.

Senator Chamberlin submitted the following explanation of his vote on House Bill No. 387:

Mr. President: I voted "no" on House Bill No. 387 for the sole reason that the last paragraph of subsection (a) of Section One should be 2 mills instead of one. A limit of 2 mills would be more than a 50% reduction and would enable county government to function.

With a one mill levy the needed special functions of county government cannot, in my opinion, be carried out as necessarily required for public welfare.

CHAMBERLIN.

Senator Curnutt served notice that he would, on some future legislative day, move to re-consider the vote by which House Bill No. 387 was passed.

Senator MacDonald moved that the rules of the Senate be suspended for the purpose of re-considering the vote by which House Bill No. 387 was passed, which motion prevailed, upon a standing vote of twenty-five members of the Senate voting "aye."

Senator MacDonald moved that the vote be re-considered by which House Bill No. 387 was passed, which motion was tabled, upon motion of Senator Nichols.

Senator Jennings asked unanimous consent, which was granted, to consider under third reading, SENATE BILL NO. 399, by Jennings.

Senator Nance asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 399, line 1, page 4, and line 15, page 5, at the end of Sections 1 and 2, by adding the following: "provided, however, that the provisions of this Act shall not apply to municipal officers, agents or employees engaged in the operation, direction or management of municipal plants, utilities or enterprises."

NANCE.

Upon motion of Senator Nance, the rules of the Senate were suspended and Senate Bill No. 399, as amended, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 399 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:



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Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Jennings, Johnston, Liggett, Memminger, Nance, Powers, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 27.

Not Voting: Ballard, Coppock, Dixon, Fidler, Hutchinson, Lester, MacDonald, Moon, Morrison, Nichols, Paul, Rizley, Stewart, Waldrep. Total, 14.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

Senator Jennings asked unanimous consent, which was granted, to defer the roll call on the emergency section to Engrossed Senate Bill No. 399 until the Senate re-assembles at 7:30 p. m., this date.

Senator Waldrep asked unanimous consent, which was granted, to consider SENATE BILL NO. 323, by Waldrep, the bill having been vetoed by the Governor.

Senator Waldrep moved that, notwithstanding the veto of the Governor, Senate Bill No. 323 become a law.

The question being, "Shall Senate Bill No. 323, notwithstanding the veto of the Governor, pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Clark, Commons, Curnutt, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Liggett, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Ballard, Memminger. Total, 2.

Not Voting: Chamberlin, Coppock, Howard, Lester, MacDonald, Moon. Total, 6.

The Bill having received the constitutional two-

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. Total, 1.

thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The Presiding Officer, in open session, ordered Senate Bill No. 323 transmitted to the Honorable House for consideration.

Senator Commons moved that when the Senate recesses today, it recess, to meet at 7:30 p. m., which motion prevailed.

Senator Ballard asked unanimous consent, which was granted, to set for Special Order at 8:00 p. m., to-day, HOUSE BILL NO. 647.

#### GENERAL ORDER

Senator Carmack asked unanimous consent, which was granted, to advance to engrossment and third reading, SENATE BILL NO. 363, by Carmack.

Senator Carmack moved that the rules of the Senate be suspended and Senate Bill No. 363 be considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 363 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not Voting: Briggs, Coppock, Fidler, Lester, Liggett, MacDonald, Moon, Sowards, Thomas. Total, 9.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. 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-

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agency measure?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not Voting: Briggs, Coppock, Fidler, Lester, Liggett, MacDonald, Moon, Sowards, Thomas. Total, 9.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. 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. 363 was ordered referred for engrossment.

### THIRD READING

Senator Commons asked unanimous consent, which was granted, to consider under third reading, SENATE BILL NO. 311, by Commons.

SENATE BILL NO. 311 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Morrison, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Ballard, Briggs, Coppock, Fidler, Fischl, Lester, Moon, Nance, Reed, Stewart, Waldrep. Total, 11.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. 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: Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Morrison, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Ballard, Briggs, Coppock, Fidler, Fischl, Lester, Moon, Nance, Reed, Stewart, Waldrep. Total, 11.

Absent: Daugherty, Ray. Total, 2.

Excused: Logan. 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. 311, and ordered the same transmitted to the Honorable House.

Senator Logan asked to be recorded "present," which was the order.

Senator Howard asked unanimous consent, which was granted, to consider under third reading, HOUSE BILL NO. 318, by Timmons, et al.

HOUSE BILL NO. 318 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Curnutt, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.



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Not Voting: Carmack, Commons, Coppock, Dixon, Fidler, Fischl, Lester, Moon, Reed, Rizley, Stewart, Wal-drep. Total, 12.

Absent: Daugherty, 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Curnutt, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Carmack, Commons, Coppock, Dixon, Fidler, Fischl, Lester, Moon, Reed, Rizley, Stewart, Wal-drep. Total, 12.

Absent: Daugherty, 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 Presiding Officer, in open session, signed the engrossed copy of House Bill No. 318, and ordered the same transmitted to the Honorable House.

Senator Briggs asked unanimous consent, which was granted, to consider under third reading, SENATE BILL NO. 412, by Briggs, of the Senate, and Babb and Stewart, of the House.

Senator Nance moved that following third reading of Senate Bill No. 412 and the clearing of routine work on the Clerk's desk, the Senate recess, to meet at 7:30 which motion prevailed.

SENATE BILL NO. 412 was read at length for the third time.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Clark, Commons, Curnutt, Fischl, Howard, Hutchinson, Jennings, Johnston, Liggett, Nance, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rizley, Stacey, Stewart, Whitaker, Wilbanks. Total, 23.

Nays: Ballard, Chamberlin, Garvin, Memminger, Reed, Rutherford. Total, 6.

Not Voting: Coppock, Dixon, Fidler, Lester, Logan, MacDonald, Moon, Morrison, Sowards, Taylor, Thomas, Waldrep, Willis. Total, 13.

Absent: Daugherty, 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 Briggs, the emergency section to Senate Bill No. 412 was ordered stricken.

The question being "Shall the title of the Bill become the title of the Act?" Senator Briggs submitted the following amendment:

Mr. President: I move to amend the title of Senate Bill No. 412, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

BRIGGS.

Senate Bill No. 412 was ordered referred for engrossment.

Upon motion of Senator Curnutt, HOUSE BILL NO. 39, by Cloyd, was advanced to engrossment and third reading.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Joint Resolution No. 24 and Senate Bill No. 415, each, correctly engrossed.

LIGGETT, Chairman.

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Senator Nichols presiding.

The Presiding Officer in open session, signed Engrossed Senate Joint Resolution No. 24 and Engrossed Senate Bill No. 415 and ordered, each, 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,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE JOINT RESOLUTION NO. 53—By COX, ABERNETHY, (Harmon), WINGO, PALMER, ULMARK, WILMOT, O'NEILL, BURNHAM, ALLEN, BEAMAN, CLOYD and WILLIAMS, entitled:

A Joint Resolution authorizing the Oklahoma Tax Commission to refund to purchasers of license tags for the year 1933, over-payments to conform with House Bill No. 305 of the Fourteenth Legislature of the state of Oklahoma, 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 Pro Tem in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Joint Resolution No. 53.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE JOINT RESOLUTION

NO. 56—By SMALLEY, LOGSDON, PARKS, KIGHT, HAILE, EBEY (Pontotoc), JOHNSON (Osage), WATSON, PALMER, FRALEY, JOHNSON (Comanche), KING (Creek), JONES, HAYS, HANKLA, HUTCHINGS, WINGO, PHILLIPS (Okfuskee), GARLAND, MOONEY, BRAZELL, McELHANEY, BENNETT, MARSHALL, HILL, TIMMONS, ARMSTRONG, WOOTEN, SULLIVAN, ULMARK, GRUNERT, PAXTON, BABB, OTTESEN, WHITFORD, CLINE, PHILLIPS (Atoka), HINDS, entitled:

A Joint Resolution directing the State Board of Public Affairs to prohibit the parking and storing of motor vehicles in the basement of the state capitol building and declaring an emergency.

ENGROSSED HOUSE BILL NO. 682—By ANGLIN, BATSON, DANIEL, LEECRAFT, GARLAND, BABB, PHILLIPS (Atoka), PHILLIPS (Okfuskee), entitled:

An Act relating to lands acquired by the several counties of the state of Oklahoma by purchase for delinquent taxes; prescribing a limitation for action to set aside resale; providing for acquiring title thereto by entry, improvement, use and payment of accruing taxes; placing said lands under supervision of Commissioners of Land Office; for classification and subdivision of said lands, issuing certificates of selection, cancellation of entries, making proof of compliance and right to conveyance of title, execution and delivery of deed conveying title thereto; providing for sale of lands not entered: repealing conflicting laws, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of



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Engrossed House Joint Resolution No. 56 and Engrossed House Bill No. 682.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 127 -- By BRIGGS, entitled:

An Act amending Section 7735, Oklahoma Statutes, 1931, (being Section 1, Article 6, Chapter 35, Session Laws, 1931); providing for the execution of a bond by the county treasurers of the various counties of the state; prescribing the conditions of such bond; the procedure in connection therewith and providing for an examination as to the sufficiency of the surety or sureties thereon; providing for personal sureties under certain circumstances and conditions, as hereinafter defined; providing for an examination of the books and records of such treasurer or treasurers; prescribing the conditions under which sureties may be allowed to withdraw therefrom; making other and further provisions with reference to bonds of county treasurers and 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 AS AMENDED and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 127 was read, as follows:

AMENDMENT NO. 1. Beginning with the word "provided" in line 1 of paragraph 3, page 2 of said Bill, and striking all the remaining portion of said page 2 and all of that portion on page 3, down to and including

the word "provided" in line 8 of paragraph 2 of said page 3 of said bill.

By unanimous consent, further consideration of House Amendment to Senate Bill No. 127 was deferred.

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE JOINT RESOLUTION  
NO. 17—By STACEY of the Senate and ROBERTS of the House.

A Resolution consenting, authorizing and empowering Elbert C. Haywood, to sue the state of Oklahoma for damages sustained by him while engaged as a member of National Guards, and while engaged with others in suppressing a riot at the county jail in Chickasha, Oklahoma, on the 30th day of May, 1930, providing the method of bringing suit, and declaring an emergency, which bill I have this day signed and approved.

Witness my hand, this April 11th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE BILL NO. 85—By JOHNSTON and STEWART of the Senate, and CAVITT of the House.

A Bill providing for assumption by state of Oklahoma, of obligations incurred in holding special elections to fill vacancies caused by deaths of members of the House of Representatives of the Fourteenth Legis-

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lature of the state of Oklahoma; and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand, this April 11th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State

ENROLLED SENATE BILL NO. 121—By Mac-  
DONALD, BRIGGS, CARMACK, STEWART, WHIT-  
AKER, MORRISON, GARVIN, LESTER, COMMONS,  
FISCHL, FIDLER, RITZHAUPT, RAY, THOMAS,  
CHAMBERLIN, RUTHERFORD and HUTCHINSON.

An Act amending Sections 10090 and 10095, Okla-  
homa Statutes 1931, relating to the construction and  
maintenance of the state highway system and to con-  
tracts let for the construction thereof; and declaring an  
emergency,

which bill I have this day signed and approved.

Witness my hand, this April 12th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State

ENROLLED SENATE BILL NO. 138,  
to prohibit the use of a drug made from Indian Hemp,  
which bill I have this day signed and approved.

Witness my hand, this April 12th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
Secretary of State

ENROLLED SENATE BILL NO. 139,  
for licensing persons as pharmacists under certain con-  
ditions, which bill I have this day signed and approved.

Witness my hand, this April 12th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State

HOUSE BILL NO. 248

being a revision of the gross production tax law, which  
bill I have this day signed and approved.

Witness my hand, this April 12th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State

ENROLLED HOUSE BILL NO. 624—By COM-  
MITTEE ON APPROPRIATIONS

providing for the payment out of the Highway funds of  
certain judgments against the State, which bill I have  
this day signed and approved.

Witness my hand, this April 11th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Upon motion of Senator Dixon, the Senate recessed,  
to meet at 7:30 p. m.



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### EVENING SESSION

The Senate reassembled at 7:30 p. m., with the President presiding.

### GENERAL ORDER

Upon motion of Senator MacDonald, SENATE BILL NO. 417, by MacDonald, was advanced to engrossment and third reading.

Senator Nichols asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 710, by Hill, Grisso and Wooten.

Senator Nichols asked unanimous consent, which was granted, to submit the following, which was adopted.

Mr. President: I move to amend the title of House Bill No. 710, by causing the same to read: "AN ACT FIXING SALARIES OF COUNTY OFFICERS IN COUNTIES HAVING A POPULATION IN EXCESS OF 75,000 AND NOT TO EXCEED 100,000, ACCORDING TO THE LAST PRECEDING FEDERAL DECENNIAL CENSUS; REPEALING ALL ACTS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY."

NICHOLS.

Senator Nichols asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 710, line 1, page 1, by inserting a comma after the word, "population," and before the word, "in," insert the following: "according to the last preceding federal decennial census."

NICHOLS.

Upon motion of Senator Nichols, House Bill No. 710 was advanced to engrossment and third reading.

Upon motion of Senator Johnston, HOUSE JOINT RESOLUTION NO. 11, by Hankla, was advanced to engrossment and third reading.

Upon motion of Senator Fidler, SENATE BILL NO. 403, by Fidler and Ray, was advanced to engrossment and third reading.

Senator Stacey asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading HOUSE BILL NO. 415, by McElhaney and Misenheimer.

Upon motion of Senator Stacey, House Bill No. 415 was advanced to engrossment and third reading.

Senator Curnutt moved that HOUSE BILL NO. 4, by Daniels, be advanced to engrossment and third reading.

Senator Commons moved to table the Curnutt motion, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Clark, Commons, Coppock, Jennings, Lester, Liggett, MacDonald, Memminger, Nichols, Ritzhaupt. Total, 11.

Nays: Carmack, Chamberlin, Curnutt, Fidler, Howard, Johnston, Nance, Paul, Reed, Sowards, Stacey, Taylor, Waldrep, Whitaker. Total, 14.

Not voting: Briggs, Carlile, Dixon, Fischl, Garvin, Hutchinson, Logan, Moon, Morrison, Powers, Pugh, Rizley, Rutherford, Stewart, Thomas, Wilbanks, Willis. Total, 17.

Absent: Daugherty, Ray. Total, 2.

Senator Coppock, as a substitute, moved that further consideration of House Bill No. 4 be deferred until the next legislative day.

Senator Commons presiding.

Senator Nance moved to table the Coppock motion, which motion failed of adoption.

Senator Nichols, in lieu of all pending motions, moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted "absent:" Senators Briggs, Carlile, Daugherty,

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Dixon, Fischl, Hutchinson, Logan, Moon, Morrison, Powers, Ray, Rizley, Rutherford, Stewart, Thomas and Wilbanks.

The Sergeant-at-Arms was instructed to notify all absent members of the Senate's proceedings.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE JOINT RESOLUTION  
NO. 37—By PAXTON of the House and CARMACK  
of the Senate.

A Joint Resolution appropriating \$210.50 for the purpose of paying the hospital bill and medical bill and for loss of time of Homa Yarbrough for injuries received at the hands of escaped convicts from the State Reformatory at Granite, Oklahoma; and declaring an emergency.

ENGROSSED HOUSE JOINT RESOLUTION  
NO. 52—By HENDERSON.

A Joint Resolution creating the office of delinquent personal tax collector, in Haskell County, Oklahoma, prescribing his terms, duties and compensation, amending Sections 12727, 12730 and 12731, Compiled Oklahoma Statutes, 1931, insofar as Haskell County is concerned, providing for the collection of delinquent taxes on personal property in Haskell County, Oklahoma, repealing Section 12729, Compiled Oklahoma Statutes, 1931, and all other Acts in conflict herewith insofar as Haskell County, Oklahoma, is concerned 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Joint Resolution No. 37 and Engrossed House Bill No. 52.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 514—By GARLAND.

An Act amending Section 7298, C. O. S. 1921, the same being Section 13364, of C. O. S. 1931; limiting fees of attorneys representing claimants before the State Industrial Commission; providing for contracts between client and attorney; limiting the authority of the Industrial Commission to abrogate or modify said contract; repealing all Acts or parts of Acts in conflict herewith.

ENGROSSED HOUSE BILL NO. 258—By GRAY, PALMER, MALLORY, FRALEY, SULLIVAN, CAVINS, JESSEE, HART, BLOCKER, KIGHT, ULMARK, CLOYD, BEAVER, ALLEN, SPECK, COX, HUGHES, TODD, MUNSON, JONES, CLINE, JOHNSON (Comanche), and MRS. DAVIS.

An Act relating to school transfer fees; providing that the State shall pay all transfer fees, not exceeding Fifty-four (\$54.00) Dollars per transfer, setting aside one-third of the State's share of the tax levied on minerals, oil and gas produced in this State in a special fund to be known as the "State School Transfer Fund" to be used in paying said transfer fees, any surplus to be transferred to the general fund at



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the close of each fiscal year, prescribing details of paying the transfer fees; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 418—By WAGNER and MARTIN.

An Act authorizing the county commissioners of the several counties in Oklahoma to rent property acquired by such counties on re-sale, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 258, 418 and 514.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has granted a further Conference on:

ENGROSSED HOUSE BILL NO. 516—By BATSON, LANDINGHAM, GRAY, CLOYD, LEECRAFT, WINGO and BEAMAN, entitled:

An Act authorizing the establishment, in each County, of a "County Emergency Investment Fund;" apportioning thereto one-half of all moneys received by any county from motor vehicle license fees and the excise tax on gasoline; providing that said fund, or so much thereof as may be necessary shall be used, under the direction of the County Treasurer, for investment in non-payable county warrants; providing for payment into sinking fund for retirement of road bond indebtedness; providing for reimbursement of said fund by collections from ad valorem taxes; providing for the disposition of the moneys remaining therein; and declaring an emergency,

and the Presiding Officer has appointed Representatives Leecraft, Cloyd, Batson, Ebey (Pontotoc), and Strickland (Marshall).

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith, for your signature:

ENROLLED HOUSE JOINT RESOLUTION NO. 38—By DARKS of the House, and WILBANKS of the Senate, entitled:

A Joint Resolution authorizing one, Harold Wright, a former inmate of the State Penitentiary at McAlester, Oklahoma, now a resident of Holdenville, Oklahoma, to bring suit against the State of Oklahoma in the District Court in Hughes County to determine the amount of damages, if any, sustained by him by reason of an accident which occurred while he was performing duties assigned to him by the Warden of said penitentiary, and declaring an emergency.

ENROLLED HOUSE BILL NO. 43—By COE, ELLIS, GRAHAM, CONNER, COPELAND, BILLINGS and MARSHALL, entitled: .

An Act regulating the possession, sale, and distribution of certain drugs, compounds, and mixtures; prescribing a penalty for violations thereof; 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 have been read for the fourth time and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Joint Resolution No. 38 was read at length for the fourth time, the enrolled copy signed, in open

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session, by the Presiding Officer and ordered returned to the Honorable House.

Senator Ritzhaupt presiding.

House Bill No. 43 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

Senator Commons presiding.

The following members of the Senate asked to be recorded "present," which was the order: Senators Morrison, Carlile, Hutchinson, Fischl, Powers, Wilbanks, Ray, Dixon, Moon, Rizley, Briggs and Rutherford.

#### CONFERENCE COMMITTEE REPORT

Senator Pugh submitted the following Conference Committee Report, which was read:

To the Honorable Members of the Senate:

and to the Honorable Members of the House of Representatives:

We, your Conference Committee, appointed to confer on Senate Bill No. 51 by Pugh and Willis, as amended by the House and by the Conference Committee, to which it was previously referred, and this Committee having same under consideration, and after due consideration thereof, beg leave to report as follows:

We agree that Paragraph "A" of Section 1 be amended by striking \$960.00 as salary of the County Commissioners, and inserting therefor \$1200.00.

And that Paragraph "A" (a) of Section 1 be amended by striking \$960.00 as the salary of County Commissioners, and inserting therefor \$1200.00.

And that Paragraph "B" of Section 1 be amended by striking the figures 25,000 in line 2 of Paragraph B and inserting therefor 24,200 and by changing the salaries of County Commissioners from \$1,080.00 per year to \$1200.00.

And by creating a new Paragraph to be known as "B" (b) and to read as follows:

"Counties having a population in excess of 24,200 and not to exceed 25,000 the County Attorney, the County Judge and Sheriff shall receive the sum of \$1900.00 per year payable monthly, and the Court Clerk, County Clerk, County Treasurer, County Assessor and County Superintendent shall receive the sum of \$1700.00 per year payable monthly. The County Commissioners shall each receive the sum of \$1320.00 per year payable monthly, and the County Surveyor shall receive the sum of \$60.00 per year payable monthly."

And that Paragraph "C" of Section 1 be amended by striking \$1200.00 as the salary of county commissioners and inserting therefor \$1320.00.

And that Paragraph "F" of Section 1 be amended by placing the County Sheriff in the lower bracket.

And that Paragraph "G" of Section 1 be amended by placing the County Sheriff in the lower bracket, and by placing the County Treasurer and County Assessor in the higher bracket.

These amendments all go to engrossed House Substitute for Engrossed Senate Bill No. 51, as amended by a former Conference Committee.

Respectfully submitted:

JOHN D. PUGH  
LOUIS RITZHAUPT  
BEN R. WILLIS  
C. B. MEMMINGER  
Senate Conferees

SCOTT GLEN  
JACK SUTHERLAND  
LEON C. PHILLIPS  
W. H. EBEY  
M. W. WILMOT,  
House Conferees

Senator Pugh moved that further consideration of the Conference Committee Report on Senate Bill No. 51 be deferred until the next legislative day.

Senator Fischl, as a substitute, moved that the Sen-



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ate reject the Conference Committee Report on Senate Bill No. 51 and request the Honorable House to grant a further conference thereon.

Senator Curnutt asked unanimous consent, to which objections were voiced, to grant the Conference Committee, under Senate Bill No. 51, 24 additional hours in which to make its report.

Senator Ballard, as a substitute for all pending motions, moved that further consideration of Senate Bill No. 51 be deferred, until the next legislative day, which motion prevailed.

Upon motion of Senator Chamberlin, Senate Bill No. 51, as amended by the Conference Committee, was ordered printed.

Senator Chamberlin presiding.

Senator Morrison moved to amend the Chamberlin motion, by ordering the printing of the Conference Committee's recommendations, which motion, by unanimous consent, he withdrew.

Referring further to SENATE BILL NO. 399, by Jennings:

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Waldrep, Wilbanks. Total, 35.

Nays: Ray, Sowards, Whitaker, Willis. Total, 4.

Not Voting: Hutchinson, Logan, Stewart, Thomas. Total, 4.

Absent: Daugherty. 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. 399 was ordered referred for re-engrossment.

#### SPECIAL ORDER

HOUSE BILL NO. 647, by Garland, Beard, Graham and Rawls, having been set for Special Order at 8:00 o'clock, p. m., was taken up for consideration.

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 647, line 11, page 9, by striking all of lines 11 and 12 after the word, "tax," and substituting the following: "of \$2.50 for every barrel, containing not more than 31 gallons and at a like rate for any other quantities or for the fractional part of a barrel, authorized and defined by law, to be collected as hereinafter provided."

#### COMMONS.

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 647, lines 15 and 16, page 10, by striking the words and figures, "One Hundred Fifty (\$150.00) Dollars," and substituting the words and figures, "One Hundred (\$100.00) Dollars."

#### COMMONS.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 647, line 16½, page 10, by adding the following: "Each wholesaler engaged in the business of selling said beverage to retailers shall pay an annual license or permit to the State of Oklahoma in the sum of Two Hundred and Fifty (\$250.00) Dollars.

The required permit fee shall accompany the application and shall be good for one year from the date of its issuance unless sooner revoked by the Commission and may

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with the approval of the Commission be renewed upon payment of the required fee. Permits shall not be transferred except with the consent of the Commission and each permit shall designate the place of business for which it is issued."

BALLARD.

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 647, line 15, page 15, by adding after the word, "Oklahoma," the following: "or any other State or of the United States of America."

COMMONS.

Senator Commons submitted the following amendment:

Mr. President: I move to amend House Bill No. 647, by adding the following Sections thereto:

"Section 16. A Special Election is hereby ordered to be held throughout the State on the 11th day of July, 1933, for the express purpose of referring this bill to a vote of the people of the State of Oklahoma as provided in Sections 2 and 3 of Article 5 of the Constitution of the State of Oklahoma, and such referred measure shall not be in force unless it is approved by a majority of the votes cast thereon at said special election.

Section 17. The ballot title for said referred measure shall be in the following form:

BALLOT TITLE

LEGISLATIVE REFERENDUM NO. ....

THE GIST OF THE PROPOSITION IS: Shall House Bill No. 647, of Fourteenth Legislature of Oklahoma, defining non-intoxicating beverages as those containing not to exceed 3.2 per centum of alcohol measured by weight; amending Sections 2618, 2626 and 2627, Oklahoma Statutes 1931, making unlawful the sale of intoxicating beverages, prescribing punishment for violating Act; regulating

and licensing manufacturers and retail dealers of such non-intoxicating beverages, levying tax upon sale and distribution thereof in Oklahoma, and providing for disposition of revenue derived therefrom, be approved?

☐ YES

SHALL THE BILL BE ADOPTED:

☐ NO."

CHAMBERLIN and COMMONS.

Senators Thomas and Stewart asked to be recorded "present," which was the order.

Senator Pugh submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend the Commons amendment, by changing the date of the election to read, "December 1st, 1933."

PUGH.

Senator Waldrep submitted the following amendment:

Mr. President: I move to amend the Commons amendment, by striking the word, "July," and inserting the word, "October."

WALDREP.

Senator Rizley moved to table the Waldrep amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stewart, Wilbanks. Total, 30.

Nays: Clark, Coppock, Hutchinson, Johnston, Pugh, Ray, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 12.

Not Voting: Logan. Total, 1.



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Absent: Daugherty. Total, 1.

Senator Reed submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 647, line 4, page 13, by striking all of lines 4 to 12, inclusive, and inserting the following: "to the General Revenue fund of the State."

REED.

Senator Pugh submitted the following amendment:

Mr. President: I move to amend the Commons amendment, by striking the word, "July," and inserting the word, "September."

PUGH.

Senator Stewart moved to table the Pugh amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Powers, Reed, Ritzhaupt, Rizley, Rutherford, Stewart. Total, 25.

Nays: Clark, Coppock, Curnutt, Hutchinson, Johnston, Moon, Paul, Pugh, Ray, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 16.

Not Voting: Logan, Wilbanks. Total, 2.

Absent: Daugherty. Total, 1.

The vote occurring on the Commons amendment, it was declared adopted.

Senator Logan asked to be recorded "present," which was the order.

Senator Reed submitted the following amendment:

Mr. President: I move to amend House Bill No. 647, line 4, page 13, by striking all of lines 4 to 12, inclusive, and inserting the following: "to the General Revenue Fund of the State."

REED.

Senator Ballard moved to table the Reed amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Commons, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Lester, Logan, MacDonald, Moon, Morrison, Nance, Nichols, Paul, Powers, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 30.

Nays: Chamberlin, Clark, Coppock, Curnutt, Johnston, Liggett, Memminger, Pugh, Reed, Stacey, Waldrep, Whitaker. Total, 12.

Not Voting: Briggs. Total, 1.

Absent: Daugherty. Total, 1.

Senator Morrison asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 647, line 4, page 13, by striking after the word, "several," and before the word, "school," the word, "common"

#### MORRISON.

Senator Hutchinson submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 647, line 10, page 8, by inserting a comma in lieu of the word, "or," and by inserting after the word, "pharmacist," and before the word, "or," the following: "Scientific Institutions, Universities, Colleges and Hospitals."

#### HUTCHINSON.

Senator Nance asked unanimous consent, to which objections were voiced, to submit a motion.

Senator Curnutt submitted the following amendment, which was tabled, upon motion of Senator Dixon:

Mr. President: I move to amend House Bill No.

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647, line 12, page 10, by striking the words and figures, "One Thousand (\$1,000.00) Dollars," and inserting the words and figures, "Two Thousand (\$2,000.00) Dollars."

CURNUTT.

Senator Ray submitted the following amendment:

Mr. President: I move to amend House Bill No. 647, line 2, page 13, by striking the words and figures, "Ninety-five (95%)," and inserting the words and figures, "Forty-seven (47%)," and by adding after the word, "year," line 12, page 13, the following words and figures, "forty-eight (48%) per centum of said funds to be used, FIRST, for public debt, and, SECOND, in cost of county affairs, to be distributed according to the population of various counties."

RAY.

Senator Paul asked unanimous consent, to which objections were voiced, to amend the Ray amendment, by "providing further that any county having no county debt, or when the debt has been paid, then the ad valorem tax for county government shall be reduced to the amount apportioned hereby to the extent of county government."

Senator Wilbanks moved to table the Ray amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Powers, Rizley, Rutherford, Sowards, Stewart, Wilbanks. Total, 25.

Nays: Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Johnston, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 18.

Absent: Daugherty. Total, 1.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 647, by striking at the conclusion thereof, the words, "AND OTHER PURPOSES," and inserting in lieu thereof the following, ORDERING A SPECIAL ELECTION TO BE HELD ON THE 11TH DAY OF JULY 1933, FOR THE EXPRESS PURPOSE OF REFERRING SAID BILL TO A VOTE OF THE PEOPLE, AND PRESCRIBING THE PROCEDURE THEREFOR," and by striking, in line 3 of the title the word, "COMPILED."

BALLARD.

Upon motion of Senator Ballard, House Bill No. 647 was advanced to engrossment and third reading.

Upon motion of Senator Ballard the rules of the Senate were suspended and House Bill No. 647 was considered engrossed and placed upon third reading and final passage.

Upon motion of Senator Wilbanks, the previous question was ordered.

HOUSE BILL NO. 647 was read for the third time at length, as follows:

HOUSE BILL NO. 647—By GARLAND, BEARD, GRAMHAM and RAWLS.

AN ACT DEFINING INTOXICATING AND NON-INTOXICATING BEVERAGES; AMENDING SECTIONS 2618, 2626, 2627, OKLAHOMA STATUTES, 1931, RELATIVE TO THE PURCHASE, SALE AND MANUFACTURE OF INTOXICATING LIQUORS; PROHIBITING THE SALE OF INTOXICATING LIQUOR AS HEREIN DEFINED AND PRESCRIBING THE PUNISHMENT THEREFOR; LEVYING A TAX UPON THE SALE AND DISTRIBUTION WITHIN THE STATE OF OKLAHOMA ON NON-



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INTOXICATING BEVERAGES AS HEREIN DEFINED; REQUIRING A MANUFACTURERS' AND RETAILERS' LICENSE OR PERMIT; PROVIDING FOR THE MANNER OF COLLECTION OF SAID LICENSE AND TAX; PROVIDING THE MANNER AND PLACE OF SALE AND DISTRIBUTION OF NON-INTOXICATING BEVERAGES AS HEREIN DEFINED; PROVIDING THAT CERTAIN RETAILERS SHALL SECURE A LICENSE FROM THE COUNTY JUDGE AND REGULATING THE ISSUANCE AND CANCELLATION OF SAID LICENSE; PLACING ALL FUNDS COLLECTED HEREUNDER IN THE COMMON SCHOOL FUND TO BE DISTRIBUTED UPON A PER CAPITA SCHOLASTIC ENUMERATION BASIS AS IS PROVIDED BY LAW; REPEALING ALL LAWS IN CONFLICT THEREWITH, ORDERING A SPECIAL ELECTION TO BE HELD ON THE 11TH DAY OF JULY, 1933, FOR THE EXPRESS PURPOSE OF REFERRING SAID BILL TO A VOTE OF THE PEOPLE AND PRESCRIBING THE PROCEDURE THEREFOR.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. Beverages containing more than three and two tenths (3.2%) per cent alcohol by weight are hereby declared to be intoxicating; all other beverages are declared to be non-intoxicating. The manufacture, distribution and sale of beverages containing more than one-half of one ( $\frac{1}{2}$  of 1%) per cent alcohol by volume and not more than three and two-tenths (3.2%) per cent alcohol by weight is hereby declared subject to the rules and regulations hereinafter provided.

SECTION 2. That Section 2618, Compiled Oklaho-

ma Statutes, 1931, be and the same is hereby amended to read as follows:

“Section 2618. It shall be unlawful for any person, individual or corporation to furnish, except as in this chapter provided, any spirituous, vinous, fermented or malt liquors, or any imitation thereof or substitute therefor, or to manufacture, sell, barter, give away or otherwise furnish any liquors or compounds of any kind or description whatsoever whether medicated or not which contain more than three and two-tenths (3.2%) per cent of alcohol, measured by weight, and which is capable of being used as a beverage, except preparations compounded by any licensed pharmacist, the sale of which would not subject him to the payment of the special tax required by the laws of the United States; or to ship, or in any way convey, such liquor from one place within this state to another place therein except the conveyance of a lawful purchase as herein authorized; or to solicit the purchase or sale of any such liquors, either in person or by sign, circular, letter, card, price, list, advertisement, or otherwise, or to distribute, publish, or display any advertisement, sign or notice where any such liquor may be manufactured, bartered, sold, given away, or otherwise furnished, or to have the possession of any such liquors with the intention of violating any of the provisions of this chapter. A violation of any provision of this section shall be a misdemeanor, and shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), and by imprisonment for not less than thirty (30) days, nor more than six (6) months; Provided, however, that the provisions of this chapter shall not apply to the manufacture and sale of unfermented cider and wine made from apples, grapes, berries and other fruit grown

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in this State, and to the use of wine for sacramental purposes in religious bodies."

SECTION 3. That Section 2626, Compiled Oklahoma Statutes, 1931, be and the same is hereby amended to read as follows:

"Section 2626. The keeping, in excess of one quart of any spirituous, vinous, fermented or malt liquors, or any imitation thereof, or substitute therefor, or any liquor or compounds of any kind or description whatsoever, whether medicated or not, which contain more than three and two-tenths (3.2%) per cent of alcohol, measured by weight and which is capable of being used as a beverage, except preparations compounded by any licensed pharmacist, the sale of which would not subject him to the payment of the special tax required by the laws of the United States, or in any manner permitting any other person to have or keep any such liquors in or about his place of business or his residence, or any place of amusement, or recreation, or any public resort, or any club room; provided, however, that the foregoing, provision of this section shall not apply to bonded apothecaries, druggists, or pharmacists, as to alcohol purchased by them pursuant to the rules and regulations promulgated by the Government in accordance with the provisions of the laws of this State; or the keeping in excess of one quart of spirituous, or one quart of vinous, or more than one quart of any liquor or compounds of any kind or description whatsoever, whether medicated or not, which contain more than three and two-tenths (3.2%) per cent of alcohol, measured by weight, and which is capable of being used as a beverage, except preparations compounded by any licensed pharmacist, the sale of which would not subject him to the payment of the special tax required by the laws of the United States shall

be prima facie evidence of an intention to convey, sell or otherwise dispose of such liquors; provided further, that this section shall not be construed in any way to legalize the keeping of any liquors for unlawful purposes irrespective of the amount."

SECTION 4. That Section 2627, Compiled Oklahoma Statutes, 1931, be and the same is hereby amended to read as follows:

"Section 2627. It shall be unlawful, for any person to have or keep in excess of one quart of spirituous, vinous, fermented or malt liquors, or any imitation thereof, or substitute therefor; or in any manner permit any other person to have or keep, any spirituous, vinous, fermented or malt liquors, or any imitation thereof, or substitute therefor; or any liquors or compounds of any kind or description whatsoever, whether medicated or not, which contain more than three and two tenths (3.2%) per cent of alcohol, measured by weight, and which is capable of being used as a beverage, except preparations compounded by any licensed pharmacist, the sale of which would not subject him to the payment of the special tax required by the laws of the United States; upon, in, or about his place of business, or any place of amusement, or recreation, or any public resort, or any club room, whether such liquor be intended for the personal use of the person so having and keeping the same or not; Provided, however, that the foregoing provision of this section shall not apply to bonded apothecaries, druggists or pharmacists, scientific institutions, universities, colleges, and hospitals as to alcohol purchased by them pursuant to the rules and regulations promulgated by the Governor in accordance with the provisions of this act. Provided, further, that this section shall not be construed, in any way, to legalize the keeping of such liquors for an unlawful purpose.



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A violation of any provisions of this section shall be a misdemeanor and shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred (\$500.00) dollars and by imprisonment for not less than thirty (30) days or more than six (6) months."

SECTION 5. There is hereby levied on all beverages containing more than one-half of one per cent ( $\frac{1}{2}$  of 1%) alcohol measured by volume and not more than three and two-tenths (3.2%) per cent of alcohol measured by weight, manufactured, and, on or after the effective date of this act, sold, or removed, for consumption or sale within the State of Oklahoma, by whatever name such beverage may be called, a tax of \$2.50 for every barrel containing not more than thirty-one (31) gallons, and at a like rate for any other quantities or for the fractional part of a barrel, authorized and defined by law, to be collected as hereinafter provided.

(a) In addition to the above and foregoing tax, every manufacturer of such beverage shall, before manufacturing same, first obtain a permit or license from the Oklahoma Tax Commission and the receipt of payment of said permit or license shall be on file with the Oklahoma Tax Commission before said manufacturer shall commence operation.

(b) Every retail dealer of such beverages coming within the provisions of this act shall before he offers for sale to the public said beverage, first obtain a license from the Oklahoma Tax Commission and the receipt of said license shall be on file in the office of the Oklahoma Tax Commission before said retail dealer shall offer for sale said beverage.

SECTION 6. Each and every manufacturer referred to in this act shall pay an annual license or permit to the State of Oklahoma in the sum of one thousand (\$1,000.00) dollars.

Each and every retail dealer referred to in this section shall pay an annual license or permit to the State of Oklahoma in the sum of one hundred (\$100.00) dollars.

Each wholesaler engaged in the business of selling said beverage to retailers shall pay an annual license or permit to the State of Oklahoma in the sum of Two Hundred and Fifty Dollars (\$250.00).

The required permit fee shall accompany the application and shall be good for one year from the date of its issuance unless sooner revoked by the Commission and may with the approval of the Commission be renewed upon payment of the required fee. Permits shall not be transferred except with the consent of the Commission and each permit shall designate the place of business for which it is issued.

SECTION 7. The tax hereby levied shall be paid to the Oklahoma Tax Commission by all persons liable for a tax or permit hereunder, and it is hereby made the mandatory duty of the Oklahoma Tax Commission to provide and promulgate rules for the collection of the manufacturers' and retailers' license or permit and for the collection of the tax herein imposed upon the sale of all such beverages.

SECTION 8. Each and every licensee subject to the payment of a tax hereunder is hereby required to keep accurate records, covering the business carried on and shall for such reasonable time as may be prescribed by the rules and regulations of the Oklahoma Tax Commission file and keep his invoices or other memoranda, showing all sales or purchases of such beverages as herein defined; and such invoices or memoranda, shall, at all times, be subject to the examination and inspection of any member or agent of the Oklahoma Tax Commission in the enforcement of this Act.

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SECTION 9. Five (5%) per centum of all monies collected under this act shall be placed to the credit of a fund to be designated as "The Oklahoma Enforcement Fund" to be used for the collection of revenue, making refunds, under this Act, and for the enforcement thereof; and the Oklahoma Tax Commission shall appoint necessary employees and incur all necessary expense for such purpose. Upon the presentation of a claim upon itemized voucher in form as required by law, the State Auditor shall draw warrants therefor upon the State Treasury and the same shall be paid out of the aforesaid fund; and the said fund, or so much thereof, as may be necessary is hereby appropriated for the payment of salaries, expenses and refunds as above mentioned; and if at the end of the fiscal year any part of said fund shall remain unexpended such balance shall, by the State Treasurer, be transferred to and become a part of the General Revenue Fund of the State of Oklahoma.

SECTION 10. Ninety-five (95%) per centum of the monies collected hereunder shall be apportioned quarterly to the several school districts of the State on the scholastic enumeration per capita distribution basis and shall be distributed to the various counties in accordance with the existing law for distribution of like funds and the distribution to the various counties shall be made by the Commission as soon as practicable after the close of each quarterly period ending March 31, June 30, September 30, and December 31, of each year.

SECTION 11. The manufacture and sale of beverages containing more than one-half of one per cent ( $\frac{1}{2}$  of 1%) alcohol by volume and not more than three and two-tenths (3.2) per cent alcohol by weight is hereby prohibited by any person, firm, corporation,

partnership or individual, except in the following manner and places:

(a) In restaurants, cafes, or other public eating places wherein food is bona fide served and consumed by the public.

(b) In hotels or clubs, however, only in the rooms of guests or members of such hotel and in the club rooms of clubs bona fide incorporated with annual dues of at least six (\$6.00) dollars per member; Provided, however, that no club, restaurant, or cafe, shall be issued a permit as a retailer hereunder by the Oklahoma Tax Commission until and unless the same has been doing business or in operation for at least two (2) months immediately prior to the application for such permit.

(c) By the manufacturer or retailer for sale in the original container and not for consumption upon the premises where sold.

SECTION 12. It shall be unlawful for any person, or persons, firm, or corporation to maintain or operate any place where any beverage containing more than one-half of one per cent ( $\frac{1}{2}$  of 1%) of alcohol measured by volume and not more than three and two-tenths (3.2%) measured by weight is sold for consumption on the premises without first securing a license issued by the County Judge. The person applying for such license must make a showing once a year, and must satisfy the County Judge that he is a person of good moral character, that he has never been convicted of violating any of the laws prohibiting the traffic in any spirituous, vinous, fermented or malt liquors, or any of the laws commonly called "Prohibition Laws" or convicted of violating any of the gambling laws of the State of Oklahoma, or any other state or of the United States of America. A fee of five (\$5.00) dollars per year shall be charged by the county judge for the issuance of such license. Upon ap-



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plication being filed the county judge shall give five (5) days' notice by posting such notice. One of said notices to be posted in the county court house and three in the city or township where said beverages are to be sold. Said notice shall contain the name of the applicant and the location of said place of business. Any citizen of said county may appear before the county judge in protest of the issuance of said license.

SECTION 13. The county judge, upon five days' notice, to the person holding such license, shall revoke such license for any one of the following reasons:

(1) Drunkenness of the person holding such license or permitting any intoxicated person to loiter in such places.

(2) As to retailers which are permitted to sell said beverages for consumption upon the premises the sale of said beverages shall be prohibited to any minor under the age of twenty-one years. (21).

(3) For non-payment of any of the taxes or license fees imposed by the provisions of this act.

(4) Violating any of the laws of the State commonly called "Prohibition Laws" or violating any of the gambling laws of the State or permitting any one to violate any of these laws in such places or violating any of the provisions of this act or any of the rules and regulations promulgated by the Oklahoma Tax Commission.

SECTION 14. In addition to the penalties herein provided for violations of sections 2, 3 and 4, of this act, each and every person who refuses to permit the examination of his books, records and files or who ignores or violates the provisions of this act or the rules and regulations of the Oklahoma Tax Commission made pursuant hereto, or who shall engage in the sale of said beverages at retail in violation of the provisions of this act shall be deemed guilty

ty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty (\$50.00) dollars nor more than five hundred (\$500.00) dollars and by imprisonment in the county jail for a period of not less than thirty days nor more than six months.

In addition to the foregoing penalty, any person, firm or corporation, who violates any of the provisions of this act or who refuses to permit the examination of his books, records and files or who ignores or violates the rules and regulations of the Commission made pursuant to this act, or who violates any provisions of this act shall be subject to an injunction forbidding such person from continuing to carry on such business until such time as he makes full and complete compliance with the provisions of this act; and a suit for such injunction may be brought in any court of competent jurisdiction either in the name of the State of Oklahoma upon the relation of the Oklahoma Tax Commission or by the County Attorney of said county.

SECTION 15. All acts or parts of acts in conflict herewith are hereby repealed.

SECTION 16. A special election is hereby ordered to be held throughout the State on the 11th day of July, 1933, for the express purpose of referring this bill to a vote of the people of the State of Oklahoma as provided in Sections 2 and 3 of Article 5 of the Constitution of the State of Oklahoma, and such referred measure shall not take effect and shall not be in force unless it is approved by a majority of the votes cast thereon at said special election.

SECTION 17. The ballot title for said referred measure shall be in the following form:

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BALLOT TITLE

LEGISLATIVE REFERENDUM NO. ....

THE GIST OF THE PROPOSITION IS:

Shall House Bill Number 647 of Fourteenth Legislature of Oklahoma, defining non-intoxicating beverages as those containing not to exceed 3.2 per centum of alcohol measured by weight; amending Sections 2618, 2626 and 2627, Oklahoma Statutes 1931, making unlawful the sale of intoxicating beverages, prescribing punishment for violating Act; regulating and licensing manufacturers and retail dealers of such non-intoxicating beverages, levying tax upon sale and distribution thereof in Oklahoma, and providing for disposition of revenue derived therefrom, be approved?

SHALL THE BILL BE APPROVED?

☐

YES

☐

NO

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Ray, Ritzhaupt, Rizley, Rutherford, Stewart Wilbanks. Total 28.

Nays: Clark, Coppock, Curnutt, Hutchinson, Johnston, Nance, Pugh, Reed, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 15.

Absent: Daugherty. 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. 647, as amended, was ordered referred for engrossment.

Senator Moon moved that the Senate proceed to call

the roll on the question, "Shall an election be called, under House Bill No. 647?"

Senator Briggs, as a substitute, moved that the vote be re-considered by which House Bill No. 647 was passed, for the purpose of amending the bill.

Upon motion of Senator MacDonald, the Senate adjourned to meet at 10:00 o'clock, a. m., Thursday, April 13, 1933.



## SEVENTY-FIFTH LEGISLATIVE DAY

Thursday, April 13, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock a. m., and was called to order by the Secretary, J. Wm. Cordell.

Senator MacDonald presiding.

Upon a roll call, the Presiding Officer announced a quorum "not present" and recessed the Senate, to meet at 11:00 a. m.

At 11:00 a. m., the Senate re-assembled, with Senator Commons presiding, who announced the Senate recessed, to meet at 1:30 p. m.

### AFTERNOON SESSION

At 1:30 p. m., the Senate re-assembled with President Pro Tempore Stewart presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Dixon. Total, 1.

Excused: Daugherty, Logan. Total, 2.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 647,

Senate Bills Nos. 363, 399, 412 and 417, each, correctly engrossed.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed engrossed Senate Amendments to and Engrossed House Bill No. 647, as amended, and ordered the bill returned to the Honorable House.

The Presiding Officer, in open session, signed Engrossed Senate Bills Nos. 399 and 363 and ordered each transmitted to the Honorable House.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to recall:

ENGROSSED HOUSE JOINT RESOLUTION  
NO. 37—By PAXTON of the House and CARMACK of the Senate.

A Joint Resolution appropriating \$210.50 for the purpose of paying hospital bill and medical bill and for loss of time of Homa Yarbrough for injuries received at the hands of escaped convicts from the state reformatory at Granite, Oklahoma; and declaring an emergency, for the purpose of correcting the roll call.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Briggs, the request of the Honorable House was granted and Engrossed House Joint Resolution No. 37 was ordered returned to the Honorable House.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to

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advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 387—By EBEY (Pontotoc) and HAILE, entitled:

An Act amending Sections 12669 and 12675 Oklahoma Statutes 1931, limiting the maximum ad valorem tax levy which may be made by counties, cities, towns, townships and school districts; further defining the duties and powers of county excise boards; repealing Sections 10195 and 10196 Oklahoma Statutes 1931, and conflicting laws; and declaring an emergency, and the Bill has been passed, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 318—By TIMMONS, KIRKPATRICK, CHAMBERS, and EBY (Tulsa), BOYER, BEARD and LOGSDON.

An Act amending Section 7042, O. S. 1931, providing for the transfer and transportation of pupils in separate schools; 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 read for the fourth time and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 318 was read at length for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore, and ordered returned to the Honorable House.

#### RESOLUTIONS AND NOTICES

Senator Chamberlin introduced the following Reso-

lution, which, by unanimous consent, was read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 21—By  
PUGH, PAUL, CHAMBERLIN.

A RESOLUTION REQUESTING AN INVESTIGATION BY THE DEPARTMENT OF AGRICULTURE OF THE UNITED STATES OF THE PRICES CHARGED BY STOCKYARDS FOR FEED FOR LIVE STOCK SHIPPED TO SAID STOCKYARDS FOR MARKETING.

WHEREAS, the Oklahoma Stockyards, located at Oklahoma City, do not permit the patrons of such yards to provide their own feed for their own stock that they bring there to sell and market, and

WHEREAS, said Stockyards charge patrons from eighty (.80) cents to One (\$1.00) Dollar per bale for hay and eighty (.80) cents per bushel for corn and this works an undue hardship on the patrons of such concern and the citizens of Oklahoma feel that an investigation is entirely justifiable and necessary by the Federal Department,

THEREFORE, BE IT RESOLVED, by the Senate of Oklahoma, the House of Representatives concurring therein, that an investigation of said matter be requested of the Department of Agriculture and that proper steps be taken to remedy said situation.

Upon motion of Senator Chamberlin, Senate Concurrent Resolution No. 21 was adopted and referred for engrossment.

Senator Nance moved that the vote be re-considered by which SENATE BILL NO. 293, by Moon, was passed, which motion, by unanimous consent, he withdrew.

Senator Nance moved that the matter of the reconsideration of the vote by which Senate Bill No. 293 was passed, be set for Special Order at 1:30 p. m., on the next legislative day, which motion prevailed.



Senator Nance asked unanimous consent, to which objections were voiced, to revert back to the order of business, resolutions, notices, and motions.

Upon motion of Senator Nance, the Senate reverted to such order of business.

Senator Nance moved that HOUSE BILL NO. 4, by Daniels, et al, be advanced to engrossment and third reading.

Senator Ballard raised a point of order against the Nance motion, which was overruled, stating the motion would require a suspension of the rules.

Senator Briggs presiding.

Senator Commons, as a substitute, moved that the Senate proceed to the consideration of HOUSE BILL NO. 619, which motion was ruled out of order by the Chair, who stated a motion to advance is a superior one.

Senator Memminger, as a substitute, moved that consideration of House Bill No. 4, be deferred until House Bill No. 619 has been disposed of, which motion was ruled out of order, for the reason a motion to advance is a superior one.

Senator Nichols, as a substitute, moved that House Bill No. 4 be considered section by section, for the purpose of offering amendments.

Senator Taylor moved to table the Nichols motion, which motion failed of adoption.

The vote occurring on the Nichols motion, it was declared adopted.

Senator Rizley moved that consideration of House Bill No. 619 be substituted for House Bill No. 4, which motion was ruled out of order, the Chair announcing that the Nichols motion controls action of the Senate.

Senator Rizley, as a substitute, moved that the Senate proceed to the consideration of House Bill No. 619.

Senator Nance, in lieu of all pending motions, moved that House Bill No. 4 be advanced to engrossment and third reading.

Senator Memminger raised a point of order against the Nance motion, which was sustained, citing rule 31.

Senator Rizley asked unanimous consent, which was granted, to withdraw his motion.

Section 1 was read.

Senator Nichols submitted the following amendment:

Mr. President: I move to amend House Bill No. 4, line 11, page 11, by striking the words and figures "two dollars and fifty cents (\$2.50)", and inserting the words and figures "one dollar and twenty-five cents (\$1.25)".

NICHOLS.

Senator Carmack moved to table the Nichols amendment, which motion failed of adoption.

The vote occurring on the Nichols amendment, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Clark, Commons, Fidler, Howard, Jennings, Liggett, Morrison, Nichols, Paul, Powers, Ritzhaupt, Rizley, Willis. Total, 14.

Nays: Briggs, Carmack, Chamberlin, Coppock, Curnutt, Fischl, Garvin, Johnston, Lester, Memminger, Moon, Nance, Ray, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 21.

Not voting: Carlile, Hutchinson, MacDonald, Pugh, Reed, Waldrep. Total, 6.

Absent: Dixon. Total, 1.

Excused: Daugherty, Logan. Total, 2.

Senator Nichols submitted the following amendment:

Mr. President: I move to amend House Bill No. 4, line 9, page 2, by changing the words and figures "one thousand dollars (\$1000.00)" to read "two thousand dollars (\$2,000.00)", and line 10, by changing figures "\$250.00" to read "\$500.00"

NICHOLS.

Senator Nichols asked unanimous consent, which was granted, to withdraw his amendment.

Senator Johnston submitted the following amendment:

Mr. President: I move to amend House Bill No. 4, line 18, page 11, after the last word on said page, by adding the following new paragraph: "On all electric current used for heat, light and power, or either, one-eighth of one per cent kilowatt hour."

JOHNSTON.

Senator Ritzhaupt raised a point of order against the Johnston amendment, which was sustained, stating the amendment was to Section 11.

Senator Ritzhaupt submitted the following amendment:

Mr. President: I move to amend House Bill No. 4, line 6, page 2, by adding after the word "more" and before the word "shall", the following: "it is also provided that a person applying for a pension does not have any relation by blood or affinity, possessing property, real and/or personal, of the value of \$2,000.00."

RITZHAUPT.

Senator Nance moved to table the Ritzhaupt amendment, which motion failed of adoption.

Senator Nance, as a substitute, moved that House Bill No. 4 be advanced to engrossment and third reading.

Senator Memminger raised a point of order against the Nance motion, citing rule 12.

The Chair made the following observation: "Rule 12 provides that the Senate may order otherwise and if the Nance motion is adopted, it is an order of the Senate to advance under that rule."

Senator Ballard moved that the Senate recess, to meet at 7:30 p. m.

Senator Nance raised a point of order against the

Ballard motion, which was sustained, stating a roll call had been ordered on his motion.

The vote occurring on the Nance motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carmack, Clark, Coppock, Curnutt, Garvin, Johnston, Lester, Nance, Ray, Rizley, Sowards, Stacey, Stewart, Taylor, Waldrep, Wilbanks. Total, 17.

Nays: Ballard, Carlile, Commons, Fidler, Fischl, Howard, Jennings, Liggett, Memminger, Morrison, Nichols, Paul, Ritzhaupt, Thomas, Whitaker, Willis. Total, 16.

Not voting: Chamberlin, Hutchinson, MacDonald, Moon, Powers, Pugh, Reed, Rutherford. Total, 8.

Absent: Dixon. Total, 1.

Excused: Daugherty, Logan. Total, 2.

Senator Whitaker sent up the following explanation of his vote:

Mr. President: I desire to make the following explanation of my vote on roll call to advance House Bill No. 4 to third reading: I voted "no", for the reason that if such motion prevailed, it would put the bill beyond amendment at a time when the bill had not been fully considered, and needed amendment with reference to revenue had not yet been acted upon.

WHITAKER.

President Pro Tempore Stewart introduced Mrs. Grace Morrison Poole, President of the General Federation of Women's Clubs of America, who made a few brief statements.

### THIRD READING

HOUSE BILL NO. 4 was read for the third time at length.

Senator Commons attempted to submit an amendment to line 9, page 10, of House Bill No. 4.

Senator Nance raised a point of order against



the Commons amendment, which was sustained, stating House Bill No. 4 was not in the amendment stage.

Senator Nichols raised a point of order against advancement of House Bill No. 4, which was overruled, stating the record vote does not disclose twenty-three members voting for such motion.

Senator Commons moved that the rules of the Senate be suspended, for the purpose of submitting and considering amendment to Section 11.

Senator Ballard moved to amend the Commons motion, by providing "for the purpose of submitting and considering amendments to Section 11," which motion prevailed.

The vote occurring on the Commons motion, as amended, it was declared adopted.

Senator Commons submitted the following amendment:

Mr. President: I move to amend House Bill No. 4, line 9, page 10, by striking after the word "law" and before the word "a", all the remainder of line 9, and lines 10 and 11, to and including the word "state", and substituting therefor, the following: "seven and one-half per centum of the funds received from the sales tax, known as Engrossed House Bill No. 619," and by striking the remainder of the Section.

#### COMMONS.

Senator Commons asked unanimous consent, which was granted, to submit the following amendment in lieu of his amendment now pending, which was adopted:

Mr. President: I move to amend House Bill No. 4, line 8, page 10, by striking after the word "Act", all the remainder of Section 11, and substituting therefor, the following: "seven and one-half per cent of the revenue derived from and under the provisions of Engrossed House Bill No. 619, of the Acts of the Fourteenth Legislature, shall be apportioned to the fund known as 'The Old Age Security Fund' and for

the purposes of this Act this fund is hereby appropriated."

COMMONS.

Upon motion of Senator Nance, House Bill No. 4, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Nance, the rules of the Senate were suspended and House Bill No. 4 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 4, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Paul, Ray, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks. Total, 26.

Nays: Clark, Coppock, Liggett, Moon, Nichols, Powers, Ritzhaupt, Rizley, Thomas, Willis. Total, 10.

Not voting: Ballard, Hutchinson, Pugh, Reed, Rutherford. Total, 5.

Absent: Dixon. Total, 1.

Excused: Daugherty, Logan. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Paul, Powers, Ray, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks. Total, 28.

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Nays: Coppock, Liggett, Moon, Nichols, Ritzhaupt, Rizley, Thomas, Willis. Total, 8.

Not voting: Ballard, Hutchinson, Pugh, Reed, Ruth-  
erford. Total, 5.

Absent: Dixon. Total, 1.

Excused: Daugherty, Logan. Total, 2.

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 Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend the title to House Bill No. 4, by striking therefrom the following: "LEVYING STAMP TAXES THEREFOR" and inserting in lieu thereof, the following: "PROVIDING THAT SEVENTY-FIVE PER CENT OF THE TOTAL REVENUE RAISED UNDER THE PROVISIONS OF ENGROSSED HOUSE BILL NO. 619, PASSED BY THE FOURTEENTH LEGISLATURE, SHALL BE USED THEREFOR," and by striking the words, "AND DECLARING AN EMERGENCY."

CURNUTT.

Engrossed House Bill No. 4, as amended, was referred for re-engrossment.

Upon motion of Senator MacDonald, the Senate proceeded to the consideration of SENATE BILL NO. 417, by MacDonald, under Third Reading.

Senator MacDonald asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 417, line 4, page 6, by adding after the word "the" and before the word "expenses," the words, "necessary

operating", and by striking the word "thereof" and substituting therefor, the words "of said Commission."

MacDONALD.

Senator MacDonald asked unanimous consent, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 417, line 16, page 5, by adding after the word "the" and before the word "expenses", the words "necessary operating", and by striking the word "thereof" in line 17, and substituting the words "of said Commission."

MacDONALD.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 417, line 1, page 6, by inserting after the word "Treasury" and before the word "not", the following: "to the credit of the Oklahoma Tax Commission and allocating to the Oklahoma Tax Commission, for the purpose of collection of taxes."

CURNUTT.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 417, line 13, page 5, by inserting after the word "Treasury", the following: "to the credit of the Oklahoma Tax Commission and allocating to the Oklahoma Tax Commission, for the purpose of collection of taxes."

CURNUTT.

Senator Chamberlin moved that, when the hour of 5:00 p. m. arrives, the Senate recess, to meet at 7:30 p. m., which motion prevailed.

Senator Memminger asked unanimous consent, which was granted, to submit the following amendment, which was adopted:



Mr. President: I move to amend Senate Bill No. 417, line 1, page 2, by striking after the word "duties," the balance of line 1, and lines 2, 3, and 4.

MEMMINGER.

SENATE BILL NO. 417 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Paul, Powers, Pugh, Ritzhaupt, Ritzley, Rutherford, Sowards, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Moon, Stacey, Thomas. Total, 4.

Not voting: Ballard, Hutchinson, Jennings, Nance, Ray, Reed, Waldrep. Total, 7.

Absent: Dixon. Total, 1.

Excused: Daugherty, Logan. 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Paul, Powers, Pugh, Ritzhaupt, Ritzley, Rutherford, Sowards, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Moon, Stacey, Thomas. Total, 4.

Not voting: Ballard, Hutchinson, Jennings, Nance, Ray, Reed, Waldrep. Total, 7.

Absent: Dixon. Total, 1.

Excused: Daugherty, Logan. 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. 417 was ordered referred for re-  
engrossment.

Senator Nichols moved that the Senate proceed to the consideration of HOUSE BILL NO. 619.

Senator Paul moved to amend the Nichols motion to provide at the conclusion of House Bill No. 619, Bills under third reading be taken up for consideration, which motion prevailed.

The vote occurring on the Nichols motion, as amended, it was declared adopted.

Section 1 was read and adopted, upon motion of Senator Morrison.

Section 2 was read.

Senator Morrison submitted the following amendment:

Mr. President: I move to amend House Bill No. 619, line 10, page 2, by striking the words and figures "Ninety-seven per centum (97%)" and inserting the words and figures "Seventy-two per centum (72%)."

MORRISON,  
FIDLER.

Senator Whitaker, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 619, lines 10, 11, 12, 13, and 14, page 2, and line 1, page 3, by striking all of said lines to and including the word "funds," in line 1, page 3, and inserting the following: "(a) Ninety-seven per centum (97%) of such money shall be apportioned as follows: seven and one-half per centum thereof to be deposited in the State Treasury to be expended and distributed under the provisions of House Bill No. 4, of the Fourteenth Legislature creating the Old Age Security Commission. (2) Thirty per centum thereof to be deposited in the State Treasury to

the credit of the Special Common School Equalization Fund created under the provisions of Chapter 34, Article 21, Oklahoma Statutes, 1931, and when so collected and deposited, is hereby appropriated to be used and expended as provided in said Chapter 34, Article 21, Oklahoma Statutes 1931. (3) Sixty-two and one-half per centum shall be distributed to the various counties for the support of common schools upon a scholastic, enumeration, per capita basis in accordance with existing laws for the distribution of like funds."

WHITAKER.

President Pro Tempore Stewart presiding.

Upon motion of Senator Commons, the Senate recessed, to meet at 7:30 p. m.

#### EVENING SESSION

The Senate re-assembled at 7:30 p. m., and was called to order by the President.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolution No. 21 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 21 and ordered it transmitted to the Honorable House.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED HOUSE JOINT RESOLUTION  
NO. 37—By PAXTON of the House and CARMACK of  
the Senate:

A Joint Resolution appropriating \$210.50 for the purpose of paying hospital bill and medical bill and for loss of time of Homa Yarbrough for injuries received at the hands of escaped convicts from the state reformatory at Granite, Oklahoma; and declaring an emergency, which was recalled by the House for the purpose of correcting the roll call.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Joint Resolution No. 37.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 169 — By O'NEILL, entitled:

An Act abolishing the superior court of Garfield County; providing for the disposition of all cases pending in said court; fixing the effective date of this Act, and the Bill has been passed AS AMENDED:

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 573—By PHILIPS (Okfuskee) and OTTESEN, entitled:

An Act authorizing the appointment by the State Highway Commission and the Oklahoma Tax Commission of a certain number of enforcement officers for the enforcement of the laws, rules and regulations relating



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to the public highways of the state of Oklahoma and the operation of motor vehicles thereon; defining their duties, fixing their compensation; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 373—By ALBRIGHT, COLLINS, ALLEN, O'NEILL and JESSEE, entitled:

An Act amending Section 9046, Oklahoma Statutes, 1931, providing that persons employed in feeding, grazing or herding domestic animals, whether in pasture or otherwise, shall have a first and prior lien on said animals for the amount due for such feeding, grazing or herding; providing for the enforcement of said lien, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 373 and 573.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 735—By LOWRANCE of the House and FISCHL of the Senate, entitled:

An Act authorizing the Board of Affairs to transfer an appropriation made by the 13th Legislature for the Oklahoma School for Deaf at Sulphur, for the purpose of remodeling old industrial building for hospital to a fund for the purpose of remodeling and repairing present hospital building, and declaring an emergency, and to advise 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 735.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 169 — By O'NEILL, entitled:

An Act abolishing the superior court of Garfield County; providing for the disposition of all cases pending in said court; fixing the effective date of this Act, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 169 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 387—By EBEY (Pontotoc) and HAILE, entitled:

An Act amending Section 12669 Oklahoma Statutes 1931, limiting the maximum ad valorem tax levy which may be made by counties, cities, towns, townships and school districts; further defining the duties and powers of county excise boards; repealing Sections 10195 and

10196 Oklahoma Statutes 1931, and conflicting laws; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 387 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 12 — By STACEY, entitled:

An Act to protect borrowers from building and loan associations in the event of the insolvency of the association, by providing that the borrower shall receive credit on his indebtedness for the full amount of principal paid on his loan; repealing conflicting Acts; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 12 were read, as follows:

AMENDMENT NO 1. Amending the title of said bill as follows: By adding after the word "loan" in line 8 and before the word "repealing" in line 9 of said title these words: "and accumulated premiums."

AMENDMENT NO. 2. By adding the name of Roberts of the House as a joint author.

Upon motion of Senator Nance, the Senate concurred in House amendments to Senate Bill No. 12.

SENATE BILL NO. 12 was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Chamberlin, Clark, Commons, Currutt, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Not Voting: Ballard, Carlile, Carmack, Coppock, Fidler, Howard, Jennings, Moon, Ray, Rutherford, Wilbanks. Total, 11.

Absent: Dixon. Total, 1.

Excused: Daugherty, Logan. 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: Briggs, Chamberlin, Clark, Commons, Currutt, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Not Voting: Ballard, Carlile, Carmack, Coppock, Fidler, Howard, Jennings, Moon, Ray, Rutherford, Wilbanks. Total, 11.

Absent: Dixon. Total, 1.

Excused: Daugherty, Logan. 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, in open session, signed Engrossed



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House Amendments to Senate Bill No. 12 and ordered the bill, as amended, referred for enrollment.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 49—By NICHOLS, entitled:

An Act providing for a cash deposit by any party to a civil action before a trial court where the court fund may become exhausted or depleted, and making it the duty of the judge of such court to cause such jury to be drawn and impanelled, and fixing the number of such jurors and their per diem; 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, AS AMENDED, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 49 were read, as follows:

AMENDMENT NO. 1. Page 1, Section 2, Lines 24, 25 and 26. By striking all that part of line 24 after the word jury, striking all of line 25 and all of line 26 to the period after the word "service."

AMENDMENT NO. 2. Page 2, Section 3, Lines 10 and 11. By striking the word "full" in line 10 and by adding after the word "day" in line 11, the following language: "and mileage at the rate of five cents per mile for every mile of necessary travel in going to and returning from the place of meeting of the court."

Upon motion of Senator Nichols, the Senate concurred in Engrossed House Amendments to Senate Bill No. 49.

By unanimous consent, further consideration of Sen-

ate Bill No. 49, as amended, by the Honorable House, was deferred.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 265 — By JOHNSTON, entitled:

An Act establishing moratorium and providing ways, means, and procedure for opening banks in charge of the State Banking Department; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 265 was ordered referred for enrollment.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 410—By CURNUTT and COMMONS, entitled:

An Act making an appropriation of one hundred seventy-five (\$175.00) dollars out of any moneys in the State Treasury, not otherwise appropriated, for the fiscal year ending June 30, 1933, for the purpose of purchasing stamps by the clerk of the Supreme Court during the remainder of said fiscal year; and declaring an emergency,

and to advise 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 410 was ordered referred for enrollment.

The following Message from the Governor was received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE BILL NO. 382,  
authorizing the State Board of Public Affairs to acquire land in Carter and Love counties to construct a lake, which bill I have this day signed and approved.

Witness my hand, this April 13th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

SECOND READING

The following Bills were read for the second time, and, by unanimous consent, ordered placed upon the Calendar, without reference to a committee:

SENATE BILL NO. 418—By NICHOLS.

SENATE BILL NO. 419—By DIXON, NICHOLS  
and FISCHL.

SENATE BILL NO. 420—By FIDLER and NICHOLS.

SENATE BILL NO. 421—By GARVIN and PAUL.

SENATE BILL NO. 422—By BALLARD.

SENATE BILL NO. 423—By NANCE and PAUL.

ENGROSSED HOUSE BILL NO. 682—By ANGLIN, BATSON, DANIEL, LEECRAFT, GARLAND, BABB, PHILLIPS (Atoka), PHILLIPS (Okfuskee).

ENGROSSED HOUSE JOINT RESOLUTION

NO. 56—By SMALLEY, LOGSDON, PARKS, KIGHT, HAILE, et al.

ENGROSSED HOUSE JOINT RESOLUTION NO. 53—By COX, ABERNETHY, (Harmon), WINGO, PALMER, ULMARK, WILMOT, O'NEILL, BURNHAM, ALLEN, BEAMAN, CLOYD and WILLIAMS.

ENGROSSED HOUSE JOINT RESOLUTION NO. 52—By HENDERSON.

ENGROSSED HOUSE BILL NO. 514—By GARLAND.

ENGROSSED HOUSE BILL NO. 258—By GRAY, PALMER, MALLORY, FRALEY, SULLIVAN, CAVINS, JESSEE, HART, BLOCKER, KIGHT, ULMARK, CLOYD, BEAVER, ALLEN, SPECK, COX, HUGHES, TODD, MUNSON, JONES, CLINE, JOHN-SON (Comanche), and MRS. DAVIS.

ENGROSSED HOUSE BILL NO. 418—By WAGNER and MARTIN.

Upon motion of Senator Chamberlin the vote was re-considered by which HOUSE CONCURRENT RESOLUTION NO. 15 by Cox, Henderson, et al., was adopted.

Upon motion of Senator Chamberlin, the vote was re-considered by which the Paul amendment to Engrossed House Concurrent Resolution No. 15 was adopted.

By unanimous consent, further consideration of House Concurrent Resolution No. 15 was deferred.

#### GENERAL ORDER

Upon motion of Senator Fidler, SENATE BILL NO. 416, by Fidler, was advanced to engrossment and third reading.

Upon motion of Senator Waldrep, SENATE BILL NO. 348, by Waldrep, was advanced to engrossment and third reading.

Senator Thomas moved that HOUSE BILL NO. 666,



by Todd and Fitzgerald, be advanced to engrossment and third reading.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend House Bill No. 666, line 3, page 2, by adding after the word "state," the words "provided that the streets around and about the State Capitol Building and Lincoln Boulevard, from 23rd Street to 16th Street, Oklahoma City, and which were laid out pursuant to the George E. Kessler plan, shall be a part of the State Highway System."

CURNUTT.

Senator Thomas raised a point of order against the Curnutt amendment, which was sustained, stating that the amendment was not germane.

Following discussion, the President declared the Curnutt amendment before the Senate.

The vote occurring on the Curnutt amendment, it was declared failed of adoption.

The vote occurring on the Thomas motion, it was declared adopted.

Senator Curnutt asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading, HOUSE BILL NO. 338, by Johnson, et al, of the House, and Curnutt, of the Senate.

Senator Curnutt moved that House Bill No. 338 be advanced to engrossment and third reading, which motion was tabled, upon motion of Senator Stewart.

Senator Morrison made the observation that HOUSE BILL NO. 619 is "unfinished business" and should be proceeded with.

The President declared House Bill No. 619 before the Senate for further consideration.

Senator Whitaker asked unanimous consent, which was granted, to submit the following amendment in lieu of his former amendment:

Mr. President: I move to amend House Bill No.

619, line 10, page 2, by striking all of lines 10, 11, 12, 13 and 14 on page 2 and line 1 on page 3 to the word "funds"; and by inserting in lieu thereof the following:

(a) Ninety-seven per centum (97%) of such money shall be appropriated as follows:

(1) Seven and one-half per centum (7½%) thereof to be deposited in the State Treasury to be expended and distributed under the provisions of House Bill No. 4 of the Fourteenth Legislature of 1933 creating the Old Age Security Commission, in the event such act becomes effective;

(2) Thirty per centum (30%) thereof to be deposited in the State Treasury to the credit of the Special Common School Equalization Fund, created under the provisions of Chapter 34, Article 21, Oklahoma Statutes 1931, and when so collected and deposited, is hereby appropriated to be used and expended as provided in said Chapter 34, Article 21, Oklahoma Statutes 1931;

(3) The remainder of such Ninety-seven per centum (97%) shall be distributed to the various counties, for the support of common schools, upon a scholastic, enumeration, per capita, basis, in accordance with existing law for the distribution of like funds.

BRIGGS,  
WHITAKER.

Senator Waldrep presiding.

Senator Dixon asked to be recorded "present," which was the order.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend the Whitaker amendment, sub-section 2, by striking "thirty per cent" and inserting "twenty-five per cent."

CHAMBERLIN.

Senator Chamberlin presiding.

Upon motion of Senator MacDonald, the previous question was ordered.

Senator Paul moved that the rules of the Senate be suspended, for the purpose of further considering the Whitaker amendment, item by item, which motion failed of adoption.

Senator Ballard asked unanimous consent, which was granted, to strike from the Calendar, SENATE BILL NO. 422, by Ballard, and refer the bill to the Committee on Privileges and Elections for consideration.

Referring further to HOUSE BILL NO. 619: Senator Dixon moved to table the Whitaker amendment, as amended, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Chamberlin, Clark, Curnutt, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Morrison, Nichols, Powers, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Stacey, Thomas, Waldrep, Willis. Total, 25.

Nays: Briggs, Carlile, Commons, MacDonald, Memminger, Nance, Paul, Reed, Stewart, Taylor, Whitaker. Total, 11.

Not Voting: Carmack, Coppock, Howard, Moon, Rutherford, Wilbanks. Total, 6.

Excused: Daugherty, Logan. Total, 2.

Senator Stewart moved that the Senate adjourn, to meet at 1:30 p. m. on the next legislative day, which motion failed of adoption.

Senator Nance moved that House Bill No. 619 be advanced to engrossment and third reading, which motion was tabled, upon motion of Senator Fidler.

Senator Morrison submitted the following amendment:

Mr. President: I move to amend House Bill No. 619, line 5, page 7, by adding after the figures "1934", the following: "provided, however, that where the funds in any school district are not sufficient to operate the schools for a nine months term, then as much as ten per cent of the funds received in said district,

by reason of this Act, may be used without reference to reduction of ad valorem levies in said amount."

MORRISON.

Senator Briggs, in lieu of all pending motions, moved the adoption of the following amendment:

Mr. President: I move to amend House Bill No. 619, line 10, page 2, as follows:

By striking all of lines 10, 11, 12, 13 and 14 on page 2 and line 1 on page 3 to the word "funds"; and by inserting in lieu thereof the following:

(a) Ninety-seven per centum (97%) of such money shall be appropriated as follows:

(1) Seven and one-half per centum ( $7\frac{1}{2}\%$ ) thereof to be deposited in the State Treasury to be expended and distributed under the provisions of House Bill No. 4 of the Fourteenth Legislature of 1933 creating the Old Age Security Commission, in the event such act becomes effective;

(2) Twenty per centum (20) thereof to be deposited in the State Treasury to the credit of the Special Common School Equalization Fund, created under the provisions of Chapter 34, Article 21, Oklahoma Statutes 1931, and when so collected and deposited, is hereby appropriated to be used and expended as provided in said Chapter 34, Article 21, Oklahoma Statutes 1931;

(3) The remainder of such Ninety-Seven per centum (97%) shall be distributed to the various counties, for the support of common schools, upon a scholastic, enumeration, per capita basis, in accordance with existing law for the distribution of like funds,

BRIGGS.

Senator Nichols raised a point of order against the Briggs amendment which was overruled, stating sub-section (a) had been previously disposed of.

Senator Waldrep moved to table the Briggs amend-



ment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Clark, Curnutt, Dixon, Fidler, Fischl, Hutchinson, Jennings, Johnston, Liggett, Morrison, Nichols, Powers, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Stacey, Thomas, Waldrep, Willis. Total, 22.

Nays: Briggs, Carlile, Chamberlin, Commons, Garvin, Lester, MacDonald, Memminger, Nance, Paul, Reed, Stewart, Taylor, Whitaker. Total, 14.

Not Voting: Carmack, Coppock, Howard, Moon, Rutherford, Wilbanks. Total, 6.

Excused: Daugherty, Logan. Total, 2.

Senator Jennings, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 619, line 17, page 3, by striking after the word "funds", the remaining portion of Section 1.

President Burns presiding.

Senator Whitaker, in lieu of all pending motions, submitted the following amendment:

Mr. President: I move to amend House Bill No. 619, by striking after the word "be", in line 11, page 2, all the balance of line 11 and all of lines 12, 13, and 14, page 2, and line 1, page 3, to and including the word "funds" and inserting the following: "distributed to the various counties for the support of common schools upon a scholastic, enumeration, per capita basis in accordance with existing law for distribution of like funds."

#### WHITAKER.

Senator Whitaker moved that a Special Committee be appointed, for the purpose of considering the apportionment provisions of House Bill No. 619, with instructions to report immediately upon the convening of the Senate on the next legislative day.

Senator Jennings, as a substitute, moved that

House Bill No. 619 be recommitted to a Special Committee of three, to be appointed by the President, with instructions to redraft Section 2, so as to provide for the distribution of revenues derived therefrom, as follows:

(1) 3% of the moneys so collected for the enforcement of the provisions of such Act,

(2) 7½% of such fund to be used for the purposes provided in House Bill No. 4, of the 14th Legislature, if valid, and,

(3) The remaining portion to be placed to the credit of the Common School Fund of the State, to be distributed on the enumeration basis without any limitations or restrictions whatsoever.

Senator Jennings asked unanimous consent, which was granted, to strike the figure "3%," and insert the figure, "7%."

Upon motion of Senator Pugh, the Jennings motion was tabled.

Senator Chamberlin submitted the following amendment:

Mr. President: I move to amend House Bill No. 619, line 10, page 2, as follows:

By striking all of lines 10, 11, 12, 13 and 14 on page 2 and line 1 on page 3 to the word "funds"; and by inserting in lieu thereof the following:

(a) Ninety-seven per centum (97%) of such money shall be appropriated as follows:

(1) Twenty per centum (20) thereof to be deposited in the State Treasury to the credit of the Special Common School Equalization Fund, created under the provisions of Chapter 34, Article 21, Oklahoma Statutes 1931, and when so collected and deposited, is hereby appropriated to be used and expended as provided in said Chapter 34, Article 21, Oklahoma Statutes 1931;

(2) The remainder of such Ninety Seven per cent-

um (97%) shall be distributed to the various counties, for the support of common schools, upon a scholastic, enumeration, per capita basis, in accordance with existing law for the distribution of like funds.

CHAMBERLIN.

Senator Dixon raised a point of order against the Chamberlin amendment, which was sustained, stating the Jennings amendment was pending.

Upon motion of Senator Nichols, the Jennings amendment was tabled.

Senator Hutchinson moved that the Senate adjourn, to meet under the rule.

Senator Jennings, as a substitute, moved that the Senate adjourn to meet at 1:30 p. m., which motion failed of adoption.

Senator Whitaker asked unanimous consent, which was granted, to withdraw his amendment.

Senator Chamberlin submitted the following amendment:

Mr. President: I move to amend House Bill No. 619, line 10, page 2, as follows:

By striking all of lines 10, 11, 12, 13 and 14 on page 2 and line 1 on page 3 to the word "funds"; and by inserting in lieu thereof the following:

(a) Ninety-seven per centum (97%) of such money shall be appropriated as follows:

(1) Twenty per centum (20) thereof to be deposited in the State Treasury to the credit of the Special Common School Equalization Fund, created under the provisions of Chapter 34, Article 21, Oklahoma Statutes 1931, and when so collected and deposited, is hereby appropriated to be used and expended as provided in said Chapter 34, Article 21, Oklahoma Statutes 1931;

(2) The remainder of such Ninety Seven per centum (97%) shall be distributed to the various counties, for the support of common schools, upon a scholastic,

enumeration, per capita basis, in accordance with existing law for the distribution of like funds.

CHAMBERLIN.

Senator Paul moved to amend the Chamberlin amendment, to provide 7½% for the Old Age Security Commission, as provided by House Bill No. 4.

Senator Waldrep, in lieu of all pending motions, moved that "the Chair appoint a Special Committee of 3, to redraft that particular feature of House Bill No. 619, relating to the distribution of these funds and that, among other things, the Committee be instructed to provide 15% of the funds shall go into the Common School Equalization fund of 7½% shall go to carry out the provisions of House Bill No. 4, passed by the 14th Legislature, and 25% of the moneys, derived from House Bill No. 619, as apportioned to the various school districts of the State may go to current expenses without reduction of ad valorem levy and balance to be apportioned as provided in the bill."

Senator Jennings, as a substitute for all pending motions, submitted the following motion:

Mr. President: I move that Senate Bill No. 619 be re-committed to a Special Committee of 7, to be appointed by the President, with instructions to redraft Section 2, in such manner as to provide for the distribution of the funds derived therefrom as follows:

(1) 3% of such funds for the enforcement of the provisions of such Act;

(2) 10% to be placed in the Common School Equalization Fund of the State, as provided by Chapter 34, Article 21, Oklahoma Statutes, 1931;

(3) 7½% to be used for the purposes of House Bill No. 4, of the 14th Legislature, if valid; and,

(4) The remaining portion of such funds to be placed in the Common School Fund of the State, to be



distributed upon the enumeration basis without any restrictions whatsoever."

JENNINGS.

Upon motion of Senator Briggs, the Jennings motion was tabled.

Senator Nichols moved that a Special Committee of 7 be appointed, to redraft Section 2 of House Bill No. 619, with instructions to report at 11:00 o'clock, a. m., on the next legislative day, the said Committee to consult with the Chief Executive on the bill.

Senator Nance moved to amend the Nichols motion, by instructing the Special Committee "to incorporate in Section 2, a provision to take care of the 7½% for Old Age Security Commission."

Senator Jennings raised a point of order against the Nance amendment, citing Rule 14, the Chair ruling the motion was to redraft Section 2.

Senator Nance asked unanimous consent, which was granted, to withdraw his amendment to the Nichols motion.

The vote occurring on the Nichols motion, it was declared adopted, the President appointing as the Special Committee, thereunder, Senators Morrison, Chamberlin, Dixon, Whitaker, Jennings, Nance and Rizley.

Senator Jennings asked unanimous consent, which was granted, to withdraw as a member of the Special Committee, the President appointing in his stead Senator Briggs.

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 Revenue and Taxation to whom was referred House Bill No. 236, by Phillips (Okfuskee), entitled:

An Act amending Section 12656, Oklahoma Statutes 1931, relating to the duties, powers and authority of the

State Board of Equalization; providing additional powers and authority as to equalization and adjustment of certain property; 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.

WHITAKER, Chairman.

Mr. President: We, your Special Committee, to whom was referred House Bill No. 294, by Hogg and Jones, entitled:

An Act amending Section 12797, Oklahoma Statutes 1931, relating to unlawful discriminations in the purchase or sale of commodities of general use and in the rendering of service to the public; 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.

REED, Chairman.

Mr. President: We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 307, by Memminger, entitled:

An Act relating to the fiscal agent of the State 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.

MEMMINGER, Chairman.

Mr. President: We, your Committee on Privileges and Elections, to whom was referred, Committee Substitute for Senate Bill No. 422, by Ballard of the Senate and Garland of the House, entitled:

An Act ordering a special election to be held in the State of Oklahoma on the 11th day of July, 1933, for the express purpose of referring House Bill No. 647 of the Fourteenth Legislature to a vote of the people; pre-

scribing ballot title; creating a special fund to be used for the purpose of paying the expenses of said election; providing the procedure for disbursing said fund; providing that if any portion of the Act is held invalid such fact shall not affect the remaining provisions, 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.

BALLARD, Chairman.

Upon motion of Senator Dixon, the Senate adjourned, to meet at 1:30 p. m., Friday, April 14, 1933.

## SEVENTY-SIXTH LEGISLATIVE DAY

Friday, April 14, 1933

Pursuant to adjournment, the Senate 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 40.

Excused: Coppock, Daugherty, Logan, Stewart. Total, 4.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Liggett asked unanimous consent, which was granted, that Senator Daugherty be "excused" for the remainder of this week.

Senator Briggs moved that the Senate concur in Engrossed House Amendments to Engrossed Senate Bill No. 127, which motion prevailed.

SENATE BILL NO. 127 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Fischl, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Waldrep, Whitaker, Willis. Total, 30.



Nay: Nance.    Total, 1.

Not voting: Carlile, Garvin, Howard, Morrison, Ray, Reed, Sowards, Thomas, Wilbanks.    Total, 9.

Excused: Coppock, Daugherty, Logan, Stewart.    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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Fischl, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Waldrep, Whitaker, Willis.    Total, 30.

Nay: Nance.    Total, 1.

Not voting: Carlile, Garvin, Howard, Morrison, Ray, Reed, Sowards, Thomas, Wilbanks.    Total, 9.

Excused: Coppock, Daugherty, Logan, Stewart.    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, in open session, signed Engrossed House Amendments to Engrossed Senate Bill No. 127 and referred the bill, as amended, for enrollment.

Senator Commons moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following members were noted "absent": Senators Carlile, Coppock, Ray, Stewart, Thomas, Waldrep and Wilbanks.

The Sergeant-at-Arms was instructed to bring all absent members into the Senate Chamber.

Senator Waldrep asked to be recorded "present", which was the order.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 4 and Senate Bill No. 417, each, correctly engrossed and Senate Bills Nos. 12, 265, and 410, each, correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed House Amendments to and Engrossed House Bill No. 4, as amended, and ordered the bill returned to the Honorable House.

The President, in open session, signed Engrossed Senate Bill No. 417 and ordered it transmitted to the Honorable House.

Senator Stacey presiding.

Senate Bill No. 12 was read for the fourth time at length, the enrolled copy signed, in open session, by the Presiding Officer and ordered transmitted to the Honorable House for the signature of the Speaker.

President Burns presiding.

Senate Bills Nos. 265 and 410 were, each, read at length 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,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 647—By GARLAND, BEARD, GRAHAM and RAWLS, entitled:

An Act levying a tax on all non-intoxicating beverages sold within the State of Oklahoma; requiring a manufacturers and retailers license or permit providing the amount of said license and tax; prohibiting the sale of beverages containing more than one-half of one per cent of alcohol to minors, fixing the penalty for violation thereof and providing for revocation of manufacturer's and retailer's license who violates provisions of said Act; providing for the manner of collection of said license and tax; placing all funds collected hereunder in the common school and common school equalization funds; making the county treasurer of each county the custodian of such common school funds; fixing the time of payment of said funds into said school district funds; repealing all laws in conflict herewith, and that the same has been passed by the House AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 509—By LEE-CRAFT and SULLIVAN, entitled:

An Act prohibiting the soliciting of marriage ceremonies on behalf of any public officer or Minister of the Gospel, prohibiting payment of any part of marriage fees to solicitors, prescribing penalties for a violation hereof 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 509.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO 647—By GARLAND, BEARD, GRAHAM and RAWLS, entitled:

An Act levying a tax on all non-intoxicating beverages sold within the State of Oklahoma; requiring a manufacturers and retailers license or permit providing the amount of said license and tax; prohibiting the sale of beverages containing more than one-half of one per cent of alcohol to minors, fixing the penalty for violation thereof and providing for revocation of manufacturer's and retailer's license who violates provisions of said Act; providing for the manner of collection of said license and tax; placing all funds collected hereunder in the common school and common school equalization funds; making the county treasurer of each county the custodian of such common school funds; fixing the time of payment of said funds into said school district funds; repealing all laws in conflict herewith,

and to advise you, and, through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Ballard presiding.

House Bill No. 647 was read at length for the fourth time, the enrolled copy signed, in open session,



by the Presiding Officer and ordered returned to the Honorable House.

Senator Commons moved, when the Senate adjourns today, it adjourn to meet at 10:00 a. m., Saturday, April 15th, which motion prevailed.

Senator Nichols moved that the Senate proceed to the consideration of HOUSE BILL NO. 619.

Senator Curnutt moved that the Conference Committee Report submitted on a previous legislative day, under Engrossed SENATE BILL NO. 51 be rejected and a further conference requested of the Honorable House.

Senator Nichols raised a point of order against the Curnutt motion, which was sustained, stating his motion was before the Senate.

Senator Ray asked to be recorded "present," which was the order.

Senator Dixon moved that HOUSE BILL NO. 220, by Judicial Redistricting Committee, be re-referred to the Committee on Judicial Redistricting for further consideration, with instructions that the bill be reported to the Senate not later than Monday, April 17th, which motion prevailed.

Senator Curnutt asked unanimous consent, to which objections were voiced, that the Conference Committee Report on Engrossed Senate Bill No. 51, be permitted to be withdrawn, for the purpose of a further conference.

Senator Nichols asked unanimous consent, to which objections were voiced, to withdraw his motion.

The vote occurring on the Nichols motion, it was declared adopted.

Senator MacDonald presiding.

Senators Wilbanks and Thomas asked to be recorded "present," which was the order.

Senator Morrison asked unanimous consent, which

was granted, to submit the following Special Committee Report:

Mr. President: We, your Special Committee appointed to confer with Governor Murray and redraft, if necessary, Section 2 of Engrossed House Bill No. 619, beg leave to report:

That after our conference with Governor Murray, we have found that he is going to veto the Homestead Exemption Law and, also, the Old Age Security Law, otherwise known as House Bill No. 4, passed by this Session of the Legislature, and upon the advice of Governor Murray, we feel it is unnecessary to change Section 2 of Engrossed House Bill No. 619, and recommend its adoption, as written, with exception of one clarifying amendment, which we now offer.

MORRISON, Chairman.

Senator Morrison submitted the following committee amendment:

Mr. President: I move to amend House Bill No. 619 by striking after the word "be" in line 11, page 2, all the balance of line 11 and all of lines 12, 13, and 14, page 2, and line 1, page 3, to and including the word "funds" and inserting the following: "distributed to the various counties for the support of common schools upon a scholastic, enumeration, per capita basis in accordance with existing law for distribution of like funds."

SPECIAL COMMITTEE.

Senator Briggs, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 619, Line 10, Page 2 by striking lines 10 to 14 inclusive of page 2 and lines 1 and 2 of page 3, and insert in lieu thereof the following:

(a). The funds derived from the tax levied under the provisions of this Act shall, when collected, be placed in the State Treasury to the credit of the respective funds

in the proportions hereinafter designated, and are hereby appropriated to be expended for the uses and purposes provided in each of the following sub-divisions, to-wit:

1. Thirty percentum (30%) thereof to the Common School Fund, to be apportioned, distributed and expended upon a scholastic per-capita enumeration basis to the various school districts for current expense purposes in the maintenance and operation of the common schools of the State.

2. Twenty percentum (20%) thereof to the "Special Common School Equalization Fund" created under the terms of Chapter 34, Article 21, Oklahoma Statutes 1931, to be distributed to the various school districts entitled thereto under the provisions of said Chapter 34, Article 21, Oklahoma Statutes 1931, and Acts amendatory thereof.

3. Forty-seven percentum (47%) thereof to the Common School Fund to be expended and distributed upon a scholastic enumeration per-capita basis as provided by law for the distribution of other common school funds, and shall be used by the respective school districts as follows:

BRIGGS	PAUL
GARVIN	MEMMINGER
TAYLOR	NANCE
MacDONALD	WHITAKER
LESTER	STEWART
WILBANKS	

Senator Nichols moved to table the Briggs amendment, which motion, by unanimous consent, he withdrew.

Senator Curnutt submitted the following amendment, which was tabled, upon motion of Senator Dixon.

Mr. President: I move to amend the Briggs amendment by striking "20%" and inserting "15%".

CURNUTT.

Senator Ballard moved to table the Briggs amendment, which motion was adopted, the roll call thereon being as follows:

Ayes: Ballard, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Howard, Hutchinson, Jennings, Johnston, Liggett, Moon, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Waldrep, Whitaker, Willis. Total, 26.

Nays: Briggs, Garvin, Lester, MacDonald, Memminger, Morrison, Nance, Taylor, Thomas, Wilbanks. Total, 10.

Not Voting: Carlile, Fischl, Ray, Reed. Total, 4.

Excused: Coppock, Daugherty, Logan, Stewart. Total, 4.

The vote occurring on the Special Committee Amendment, it was declared adopted.

Upon motion of Senator Whitaker, Section 2, as amended, was adopted.

Section 3 was read and adopted, upon motion of Senator Ballard.

Section 4 was read.

Senator Whitaker submitted the following amendment:

Mr. President: I move to amend House Bill No. 619, Line 13, Page 11 by inserting after the word "dispensers," the following: "nor shall such tax apply to the sale of any articles of clothing, or wearing apparel, retailing for less than ten dollars (\$10).

WHITAKER.

Senator Dixon submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend the Whitaker amendment, by adding "provided, any suit of clothes for men or women shall be considered one article of wearing apparel."

DIXON.



The vote occurring on the Whitaker amendment, as amended, it was declared adopted.

Upon motion of Senator Ballard, Section 4, as amended, was adopted.

Section 5 was read:

Senator Rizley submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 619 lines 10-13, Page 11, by striking after the word "consumption," line 10, the remainder of said line, all of lines 11 and 12, down to and including the word "dispensers," line 13, and inserting in lieu thereof, the following: "but such tax shall apply to food prepared at or by hotels, restaurants and/or other public eating places, and sold at retail and served for immediate consumption on the premises by such dispensers."

RIZLEY  
NICHOLS.

Upon motion of Senator Ballard, Section 5, as amended, was adopted.

Section 6 was read.

Senator Fidler submitted the following amendment:

Mr. President: I move to amend Engrossed House Bill No. 619, Line 3, Page 12, by adding after the word "monthly" and before the word "and" "And may be chargeable against the vendee and it shall be unlawful for any vendor to advertise to the public that he will absorb the tax herein levied in the price of the commodity offered for sale."

FIDLER.

Upon motion of Senator Nichols, the previous question was ordered.

The vote occurring on the Fidler amendment, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Clark, Fidler, Fischl, Hutchinson, Jennings, MacDonald, Memminger, Moon, Morrison, Powers, Ray, Ritzhaupt, Rutherford, Stacey. Total, 16.

Nays: Carmack, Chamberlin, Commons, Curnutt, Garvin, Johnston, Lester, Liggett, Nance, Nichols, Paul, Pugh, Reed, Sowards, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 19.

Not Voting: Carlile, Dixon, Howard, Rizley, Waldrep. Total, 5.

Excused: Coppock, Daugherty, Logan, Stewart. Total, 4.

Senator Moon submitted the following amendment:

Mr. President: I move to amend House Bill No. 619, by adding at end of last section the following: "Provided, however, nothing herein contained shall be construed to prevent such persons subjected to said tax, said articles or service."

MOON.

Senator Nichols raised a point of order against the Moon amendment, which was sustained, stating the subject matter contained in the amendment had been previously disposed of by the Senate.

Senator Morrison submitted the following amendment, which was tabled, upon motion of Senator Nichols:

Mr. President: I move to amend Engrossed House Bill No. 619, Line 16, Page 12, by adding after the word "month" at the end of said line the following: "and any tax payer required to pay taxes under this Act may report cash and credit sales separately and exclude the credit sales from the measures of the tax until payment on such credit sales is received and when such credit sales are so excluded, the taxpayer shall thereafter include in each monthly report all collections made during the month next preceding on such credit sales and pay the taxes due thereon at the time of filing such report."

MORRISON.

Senator Nichols moved that House Bill No. 619, as amended, be advanced to engrossment and third reading.

Senator Morrison asked unanimous consent, which was granted, to submit two amendments.

Senator Morrison submitted the following amendment:

Mr. President: I move to amend Engrossed House Bill No. 619, Line 18, Page 9, as follows: By adding after the figures "1933" and before the word "there" "Or within thirty days after this Act takes effect, if same should not become effective by the first day of June 1933."

MORRISON.

Senator Nance asked unanimous consent, which was granted, to submit a substitute for the Morrison amendment as follows, which was adopted:

Mr. President: I move to amend House Bill No. 619, Lines 17 and 18, Page 9, by striking all of line 17 and the figures "1933" on line 18 changing the letter "t" in the word "there" to capital "T," the beginning of a new sentence.

NANCE.

Senator Morrison submitted the following amendment, which was adopted:

Mr. President: I move to amend Engrossed House Bill No. 619, Line 6, Page 12, by adding after the figures "1933" and before the word "and" the following: "Or on or before the 20th day of the second month following the date this Act becomes effective in the event same should not become effective by the first day of June 1933."

MORRISON.

Senator Morrison asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Engrossed House Bill No. 619, Line 16½, Page 25, by adding a new section to be known as Section 16: "SECTION 16. 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." And amend title, to conform to bill.

MORRISON.

Upon motion of Senator Dixon, House Bill No. 619 was advanced to engrossment and third reading.

Senator Dixon moved that the rules of the Senate be suspended and House Bill No. 619 be considered engrossed and placed upon third reading and final passage, which motion prevailed, the Presiding Officer declaring the motion had received 23 affirmative votes.

HOUSE BILL NO. 619 was read at length for the third time.

Upon motion of Senator Paul, the previous question was ordered.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Dixon, Fidler, Jennings, Johnsten, Lester, MacDonald, Memminger, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Wilks. Total, 28.

Nays: Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Moon, Nance, Paul, Rutherford. Total, 10.

Not Voting: Liggett, Powers. Total, 2.

Excused: Coppock, Daugherty, Logan, Stewart. 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: Ballard, Briggs, Carlile, Carmack, Cham-



berlin, Clark, Dixon, Fidler, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Nance, Paul, Rutherford. Total, 9.

Not Voting: Moon. Total, 1.

Excused: Coppock, Daugherty, Logan, Stewart. 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.

House Bill No. 619, as amended, was ordered referred for engrossment.

Upon motion of Senator Paul, HOUSE BILL NO. 258, by Gray, et al, was ordered stricken from the Calendar.

Senator Taylor moved that HOUSE BILL NO. 695, by Phillips (Atoka), et al, be advanced to engrossment and third reading.

Senator Whitaker, as a substitute, moved that the Senate proceed to the consideration of HOUSE BILL NO. 650, by Leecraft and Batson, of the House, and Whitaker of the Senate, which motion prevailed.

Senator Moon asked unanimous consent, which was granted, to be "excused" for the remainder of this legislative day.

Sections 1, 2, and 3, of House Bill No. 650 were read and adopted, upon motions of Senator Whitaker.

Section 4 was read.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No.

650, line 12, page 12, by striking all of lines 12 to 18, page 12, both inclusive.

JENNINGS.

Upon motion of Senator Whitaker, Section 4 was adopted.

Sections 5, 6, 7, 8, 9, 10, and 11 were read and adopted, upon motions of Senator Whitaker.

Upon motion of Senator Whitaker, House Bill No. 650 was advanced to engrossment and third reading.

Upon motion of Senator Whitaker, the rules of the Senate were suspended and House Bill No. 650 was considered engrossed and placed upon third reading and final passage, the Chair declaring on the suspension of the rules, 23 members had voted in the affirmative.

HOUSE BILL NO. 650 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Dixon, Fidler, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Curnutt, Hutchinson, Jennings, Rizley, Rutherford. Total, 5.

Not Voting: Fischl, Ritzhaupt, Waldrep. Total, 3.

Excused: Coppock, Daugherty, Logan, Moon, Stewart. 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: Ballard, Briggs, Carlile, Carmack, Cham-

berlin, Clark, Commons, Dixon, Fischl, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Rizley, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Curnutt, Fidler, Hutchinson, Jennings. Total, 4.

Not Voting: Howard, Powers, Ritzhaupt, Rutherford, Waldrep. Total, 5.

Excused: Coppock, Daugherty, Logan, Moon, 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 Presiding Officer, in open session, signed the engrossed copy of House Bill No. 650, 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,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 516—By BATSON, LANDINGHAM, GRAY, CLOYD, LEECRAFT, WINGO, and BEAMAN, entitled:

An Act authorizing the establishment, in each county, of a "County Emergency Investment Fund"; apportioning thereto one-half of all moneys received by any county from motor vehicle license fees and the excise tax on gasoline, providing that said fund, or so much thereof as may be necessary, shall be used, under the direction of the county treasurer, for investment in non-payable county warrants and judgments based upon

warrants; providing for payment into sinking fund for retirement of road bond indebtedness; providing for reimbursement of said fund by collections from ad valorem taxes; providing for the disposition of the moneys remaining therein; and declaring an emergency, together with Conference Committee Report thereon and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted and the Bill has been passed AS AMENDED by said Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Conference Committee Report on Engrossed House Bill No. 516 was read, as follows:

To the Honorable Senate and to the Honorable House of Representatives:

We, your Conference Committee, appointed to confer on Engrossed House Bill No. 516, by Batson, and others, have had under consideration the Senate Amendments to said bill, and, after due consideration thereof, beg leave to report as follows:

1st. That the Senate recede from Senate amendment No. 1; and that the Emergency Section to said bill be re-incorporated in said bill.

2nd. That the House concur in Senate Amendment No. 2.

3rd. That the Senate recede from Senate Amendments Nos. 3 and 4.

4th. That a new amendment be made to such bill as follows:

Section 2, Line 15, page 1, by inserting, after the word "designated," the words "or in the order that may be prescribed by the County Excise Board as herein-after provided."

5th. That a new amendment be made to such bill as follows:



Section 2, Line 20, page 1, by inserting, after the word "at" and before the word "par," the words "not to exceed."

6th. That the Senate recede from Senate Amendment No. 5.

7th. That a new amendment be made to such bill as follows:

Section 2, Line 2, page 2, by inserting, after the word "year," the words "and that the same shall be deemed to be satisfied at the end of each month upon purchase of all such warrants as are presented for investment.

8th. That a new amendment be made to such bill as follows:

Section 2, Line 4, page 2, by inserting, after the word "at" and before the word "par," the words "not to exceed."

9th. That a new amendment be made to such bill as follows:

Section 2, Line 14, page 2, by inserting, after the word "Act," the words "Provided that warrants issued after March 1, 1933, shall be given priority under this sub-section. As to all other unpaid and outstanding warrants, they shall be taken up by investment, as herein provided, in the order of their registration—as provided in Section 5951, Oklahoma Statutes, 1931, upon notice by the Treasurer of ten (10) days, in the manner provided by said Section; and, if the holder of any warrant, or warrants, fails to present the same within the time specified, the available funds shall be used for investment in other outstanding warrants in the next order of their registration as provided in said Section. And provided further, after the investment in warrants as above provided, additional funds may be invested in judgments based upon warrants as provided in this Act."

10th. That the House concur in Senate Amendment No. 6.

11th. That the Senate recede from Senate Amendment No. 7; and that in lieu thereof the following amendment be adopted by the House and the Senate:

Section 2, page 2, after Line 27, by inserting a new paragraph to read as follows: "Provided further that the County Excise Board may, by proper order, direct the County Treasurer to change the order of the three (3) first purposes above designated."

12th. That the House concur in Senate Amendments No. 8 and No. 9.

Respectfully submitted,

A. N. LEECRAFT,	TOM WALDREP,
W. H. EBAY,	JOE M. WHITAKER,
REX STRICKLAND,	BEN R. WILLIS,
R. H. CLOYD,	C. B. MEMMINGER,
House Conferees.	Senate Conferees.

Upon motion of Senator Whitaker, the Conference Committee Report on House Bill No. 516 was adopted.

HOUSE BILL NO. 516 was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Dixon, Fidler, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Morrison, Nichols, Pugh, Ray, Reed, Rizley, Sowards, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Curnutt, Jennings, Liggett, Nance, Paul, Ritzhaupt, Rutherford. Total, 7.

Not Voting: Fischl, Hutchinson, Powers, Thomas, Waldrep. Total, 5.

Excused: Coppock, Daugherty, Logan, Moon, Stewart. 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 Curnutt raised a point of order, which was overruled, stating announcement of the roll call was being delayed.

Senator Curnutt moved that the emergency section of House Bill No. 516 be stricken, which motion was ruled out of order, the Presiding Officer declaring a roll call was in progress.

The question being "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Curnutt, Jennings, Liggett, Rizley, Rutherford, Sowards. Total, 6.

Not Voting: Hutchinson, Powers, Waldrep. Total, 3.

Excused: Coppock, Daugherty, Logan, Moon, Stewart. Total, 5.

Engrossed House Bill No. 516, together with Conference Committee Report, was ordered returned to the Honorable House.

Senator Paul asked unanimous consent, which was granted, to have the record show he voted "no" on the passage of House Bill No. 516.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 214 — By

CHAMBERLIN, COMMONS, MORRISON, NICHOLS, WHITAKER, MacDONALD and NANCE, entitled:

An Act providing for the redemption of real estate sold to the county on account of delinquent ad valorem taxes, where the county still holds the title thereto; providing for the waiving and releasing of interest, penalties and costs of the same if the principal amount thereof is paid on or before December 31, 1933; authorizing and directing county treasurers to accept such amount and to issue redemption certificates therefor; providing the manner and means of issuing said redemption certificates; providing that after such payment said real estate shall be placed on the tax rolls; providing that the amounts paid hereunder shall accrue to the common school fund of the county; suspending all laws or parts of laws in conflict herewith for the term of this Act 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 214 was ordered referred for enrollment.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 265—By JOHN-STON.

An Act establishing moratorium and providing ways, means, and procedure for opening banks in charge of the State Banking Department; and declaring an emergency.



*Seventy-sixth Day, Friday, Apr. 14, 1933*     2175

ENROLLED SENATE BILL NO. 410—By CUR-  
NUTT and COMMONS.

An Act making an appropriation of one hundred seventy-five (\$175.00) dollars out of any moneys in the State Treasury, not otherwise appropriated, for the fiscal year ending June 30, 1933, for the purpose of purchasing stamps by the clerk of the Supreme Court during the remainder of said fiscal year; and declaring an emergency.

ENROLLED SENATE BILL NO. 12 — By  
STACEY of the Senate and ROBERTS of the House.

An Act to protect borrowers from building and loan associations in the event of the insolvency of the association, by providing that the borrower shall receive credit on his indebtedness for the full amount of principal paid on his loan, and accumulated premiums; repealing conflicting Acts; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 12, 265 and 410, were, each, ordered referred to the Governor for his consideration.

The following Messages from the Governor were received and read:

TO THE HONORABLE,

THE FOURTEENTH LEGISLATURE:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State, SENATE JOINT RESOLUTION NO. 1,

A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State

of Oklahoma, relating to Section 9, Article 10, of said Constitution,

Though presented to me, the said resolution does not require executive approval. Had it been a JOINT RESOLUTION involving revenue or other State legislation it would require executive approval, by the very letter of the Constitution.

The machinery of amending the Constitution, provided for by that instrument, is wholly beyond the authority of the Governor, who may indeed call the election, but is without further power.

The authority to submit an amendment to the Constitution is given to the Legislature, by that body to be submitted to the people, and the people themselves can amend the Constitution by initiating the measure and adopting it at the polls.

Done, this April 14th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE HONORABLE THE HOUSE OF REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

Gentlemen:

I return herewith, with my disapproval and veto House Bill No. 604, entitled:

An Act classifying homesteads for the purpose of taxation, levying a tax in lieu of all other taxes thereon and providing method and manner of assessing said property for taxation; the levying, collection and distribution thereof.

The foregoing Bill assumes by "a classification" to take it from the provisions of the Constitution, doubtless under the wording of Section 22 of Article 10 of the Constitution, which uses this language:

"Nothing in this Constitution shall be held or construed to prevent the classification of property

for purposes of taxation; and the valuation of different classes by different means or methods."

The clear intent of the foregoing section was as relates to ad valorem assessment for the purpose of ascertaining the value, and not to change the real value. It will be noticed that all sections prior to Section 12 of Article 10 of the Constitution relate to property assessed through ad valorem taxes, and that in none of these sections is there any power granted to the Legislature to have any graduated scale of assessment, nor until you reach Section 12 of Article 10, which relates to "license, franchises, gross revenues, excise incomes, collateral and direct inheritance, legacies, and succession taxes," and then the section provides for a different rate and a graduation of the rate, while there is no provision anywhere in the Constitution authorizing a valuation of ad valorem property so as to change its actual value, or to provide a graduated tax upon any property subject to ad valorem tax, and land is peculiarly the one class of property upon which must be levied an ad valorem tax.

On the other hand, Section 8 of Article 10 expressly provides:

"All property which may be taxed ad valorem shall be assessed for taxation at its fair cash value, estimated at the price it would bring at a fair voluntary sale; \* \* \*"

and the last portion of that section provides a penalty for any officer who fails thus to assess such property. Moreover, the Constitution expressly states the property to be exempt, and will be found in Section 6 of Article 10.

Therefore, following the rule of the Roman Government, down through the common law to the Jurisprudence of the United States, expressing the same in English, only "the exceptions or expression of two or

more specific items in a law, a constitution, or a contract implied the exclusion of all others not named." Under that well known rule of judicial construction, no property could be exempt from taxation other than that named in the Constitution.

In addition thereto, Section 5 of Article 10, in express terms, provides:

"Taxes shall be uniform upon the same class of subjects."

The question may arise: "What is a class?" Class would mean: the "landed class"; the "banking class"; the "corporate class"; "railroad class." But there can be no such thing as a "class" of tax payers who own the same kind of property.

The entire assumption of the authors of the Bill was based upon a strained construction of Section 22, providing for "classification of property."

But how are you going to classify real estate by the manner of whether a man lives upon it as a tenant or a landlord. The individuals would belong to a different "class," but the property would be the same. I can imagine how real estate might be "classed" with reference to whether it was overflow bottom or above overflow bottom land; whether it be prairie or timber; whether it be improved or unimproved. We might be permitted to "class" property, but to classify real estate according to whether the man who lived on the land as an owner, as a homesteader; whether he is an Indian, white man, or a negro, is far fetched and fetish, and does not harmonize with good common sense. Moreover, the term "class" in the Constitution does not refer to the individual so much as to the property owned by the individual.

In addition, the Enabling Act provided that the State should not assess real estate owned by a non-citizen of the State in excess of that owned by a citizen of the



State, and that was accepted by a special ordinance of the Constitutional Convention, and becomes a part and parcel of the Constitution itself.

In addition to the foregoing reasons, such exceptions from "uniform assessment" would lead to all manner of frauds in that the Constitution provides that a man does not have to live on the land to claim a homestead in the land, and, as a matter of truth, the homestead depends upon the intent; and, under that rule, I recall a Texas Supreme Court decision, where an effort was made to attach a homestead at Grapevine, Texas, where a physician had moved away, practiced medicine in another town, and owned real estate in other towns for fifteen years, yet he proved that he had always called the place his home against which the writ ran, and the Supreme Court ruled, and, in my opinion, correctly, that the proof of the intent by his declaration exempted it from attachment.

How easy therefore it would be for a man to leave a \$5,000.00 home in the country, move to town, and rent him a small house, or purchase one for \$500.00, and claim the property in the country as his home. Also, how easy it would be to make transfers without placing them on record, so that the man's tenant or tenants could claim the property as his homestead. Again, how easy it is for the assessor to assess, as has been done, property worth \$25,000.00 at no more than \$5,000.00 in value.

In addition to the Constitutional objection and the possibility of fraud, before recited, it would disrupt the financial estimate for the support of local government and for schools particularly, for they are based upon the constitutional provision that all ad valorem tax property shall bear "equal and uniform rate." There is no end to the possibility of evil.

This Bill illustrates the importance of one mind dictating and controlling the policy of legislation.

Suppose I were to sign this Bill and another one that had been proposed that would take out of the Treasury \$2,400,000.00, and various other bills of like provision. Government would break down; the schools would close their doors inside of twelve months.

I want to assure the Legislature that I have in my mind a policy complete that will maintain the credit of the State; the credit of the several counties and municipalities; that will restore the credit of the school districts; that will keep the schools open in most of the districts, depending upon the foolish financing or sensible financing of a given district, and, at the same time, provide revenue for current expenses sufficient to meet the appropriations or expenditures.

There may be some political "dope" for a moment in my signing such bills, or for the fellow who voted for it, but as between my duty; the financial integrity of the state; a fair and unfair assessment between various classes of property; the preserving of the credit of the State and its sub-divisions, and political applause, I shall choose the former.

For the above and foregoing reasons, and others equally cogent, I return this Bill, with my disapproval and veto thereon.

Respectfully submitted, on this the 14th day of April, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Paul asked unanimous consent, which was granted, to defer further consideration of the Governor's veto of Engrossed House Bill No. 604.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled Bills begs leave to report House Bill No. 619 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 619, as amended, and ordered the bill returned to the Honorable House.

Senator Curnutt lodged a notice that he would, on some future legislative day, move to re-consider the vote by which House Bill No. 619 was passed.

Senator Commons moved that the rules of the Senate be suspended for the purpose of re-considering the vote by which House Bill No. 619 was passed, which motion prevailed, there being 23 votes for the adoption of the motion.

Senator Commons moved that the vote be re-considered by which House Bill No. 619 was passed, which motion was tabled, upon motion of Senator Chamberlin.

Upon motion of Senator Ballard, SENATE BILL NO. 422, by Ballard of the Senate, and Garvin, of the House, was advanced to engrossment and third reading.

Upon motion of Senator Ballard, the rules of the Senate were suspended and Senate Bill No. 422 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 422 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Curnutt, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nichols, Paul, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Clark, Hutchinson, Liggett, Pugh, Stacey, Taylor, Thomas, Waldrep. Total, 8.

Not Voting: Briggs, Garyin, Nance, Powers. Total, 4.

Excused: Coppock, Daugherty, Logan, Moon, Stewart. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Paul, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Clark, Hutchinson, Pugh, Stacey, Taylor, Thomas, Waldrep. Total, 7.

Not Voting: Nance, Powers. Total, 2.

Excused: Coppock, Daugherty, Logan, Moon, 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.

Senate Bill No. 422 was ordered referred for engrossment.

Senator Dixon moved that the Senate proceed to the consideration of SENATE BILL NO. 419, by Dixon, Nichols and Fischl.

Senator Wilbanks, as a substitute, moved that the Senate proceed to the consideration of HOUSE BILL NO. 220, by Judicial Redistricting Committee of the House.

Senator Dixon raised a point of order against the



Wilbanks motion, which was sustained, stating House Bill No. 220 had not been reported by the Special Committee, to which it had been referred.

Senator Wilbanks moved that the rules of the Senate be suspended for the purpose of reconsidering the vote by which House Bill No. 220 was referred to a Special Committee.

Senator Fischl raised a point of order against the Wilbanks motion, which was overruled, stating motion to reconsider could not be made on this legislative day.

The vote occurring on the Wilbanks motion, it was declared failed of adoption.

Senator Pugh, as a substitute for the Dixon motion, moved that the Senate proceed to the consideration of Conference Committee Report on SENATE BILL NO. 51, by Pugh, et al.

Senator Paul, as a substitute for all pending motions, moved that further consideration of Senate Bill No. 419 be indefinitely postponed.

Senator Rizley raised a point of order against the consideration of any bills, other than bills on Third Reading, stating the Senate, on the last legislative day, ordered the consideration of such bills immediately following the disposal of House Bill No. 619, which point of order was sustained.

Senator Dixon raised a point of order against the Rizley objection, which was sustained, stating order on one legislative day does not affect the proceedings of another legislative day.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 650—By LEE-CRAFT and BATSON, of the House, and WHITAKER of the Senate, entitled:

An Act amending Sections 12374, 12375, 12376, 12377, 12378, 12379, 12380, 12381, 12382, 12383 and 12385, inclusive, Oklahoma Statutes 1931, relating to the levy and collection of corporation license fees and providing for the disposition of the same; prescribing penalties; providing for the enforcement of this Act; providing a legal remedy for aggrieved taxpayers; repealing conflicting laws 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 650 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 422 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Bill No. 422 and ordered the bill transmitted to the Honorable House for consideration.

Senator Fidler presiding.

Referring further to SENATE BILL NO. 419:

Senator Johnston, in lieu of all pending motions, moved that consideration of SENATE BILL NO. 423 be substituted for that of Senate Bill No. 419.

Senator Paul raised a point of order against the Johnston motion, which was sustained, stating the motion

inferior to motion to indefinitely postpone.

Upon motion of Senator Rizley, the previous question was ordered.

The vote occurring on the Paul motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Clark, Commons, Curnutt, Fidler, Garvin, Hutchinson, Jennings, Johnston, Lester, MacDonald, Morrison, Nance, Paul, Ray, Ritzhaupt, Rizley, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 24.

Nays: Dixon, Fischl, Liggett, Memminger, Nichols, Pugh. Total, 6.

Not Voting: Briggs, Carmack, Chamberlin, Howard, Powers, Reed, Rutherford, Sowards, Waldrep. Total, 9.

Excused: Coppock, Daugherty, Logan, Moon, Stewart. Total, 5.

Senator Nichols asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 420, by Fidler and Nichols.

Senate Bill No. 420 was read at length.

Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 420, by substituting therefor the following:

SUBSTITUTE FOR SENATE BILL NO. 420—By FIDLER and NICHOLS.

AN ACT REQUIRING PRODUCERS, REFINERS, PROCESSORS AND PURCHASERS OF OIL OR CASINGHEAD GAS TO PREPARE AND FILE WITH THE OKLAHOMA TAX COMMISSION, WITHIN SIXTY DAYS AFTER THE PASSAGE AND APPROVAL OF THIS ACT, OR UPON DEMAND OF SAID COMMISSION, AMENDED REPORTS SHOWING THE SOURCE OF SUCH OIL OR CASINGHEAD GAS, BY WELLS AND LEASEHOLDS; RE-

QUIRING PRODUCERS, REFINERS, PROCESSORS AND PURCHASERS OF OIL OR CASINGHEAD GAS TO PROCURE PERMITS FROM THE OKLAHOMA TAX COMMISSION; PROVIDING FOR THE DISPOSITION OF TAXES COLLECTED WHERE THE SOURCE OF SUCH OIL OR CASINGHEAD GAS CANNOT BE DETERMINED; AUTHORIZING INJUNCTIONS; PRESCRIBING PENALTIES; REPEALING CONFLICTING LAWS; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. All producers, refiners, processors or purchasers of oil or casinghead gas are hereby authorized and directed to prepare and file with the Oklahoma Tax Commission, within sixty (60) days from the passage and approval of this Act, or any time, upon demand of said Commission, such amended producers', refiners', processors' or purchaser's reports as may be necessary to show the particular leasehold and also the particular well or wells from which oil or casinghead gas produced, refined, processed or purchased by them was produced.

SECTION 2. All persons, firms, associations or corporations operating refineries or processing plants engaged in the business of refining or processing of crude petroleum oil or other mineral oil or casinghead gas, upon which there is paid or payable gross production tax, shall, within thirty (30) days after the passage and approval of this Act, secure a permit which shall be in the form of a license from the Oklahoma Tax Commission, by making application upon forms prescribed by it, and the Oklahoma Tax Commission may, at its option and discretion, require a bond from any such person, firm, association or corporation before the issuance of such permit; any bond required herein by the Oklahoma Tax Commis-



sion shall be for the purpose of indemnifying the State of Oklahoma against loss by reason of non-payment of gross production tax upon any crude petroleum oil or casinghead gas refined or processed in such refineries or processing plants. In all cases where such permit is not secured, the State of Oklahoma may institute, upon relation of the Oklahoma Tax Commission, suit to restrain such person, firm, association or corporation from operating such refinery or processing plant, until such permit is secured.

SECTION 3. In all cases where gross production tax is paid to the Oklahoma Tax Commission and the reports accompanying such tax are insufficient to enable said Commission to determine the source, by wells or leaseholds, the oil, gas or casinghead gas upon which said gross production tax is paid, and where the said Commission is unable to secure such information as will enable it to determine the source of such oil, gas or casinghead gas, it shall be the duty of said Commission, at the expiration of six months from the date of payment of such gross production tax, to apportion and distribute the same to the General Revenue Fund of the State of Oklahoma.

SECTION 4. Failure on the part of any such producer, refiner, processor or purchaser of oil or casinghead gas to comply with the provisions of this Act shall be deemed a misdemeanor, and upon conviction therefor, such producer, refiner, processor or purchaser of oil shall be punished by the imposition of a fine of not to exceed One Thousand Dollars (\$1,000.00), or of a jail sentence of not to exceed six (6) months, or by the imposition of both such fine and imprisonment. Each day's failure to file such a report within the period of time fixed in this Act shall constitute a separate offense.

SECTION 5. All Acts and parts of Acts in conflict herewith are hereby expressly repealed.

SECTION 6. 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.

NICHOLS.

Senator MacDonald served notice on the Senate that he would on some future legislative day move to reconsider the vote by which House Bill No. 619 was passed.

Senator MacDonald moved that the rules of the Senate be suspended for the purpose of reconsidering the vote by which House Bill No. 619 was passed, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Dixon, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Curnutt, Hutchinson, Jennings, Rutherford. Total, 4.

Not Voting: Carmack, Powers, Reed, Sowards. Total, 4.

Excused: Coppock, Daugherty, Logan, Moon, Stewart. Total, 5.

Senator MacDonald moved that the vote be reconsidered by which House Bill No. 619 was passed and the House be requested to return the bill to the Senate.

Upon motion of Senator Briggs, the previous question was ordered.

The vote occurring on the MacDonald motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Dixon, Fidler, Fischl, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Hutchinson, Jennings. Total, 2.

Not Voting: Carmack, Curnutt, Howard, Powers, Reed, Rutherford, Sowards. Total, 7.

Excused: Coppock, Daugherty, Logan, Moon, Stewart. Total, 5.

Senator Commons moved that the vote be reconsidered by which SENATE CONCURRENT RESOLUTION NO. 17, by Chamberlin, et al. was adopted, which motion prevailed.

Upon motion of Senator Commons, the Honorable House was requested to return Senate Concurrent Resolution No. 17.

Senator Pugh moved that the Senate proceed to the consideration of Conference Committee Report on ENGROSSED SENATE BILL NO. 51, by Pugh, et al.

Senator Curnutt, as a substitute, moved that the Senate refuse to adopt the Conference Committee Report on Senate Bill No. 51 and request the Honorable House for a further conference.

Senator Pugh asked unanimous consent, which was granted, to withdraw Conference Committee Report on Senate Bill No. 51, for the purpose of inserting an amendment agreed to by the Conferees.

Upon motion of Senator Commons, HOUSE BILL NO. 574, by Harp, was advanced to engrossment and third reading.

Upon motion of Senator Commons, HOUSE BILL NO. 121, by Daniel and Mallory, was advanced to engrossment and third reading.

Upon motion of Senator Nichols, SENATE BILL NO. 420, by Fidler and Nichols, was advanced to engrossment and third reading.

Senator Paul moved that SENATE BILL NO. 421, by Garvin and Paul, be advanced to engrossment and third reading.

Senators Wilbanks and Thomas asked unanimous con-

sent, which was granted, to be added as joint authors of Senate Bill No. 421.

Senator Nichols raised a point of order against the Paul motion, stating Senate Bill No. 421 was a revenue raising measure and would necessarily have to originate in the House of Representatives, further stating an attempt was being made to amend an Act which had not become a law.

The Presiding Officer declined to rule on the Nichols point of order.

Senator Ritzhaupt moved that further consideration of Senate Bill No. 421 be indefinitely postponed.

Senator Ballard moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., Saturday, April 15th, which motion failed of adoption.

Senator Memminger moved that the question raised in the Nichols point of order be referred to the Committee on Legal Advisory, which motion was ruled out of order, the Chair declaring the Ritzhaupt motion was before the Senate.

The vote occurring on the Ritzhaupt motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Clark, Commons, Fidler, Hutchinson, Jennings, Liggett, Memminger, Morrison, Nichols, Ritzhaupt, Sowards, Stacey, Waldrep, Whitaker, Willis. Total, 17.

Nays: Briggs, Chamberlin, Curnutt, Garvin, Johnston, Lester, Nance, Paul, Pugh, Ray, Rizley, Taylor, Thomas, Wilbanks. Total, 14.

Not Voting: Carmack, Dixon, Fischl, Howard, MacDonald, Powers, Reed, Rutherford. Total, 8.

Excused: Coppock, Daugherty, Logan, Moon, Stewart. Total, 5.

Senator Paul served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 421 was indefinitely postponed.



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Senator Jennings raised a point of order against the Paul notice, citing Rule 10, which point was overruled by the Chair.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 240—By BROADDUS, PHILLIPS (Okfuskee).

A bill entitled: An Act providing certain procedure for waiving right to have issues of fact determined by jury, requiring parties plaintiff to endorse on petition, amended petition, reply, amended reply, answer and amended answer to counter claim, when filed, as to whether jury required; and requiring defendant to endorse on answer, amended answer, counterclaim, amended counterclaim when filed, whether jury required; and providing that when all parties plaintiff and defendant joining in pleadings fail to make such endorsement that that shall be construed as to operate to waive right to have issues of fact tried by a jury and such case shall be placed on the non-jury docket for expeditious trial, with a proviso that in case any party thereto shall, within twenty days before said case is to be called for trial, present application to the judge of said court an application to have said cause stricken from the non-jury docket and order placed on the jury docket for trial, such application shall be granted, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 240.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 724—By MASSEY and SULLIVAN, entitled:

An Act making an appropriation from the general revenue fund to supplement the special common school equalization fund and providing for the distribution of same.

ENGROSSED HOUSE BILL NO. 734—By MARTIN, entitled:

An Act amending Section 4515, Oklahoma Statutes 1931, relating to vital statistics; providing for registration districts and registrars of births, deaths and marriages; prescribing the duties of registrars and Health officers; providing for fees and compensation of registrars, authorizing and directing payment thereof out of the general revenue fund of the State; providing penalties for violation thereof, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 732—By HENDERSON, BATSON, LEECRAFT of the House, and BRIGGS, COMMONS, CHAMBERLIN, NICHOLS of the Senate, entitled:

An Act appropriating funds collected and to be collected and placed to the credit of the State Highway Construction and maintenance fund in the State Treasury, to be used and expended by the State Highway Commission of the State of Oklahoma in the payment of

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salaries, wages, and expenses of the State Highway Commission, its agents, servants and employees, and other obligations, and such other purposes as may be provided by law, and for the construction and maintenance of State Highways, and highways constructed under the provisions of Chapter 50, Article 2, Oklahoma Statutes 1931, and Acts amendatory thereof 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 724, 732 and 734.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 730—By SHOEMAKE, HART, BLOCKER, BILLINGS, WOOTEN, BOYER and DARKS, entitled:

An Act amending Section 3410, Oklahoma Statutes, 1931, relating to appointments to fill vacancies in election offices; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 730.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 359—By STEWART and MacDONALD, entitled:

An Act making a reappropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employes and for the printing of the permanent journals and Session Laws, together with other expenses of the regular Session of the Fourteenth Legislature, providing for the closing of the business of the two houses of said session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, 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, AS AMENDED, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 359 were read as follows:

Amendment No. 1. In the title of the Bill, strike the word "reappropriation" and insert the word "appropriation."

Amendment No. 2. In Section 1, page 1, strike lines 1 to 8, inclusive, and insert in lieu thereof the following:

"There is hereby appropriated out of any moneys in the State Treasury to the credit of the General Revenue Fund, not otherwise appropriated, the following sums:

To pay mileage and per diem of Members of the Senate and salaries of their employees and other ex-



penses of the Senate including the printing of the permanent journal thereof, \$10,000.00

To pay mileage and per diem of Members of the House of Representatives and salaries of their employees and other expenses of the House of Representatives, including the printing of the permanent journal, thereof, \$25,000.00

For printing Session Laws, at not to exceed \$1.50 per volume, 3,000.00

The closing of the business of the House of Representatives and the Senate, and the preparation of the journals of the two Houses and the Session Laws for the printer, are hereby declared to be expenses of the Fourteenth Legislature of this State, and those expenses shall be paid from this and other appropriations made for the House of Representatives and the Senate of this Legislature.

The Session Laws, when printed and paid for, shall be deposited with the Secretary of State who shall distribute the same to the State Officers, Departments, and Institutions entitled thereto.

· FIRST READING

By unanimous consent, the following bills were introduced and read for the first time:

SENATE BILL NO. 424—By FISCHL AND DIXON.—An Act repealing Sections 11574, both inclusive, Oklahoma Statutes 1931, and House Bill No. 481, Acts of the Fourteenth Legislature 1933, all relating to the conservation of petroleum and its related products, and declaring an emergency.

SENATE BILL NO. 425—By CURNUTT.—An Act amending Section 5978, Oklahoma Statutes 1931, relating to judgments against municipalities, requiring proof to be made part of the judgment record, repealing all Acts in conflict herewith and declaring an emergency.

### COMMITTEE REPORT

By unanimous consent, the following Committee Report was submitted, the bill ordered printed and placed upon the calendar:

Mr. President: We, your Judiciary Committee No. 2 to whom was referred Senate Bill No. 123, by Waldrep, entitled:

An Act amending Sections 2348, 2385, Oklahoma Statutes, 1921 and 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.

CHAMBERLIN.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 127 correctly enrolled.

LIGGETT, Chairman.

Senate Bill No. 127 was read at length 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.

Senator Chamberlin submitted the following motion, which was adopted:

Mr. President: I move that a Message be sent to the Honorable House requesting the House to reconsider the vote by which Engrossed House Bill No. 619, as amended by the Senate failed of passage and that the Honorable House be requested to request the Senate to grant a conference thereon and further advising the Honorable House that, although members of the Senate are anxious to return to their homes, we are ready and willing to remain here, in behalf of the needed interests of the State, so long as it may require."

CHAMBERLIN.

Senator Johnston moved that HOUSE BILL NO. 695, by Phillips (Atoka), Fraley, et al, be taken up for Third Reading and Final Passage, which motion, by unanimous consent, he withdrew.

Senator MacDonald moved that the Senate refuse to concur in Engrossed House Amendments to Engrossed Senate Bill No. 359 and request the Honorable House to recede therefrom, which motion prevailed.

#### MESSAGE

A Message from the Honorable House was received and read, concerning ENGROSSED HOUSE BILL NO. 619, in which the Senate was advised that "the request of the Honorable House—for a further consideration" cannot be granted for the reason that the bill failed of passage in the House on final roll call and motion for reconsideration tabled.

Upon motion of Senator Paul, the House Message, concerning Engrossed House Bill No. 619, was ordered returned to the House of Representatives.

Senator Ray moved, inasmuch as the Chief Executive had appeared before the House of Representatives, urging the passage of House Bill No. 619 and he now being on the Senate floor, that he be invited to appear before the Senate, which motion prevailed.

The Presiding Officer appointed Senators Carlile, Commons and Paul to notify and escort Governor Murray to the President's desk.

The Governor addressed the Senate.

Senator Ballard moved that the call of the House be lifted, which motion prevailed.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to

advise you, and, through you, the Honorable Senate, that the House has reconsidered the vote by which:

HOUSE CONCURRENT RESOLUTION NO. 27—

By TIMMONS, KIRKPATRICK and BATSON, entitled:

A Concurrent Resolution fixing the day and hour of the sine die adjournment of the regular session of the Fourteenth Legislature of the State of Oklahoma, was adopted and respectfully request your honorable body to return the same for further consideration by the House.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Fischl, the request of the Honorable House for the return of Engrossed House Concurrent Resolution No. 27, was refused.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 29, by BATSON, entitled:

A Resolution authorizing the Speaker of the House of Representatives and the Senate to appoint five members from their respective Houses to meet and study any legislation concerning sales tax, or any other revenue measures; authorizing said Committee to incur expenses necessary for the purpose of carrying out the provisions of this Act and directing the payment of the same out of the funds appropriated for the Fourteenth Legislature and directing such Committee to make a report of its investigation to any Special or Regular Session of the Legislature convening hereafter, and to advise you and through you that the same has



been adopted by the House of Representatives and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator MacDonald, further consideration of Engrossed House Concurrent Resolution No. 29 was indefinitely postponed.

To the President of the Senate,

Building

SIR:

Pursuant to the request of your Honorable body I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 17—By CHAMBERLIN, COMMONS, NICHOLS and NANCE, entitled:

A Concurrent Resolution fixing the day and hour of the sine die adjournment of the regular session of the 14th Legislature of the State of Oklahoma, for further consideration by the Senate.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Curnutt, the Senate adjourned, to meet at 10:00 o'clock, a. m., Saturday, April 15th, 1933.

## SEVENTY-SEVENTH LEGISLATIVE DAY

Saturday, April 15, 1933

Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President, who announced the Senate recessed to meet at 10:30 a. m.

At 10:30 a. m., the Senate reassembled, with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Absent: Howard, Powers, Ray, Rutherford. Total, 4.

Excused: Coppock, Daugherty, Fidler, Logan, Moon. Total, 5.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Jennings moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., Monday, April 17th, which motion failed of adoption.

Senator Commons moved that the Secretary of the Senate be instructed to advise the Honorable House, when and if it convenes again, that the Senate has indefinitely postponed consideration of HOUSE CONCURRENT RESOLUTION NO. 29, received on the last legislative day.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

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Enrolled Bills begs leave to report Senate Bill No. 214 correctly enrolled.

LIGGETT, Chairman.

Senator Chamberlin asked unanimous consent, which was granted, to have Enrolled Senate Bill No. 214 referred for correction, to show the following amendment, which was adopted by the Senate: "Line 12 of the title, by striking the following: 'providing that the amounts paid hereunder shall accrue to the common school fund of the county; repealing all laws or parts of laws in conflict herewith for the term of this Act', and by inserting the following: 'providing that this Act is cumulative for the term hereof'."

Senate Bill No. 214 was ordered referred for re-engrossment.

#### FIRST READING

The following Resolution was introduced and read for the first time:

SENATE JOINT RESOLUTION NO. 26—By MEMMINGER and MacDONALD.—A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma; providing that the Legislature shall have the power to enact laws providing pensions for persons over seventy years of age who have been a resident of the State of Oklahoma for fifteen years next preceding, and who do not have an annual income in excess of \$250.00 per year; providing that no person pensioned under such laws shall receive a pension in excess of ten dollars per month; and amending Article Five of said Constitution by adding an additional section to be known as Section 44-A of the Constitution of the State of Oklahoma.

#### SECOND READING

The following Bills were read for the second time, and by unanimous consent, were ordered placed upon

the Calendar, without reference to a committee, unless otherwise indicated:

SENATE BILL NO. 424—By FISCHL and DIXON.

Senator Garvin asked unanimous consent, to which objections were voiced, to refer Senate Bill No. 424 to the committee on Oil and Gas.

Senator Fischl moved that Senate Bill No. 424 be placed upon the Calendar without reference to a committee.

Senator Paul, as a substitute, moved that further consideration of Senate Bill No. 424 be indefinitely postponed, which motion was seconded by Senator Fischl and adopted by the Senate.

SENATE BILL NO. 425—By CURNUTT.

ENGROSSED HOUSE JOINT RESOLUTION NO. 37—By PAXTON of the House and CARMACK of the Senate.

ENGROSSED HOUSE BILL NO. 735—By LOWRANCE of the House and FISCHL of the Senate.

ENGROSSED HOUSE BILL NO. 573—By PHILLIPS (Okfuskee) and OTTESEN.

ENGROSSED HOUSE BILL NO. 373—By ALBRIGHT, COLLINS, ALLEN, O'NEILL and JESSEE.

ENGROSSED HOUSE BILL NO. 509—By LEECRAFT and SULLIVAN.

ENGROSSED HOUSE BILL NO. 732—By HENDERSON, BATSON, LEECRAFT of the House, and BRIGGS, COMMONS, CHAMBERLIN, NICHOLS of the Senate.

ENGROSSED HOUSE BILL NO. 734—By MARTIN.

ENGROSSED HOUSE BILL NO. 724—By MASSEY and SULLIVAN.

ENGROSSED HOUSE BILL NO. 730—By SHOE-



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MAKE, HART, BLOCKER, BILLINGS, WOOTEN, BOYER and DARKS.

ENGROSSED HOUSE BILL NO: 240 — By BROADDUS, PHILLIPS (Okfuskee).

GENERAL ORDER

Upon motion of Senator Paul, SENATE BILL NO. 423, by Paul, et al was indefinitely postponed.

THIRD READING

Senator Nance asked unanimous consent, which was granted, to consider HOUSE JOINT RESOLUTION NO. 20, by Morse, et al, under third reading.

Senator Stacey asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Engrossed House Joint Resolution No. 20, line 10, page 2, by inserting after the word "and" and before the word "occupied," the word "actually."

STACEY.

Senator Stacey asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Engrossed House Joint Resolution No. 20, line 3, page 3, by adding after the word "and" and before the word "occupied," the word "actually,"

STACEY.

Senator Stacey asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend the title of Engrossed House Joint Resolution No. 20 by changing the comma after the figures "2000" to a period, and striking all the rest of the title, and adding the name of Stacey as a joint author.

STACEY.

Senator Nance asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Engrossed House Joint Resolution No. 20 by striking from and including line 10, page 2, down to and including line 8, page 4, and substituting in lieu thereof the following:

“All lands classified as homesteads under the provisions of Section 1, Article 12, of the Constitution of the State of Oklahoma, are hereby classified for the purpose of taxation, and a tax of more than fifteen (15) mills on the dollar valuation may never be levied upon the said lands and same shall be in lieu of all other taxes except special improvement taxes. Provided, however, that where the assessed valuation is in excess of \$5,000.00 all that portion of the assessed valuation in excess of Five Thousand Dollars (\$5,000.00) shall be and is hereby declared to be subject to taxation in the same manner as lands otherwise classified. All lands other than homesteads shall continue to be taxed in the same manner as heretofore or as may be hereafter provided by law. The taxes hereby levied upon real estate classified as homesteads is hereby declared to be in the nature of a commutation of taxes upon said class of property. The valuation of such property for the purpose of taxation and the manner of assessing the same, shall be and continue as now fixed for the assessment and valuation of other real property unless and until otherwise provided by law.”

BRIGGS,  
NANCE.

Senator Briggs asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Joint Resolution No. 20, line 1, page 5, by striking all of lines 1

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to 11 inclusive, and inserting in lieu thereof the following: "Shall Section 6, Article 10 of the Constitution of the State of Oklahoma be amended by adding thereto an additional Section to be known as Section 6-a, providing for the classification of homesteads for the purpose of taxation to an extent of a value of five thousand dollars (\$5,000.00) and limiting the tax to be imposed on or against the same, to be in lieu of all other taxes except special improvement taxes."

BRIGGS.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend the title to House Joint Resolution No. 20, by striking after the words "for the," the remainder of the title and inserting in lieu thereof the following: "classification of homesteads for the purpose of taxation, limiting the amount of taxes to be levied against the same to fifteen (15) mills on the dollar valuations, to be in lieu of all other taxes except special improvement taxes; and providing the manner and form of submitting the said proposed amendment."

BRIGGS.

By unanimous consent, further consideration of Engrossed House Joint Resolution No. 20 was deferred.

Upon motion of Senator Nance, the Senate proceeded to the consideration of appropriation bills.

Senator MacDonald called up for consideration, HOUSE BILL NO. 625, by Committee on Appropriations.

President Pro Tempore Stewart presiding.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 625, line 15½, page 24, by adding at the end of Section 1, the following:

A. & M. COLLEGE, STILLWATER

Balance due on equipment, purchased for A. & M. College Infirmary -----	\$2,750.00	
Balance due on Pipe Organ, purchased by A. & M. College -----	958.50	
Balance due on Folding Machine, purchased by the Printing Department -----	2,160.00	
TOTAL -----		\$5,868.50

DISTRICT JUDGES

Thurman S. Hurst, expenses for June, 1931 -----	96.60."
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MacDONALD.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 625, line 5, page 14, by striking the figures, "\$1,054.00," and inserting in lieu thereof the figures, "\$537.50."

NANCE.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend House Bill No. 625, line 5, page 21, by striking lines 5 and 6, page 21.

CURNUTT.

Upon motion of Senator MacDonald, the previous question was ordered.

The vote occurring on the Curnutt amendment, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Commons, Curnutt, Fischl, Garvin, Jennings, Johnston, Paul, Pugh. Total. 9.

Nays: Briggs, Carmack, Clark, Lester, Liggett, MacDonald, Nance, Nichols, Reed, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 16.

Not Voting: Carlile, Chamberlin, Dixon, Hutchin-



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son, Memminger, Morrison, Ritzhaupt, Rizley, Waldrep, Wilbanks. Total, 10.

Absent: Howard, Powers, Ray, Rutherford. Total, 4.

Excused: Coppock, Daugherty, Fidler, Logan, Moon. Total, 5.

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 625, line 18½, page 9, by adding a new paragraph, known as line 18½, to read as follows: "Expense of W. S. Jordan, Court Reporter, District No. 23, \$25.45."

COMMONS.

Senator Garvin submitted the following amendment:

Mr. President: I move to amend House Bill No. 625, lines 1, 2 and 3, page 2, by striking said lines.

GARVIN.

Upon roll call, as follows, the Garvin amendment was declared failed of adoption:

Ayes: Ballard, Briggs, Fischl, Garvin, Hutchinson, Pugh, Stacey, Stewart. Total, 8.

Nays: Carmack, Chamberlin, Commons, Curnutt, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Reed, Sowards, Thomas, Whitaker, Willis. Total, 17.

Not voting: Carlile, Clark, Dixon, Jennings, Morrison, Ritzhaupt, Rizley, Taylor, Waldrep, Wilbanks. Total, 10.

Absent: Howard, Powers, Ray, Rutherford. Total, 4.

Excused: Coppock, Daugherty, Fidler, Logan, Moon. Total, 5.

Senator Garvin moved that House Bill No. 625 be advanced to engrossment and third reading, which motion failed of adoption.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 625, line 9, page 26, by adding in Section 5, at the end of division "(a)," the following: "State Warrant, No. 62,153, Fiscal year ending June 30, 1927,—\$75.00."

MacDONALD.

Senator Sowards submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 625, lines 7 and 8, page 11, by inserting in line 7 the following: "In favor of the Deep Fork Drainage District, Lincoln County, One Hundred Seventy-one and 37/100 (\$171.37) Dollars, maintenance for 1932; and in favor of the Quapaw Drainage District, Lincoln County, One Thousand Twenty-one Dollars (\$1021.00), in payment of interest and installments due on school lands located in said District for the years 1933 and 1934; and changing the figures on line 8 from "One Thousand Eight Hundred Fifty-eight and 35/100 Dollars (\$1858.35)," to read, "Three Thousand Fifty and 72/100 Dollars (\$3,050.72)."

SOWARDS.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 625, line 5½, page 10, by inserting between lines 5 and 6, the following:

"Jim Scott, for salary for 3 months, for completing a check of the appraisement and report of the Appraisers and other clerical work connected with the appraisement of special state owned lands at the rate of \$125.00 per month—total \$325.00.

"To Jim Scott for salary for completing and transcribing the field notes and compiling final report of appraisers and other necessary clerical work connected with the Special appraisement of state owned lands in Western Oklahoma, at the rate of \$125.00 per month—\$400.-

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00," and amend line 8, page 11, by striking the figures, "\$1,838.35," and correcting the total accordingly.

BRIGGS

Senator Liggett submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 625, line 3½, page 6, by adding a new paragraph, as follows: "Southeastern Teachers' College, Durant: Claim of W. C. Bryant for balance due under contract as teacher in said College from year 1922 to year 1928—\$1500.00."

LIGGETT.

Senator Jennings submitted the following amendment, which failed of adoption:

Mr. President: I move to amend House Bill No. 625, line 11, page 4, by striking all of lines 11, 12, 13, 14 and 15.

JENNINGS.

Senator Fischl submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 625, lines 1½, page 23, as follows: Changing the figures at end of line 1 to \$133.00, and by adding: City of Ardmore, Water bill, October 1, 1931, to June 1, 1932, \$1482.00—TOTAL \$1615.00.

FISCHL.

Senator Jennings asked unanimous consent, which was granted, to be "excused" for the remainder of this legislative day, and in case a roll call is had on Engrossed House Bill No. 625, that he be recorded as voting "no."

Senator Curnutt submitted the following amendment, which failed of adoption:

Mr. President: I move to amend House Bill No. 625, lines 10 and 11, page 18, by striking lines 10 and 11.

CURNUTT.

Upon motion of Senator Nance, House Bill No. 625,

as amended, was advanced to engrossment and third reading.

Senator MacDonald moved that HOUSE BILL NO. 20, by Martin, be advanced to engrossment and third reading.

Senators Ballard, Curnutt and Memminger asked unanimous consent, which was granted, to be permitted to offer amendments to engrossed House Bill No. 20 when considered under third reading.

The vote occurring on the MacDonald motion, it was declared adopted.

Upon motion of Senator MacDonald, HOUSE BILL NO. 628, by Committee on Appropriations, was advanced to engrossment and third reading.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 214 correctly enrolled.

LIGGETT, Chairman.

Senate Bill No. 214 was read at length for the fourth time, enrolled copy signed, in open session, by the Presiding Officer and ordered transmitted to the Honorable House for the signature of the Speaker.

Upon motion of Senator Whitaker, HOUSE JOINT RESOLUTION NO. 52, by Henderson, was advanced to engrossment and third reading.

Upon motion of Senator Commons, the Senate Adjourned, to meet at 1:30 p. m., Monday, April 17th, 1933.



## SEVENTY-EIGHTH LEGISLATIVE DAY

Monday, April 17th, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 40.

Absent: Clark, Daugherty, Logan, Powers. Total, 4.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Upon motion of Senator Nance, the Senate voted to consider only such bills today as were called up by the Calendar committee.

### 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. 322, by Carlile, Morrison, Waldrep and Powers of the Senate and Spear and Glen of the House, entitled:

An Act making mandatory, estimates, appropriations and levies sufficient to purchase and pay for authorized legal publications and all mandatory accounting and recording books and records for county officers and boards and etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

WALDREP, Chairman.

Mr. President: We, your Committee on Retrenchment and Reform, to whom was referred Senate Bill No. 400, by Pugh, entitled:

An Act authorizing and empowering the Governor to reduce the expenses of the State government for the years 1934 and 1935, 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.

NICHOLS, Chairman.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 516—By BATSON, LANDINGHAM, GRAY, CLOYD, LEECRAFT, WINGO, and BEAMAN, entitled:

An Act authorizing the establishment, in each county, of a "County Emergency Investment Fund"; apportioning thereto one-half of all moneys received by any county from motor vehicle license fees and the excise tax on gasoline; providing that said fund, or so much thereof as may be necessary, shall be used, under the direction of the county treasurer, for investment in non-payable county warrants and judgments based upon warrants; providing for payment into sinking fund for retirement of road bond indebtedness; providing for reimbursement of said fund by collection from ad valorem taxes; pro-

viding for the disposition of the moneys remaining therein; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 516 was read at length for the fourth time, the enrolled copy signed, in open session, by the President, and ordered returned to the Honorable House.

#### FIRST READING

The following bills and Resolution were introduced and read for the first time:

SENATE BILL NO. 426—By STEWART.—An Act requiring transporting cattle, horses, or other live stock in motor vehicles from one county to another in the State or from one county in the State to a point without the State to secure a certificate authorizing such transportation from the sheriff of the county from which said cattle, horses or other livestock are to be transported; defining the contents of such certificate, and providing that same shall be filed in the office of said sheriff; requiring drivers of motor vehicles transporting cattle, horses or other livestock to exhibit certificates when requested by peace officers; requiring peace officers to ascertain whether or not drivers of such motor vehicles are in possession of such certificates; providing penalties for violation thereof; and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 22—By FISCHL.—A concurrent resolution memorializing Congress to provide relief for the oil industry, the farmers, the unemployed, business and the people generally by providing an adequate tariff or tax on oil that will place the domestic oil industry on a competitive basis with imported oil as shown by the reports of the tariff commission.

## SECOND READING

The following Resolution was read for the second time, and upon the request of Senator Commons, ordered placed upon the Calendar, without reference to a committee.

SENATE JOINT RESOLUTION NO. 26—By MEMMINGER and MacDONALD.

## GENERAL ORDER

Senator Commons moved that HOUSE BILL NO. 236, by Phillips (Okfuskee) be advanced to engrossment and third reading.

Senator Jennings, as a substitute, moved that further consideration of House Bill No. 236 be indefinitely postponed, which motion was tabled, upon motion of Senator Commons, the roll call thereon being as follows:

Ayes: Ballard, Carmack, Chamberlin, Commons, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Taylor, Waldrep, Whitaker, Willis. Total, 22.

Nays: Coppock, Curnutt, Fidler, Fischl, Jennings, Moon, Morrison, Rizley, Rutherford, Stewart. Total, 10.

Not Voting: Briggs, Carlile, Dixon, Hutchinson, Paul, Reed, Thomas, Wilbanks. Total, 8.

Absent: Clark, Daugherty, Logan, Powers. Total, 4.

The vote occurring on the Commons motion, it was declared adopted.

Senator Curnutt raised a point of order against the announced result of the Commons motion, stating his motion would require twenty-three affirmative votes, which point was overruled.

Upon motion of Senator Commons, HOUSE BILL NO. 682, by Anglin, et al, was advanced to engrossment and third reading.

Senator Commons asked unanimous consent, which



was granted, to add the name of "Stewart" as the first joint author of House Bill No. 682.

Senator Commons asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 682, line 5, page 7, by changing the period after the word "them" to a semi-colon and adding the following: "provided, that the last record owner of such real estate previous to such tax re-sale in all cases where such real estate constituted and constitutes the homestead of such person, shall have preference right to such entry and contract when he is otherwise eligible under the provisions hereof."

COMMONS  
CHAMBERLIN.

Senator Stewart asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 682, line 5, page 11, by striking after the word "state" the rest of line 5 and all of lines 5, 6, 7, 8, and inserting the following: "said land shall be sold by the county as now provided by law."

STEWART.

Senator Nance asked unanimous consent, which was granted, to submit the following substitute amendment, which was adopted:

Mr. President: I move to amend House Bill No. 682, line 5, page 11, after the word "State" and before the word "said" by adding: "said lands shall be offered for sale and sold by the Board of County Commissioners to the highest bidder for cash, said land shall be advertised as provided by law for the sale of property at re-sale."

NANCE.

Senator Wilbanks asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 682, line 2, page 5, by striking after the word "therefrom," all of lines 2, 3, 4, 5, 6, and 7, and substitute therefor the following:

"Class 'A' lands shall be subdivided into tracts of 10 acres each.

"Class 'B' into tracts of 20 acres each

"Class 'C' lands into tracts of 40 acres

"Class 'D' lands into tracts of 80 acres, and

"Classes 'E' and 'F' into tracts of 120 acres, each."

WILBANKS.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend the Wilbanks amendment, by striking the figures "120" and inserting the figures "160."

CURNUTT.

The vote occurring on the Wilbanks amendment, as amended, it was declared adopted.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 229—By GRAY.

An Act levying a Stamp Tax on the sale of cigarettes; prescribing the rate thereof; providing for stamps and the use thereof; providing for the enforcement of this Act by the Oklahoma Tax Commission and for rules and regulations in relation thereto; providing that the revenue derived hereunder, less expenses for collection

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and enforcement, shall be used to retire obligations of school districts and otherwise to reduce ad valorem taxes; creating a fund for the enforcement of this Act and for refunds, and making appropriations therefor; prescribing penalties; and declaring an emergency, and returns the said Bill for the further consideration of your Honorable Body.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has reconsidered its vote by which it asked the Honorable Senate for a Conference on:

ENGROSSED HOUSE BILL NO. 229—By GRAY of the House, and MORRISON and NICHOLS of the Senate, entitled:

An Act levying a Stamp Tax on the sale of cigarettes; prescribing the rate thereof; providing for stamps and the use thereof; providing for the enforcement of this Act by the Oklahoma Tax Commission and for rules and regulations in relation thereto; providing that the revenue derived hereunder, less expenses for collection and enforcement, shall be used to retire obligations of school districts and otherwise to reduce ad valorem taxes; creating a fund for the enforcement of this Act and for refunds, and making appropriations therefor; prescribing penalties; and declaring an emergency, and respectfully request that the Conferees be discharged.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Morrison moved that further consideration of House Bill No. 229 be indefinitely postponed.

Senator MacDonald moved to table the Morrison motion.

By unanimous consent, the Morrison and MacDonald motions were withdrawn.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the request of your Honorable body for the return of:

ENGROSSED HOUSE BILL NO. 619—By MAL-  
LORY, entitled:

An Act providing for relief from ad valorem taxation by levying a sales tax upon the gross proceeds derived from all sales of goods, wares and merchandise and from all sales of tickets or admissions to places of amusement and from all sales of electricity, gas and telephone and telegraph and radiocasting services; prescribing certain exemptions; providing for the disposition of the revenues arising hereunder; providing for computation and collection of such taxes and for the enforcement of this Act, by the Oklahoma Tax Commission; providing for expenses of such collection and enforcement; empowering said commission to prescribe rules and regulations in relation thereto; prescribing penalties for the violation of this Act; authorizing refunds; making such taxes and penalties a lien on vendors property; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable,  
for further consideration cannot be granted, for the reason that the Bill failed of passage in the House on final Roll Call and Motion for reconsideration tabled.

Respectfully,

R. M. McCOOL, Chief Clerk.



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To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has reconsidered the vote by which it tabled the Motion to reconsider:

ENGROSSED HOUSE BILL NO. 619—By MAL-  
LORY, entitled:

An Act providing for relief from ad valorem taxation by levying a Sales Tax upon the gross proceeds derived from all sales of goods, wares and merchandise and from all sale of tickets or admissions to places of amusement and from all sales of electricity, gas and telephone and telegraph and radiocasting services; prescribing certain exemptions; providing for the disposition of the revenues arising hereunder; providing for computation and collection of such taxes and for the enforcement of this Act, by the Oklahoma Tax Commission; providing for expenses of such collection and enforcement; empowering said Commission to prescribe rules and regulations in relation thereto; prescribing penalties for the violation of this Act; authorizing refunds; making such taxes and penalties a lien on vendors property; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 619—By MAL-  
LORY, entitled:

An Act providing for relief from ad valorem taxation by levying a Sales Tax upon the gross proceeds derived from all sales of goods, wares and merchandise and from all sale of tickets or admissions to places of amusement and from all sales of electricity, gas and telephone and telegraph and radiocasting services; prescribing certain exemptions; providing for the disposition of the revenues arising hereunder; providing for computation and collection of such taxes and for the enforcement of this Act, by the Oklahoma Tax Commission; providing for expenses of such collection and enforcement; empowering said Commission to prescribe rules and regulations in relation thereto; prescribing penalties for the violation of this Act; authorizing refunds; making such taxes and penalties a lien on vendors property; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable,

and respectfully asks your Honorable Body for a Conference thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Morrison moved that the Senate request the Honorable House to return House Bill No. 619.

Senator Briggs, as a substitute, moved that the request of the House for a conference on House Bill No. 619 be granted and Senate Conferees be appointed, the same to be those appointed under House Bill No. 229.

Senator Paul moved to amend the Briggs motion, by providing for the appointment of five Senate Conferees, which amendment was adopted.

The vote occurring on the Briggs amendment, as amended, it was declared adopted and the Presiding Officer appointed as Senate Conferees thereunder, Senators Whitaker, Chamberlin, Nichols, Nance and Morrison.

### GENERAL ORDER

Referring further to HOUSE BILL NO. 682.

Senator Stewart asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 682, line 2, page 3, by adding after the word "belong", the following: "The County Commissioners of the respective counties of the State shall execute a conveyance to the Commissioners of the Land Office to all land acquired as in this Section provided; provided, however, as provided in Section 12 hereof, the Commissioners of the Land Office shall convey said lands back to the respective counties."

STEWART.

Senator MacDonald presiding.

Upon motion of Senator Commons, the Stewart amendment was tabled.

Senator Stewart asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 682, line 7, page 5, by adding after the word "each" the following: "provided, however, at least thirty-three and one-third per cent of the lands to be homesteaded must be capable of actual cultivation and production."

STEWART.

Senator Stewart asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 682, by inserting the following paragraph: "Immediately upon the filing of the return of sale by the County Treasurer to the County Clerk, under the provisions of the re-sale tax laws of the State of Oklahoma, and fee simple title in and to said land shall be vested in the State of Oklahoma."

STEWART.

Senator Stewart asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 682, by adding the following paragraph: "Any applicant for homestead entry, under the provisions of this Act, shall file his application with the County Clerk of the county in which the land is situated and publish a notice of his intention to make a homestead entry upon said land in some newspaper of legal age, published in the county in which the land is situated, and thereupon the County Clerk shall certify such fact to the Commissioners of the Land Office, together with a proof of publication of said notice. Upon the filing of said certification and proof of publication, the applicant shall have a preference right as an entry man upon the land designated in such application."

STEWART.

Senator Rizley moved that further consideration of House Bill No. 682 be indefinitely postponed.

Senator Stewart moved to table the Rizley motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carmack, Chamberlin, Commons, Curnutt, Dixon, Fidler, Johnston, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Ray, Reed, Stacey, Stewart, Taylor, Whitaker, Wilbanks. Total, 21.

Nays: Ballard, Coppock, Fischl, Garvin, Howard, Hutchinson, Jennings, Lester, Liggett, Moon, Pugh, Ritzhaupt, Rizley, Willis. Total, 14.

Not Voting: Carlile, Rutherford, Sowards, Thomas, Waldrep. Total, 5.

Absent: Clark, Daugherty, Logan, Powers. Total, 4.

Upon motion of Senator Commons, the rules of the Senate were suspended and House Bill No. 682, as amended, was considered engrossed and placed upon third reading and final passage.



HOUSE BILL NO. 682 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carmack, Chamberlin, Commons, Curnutt, Fidler, Fischl, Howard, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 26.

Nays: Ballard, Coppock, Dixon, Garvin, Hutchinson, Jennings, Liggett, Pugh, Rizley. Total, 9.

Not Voting: Carlile, Rutherford, Sowards, Thomas, Waldrep. Total, 5.

Absent: Clark, Daugherty, Logan, Powers. 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. 682 was ordered referred for re-engrossment.

#### MESSAGES

The following Message from the Governor was received and read:

TO THE HONORABLE THE STATE SENATE OF  
THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

There are some eight bills that should pass but there is plenty of time yet to pass them, all except House Bill No. 229, which should pass today, if passed in time under the Constitution.

This Bill, known as the Cigarette Bill, will take care of the school warrants and restore credit in the school districts. It would be satisfactory to amend it so as not to curtail the ad valorem tax to the extent of the amount received, if the Senate so desired.

These bills that I think should be passed this week are as follows, to-wit:

1. House Bill No. 20—The Institutional Appropriation Bill; passed the House January 12, 1933. This Bill is in line with the recommendation of your unofficial budget committee, and cuts the appropriation for the institutions by approximately \$6,650,000.00 for the biennium.

2. Senate Bill No. 27—The Departmental Bill; was returned to the Senate after passage by the House on the 28th day of February, 1933. We have been unable to get a conference with the Senate Committee.

3. Senate Bill No. 229—The Cigarette Tax Bill; passed the House on the 8th day of February, 1933, and is still in the Senate.

4. Senate Bill No. 517—Was sent to the Senate on the 10th day of March, 1933. This lowers salaries of all State officials, and will save \$4,000,000.00 during the next term of State officials.

5. Senate Bill No. 51—Was sent to the Senate on the 30th day of March, 1933. This bill lowers salaries of county officials. Our conferees have attempted not less than twelve times to secure a meeting of conference committee for further conference, but unable to get a meeting.

6. House Bill No. 220—Judicial Re-Districting Bill; was sent to the Senate on the 24th day of March, 1933. Cuts out twelve judges and twelve reporters, and saves the State \$75,000.00 per year.

7. House Bill No. 187—Passed the House on the 6th day of February, 1933, and provides for reorganization of the School Land Office and protection of the School Funds.

8. House Bill No. 682—Passed the House

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April 12, 1933. Allows homesteading of tax sold land.

I respectfully urge that all the foregoing bills be passed as speedily as possible.

As stated before, the passage of the Cigarette Bill will complete my program of financial credit for all subdivisions of the State as well as that for the State.

Certainly, House Bill No. 187, to provide for the audit of the School Land Department every two years, should, by all means, pass. I cannot conceive why anybody would oppose those bills. These school funds are held in trust, and we are but criminals if we do not protect them.

Respectfully submitted, on this the 17th day of April, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Upon motion of Senator Wilbanks, House Bill No. 220 was ordered withdrawn from the Committee on Judicial Redistricting and placed upon the Calendar.

The following Message from the Honorable House was received and read:

To the President of the Senate.

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker of the House has appointed: Representatives Leecraft, Phillips (Okfuskee), Cox, Mallory, and Daniel, as House Conferees on:

ENGROSSED HOUSE BILL NO. 619—By MALLORY.

An Act providing for relief from ad valorem taxation by levying a sales tax upon the gross proceeds derived from all sales of goods, wares and merchandise and from all sales of tickets or admissions to places of amuse-

ment and from all sales of electricity, gas and telephone and telegraph and radiocasting services; prescribing certain exemptions; providing for the disposition of the revenues arising hereunder; providing for computation and collection of such taxes and for the enforcement of this Act, by the Oklahoma Tax Commission; providing for expenses of such collection and enforcement; empowering said Commission to prescribe rules and regulations in relation thereto; prescribing penalties for the violation of this Act; authorizing refunds; making such taxes and penalties a lien on vendors property; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 20, 121, 622, 623, 625, each, correctly engrossed.

LIGGETT, Chairman.

### THIRD READING

HOUSE BILL NO. 623 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Taylor, Thomas, Whitaker. Total, 23.

Nays: Ballard, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Moon, Rizley, Rutherford, Stacey, Wilbanks, Willis. Total, 13.

Not Voting: Garvin, Sowards, Stewart, Waldrep. Total, 4.



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Absent: Clark, Daugherty, Logan, Powers. 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: Ballard, Briggs, Carlike, Carmack, Chamberlin, Commons, Curnutt, Dixon, Fidler, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Coppock, Jennings. Total, 2.

Not Voting: Garvin, Hutchinson, Sowards, Waldrep. Total, 4.

Absent: Clark, Daugherty, Logan, Powers. 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 Presiding Officer, in open session, signed the engrossed Senate amendments to and Engrossed House Bill No. 623, as amended, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 622 was read at length for the third time.

Senator Ballard asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 622, by adding at the end of Section 1, the following: "University of Oklahoma, for purchase and installing boilers—\$12,000."

BALLARD.

HOUSE BILL NO. 622 was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 33.

Nays: Coppock, Curnutt, Dixon, Rizley, Willis. Total, 5.

Not Voting: Hutchinson, Sowards. Total, 2.

Absent: Clark, Daugherty, Logan, Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 33.

Nays: Coppock, Curnutt, Dixon, Rizley, Willis. Total, 5.

Not Voting: Hutchinson, Sowards. Total, 2.

Absent: Clark, Daugherty, Logan, Powers. 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.

House Bill No. 622, as amended, was ordered referred for re-engrossment.

HOUSE BILL NO. 625 was read at length for the third time.

Senator Pugh asked unanimous consent, which was

granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 625, by reducing by twenty-five per cent, the totals applying to salaries and merchandise.

PUGH.

Senator Ray moved to table the Pugh amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Commons, Fidler, Fischl, Howard, Johnston, Lester, MacDonald, Memminger, Moon, Paul, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 25.

Nays: Coppock, Curnutt, Dixon, Garvin, Jennings, Pugh. Total, 6.

Not Voting: •Chamberlin, Hutchinson, Liggett, Morrison, Nance, Nichols, Rizley, Sowards, Whitaker. Total, 9.

Absent: Clark, Daugherty, Logan, Powers. Total, 4.

Senator Curnutt asked unanimous consent, to which objections were voiced, to submit the following amendment:

Mr. President: I move to amend House Bill No. 625, by inserting after line 17½, page 21, the following: "there is hereby appropriated out of the Highway Construction and Maintenance fund, a sufficient amount to pay the following items:"

CURNUTT.

Senator Fidler asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 625, line 18, page 12, and line 1, page 13, by striking said lines.

FIDLER.

Senator Commons moved to table the Fidler amend-

ment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Johnston, Lester, Liggett, MacDonald, Moon, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 24.

Nays: Ballard, Coppock, Curnutt, Dixon, Fidler, Jennings, Memminger, Nance, Rutherford, Stacey. Total, 10.

Not Voting: Howard, Hutchinson, Morrison, Rizley, Stewart, Whitaker. Total, 6.

Absent: Clark, Daugherty, Logan, Powers. Total, 4.

Upon motion of Senator Commons, the previous question was ordered.

HOUSE BILL NO. 625 was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Fidler, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Ballard, Coppock, Curnutt, Dixon, Garvin, Jennings, Pugh. Total, 7.

Not Voting: Hutchinson, Rizley. Total, 2.

Excused from voting: Waldrep. Total, 1.

Absent: Clark, Daugherty, Logan, Powers. 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: Briggs, Carlile, Carmack, Chamberlin, Com-



mons, Fidler, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Ballard, Coppock, Curnutt, Dixon, Garvin, Jennings, Pugh. Total, 7.

Not Voting: Hutchinson, Rizley. Total, 2.

Excused from voting: Waldrep. Total, 1.

Absent: Clark, Daugherty, Logan, Powers. 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 Presiding Officer, in open session, signed the engrossed Senate amendments to and Engrossed House Bill No. 625, as amended, and ordered the same transmitted to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 622 and 682, correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 622, as amended, and 682, as amended, and ordered, each, returned to the Honorable House.

HOUSE BILL NO. 20 was read at length for the third time.

Senator Ballard asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator Commons.

Mr. President: I move to amend House Bill No. 20, line 7½, page 4, by adding the following:

"Summer School	\$19,000	\$19,000
Repairs and Improvement	19,000	19,000."

BALLARD.

Senator Ritzhaupt asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 20, line 4½, page 14, by inserting the following:

"Summer School, Salary and Expenses \$4,500.00."

RITZHAUPT.

Senator Curnutt asked unanimous consent, to submit the following amendment:

Mr. President: I move to amend House Bill No. 20, lines 9 and 10, page 24, by striking said lines.

CURNUTT.

Senator Paul asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 20, line 12½, page 22, by adding the following: "Rent on W. O. Martin farm \$667.22," and change totals to comply therewith.

PAUL.

Senator Fischl asked unanimous consent, which was granted, to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 20, page 15, so as to rearrange appropriation for Oklahoma School for deaf, Sulphur, to read as follows:

"Salaries	\$63,000.00	\$63,000.00
Maintenance	60,500.00	60,500.00
Clothing and Transportation		
for Indigent Children	1,500.00	1,500.00

Total	\$125,000.00	\$125,000.00"
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FISCHL.

DIXON.

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Senator Memminger asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator Paul:

Mr. President: I move to amend House Bill No. 20, by striking all of line 18, page 2, all of lines 1 to 18, both inclusive, page 3, and line 1, page 4.

MEMMINGER.

Senator Ballard asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 20, line 6, page 4, by striking the figures "\$756,000.00 each year," and inserting "\$786,000.00 each year."

BALLARD.

Senator Commons moved to table the Ballard amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Commons, Coppock, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stewart, Taylor, Thomas, Waldrep, Willis. Total, 24.

Nays: Ballard, Chamberlin, Curnutt, Fidler, Jennings, Memminger, Moon, Rutherford, Stacey, Whitaker, Wilbanks. Total, 11.

Not Voting: Briggs, Dixon, Hutchinson, Morrison, Nance. Total, 5.

Absent: Clark, Daugherty, Logan, Powers. Total, 4.

House Bill No. 20, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey,

Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis.  
Total, 29.

Nays: Ballard, Coppock, Curnutt, Garvin, Rizley,  
Whitaker. Total, 6.

Not Voting: Dixon, Hutchinson, Morrison, Nance,  
Sowards. Total, 5.

Absent: Clark, Daugherty, Logan, Powers. 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. 20, as amended, was referred for re-engrossment.

HOUSE BILL NO. 121 was read for the third time at length.

Senator Commons asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 121, line 14, page 6, by adding after the word "adoption," the following: "provided that a history of Oklahoma so adopted, if any, shall contain a copy of the Constitution of the State and the History of the United States, adopted, shall contain a copy of the Constitution of the United States and any book of civics or relating to civil government shall contain a copy of the Constitution of Oklahoma, and of the Constitution of the United States. Such instruments may be incorporated as an appendix to such book or books."

WALDREP.

Senator Commons asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 121, line 15, page 7, by striking after the word "text-books," all of lines 16 and 17, down to and including



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the word "state" and inserting the following: "provided that adoptions to replace existing contracts, expiring in 1934 and 1935, shall not be made until May 10th, of their respective expiration years."

WALDREP.

House Bill No. 121, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Carlile, Carmack, Chamberlin, Commons, Fischl, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Ballard, Briggs, Curnutt, Dixon, Garvin, Jennings, Rizley, Rutherford, Stacey. Total, 9.

Not Voting: Coppock, Fidler, Howard, Hutchinson, Reed, Sowards. Total, 6.

Absent: Clark, Daugherty, Logan, Powers. 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. 121, as amended, was referred for re-engrossment.

President Pro Tempore Stewart presiding.

HOUSE BILL NO. 255 was read at length for the third time.

Senator Whitaker asked unanimous consent, to which objections were voiced, to submit an amendment to House Bill No. 255.

Senator Whitaker moved that the rules of the Senate be suspended for the purpose of submitting an amendment to House Bill No. 255, which motion failed of adoption.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Ray, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Waldrep, Wilbanks. Total, 27.

Nays: Jennings, Moon, Pugh, Stewart, Thomas, Whitaker, Willis. Total, 7.

Not Voting: Coppock, Dixon, Fidler, Hutchinson, Reed, Rutherford. Total, 6.

Absent: Clark, Daugherty, Logan, Powers. Total, 4.

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 Commons, the emergency section was ordered stricken.

The question being "Shall the title of the Bill become the title of the Act?"

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 255, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

#### COMMONS.

House Bill No. 255, as amended, was ordered referred for re-engrossment.

Senator Whitaker moved that the vote be reconsidered by which House Bill No. 229, by Gray, was passed, which motion was adopted, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 24.

Nays: Ballard, Briggs, Coppock, Curnutt, Fischl,

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Jennings, Moon, Morrison, Ritzhaupt, Rizley, Rutherford, Stewart, Wilbanks. Total, 13.

Not Voting: Dixon, Fidler, Hutchinson. Total, 3.

Absent: Clark, Daugherty, Logan, Powers. Total, 4.

Senator Whitaker moved that the vote be reconsidered by which the Morrison substitute bill was substituted for House Bill No. 229.

Senator Nichols presiding.

The vote occurring on the Whitaker motion, it was declared adopted.

House Bill No. 229 was read at length.

Upon motion of Senator Whitaker, House Bill No. 229 was advanced to engrossment and third reading.

Senator Jennings submitted the following motion, which was tabled, upon motion of Senator Paul:

Mr. President: I move that House Bill 229 be re-committed to a special committee of three to be appointed by the President with instructions to redraft the same so as to include cigars and all other forms of tobacco, and substitutes therefor by levying a stamp tax equivalent to twenty per cent of the retail value thereof.

#### JENNINGS.

HOUSE BILL NO. 229 was read at length for the third time.

Senator Morrison asked unanimous consent, to which objections were voiced, to submit an amendment to House Bill No. 229.

Senator Nance moved that the rules of the Senate be suspended, for the purpose of considering the Morrison amendment, which motion prevailed.

Senator Morrison submitted the following amendment:

Mr. President: I move to amend House Bill No. 229, line 9, page 4, by striking after the word "state,"

the balance of line 9 and all of lines 10, 11, 12, 13, 14, 15, 16, 17, and 18.

MORRISON.

Senator Whitaker moved to table the Morrison amendment, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Carlile, Chamberlin, Commons, Dixon, Garvin, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Waldrep, Whitaker. Total, 18.

Nays: Ballard, Briggs, Carmack, Coppock, Currutt, Fischl, Howard, Jennings, Johnston, Liggett, Moon, Morrison, Ritzhaupt, Rizley, Rutherford, Stacey, Wilbanks, Willis. Total, 18.

Not Voting: Fidler, Hutchinson, Stewart, Thomas. Total, 4.

Absent: Clark, Daugherty, Logan, Powers. Total, 4.

Upon motion of Senator Commons, the Senate recessed, to meet at 7:30 p. m.

EVENING SESSION

The Senate re-assembled at 7:30 p. m., with the President presiding.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 20, 121, and 255 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 20, as amended, 121, as amended, and 255, as amended, and ordered, each, transmitted to the Honorable House.

COMMITTEE REPORT

By unanimous consent, the following Committee Re-



port was submitted, the bill ordered printed and placed upon the Calendar.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 230, by Ellis, Ottesen, Fraley, Batson, Grunert, Collins, Speck, Albright, Johnson (Comanche), Abernathy (Harmon), etc., entitled:

An Act relating to the filing of tax protests; and amending Section 12,306, Oklahoma Statutes, 1931, with reference to the time and manner of filing of protests; providing for the time and manner of hearing of protests by the Excise Board and for filing, 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.

WHITAKER, Chairman.

#### MESSAGES

The following Messages from the Governor were received and read:

#### TO THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 364—By JONES. Reducing the salary of deputy County Officers in Beckham County, which bill having passed the Senate and House of Representatives was presented to me April 10th and held by me, without action thereon, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this April 17th, 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED SENATE BILL NO. 410—By CUR-  
NUTT and COMMONS.

An Act making an appropriation of One Hundred Seventy-five (\$175.00) Dollars out of any moneys in the State Treasury, not otherwise appropriated, for the fiscal year ending June 30, 1933, for the purpose of purchasing stamps by the Clerk of the Supreme Court during the remainder of said fiscal year; and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand, this April 14th, A. D. 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 225—By ABER-  
NETHY (Harmon), and LANDINGHAM of the House.  
levying a tax on freight cars, which bill I have this day signed and approved.

Witness my hand, this April 12th, A. D. 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 364—By JONES,

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reducing the salary of deputy County officers in Beckham County, which bill having passed the Senate and House of Representatives was presented to me April 10th and held by me, without my action thereon, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this April 17th, A. D. 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 387—By EBEY (Pontotoc) and HAILE.

An Act amending Section 12669 Oklahoma Statutes 1931, limiting the maximum ad valorem tax levy which may be made by counties, cities, towns, townships and school districts; further defining the duties and powers of county excise boards; repealing Sections 10195 and 10196 Oklahoma Statutes 1931, and conflicting laws; and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand, this April 14th, A. D. 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

HOUSE BILL NO. 618—By EBEY (Pontotoc) and STRICKLAND (Pontotoc).

An Act repealing Sections 8300, 8301, and 8302 Oklahoma Statutes, 1931, relating to the salaries of county officers and the number and salaries of deputy county

officers and employees of Pontotoc County, Oklahoma, and declaring an emergency, which bill having passed the Senate and House of Representatives was presented to me April 10th and held by me, without my action thereon, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this April 17th, A. D. 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

✓ ENROLLED HOUSE BILL NO. 434,  
providing for the remission of penalties on delinquent assessments in towns and cities, which bill having passed the Senate and House of Representatives was presented to me April 8th and held by me, without my signature, for more than five days (Sundays excepted) whereby the same became law.

Witness my hand, this April 15th, A. D. 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 641—By PHILIPS (Okfuskee), SINGLETON, WRIGHT and MARTIN.

An Act amending Section 5973, Oklahoma Statutes, 1931, relating to the responsibility for purchases made by any municipality, superintendent, principal, coach,



teacher or any employee of any State school or any other State or public institution or Department of State; fixing the personal liability therefor upon the governing body of any such municipality, superintendent, principal, coach, teacher or employee of any State or public school, institution or department of State, which bill I have this Day signed and approved.

Witness my hand, this April 14th, A. D. 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 650—By LEE-CRAFT and BATSON of the House and WHITAKER of the Senate.

An Act amending Sections 12374, 12375, 12376, 12377, 12378, 12379, 12380, 12381, 12382, 12383, and 12385, inclusive, Oklahoma Statutes, 1931, relating to the levy and collection of corporation license fees and providing for the disposition of the same; prescribing penalties; providing for the enforcement of this Act; providing a legal remedy for aggrieved taxpayers; repealing conflicting laws and declaring an emergency, which bill I have this day signed and approved.

Witness my hand, this April 14th, A. D. 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State:

ENROLLED HOUSE BILL NO. 656,

known as the motor vehicle bill, which bill I have this day signed and approved.

Witness my hand, this April 12th, A. D. 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

The following Messages from the Honorable House were received and read:

Senator Dixon presiding.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 625—By COMMITTEE ON APPROPRIATIONS, entitled:

A Bill to be entitled an Act making appropriation from the general revenue fund and other funds, for the purpose of paying claims against certain state departments and institutions hereinafter set out; and declaring an emergency,  
and asks your Honorable Body for a Conference thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator MacDonald, the request of the Honorable House for a conference on Engrossed House Bill No. 625 was granted.

The Presiding Officer appointed as Senate Conferees thereunder, Senators Nichols, Paul, Commons, Fischl MacDonald and Stewart.

President Burns presiding.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to

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transmit herewith for your consideration:

ENROLLED HOUSE BILL NO. 58—By ABERNATHY (Pott.), GRAY, TURNER, SMALLEY, LANDINGHAM and STRICKLAND, entitled:

An Act requiring licenses for the operation, maintenance, opening or establishing of stores in this state, prescribing the license or filing fees to be paid therefor, providing further for the disposition of the taxes and license fees so collected hereunder to the common school fund of the state, and providing the powers and duties of the Oklahoma Tax Commission in connection therewith, prescribing penalties for the violation therefor, together with the message from the Governor vetoing same; which Bill was passed by the Fourteenth Legislature, and vetoed by the Governor, and to advise you, and, through you, the Honorable Senate, that under the provisions of Section 11, Article 6, of the Constitution of the State of Oklahoma, the House has reconsidered and passed said Bill over the Governor's veto by two-thirds vote of all the members elected to and constituting the House of Representatives, said vote being as follows: Ayes 87, Nays 7, Excused 12, Absent 12, the Emergency also having been passed by the House, said vote being as follows: Ayes 93, Nays 2, Excused 12, Absent 11.

And to further advise you, that the proceedings thereunder have been spread of record in the Journal of the Honorable House, and the said Bill is herewith transmitted for the consideration of your Honorable Body, under the provisions of Section 11, of Article 6, of the Constitution of the State of Oklahoma.

I am directed by the Honorable House to request that after consideration of the Bill and proceedings of the Senate that the House be informed of the action of the Honorable Senate in connection with said bill.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Nance moved that consideration of House Bill No. 58 be deferred.

Senator Commons, as a substitute, moved that notwithstanding the veto of the Governor, House Bill No. 58 become a law.

Senator Waldrep, in lieu of all pending motions, moved that further consideration of House Bill No. 58 be deferred until the next legislative day, which motion prevailed.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENROLLED HOUSE BILL NO. 462—By GRAHAM, COPELAND, BILLINGS, MARSHALL, ELLIS, COE and CONNER of the HOUSE, and FIDLER of the SENATE, entitled:

An Act authorizing the city council of the city of Oklahoma City, State of Oklahoma, to levy a special tax in addition to, in excess of, and beyond ad valorem tax levies for current expenses authorized by law, a special tax of not to exceed one-fourth of one mill for the purpose of making payments for premiums to certain exhibitors at the Oklahoma State Fair and Exposition, limiting the amount of funds to be thus raised, providing for the manner in which premiums to exhibitors shall be disbursed; and declaring an emergency,

together with the message from the Governor vetoing same; which Bill was passed by the Fourteenth Legislature, and vetoed by the Governor, and to advise you, and, through you, the Honorable Senate, that under the provisions of Section 11, Article 6, of the Constitution of the State of Oklahoma, the House has reconsidered and passed said Bill over the Governor's veto by two-thirds vote of all the members elected to and constituting the House of Representa-



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tives, said vote being as follows: Ayes 86, Nays 10, Excused 12, Absent 10, the Emergency also having been passed by the House, said vote being as follows: Ayes 90, Nays 7, Excused 12, Absent 9.

And to further advise you, that the proceedings thereunder have been spread of record in the Journal of the Honorable House, and the said Bill is herewith transmitted for the consideration of your Honorable Body, under the provisions of Section 11, of Article 6, of the Constitution of the State of Oklahoma.

I am directed by the Honorable House to request that after consideration of the Bill and proceedings of the Senate that the House be informed of the action of the Honorable Senate in connection with said Bill.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Fidler moved that notwithstanding the veto of the Governor, that House Bill No. 462 become a law.

HOUSE BILL NO. 462 was read at length.

The question being, "Shall House Bill No. 462, notwithstanding the veto of the Governor, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Coppock, Curnutt, Dixon, Fidler, Fischl, Hutchinson, Memminger, Morrison, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Waldrep, Whitaker, Wilbanks. Total, 19.

Nays: Carlile, Carmack, Chamberlin, Commons, Johnston, Lester, Liggett, MacDonald, Nance, Nichols, Taylor, Willis. Total, 12.

Not Voting: Garvin, Howard, Jennings, Moon, Paul, Pugh, Rizley, Sowards, Thomas. Total, 9.

Absent: Clark, Daugherty, Logan, Powers. 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.

Senator Morrison served notice that he would, on some

future legislative day, move to re-consider the vote by which House Bill No. 462 failed to become a law, notwithstanding the veto of the Governor.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENROLLED HOUSE BILL NO. 714—By HILL, WOOTEN and GRISSO, entitled:

An Act fixing the number and salaries of assistants, deputies, stenographers, reporters and employees of county officers in all counties having a population in excess of 70,000 and not to exceed 100,000, according to the 1930 decennial census; repealing all acts in conflict therewith and declaring an emergency, which Bill was passed by the Fourteenth Legislature, and vetoed by the Governor, and to advise you, and, through you, the Honorable Senate, that under the provisions of Section 11, Article 6, of the Constitution of the State of Oklahoma, the House of Representatives has reconsidered and passed said Bill over the Governor's veto by two-thirds vote of all the members elected to and constituting the House of Representatives, said vote being as follows: Ayes 80, Nays 10, Excused 13, Absent 15, the Emergency also having been passed by the House, said vote being as follows: Ayes 97, Nays 2, Excused 12, Absent 7.

And to further advise you, that the proceedings thereunder have been spread of record in the Journal of the Honorable House, and the said Bill is herewith transmitted for the consideration of your Honorable Body, under the provisions of Section 11, of Article 6, of the Constitution of the State of Oklahoma.

I am directed by the Honorable House to request that after consideration of the Bill and proceedings of the Sen-

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ate, that the House be informed of the action of the Honorable Senate in connection with said Bill.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Nichols served notice that he would, on some future legislative day, move that House Bill No. 714 become a law, notwithstanding the veto of the Governor.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 21—By PUGH, PAUL and CHAMBERLIN, entitled:

A resolution requesting an investigation by the Department of Agriculture of the United States of the prices charged by stockyards for feed for livestock shipped to said stockyards for marketing,  
and to advise you, and, through you, the Honorable Senate, that same has been adopted by the House of Representatives and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senate Concurrent Resolution No. 21 was ordered referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 25—By STACEY, entitled:

An Act amending Section 6214, Oklahoma Statutes 1931, relating to the adoption of the Resolution of Necessity

for paving or other street improvements by the governing body of any city or town; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senate Bill No. 25 was ordered referred for enrollment. To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 359—By STEWART and MacDONALD, entitled:

An Act making a reappropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the Permanent Journals and Session Laws, together with other expenses of the Regular Session of the Fourteenth Legislature, providing for the closing of the business of the two Houses of said Session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, and declaring an emergency, and to advise you, and, through you, the Honorable Senate, that the House refuses to recede from House Amendments and asks the Honorable Senate for a Conference. The Speaker has appointed: Representatives Batson, Johnson (Comanche), Hankla as House Conferees on said Bill.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator MacDonald, the Senate concurred in House Amendments to Engrossed Senate Bill No. 359.



Engrossed Senate Bill No. 359, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes; Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total 32.

Nays: Coppock. Total 1.

Not Voting: Garvin, Hutchinson, Liggett, Moon, Rizley, Sowards, Thomas. Total 7.

Absent: Clark, Daugherty, Logan, Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total 32.

Nays: Coppock. Total 1.

Not Voting: Garvin, Hutchinson, Liggett, Moon, Rizley, Sowards, Thomas. Total 7.

Absent: Clark, Daugherty, Logan, Powers. 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, in open session, signed Engrossed House Amendments to Engrossed Senate Bill No. 359 and ordered the bill, as amended, referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 366—By MOON, entitled:

An Act relating to the duties and compensation of members of the Board of County Commissioners of all counties in the State having a population between 65,000 and 77,500 according to the last preceding federal census, providing compensation in lieu of expenses incurred by County Commissioners where township government has been or may be abolished, authorizing the compensation for said duties, and providing the method and means for payment and the fund from which said compensation shall be paid, 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 the House of Representatives, AS AMENDED, and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 366 were read, as follows, and upon motion of Senator Moon, concurred in by the Senate:

AMENDMENT NO. 1: After the word "service" in line 12, on page 1, add the following: "and shall be payable out of the County Highway Fund."

AMENDMENT NO. 2: In line 17, on page 1, after the word "that" insert the following:

"The total compensation or remuneration to be paid to or received by each Commissioner, whether under this or any other law or laws, as salary per diem

and for mileage expense or any other purpose, shall not exceed the sum of \$1,800.00 per annum, except that"

AMENDMENT NO. 3: On page 2 after the word "law" in line 4, strike the period and insert a comma and add the following:

"And the township supervisor in such counties in each case is abolished; Provided further that the total compensation to be paid to or received by each commissioner, where such township government has been abolished under this or any other law or laws as salary per diem or mileage expense or any other purpose shall not exceed the sum of \$2,000.00 per annum."

Engrossed Senate Bill No. 366, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 35.

Not Voting: Garvin, Rizley, Sowards, Thomas, Wilbanks. Total, 5.

Absent: Clark, Daugherty, Logan, Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Lig-

gett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 35.

Not Voting: Garvin, Rizley, Sowards, Thomas, Wilbanks. Total, 5.

Absent: Clark, Daugherty, Logan, Powers. 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.

Engrossed Senate Bill No. 366 was ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 401—By WALDREP, entitled:

An Act providing that the Governing Board of any municipality of this state may sell bonds heretofore or hereafter authorized to be issued by the vote of the qualified electors in any amount that is deemed necessary and proper; provided said sale shall be in the manner now provided by law 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 401 was ordered referred for enrollment.



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To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 127—By BRIGGS, entitled:

An Act amending Section 7735, Oklahoma Statutes, 1931, (being Section 1, Article 6, Chapter 35, Session Laws 1931); providing for the execution of a bond by the County Treasurer of the various counties of the State; prescribing the conditions of such bond; the procedure in connection therewith and providing for an examination as to the sufficiency of the surety or sureties thereon; providing for personal sureties under certain circumstances and conditions, as hereinafter defined; providing for an examination of the books and records of such Treasurer or Treasurers; prescribing the conditions under which sureties may be allowed to withdraw therefrom; making other and further provisions with reference to bonds of County Treasurers and 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 127 was ordered referred to the Governor for consideration.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 214—By CHAM-

BERLIN, COMMONS, MORRISON, NICHOLS, WHITAKER, MacDONALD, and NANCE, entitled:

An Act providing for the redemption of real estate sold to the county on account of delinquent ad valorem taxes, where the county still holds the title thereto; providing for the waiving and releasing of interest, penalties and costs of the same if the principal amount thereof is paid on or before December 31, 1933; authorizing and directing county treasurers to accept such amounts and to issue redemption certificates therefor; providing the manner and means of issuing said redemption certificates; providing that after such payment said real estate shall be placed on the tax rolls; providing that the amounts paid hereunder shall accrue to the common school fund of the county; suspending all laws or parts of laws in conflict herewith for the term of this Act; 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.

Respectfully,

R. M. McCool, Chief Clerk.

Enrolled Senate Bill No. 214 was ordered referred to the Governor for consideration.

Senator Dixon presiding.

#### GENERAL ORDER

Upon motion of Senator Commons, HOUSE BILL NO. 701, by Martin, et al, was advanced to engrossment and third reading.

Upon motion of Senator Fischl, HOUSE BILL NO. 735, by Lowrance of the House, and Fischl, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Commons, the rules of the Senate were suspended and House Bill No. 701 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 701 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Not Voting: Garvin, Hutchinson, Ritzhaupt, Rizley, Thomas. Total, 5.

Absent: Clark, Daugherty, Logan, Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Not Voting: Garvin, Hutchinson, Ritzhaupt, Rizley, Thomas. Total, 5.

Absent: Clark, Daugherty, Logan, Powers. 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 Presiding Officer, in open session, signed the engrossed copy of House Bill No. 701, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Briggs, HOUSE BILL NO. 732, by Henderson, et al, of the House, and Briggs, Commons, Chamberlin and Nichols, of the Senate was advanced to engrossment and third reading.

Upon motion of Senator Briggs, the rules of the Senate were suspended and House Bill No. 732 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 732 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.

Nays: Jennings. Total, 1.

Not Voting: Garvin, Hutchinson, Rizley, Thomas. Total, 4.

Absent: Clark, Daugherty, Logan, Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 35.



Nays: Jennings. Total, 1.

Not Voting: Garvin, Hutchinson, Rizley, Thomas.  
Total, 4.

Absent: Clark, Daugherty, Logan, Powers. 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 Presiding Officer, in open session, signed the engrossed copy of House Bill No. 732, 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,  
Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 58 — By NANCE of the Senate and MOONEY of the House, entitled:

An Act requiring the county treasurer to collect from the successful bidder at any tax resale held in the state of Oklahoma, in addition to the amount bid upon the property, an amount sufficient to defray all costs of preparing, listing and advertising the lot, parcel or tract of real estate purchased by said successful bidder at said sale and providing for the distribution of the proceeds of said tax resale; providing for the distribution of the proceeds from the sale of real estate made by the county commissioners, after title is acquired by the county at the sale of said property at resale and providing that all real estate acquired by the county at the annual resale, and remaining unsold, shall be sold by the county commissioners at public sale on or before the expiration of a period of one year; providing for the

distribution of the proceeds of said sales and providing for the redemption of property by the former owner; providing for the payment of all expenses incurred by the county in the conduct of an annual resale, or any sale of property by the county; and providing for the management of any real estate acquired by the county, by the board of county commissioners; and declaring an emergency,

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.

Respectfully,

R. M. McCool, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 58 were read as follows:

AMENDMENT NO. 1. That the following names be added as joint authors of the Bill: CHAMBERLIN, COMMONS, MORRISON, NICHOLS, WHITAKER, MacDONALD of the Senate and COLLINS, KIRKPATRICK, LANDINGHAM, BURNHAM, WILLIAMS, HANKLA, TURNER, STURGELL, LEE-CRAFT of the House.

AMENDMENT NO. 2. Page 2, Section 3, Line 11, of the Typewritten copy, after the word "Act," strike the remainder of that line and all of line 12, place a period after the word Act.

AMENDMENT NO. 3. Page 3, Section 7, Line 5, of the Typewritten Copy, between the word "Taxes" and the word "Heretofore," insert the words "and penalties."

AMENDMENT NO. 4. Page 3, Section 7, Line 7, of the typewritten copy, after the period and end of the sentence of said line, insert, "Provided however, that the County Commissioners are hereby authorized and directed to waive the penalties and interest and cost to the record owner on all property redeemed by the prop-

erty owner prior to December 1, 1933.

Upon motion of Senator Commons, the Senate refused to concur in Engrossed House Amendments to Engrossed Senate Bill No. 58 and requested the Honorable House to grant a conference thereon, the Presiding Officer appointing as Senate Conferees thereunder, Senators Nance, Ritzhaupt, Curnutt, Johnston and Coppock.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 184—By COMMONS.

An Act amending Section 11151, Oklahoma Statutes 1931, (Section 21, Chapter 42, Session Laws 1929), relating to the traveling way and filling of cans or tubs and repealing all Acts or parts of Acts in conflict therewith.

ENGROSSED SENATE BILL NO. 185—By COMMONS.

An Act amending Section 11146, Oklahoma Statutes 1931, (Section 16, Chapter 42, Session Laws 1929), relating to the duties of mine foreman, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bills Nos. 184 and 185 were, each, ordered referred for enrollment.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 406—By WILBANKS of the Senate and DARKS of the House.

An Act prohibiting the city of Holdenville, Oklahoma, its lessees and assigns, from using any real property now or hereafter acquired by said city for municipal water works in such a manner as to cause contamination and pollution of said water works; authorizing the city council of said city to make and enforce rules and regulations to preserve said real property from pollution and contamination and to charge fees from owners and occupants of property thereon to cover costs of inspection and sanitation; empowering said city council to summarily remove the property of persons refusing to obey said rules and regulations; giving said city a lien on property placed on said real property for fees assessed against them and which are not paid within sixty days after due date thereof; and authorizing the city to advertise and sell said property after giving thirty days notice, the proceeds of the sale, after said fees and costs of sale have been paid, to be paid to the owners of said property; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 406 was ordered referred for enrollment.

Senator Whitaker moved that the Senate proceed to the consideration of HOUSE BILL NO. 229, which motion prevailed.

Upon motion of Senator Whitaker, the previous question was ordered.

The vote occurring on the Morrison amendment



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submitted before the recess was taken, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Fidler, Fischl, Hutchinson, Jennings, Liggett, Moon, Morrison, Rutherford, Stacey, Stewart, Wilbanks. Total, 13.

Nays: Carlile, ~~Carmack~~, Chamberlin, Commons, Coppock, Curnutt, Dixon, Garvin, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Pugh, Ray, Ritzhaupt, Sowards, Taylor, Waldrep, Whitaker, Willis. Total, 22.

Not Voting: Howard, Paul, Reed, Rizley, Thomas. Total, 5.

Absent: Clark, Daugherty, Logan, Powers. Total, 4.

Senator Whitaker asked unanimous consent, which was granted, to submit the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 229, line 18, page 4, by adding the following: "provided that the tax imposed by this Act shall be in lieu of any and all other forms of tax upon the sales of cigarettes within this State."

WHITAKER.

Senator Briggs asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 229, line 13, page 5, by striking lines 13 to 18, page 5, and lines 1 to 4, page 6.

BRIGGS.

Senator Briggs moved that the rules of the Senate be suspended for the purpose of considering his amendment.

Senator Paul, as a substitute, moved that the Senate proceed to the third reading and final passage of House Bill No. 229.

Upon motion of Senator Paul, the previous question was ordered.

The vote occurring on the Paul motion, it was declared adopted.

HOUSE BILL NO. 229 was read at length for the third time.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Carlile, Carmack, Chamberlin, Commons, Dixon, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Ballard, Briggs, Coppock, Curnutt, Fidler, Hutchinson, Jennings, Moon, Morrison, Rutherford, Stacey, Stewart. Total, 12.

Not Voting: Liggett, Rizley, Thomas. Total, 3.

Absent: Clark, Daugherty, Logan, Powers. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

Senators Waldrep and Briggs served notice that they would, on some future legislative day, move to re-consider the vote by which House Bill No. 229 was passed.

Senator Whitaker moved that the emergency section to House Bill No. 229 be stricken, which motion prevailed.

The question being "Shall the title of the Bill become the title of the Act?" Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 229, by striking therefrom, the words "AND DECLARING AN EMERGENCY."

WHITAKER.

House Bill No. 229 was ordered referred for engrossment.

Upon motion of Senator Paul, the Chair appointed a committee of three composed of Senators Nichols, Ray and Paul, to notify the Honorable House that the Senate has passed House Bill No. 229.

Senator Morrison moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted, "not present": Senators Ballard, Clark, Curnutt, Daugherty, Garvin, Howard, Jennings, Lester, Liggett, Logan, Moon, Nance, Powers, Rizley, Rutherford, Thomas and Willis.

The Sergeant-at-Arms was instructed to notify all "absent" members to come into the Senate Chamber.

#### CONFERENCE COMMITTEE REPORT

Senator Pugh submitted the following Conference Committee Report, which was read:

To the Honorable Members of the Senate:

And to the Honorable Members of the House of Representatives:

We your Conference Committee appointed to confer on Senate Bill No. 51, by Pugh and Willis, as amended by the House and by the Conference Committee, to which it was previously referred, and this Committee having same under consideration, and after due consideration thereof, beg leave to report as follows:

We agree that Paragraph "A" of Section 1, be amended by striking \$960.00 as salary of the County Commissioners, and inserting therefor \$1200.00.

And that Paragraph "A" (a) of Section 1, be amended by striking \$960.00 as the salary of County Commissioners, and inserting therefor \$1200.00.

And that Paragraph "B" of Section 1, be amended by striking the figures 25,000 in line 2, of Paragraph B and inserting therefor 24,200 and by changing the sal-

aries of County Commissioners from \$1,080.00 per year to \$1200.00.

And by creating a new Paragraph to be known as "B" (b) and to read as follows:

"Counties having a population in excess of 24,200 and not to exceed 25,000 the County Attorney, the County Judge and Sheriff shall receive the sum of \$1900.00 per year payable monthly, and the Court Clerk, County Clerk, County Treasurer, County Assessor and County Superintendent shall receive the sum of \$1700.00 per year payable monthly. The County Commissioners shall each receive the sum of \$1320.00 per year payable monthly, and the County Surveyor shall receive the sum of \$60.00 per year payable monthly."

And that Paragraph "C" of Section 1, be amended by striking \$1200.00 as the salary of County Commissioners and inserting therefor \$1320.00.

And that Paragraph "F" of Section 1 be amended by placing the County Sheriff in the lower brackets.

And that Paragraph "G" of Section 1 be amended by placing the County Sheriff in the lower brackets and by placing the County Treasurer and County Assessor in the higher brackets.

And by adding a new section after Section 6 to be known as Section 6-A and to read as follows:

"In all counties having an area of 2,200 square miles or more, the County Judge shall receive a salary of Three Thousand (\$3,000.00) Dollars per year, payable monthly; the County Attorney shall receive a salary of Twenty-seven Hundred (\$2,700.00) Dollars per year, payable monthly; and the County Sheriff, the County Clerk, the County Court Clerk, the County Treasurer, the County Assessor, the County Superintendent and the County Commissioners shall each receive Twenty-four Hundred (\$2,400.00) Dollars per year, payable monthly."



These amendments all go to Engrossed House Substitute to Engrossed Senate Bill 51 as amended by a former conference..

Respectfully submitted,

House Conferees,	Senate Conferees
LEON C. PHILLIPS,	JOHN D. PUGH,
JACK SUTHERLAND,	BEN R. WILLIS,
W. H. EBEEY,	C. B. MEMMINGER
SCOTT GLEN,	LOUIS H. RITZHAUPT,
N. W. WILMOT.	A. L. COMMONS.

The following members of the Senate asked to be recorded "present," which was the order: Senators Curnutt, Howard, Jennings, Lester, Nance, Garvin, Rutherford, Willis and Moon.

Senator Pugh moved the adoption of the Conference Committee Report, under Engrossed Senate Bill No. 51.

Senator Jennings, as a substitute, moved that the Senate refuse to adopt the Conference Committee Report on Engrossed Senate Bill No. 51 and request the Honorable House to grant a further conference.

Senator Willis moved to table the Jennings motion, which motion failed of adoption.

The vote occurring on the Jennings motion, it was declared failed of adoption.

The vote occurring on the Pugh motion, it was declared adopted.

By unanimous consent, roll call on Senate Bill No. 51, as amended in conference, was deferred.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 420 correctly engrossed.

LIGGETT, Chairman.

#### GENERAL ORDER

Senator Waldrep asked unanimous consent, which

was granted, to take up for consideration SENATE BILL NO. 123, by Waldrep.

Senator Waldrep asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 123, line 3, page 8, by adding after the word, "thereon," and before the word, "and," the following, "such majority as provided for initiative and referendum measures, in Article 5, of the Constitution."

WALDREP.

Upon motion of Senator Waldrep, Senate Bill No. 123 was advanced to engrossment and third reading.

President Burns presiding.

Upon motion of Senator Waldrep, the rules of the Senate were suspended and Senate Bill No. 123 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 123 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Fidler, Fischl, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Howard. Total, 1.

Not Voting: Ballard, Dixon, Garvin, Liggett, Morrison, Ray, Rizley, Rutherford, Thomas. Total, 9.

Absent: Clark, Daugherty, Logan, Powers. 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 emer-

gency measure?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Fidler, Fischl, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Howard. Total, 1.

Not Voting: Ballard, Dixon, Garvin, Liggett, Morrison, Ray, Rizley, Rutherford, Thomas. Total, 9.

Absent: Clark, Daugherty, Logan, Powers. 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.

Senate Bill No. 123, as amended, was referred for engrossment.

### THIRD READING

Upon the request of Senator Commons, the Senate proceeded to consider Senate Bill No. 420, by Fidler and Nichols.

SENATE BILL NO. 420 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Ballard, Garvin, Liggett, Nance, Paul, Ray, Rizley, Rutherford, Stewart, Thomas. Total, 10.

Absent: Clark, Daugherty, Logan, Powers. 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: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Ballard, Garvin, Liggett, Nance, Paul, Ray, Rizley, Rutherford, Stewart, Thomas. Total, 10.

Absent: Clark, Daugherty, Logan, Powers. 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, in open session, signed the engrossed copy of Senate Bill No. 420, and ordered the same transmitted to the Honorable House.

#### GENERAL ORDER

Senator Ritzhaupt asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 207, by Ritzhaupt.

Senator Ritzhaupt asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 207, line 7, page 1, by adding after the period, the following: "excepting in State Homes, provided for children under the age of maturity and those who are feeble minded."

#### RITZHAUPT.

Upon motion of Senator Ritzhaupt, Senate Bill No. 207, as amended, was advanced to engrossment and third reading.



Upon motion of Senator Ritzhaupt, the rules of the Senate were suspended and Senate Bill No. 207, as amended, was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 207 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Chamberlin, Coppock, Curnutt, Fidler, Fischl, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 24.

Nays: Carmack, Commons, Howard, Reed, Sowards. Total, 5.

Not Voting: Ballard, Briggs, Carlile, Dixon, Garvin, Liggett, Rizley, Rutherford, Stewart, Thomas, Wal-drep. Total, 11.

Absent: Clark, Daugherty, Logan, Powers. Total, 4.

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 Ritzhaupt, the emergency section to Senate Bill No. 207 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Ritzhaupt submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 207, line 1, by striking the word, "One," and inserting the word, "Two," and by striking the words, 'AND DECLARING AN EMERGENCY.'

RITZHAUPT.

Senate Bill No. 207 was ordered referred for engrossment.

Senator Johnston moved that HOUSE BILL NO.

294, by Hogg and Jones, be advanced to engrossment and third reading.

Senator Curnutt, as a substitute, moved that the Senate proceed to the consideration of Senate Bills under Third Reading.

Senator Nance raised a point of order against the Curnutt motion, which was sustained, stating motion to advance to engrossment and third reading was a superior one.

Senator Moon raised a point of order against the Johnston motion, which was sustained, stating the motion would require a suspension of the Senate rules.

Senator Johnston moved that the rules of the Senate be suspended for the purpose of considering House Bill No. 294, which motion failed of adoption.

Senator Commons asked unanimous consent, which was granted, to take up for consideration, under Third Reading, HOUSE BILL NO. 628, by Committee on Appropriations.

### THIRD READING

HOUSE BILL NO. 628 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Coppock, Moon. Total, 2.

Not voting: Ballard, Dixon, Fidler, Garvin, Hutchinson, Liggett, Rizley, Rutherford, Stewart, Thomas. Total, 10.

Absent: Clark, Daugherty, Logan, Powers. 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: Carmack, Chamberlin, Commons, Curnutt, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nay: Coppock. Total, 1.

Not voting: Ballard, Briggs, Carlile, Garvin, Liggett, Rizley, Taylor, Thomas. Total, 8.

Absent: Clark, Daugherty, Logan, Powers. 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, in open session, signed the engrossed copy of House Bill No. 628, and ordered the same transmitted to the Honorable House.

Senator Paul asked unanimous consent, which was granted, to call the roll on the emergency section to HOUSE BILL NO. 621, the same having been deferred:

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Carmack, Chamberlin, Commons, Curnutt, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nay: Coppock. Total, 1.

Not voting: Ballard, Briggs, Carlile, Garvin, Liggett, Rizley, Taylor, Thomas. Total, 8.

Absent: Clark, Daugherty, Logan, Powers. 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, in open session, signed the engrossed copy of House Bill No. 621, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Commons, HOUSE BILL NO. 693, by Martin, was taken up for consideration.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 693, line 10, page 2, by striking "5%," and inserting "3%"

CURNUTT.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 693, line 8, page 2, by striking "5%," and inserting "3%"

CURNUTT.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator MacDonald:

Mr. President: I move to amend House Bill No. 693, line 6, page 2, by striking "5%," and inserting "3%"

CURNUTT.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 693, line 10½, page 2, to provide that 1% of the 5% gross receipts tax shall go to the State Auditor's office,



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to pay the salaries of additional employees in the said office.

CURNUTT.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 229 correctly engrossed and Senate Bill No. 123 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Bill No. 123 and ordered it transmitted to the Honorable House for consideration.

Senator Waldrep moved that the vote be re-considered by which House Bill No. 229 was passed, which motion was tabled, upon motion of Senator Nance.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 229, as amended, and ordered the bill returned to the Honorable House.

A committee from the Honorable House, composed of Representative Batson and others, was received, who advised the Senate that HOUSE BILL NO. 619, had been passed by the Honorable House.

The House Committee was advised, upon motion of Senator Paul, that HOUSE BILL NO. 229 has been passed by the Senate and enroute to the Honorable House.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 619—By MAL-  
LORY, entitled:

An Act providing for relief from ad valorem taxation by levying a sales tax upon the gross proceeds derived from all sales of goods, wares and merchandise and from all sales of tickets or admissions to places of amusement and from all sales of electricity, gas and telephone and telegraph and radiocasting services; prescribing certain exemptions; providing for the disposition of the revenues arising hereunder; providing for computation and collection of such taxes and for the enforcement of this Act, by the Oklahoma Tax Commission; providing for expenses of such collection and enforcement; empowering said Commission to prescribe rules and regulations in relation thereto; prescribing penalties for the violation of this Act; authorizing refunds; making such taxes and penalties a lien on vendors property; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable,

together with Conference Committee Report thereon and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted and the Bill has been passed AS AMENDED by said Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Conference Committee Report on Engrossed House Bill No. 619 was read as follows, and upon motion of Senator Morrison, adopted:

To the Honorable Senate and

To the Honorable House of Representatives:

We, your Conference Committee, appointed to confer on Engrossed House Bill No. 619, by Mallory, and others, have had under consideration the Senate Amend-

ments to said bill, and, after due consideration thereof, beg leave to report as follows:

1st. That the Senate recede from Senate Amendment No. 1 and that in lieu thereof the following amendment be adopted:

That Section 2 of House Bill No. 619, be amended to read as follows:

"Section 2. It is hereby declared to be the purpose of this Act to provide relief to the common school districts of this State and for the reduction of the rate of ad valorem taxation, annually, in such school districts, so far as possible under the provisions hereof; and for that purpose and to that end, it is hereby expressly provided that the revenues derived hereunder are hereby specifically appropriated and shall be used for the following purposes:

(a) Fifty per centum (50%) of such moneys shall be used for the support of common schools, to be distributed upon a scholastic enumeration per capita basis, as provided by law. All of such funds available for distribution for the support of the common schools shall be distributed, monthly, to the various counties, in accordance with existing law for the distribution of like funds, and shall be used as follows:

In determining the amount of funds to be approved for expenditure for general expense purposes by any school district, the County Excise Boards of the several counties of the State shall be limited by the laws in force at and prior to the passage of this Act, without regard to the amount available to any such school district from funds distributed under the provisions hereof; and from such total amount thus determined, shall deduct the amount available to any such school district from funds to be distributed to it under the provisions of this Act, together with any other moneys received for like purposes under any other laws of the

State; and after making such deductions, shall compute and make a tax levy necessary to raise the remaining portion of such approved estimate, it being the intent and purpose of this Act to reduce the total maximum mill rate levy, upon an ad valorem basis, in a sum equal to the amount to be distributed to any such school district from the proceeds hereof. In making estimates of receipts, other than from ad valorem taxes, for the various school districts, the County Excise Boards shall ascertain the amount of receipts allocated to each such school district for the month of August 1933, and shall multiply such sums by twelve (12), to ascertain the amount of revenue to be applied under this subsection to the reduction of ad valorem taxes to be levied for the fiscal year ending June 30, 1934. None of the provisions of this Act shall prevent any school district from receiving State Aid, under the provisions of Chapter 34, Article 21, Oklahoma Statutes 1931, provided such school district shall have levied an ad valorem tax which, when added to the sum allocated to it under this Act, together with any other moneys received for like purposes under any other laws of the State, shall equal a levy of fifteen (15) mills; and such action by any school district shall be a full compliance with the requirements of said Act, and shall entitle any such school district to State Aid out of the "Special Common School Equalization Fund," provided by said Act, in all respects as though this Act had never been passed.

(b) Seventeen per centum (17%) of such moneys shall be placed to the credit, monthly, of the "Special Common School Equalization Fund," in the State Treasury, and is hereby specifically appropriated to be used and expended as provided under the provisions of Chapter 34, Article 21, Oklahoma Statutes 1931.

(c) Thirty per centum (30%) of such moneys



shall be used to provide relief to the common schools of this State, to be distributed, monthly, to the various counties, upon a scholastic enumeration per capita basis, in accordance with existing law for the distribution of other common school funds, and shall be, by the County Treasurer, placed to the credit of a fund, for each school district, to be known and designated as the "Common School Relief Fund," and used as follows:

First: For investment in the order of their registration as provided by law, in outstanding legally issued non-payable school district warrants, at par, and accrued interest, if any, which have heretofore been issued against appropriations for the current fiscal year;

Second: For investment in the order of their registration as provided by law, in outstanding legally issued non-payable school district warrants, at par, and accrued interest, which have heretofore been issued against appropriations for any previous fiscal year, whether or not such warrants have been reduced to judgment against the school district;

Third: For the payment, into the sinking fund, so far as necessary, for the purpose of paying the accrued and accruing interest and principal, for the current fiscal year, on outstanding bonds issued by any school district.

No part of said fund shall be invested in the warrants, or judgments based on warrants, of any school district other than the school district to which the moneys were first apportioned.

As collections are made of ad valorem taxes levied for current expenses, for the payment of which legally issued non-payable school district warrants may be outstanding, or to satisfy judgments rendered on account of warrants issued for previous fiscal years, or for sinking fund purposes, each County Treasurer shall credit such ad valorem tax collections to the said "Common

School Relief Fund," heretofore created for each such school district.

Any moneys in the said "Common School Relief Fund," not used as hereinbefore provided, and remaining unexpended at the close of any fiscal year, shall, by the County Treasurer, be transferred to the credit of the school district entitled to the same, to be used for the reduction of ad valorem taxation, as provided in paragraph (a) of this section.

(d) The remaining three per centum (3%) of such moneys so collected, under provisions of this Act, shall be paid to the State Treasurer and placed to the credit of a fund to be designated as the "Sales Tax Collection Fund"; and shall be used for the collection of the taxes hereby imposed and for the enforcement of this Act; and the Oklahoma Tax Commission shall appoint such employees and incur such other expenses as may be necessary to compute and collect such taxes and to enforce this Act; and, upon presentation of itemized and verified claims therefor, approved by said Commission, the State Auditor shall draw his warrants therefor upon the State Treasury and the same shall be paid out of said "Sales Tax Collection Fund" hereby created; and said fund or so much thereof as may be necessary is hereby appropriated for the payment of such salaries and expenses and for the refund of erroneous or excessive collections; and if, at the end of any fiscal year, any part of said fund shall remain unexpended, such balance shall, by the State Treasurer, be transferred to and become a part of the General Revenue Fund of the State."

2nd. That the House concur in Senate amendment No. 2.

3rd. That the Senate recede from Senate Amendment No. 3 and adopt in lieu thereof the following: Line 27, page 5. By striking after the word "consumption," the

following: "but such tax shall apply to food prepared, sold at retail and served for immediate consumption, by hotels, restaurants and other dispensers;" and inserting in lieu thereof the following: "but such tax shall apply to food prepared at or by hotels, restaurants and/or other public eating places, and sold at retail and served for immediate consumption on the premises by such dispensers; nor shall such tax apply to the sale of any articles of clothing, or wearing apparel, retailing for less than eight dollars (\$8.00); Provided, any suit of clothes for men or women shall be considered one article of wearing apparel; Provided further that any article of wearing apparel made in whole or in part of silk shall not be exempt."

4th. That the House concur in Senate amendment No. 4.

5th. That the Senate recede from Senate Amendment No. 5.

6th. That a new amendment be made to said bill as follows: Line 22, page 5, Section 4. By adding, after the word "provided," the following: "Provided further that the tax upon the gross proceeds upon all sales of farm tools, implements and machinery, used exclusively on the farm for agricultural purposes, shall be at the rate of one per centum (1%)."

Respectfully submitted,

A. N. LEECRAFT	W. P. MORRISON
J. H. MALLORY	CECIL R. CHAMBERLIN
JULIUS W. COX	JOE M. WHITAKER
J. T. DANIEL,	J. C. NANCE
House Conferees.	AL NICHOLS

Senate Conferees.

House Bill No. 619, as amended in conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nichols, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Commons, Curnutt, Hutchinson, Moon, Nance, Paul, Reed, Rutherford. Total, 8.

Absent: Clark, Daugherty, Logan, Powers. Total, 4.

Not Voting: Coppock, Garvin, Liggett, Rizley, 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.

House Bill No. 619, together with Conference Committee Report thereon, was ordered returned to the Honorable House.

Senator Dixon moved that the vote be re-considered by which House Bill No. 619 was passed, which motion was tabled; upon motion of Senator Chamberlin.

Senator Reed submitted the following explanation of his vote.

Mr. President: If there had been no exception on clothing, would have voted "aye."

REED

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 207 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Bill No. 207 and ordered the bill transmitted to the Honorable House for consideration.



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### GENERAL ORDER

Referring further to Engrossed HOUSE BILL NO. 692, by Martin.

Senator Curnutt asked unanimous consent, which was granted, to withdraw his amendment to line 10½, page 2.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment, by adding a new Section as Section 2 and re-numbering the remaining sections: "Section 2. The State Auditor is hereby authorized to employ three clerks, at salaries not to exceed \$1,200.00 each, per year, said salaries to be paid from the Oklahoma Tax Commission Fund."

CURNUTT.

Senator Commons moved to table the Curnutt amendment.

### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 229—By GRAY of the HOUSE and MORRISON and NICHOLS of the SENATE.

An Act levying a stamp tax on the sale of cigarettes; prescribing the rate thereof; providing for stamps and the use thereof; providing for the enforcement of this act by the Oklahoma Tax Commission and for rules and regulations in relation thereto; providing that the revenue derived hereunder, less expenses for collection and enforcement, shall be used to retire obligations of school districts and otherwise to reduce ad valorem taxes; creating a fund for the enforcement of this act and for refunds, and making

appropriations therefor; prescribing penalties; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 229 was read at length for the fourth time, the enrolled copy signed, in open session by the President, and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 619—By MALLORY.

An Act providing for relief from ad valorem taxation by levying a sales tax upon the gross proceeds derived from all sales of goods, wares and merchandise and from all sales of tickets or admissions to places of amusement and from all sales of electricity, gas and telephone and telegraph and radiocasting services; prescribing certain exemptions; providing for the disposition of the revenues arising hereunder; providing for computation and collection of such taxes and for the enforcement of this act, by the Oklahoma Tax Commission; providing for expenses of such collection and enforcement; empowering said Commission to prescribe rules and regulations in relation thereto; prescribing penalties for the violation of this act; authorizing refunds; making such taxes and penalties a lien on vendors property; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this act to be severable,

and to advise you, and, through you, the Honorable Senate,

that the same has been read for the fourth time and signed by Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 619 was read at length for the fourth time, the enrolled copy signed, in open session by the President, and ordered returned to the Honorable House.

### THIRD READING

Upon the request of Senator Commons, House Bill No. 574 was considered under third reading.

HOUSE BILL NO. 574 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Whitaker. Total, 27.

Nays: Briggs, Fischl, Howard, Jennings, Moon, Ruth-erford, Waldrep, Willis. Total, 8.

Not Voting: Garvin, Liggett, Rizley, Thomas, Wilbanks. Total, 4.

Absent: Clark, Daugherty, Logan, Powers. 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 Presiding Officer, in open session, signed En-grossed House Bill No. 574 and ordered it returned to the Honorable House.

Upon motion of Senator Dixon, the Senate adjourned, to meet at 1:30 p. m. Tuesday, April 18, 1933.

## SEVENTY-NINTH LEGISLATIVE DAY

Tuesday, April 18, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Absent: Logan. Total, 1.

Excused: Powers. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### RESOLUTIONS AND NOTICES

The following Resolution was introduced and read:

#### SENATE CONCURRENT RESOLUTION NO. 23

—By COMMONS, of the Senate, and BATSON, of the House: A Resolution providing for the closing of the unfinished business of the Regular Session of the Fourteenth Legislature, after adjournment, by the President Pro Tempore of the Senate and the Speaker of the House; providing for compiling, indexing and publishing the Session Laws of the Regular Session of the Fourteenth Legislature of the State of Oklahoma, and for the payment of the costs thereof.

#### FIRST READING

The following Bills and Resolutions were introduced and read for the first time:

SENATE BILL NO. 427—By BRIGGS and COP-



POCK of Senate, COLLINS of House.—An Act authorizing the County Treasurers of the various counties of Oklahoma to deposit with the State Treasurer, for safe keeping, securities received by them to secure county deposits in county depositories; providing that such authority shall be cumulative to the provisions of Senate Bill No. 105 of the Fourteenth Legislature of the State of Oklahoma, relating to the deposit for safe keeping of securities received by County Treasurers to secure county deposits, and declaring an emergency.

SENATE BILL NO. 428—By NICHOLS.—An Act authorizing the State Highway Commission to issue restricted licenses permitting the fixing and demonstration of experimental aircraft when such aircraft has been determined to be air-worthy either by a State Inspector, or a duly licensed inspector of the Department of Commerce of the United States; providing for the renewal of restricted licenses upon aircraft and declaring an emergency.

SENATE BILL NO. 429—By WHITAKER.—An Act authorizing and directing the Oklahoma Tax Commission to make estimates of the revenue to be collected under the provisions of House Bill No. 229 of the Fourteenth Legislature of the State of Oklahoma for the fiscal year ending June 30, 1934, and to certify to the County Clerk of each county of the State said counties' pro rata of said estimated income; authorizing and directing the school districts of said counties and the excise boards thereof to take into consideration their pro rata of said estimated income in preparing their budgets and in making appropriations and levies for said school districts for the fiscal year ending June 30, 1934, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 27—By JOHNSTON.—A Joint Resolution empowering the Governor of Oklahoma to investigate prices, quality and

abuses in the furnishing of school books and school supplies in use in the State of Oklahoma, and declaring an emergency.

### SECOND READING

SENATE BILL NO. 426—By STEWART.

By unanimous consent, Senate Bill No. 426 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,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker of the House has appointed: Representatives Martin, Neill, Singleton, Grunert, and Burnham, as Conferees on:

ENGROSSED HOUSE BILL NO. 625—By COMMITTEE ON APPROPRIATIONS, entitled:

A Bill to be entitled an Act making appropriation from the General Revenue Fund and other funds, for the purpose of paying claims against certain State departments and institutions hereinafter set out; and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has granted a Conference on:

ENGROSSED SENATE BILL NO. 58 — By

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NANCE of the Senate and MOONEY of the House, entitled:

An Act requiring the County Treasurer to collect from the successful bidder at any resale held in the State of Oklahoma, in addition to the amount bid upon the property, an amount sufficient to defray all costs of preparing, listing and advertising the lot, parcel or tract of real estate purchased by said successful bidder at said sale and providing for the distribution of the proceeds of said tax resale; providing for the distribution of the proceeds from the sale of real estate made by the County Commissioners, after title is acquired by the county at the sale of said property at resale and providing that all real estate acquired by the county at the annual resale, and remaining unsold, shall be sold by the County Commissioners at public sale on or before the expiration of a period of one year; providing for the distribution of the proceeds of said sales and providing for the redemption of property by the former owner; providing for the payment of all expenses incurred by the county in the conduct of an annual resale, or any sale of property by the county; and providing for the management of any real estate acquired by the county, by the Board of County Commissioners; and declaring an emergency,

and the Speaker has appointed: Representatives Moon-ey, Graham, Kight, Lowrance, and Johnson of Comanche, as Conferees thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate,

that House Conferees, namely: Representatives Batson, Johnson (Comanche), Hankla, on:

ENGROSSED SENATE BILL NO. 359 — By STEWART and MacDONALD, entitled:

An Act making a reappropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the Permanent Journals and Session Laws, together with other expenses of the Regular Session of the Fourteenth Legislature, providing for the closing of the business of the two Houses of said session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, and declaring an emergency,  
have been discharged.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 323—By WALDREP, entitled:

An Act authorizing and empowering school boards and county excise boards to make transfer of certain school funds in school districts of this State, making other provisions with reference thereto, and declaring an emergency,

together with the message of the Governor vetoing same, and to advise you, and, through you, the Honorable Senate, that the House of Representatives reconsidered and failed to pass the said Bill over the Governor's veto. The



vote being as follows: Ayes 24, Nays 56, Excused 12, Absent 26.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Nichols was recognized and spoke on a point of personal privilege.

#### GENERAL ORDER

Senator Chamberlin asked unanimous consent, which was granted, to take up for consideration, SENATE CONCURRENT RESOLUTION NO. 17, which was read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 17—By CHAMBERLIN and COMMONS, NICHOLS and NANCE.

A CONCURRENT RESOLUTION FIXING THE DAY AND HOUR OF THE SINE DIE ADJOURNMENT OF THE REGULAR SESSION OF THE 14TH LEGISLATURE OF THE STATE OF OKLAHOMA.

WHEREAS, the time for the adjournment sine die of the Regular Session of the 14th Legislature is now near at hand, and matters of legislation of vital importance have been considered during the Session, and

WHEREAS, the Constitution of the State of Oklahoma provides that one House cannot adjourn for more than three days without the consent of the other; and

WHEREAS, no hour for the final adjournment of the regular Session of the 14th Legislature of the State of Oklahoma has been specifically fixed in pursuance of said Constitutional provisions:

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the hour of twelve o'clock Noon, March 17th, 1933, be, and the same is hereby fixed as the hour and

day of the final adjournment sine die of the Regular Session of the 14th Legislature of the State of Oklahoma.

Senator Chamberlin asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Concurrent Resolution No. 17, line 9, page 2, by striking the word and figures "March 17th," and inserting the word and figures "April 22nd."

CHAMBERLIN.

Upon motion of Senator Chamberlin, Senate Concurrent Resolution No. 17, as amended, was adopted.

Senate Concurrent Resolution No. 17 was ordered referred for engrossment.

President Pro Tempore Stewart presiding.

Senator Fischl asked unanimous consent, which was granted, to take up for consideration, SENATE CONCURRENT RESOLUTION NO. 22, by Fischl, which was read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 22—By FISCHL.

A CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO PROVIDE RELIEF FOR THE OIL INDUSTRY, THE FARMERS, THE UNEMPLOYED, BUSINESS AND THE PEOPLE GENERALLY BY PROVIDING AN ADEQUATE TARIFF OR TAX ON OIL THAT WILL PLACE THE DOMESTIC OIL INDUSTRY ON A COMPETITIVE BASIS WITH IMPORTED OIL AS SHOWN BY THE REPORTS OF THE TARIFF COMMISSION.

WHEREAS, business generally, not only in Oklahoma and the Southwest, but throughout all the oil producing States affecting over 22,000,000 people, has been directly depressed by the long distressed condition of

the oil industry, and which depressed condition has now become very serious, and

WHEREAS, excessive importations of foreign oils continue to flow into our country, constantly increasing in volume, until the flood has reached alarming proportions, and

WHEREAS, in the year 1932, in Oklahoma alone, the total production of crude oil was over two hundred and fifteen millions of dollars less than for the year 1929, which tremendous loss would have been saved had there been a tax or a tariff of \$1.03 per barrel on crude oil, thereby placing domestic oil on a competitive basis with importations as shown by the latest report of the Tariff Commission, and

WHEREAS, the rentals and annual royalty income, mostly paid to farmers, have been reduced millions of dollars yearly, which increasing loss continues to add to their already unbearable burdens, and

WHEREAS, the schools of Oklahoma have suffered severely in the loss of nearly six millions of dollars in gross production tax in the single year of 1932 compared with the gross production tax received in 1929, and

WHEREAS, not only have the farmers and the schools sustained severe losses, but also banking, transportation, manufacturing, industry, utility and every type and character of business have been adversely affected by the distressed condition of the oil industry and by the great loss in purchasing power due to the taking of our domestic markets by the importations of cheap foreign oil, and

WHEREAS, the general unemployment situation has been very greatly aggravated by the thousands of oil field workers, geologists, land men, lease men, scouts and office employees, forced out of employment, and by the thousands now unemployed but formerly employed

by businesses dependent on the oil industry, the third largest industry in the Nation,

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Congress of the United States be, and it is hereby, memorialized to give relief to the distressed oil industry, and thereby to the Nation generally, by immediately levying an adequate tax or tariff upon imported petroleum and its refined products, that will enable our domestic oil industry to meet importations of foreign oil and its refined products on a competitive basis as shown by the report of the Tariff Commission.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the presiding officers of the Legislative bodies of the other oil producing States, with the request that they transmit similar memorials to Congress; and that a copy of this resolution be transmitted to the President of the United States, and to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States, and to each of the United States Senators and Congressmen representing the State of Oklahoma.

Upon motion of Senator Fischl, Senate Concurrent Resolution No. 22 was adopted, and referred for engrossment.

Senator Chamberlin asked unanimous consent, which was granted, to consider HOUSE CONCURRENT RESOLUTION NO. 15, by Cox, et al, which was read at length, as follows:

CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO MAKE IT MANDATORY UPON THE SECRETARY OF AGRICULTURE OF THE UNITED STATES TO



EQUITABLY ALLOCATE FEDERAL AID  
HIGHWAY FUNDS.

WHEREAS, the failure of Congress to direct the fair and equitable distribution of Federal Aid Highway Funds to the major sections of all states in the Federal Aid Highway Act, has resulted in the unfair, inequitable and arbitrary allocation of Federal Aid Highway funds to favored sections of the different states, to the exclusion of other sections of said states; and

WHEREAS, information from the National Capitol indicates that the amount of Federal Aid that will hereafter be extended to the various states for highway construction, will be drastically curtailed on account of the economic situation, and that it will be impossible to secure sufficient Federal Aid to continue the construction of interstate and transcontinental highways on the same scale as has characterized such construction in the past, or to continue the use of high priced paving material on account of its prohibitive cost in the surfacing of such highways, and that as a result of the curtailment of such Federal Aid and the greatly reduced available state funds for highway construction purposes, many towns and counties of Oklahoma and other states that have not been provided with all-weather roads, face the possibility of being permanently denied the benefit of such roads, unless what Federal and State funds, that may hereafter be available are fairly and equitably allocated to the major sections of each state;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

SECTION 1. That the Congress of the United States be memorialized to pass such an act or an amendment to the present law, that will make it mandatory upon the Secretary of Agriculture of the United States,

to allocate to each major section of each state, of not more than one hundred (100) miles square, its just proportion of Federal Aid Highway funds, taking into consideration those sections of each state that have not received their just proportion of such funds in the past, and that in allocating such funds the population, taxable wealth and tillable area of each such section shall be taken into consideration.

SECTION 2. That the Congress be memorialized to direct the Federal Bureau of Roads to use Federal Aid Highway funds in such manner as will extend the benefits of all-weather roads to as many towns and counties in the neglected sections as is possible, by using such types of material for surfacing as will give the greatest mileage of durable highways at the smallest cost, taking into consideration the amount of traffic that uses each road on which Federal Aid is extended.

SECTION 3. That a copy of this resolution be sent to the Senate and House of Representatives and to each member of the Oklahoma delegation in Congress.

Upon motion of Senator Chamberlin, House Concurrent Resolution No. 15 was adopted.

The President Pro Tempore, in open session, signed Engrossed House Concurrent Resolution No. 15 and ordered the Resolution returned to the Honorable House.

Senator Chamberlin moved that the Senate proceed to the consideration of HOUSE BILL NO. 369, by Gibson, Fitzgerald and others.

Sections 1, 2, 3, and 4 were read and adopted, upon motions of Senator Commons.

Section 5 was read.

Senator Curnutt submitted the following amendment, which was tabled, upon motion of Senator Commons:

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Mr. President: I move to amend House Bill No. 369, by striking Section 5.

CURNUTT.

Upon motion of Senator Commons, Section 5 was adopted.

Section 6 was read and adopted, upon motion of Senator Commons.

Section 7 was read.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 369, line 1, page 10, by adding after the word "insurance," the words "bonding and surety."

CHAMBERLIN.

Upon motion of Senator Commons, Section 7, as amended, was adopted.

Upon motion of Senator Commons, House Bill No. 369 was advanced to engrossment and third reading.

Upon motion of Senator Commons, the rules of the Senate were suspended and House Bill No. 369 was considered engrossed and placed upon third reading and final passage.

By unanimous consent, further consideration of House Bill No. 369 was deferred.

Senator Nichols asked unanimous consent, which was granted, to consider, SENATE BILL NO. 49, by Nichols, as amended by the Honorable House, said amendments having been concurred in by the Senate on April 13th.

Senate Bill No. 49, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carmack, Clark, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rutherford, Stacey,

Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Moon. Total, 1.

Not Voting: Ballard, Carlile, Chamberlin, Coppock, Dixon, Howard, Hutchinson, Morrison, Reed, Rizley, Sowards, Thomas, Waldrep. Total, 13.

Absent: Logan. Total, 1.

Excused: Powers. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

Upon the request of Senator Nichols, the roll call on the emergency to Senate Bill No. 49 was deferred temporarily.

Senator Commons moved that, when the Senate adjourns on this legislative day, it adjourn, to meet at 10:00 a. m., on Wednesday, April 19th.

Senator Commons moved, when the Senate adjourns on the next legislative day, that, at that time all Senate Bills under General Order be ordered stricken from the Calendar, which motion prevailed.

#### CONFERENCE COMMITTEE REPORT

Senator Nance submitted the following Conference Committee Report, which was read and, upon his motion, adopted:

Mr. President: We, your Conference Committee, to whom was referred Senate Bill No. 58, together with House Amendments made therein, beg leave to report that we have had the same under consideration and herewith return it with the recommendation that:

The Senate concur in House Amendments 1, 2, 3 and 4.

That the following new amendments be adopted:

1. Title of the bill. After the word "sale" in line 10 of the title of the printed bill, insert a semi-colon and strike the remainder of lines 10, 11 and 12, and in line 21 strike the word "shall" and insert in lieu thereof



the word "may," and in line 23 strike the word "before" and insert the word "after," and in line 32 after the word "county" insert the following proviso: "Provided that this act shall apply exclusively to real estate situated in incorporated cities and towns and to real estate subdivided for townsite purposes, heretofore acquired by the county."

2. On page 2, line 2, strike the word "now" in said line.

3. On page 6, section 5, commencing with the word "for" at the end of line 8, strike the word "for" and lines 9 and 10 and insert a period after the word "Act" in line 8.

4. On page 7, section 8, line 11, strike the word "become" and insert in lieu thereof the word "became."

5. On page 5, section 4, by inserting the following proviso at the end of said section: "provided that this act shall apply exclusively to real estate situated in incorporated cities and towns and to real estate subdivided for townsite purposes, heretofore acquired by the county."

6. On page 7, section 7, at the end of said section add the following proviso: "provided that this act shall apply exclusively to real estate situated in incorporated cities and towns and to real estate subdivided for townsite purposes, heretofore acquired by the county."

7. On page 8, section 8, line 14 by inserting between the word "taxes" and the word "plus" the word "penalties" and a comma, and section 8, page 8, line 18, by striking the word "procure" and insert in lieu thereof the word "order" and between the word "homestead" and the word "and" insert the words "by three disinterested persons," and insert at the end of said section a new sentence to read as follows: "The Board of County Commissioners shall issue deed to said home-

steadier and redeemer when all payments have been made and deposited with the County Treasurer. Provided that this act shall apply exclusively to real estate situated in incorporated cities and towns and to real estate subdivided for townsite purposes, heretofore acquired by the county."

8. On page 10, section 9, line 2, between the word "the" and the word "Board" insert the following: "Chairman of the."

9. On page 10, section 12, line 17, between the word "the" and the word "resale" insert the words "sale and the."

10. On page 10, section 12, line 18, between the word "property" and the word "except" insert the following: "by the County Treasurer and the Board of County Commissioners."

J. C. NANCE,	BOB MOONEY,
STANLEY COPPOCK,	O. K. LOWRANCE,
HENRY S. JOHNSTON,	J. A. JOHNSON,
H. M. CURNUTT,	H. TOM KIGHT,
LOUIS H. RITZHAUPT,	BOB GRAHAM.

Senate Bill No. 58, as amended in conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carmack, Clark, Coppock, Curnutt, Fischl, Garvin, Hutchinson, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 24.

Nays: Jennings, Liggett, Moon, Rutherford. Total, 4.

Not Voting: Briggs, Carlile, Chamberlin, Commons, Daugherty, Dixon, Fidler, Howard, Morrison, Reed, Ritzhaupt, Rizley, Sowards, Taylor. Total, 14.

Absent: Logan. Total, 1.

Excused: Powers. 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: Ballard, Carmack, Clark, Commons, Coppock, Curnutt, Daugherty, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 32.

Not Voting: Briggs, Carlile, Chamberlin, Dixon, Fidler, Howard, Morrison, Rizley, Sowards, Waldrep. Total, 10.

Absent: Logan. Total, 1.

Excused: Powers. 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.

Engrossed Senate Bill No. 58, together with Conference Committee Report thereon, was ordered transmitted to the Honorable House for consideration.

Senator Commons moved that the Senate work under a Call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted "absent": Senators Briggs, Carlile, Chamberlin, Daugherty, Fidler, Howard, Logan, Moon, Morrison, Powers, Reed, Ritzhaupt, Rizley, Sowards and Taylor.

The Sergeant-at-Arms was instructed to notify all absent members of the proceedings of the Senate.

The following members were asked to be recorded "present," which was the order: Senators Briggs, Howard, Reed, Ritzhaupt, Taylor and Daugherty.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 346 correctly engrossed, Senate Concurrent Resolution No. 21, Senate Bills Nos. 184, 185, 366, and 401, each, correctly enrolled.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Enrolled Senate Concurrent Resolution No. 21, and ordered it transmitted to the Honorable House for consideration.

Senate Bills Nos. 184, 185, 366, and 401 were, each, read at length 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.

Senator Nichols presiding.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 30—By COX, WRIGHT, ARMSTRONG, WINGO, WILLIAMS, WILMOT, ALLEN, O'NEILL, ULMARK and BURNHAM, entitled:

A Concurrent Resolution declaring that it was not the intention of the Legislature, in enacting House Bill No. 416 of the Fourteenth Legislature of the State of Oklahoma, to repeal by implication the provisions of Chapter 280, Oklahoma Session Laws 1929, same being Sections 12545 to 12548, inclusive, Oklahoma Statutes 1931,



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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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Under the Rules, Engrossed House Concurrent Resolution No. 30 was ordered printed and placed upon the calendar.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 531—By ALBRIGHT, DANIEL and FITZGERALD, entitled:

An Act amending Sections 11589, 11590, 11592, 11593, 11599, 11601 and 11612, Oklahoma Statutes 1931 relating to petroleum and its by-products, prescribing the duties of the State Oil Inspector and the Corporation Commission relative to petroleum and its by-products, prescribing a penalty for violation of this Act and repealing certain laws of the State of Oklahoma concerning same and declaring an emergency.

ENGROSSED HOUSE BILL NO. 276—By WILLIAMS, entitled:

An Act amending Section 7056, O. S. 1931, providing for the transfer of high school pupils outside the State, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 276 and 531.

Senator Ray moved that the Senate proceed to the consideration of HOUSE BILL NO. 346, by Chamberlin, et al., under third reading.

Senator Curnutt moved that following consideration of House Bill No. 346, the Senate proceed to the consideration of Senate Bills under third reading, which motion was ruled out of order by the Presiding Officer.

The vote occurring on the Ray motion, it was declared adopted.

Senator Ray asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 346, by striking Section 2 and re-numbering the succeeding sections.

RAY.

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: Ballard, Carmack, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nay: Coppock. Total, 1.

Not voting: Briggs, Carlile, Chamberlin, Dixon, Fidler, Morrison, Rizley, Sowards, Thomas. Total, 9.

Absent: Logan. Total, 1.

Excused: Powers. 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: Ballard, Carmack, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nay: Coppock. Total, 1.

Not voting: Briggs, Carlile, Chamberlin, Dixon, Fidler, Morrison, Rizley, Sowards, Thomas. Total, 9.

Absent: Logan. Total, 1.

Excused: Powers. 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. 346 was referred for engrossment.

Senator Moon asked to be recorded "present," which was the order.

Upon motion of Senator MacDonald, HOUSE BILL NO. 693, by Martin, was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and House Bill No. 693 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 693 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carmack, Clark, Commons, Daugherty, Dixon, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Curnutt, Hutchinson, Jennings, Rutherford. Total, 5.

Not voting: Ballard, Carlile, Chamberlin, Fidler, Morrison, Rizley, Sowards. Total, 7.

Absent: Logan. Total, 1.

Excused: Powers. 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: Briggs, Carmack, Clark, Commons, Daugherty, Dixon, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Curnutt, Hutchinson, Jennings, Rutherford. Total, 5.

Not voting: Ballard, Carlile, Chamberlin, Fidler, Morrison, Rizley, Sowards. Total, 7.

Absent: Logan. Total, 1.

Excused: Powers. 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. 693, and ordered the same transmitted to the Honorable House.

Senators Chamberlin, Carlile and Sowards asked to be recorded "present," which was the order.

Upon motion of Senator Wilbanks, the Senate proceeded to consideration of HOUSE BILL NO. 220, by Committee on Judicial Redistricting of the House.

Section 1 was read.

Senator Reed submitted the following amendment, which was tabled, upon motion of Senator Wilbanks:

Mr. President: I move to amend House Bill No.



220, lines 1 and 2, page 4, by striking "Washita, Custer and Blaine Counties," and inserting "Greer and Ellis Counties."

REED.

Senator Reed submitted the following amendment which was tabled, upon motion of Senator Willis:

Mr. President: I move to amend House Bill No. 220, line 1, page 4, by striking "Blaine County" and inserting "Ellis County."

REED.

Senator Garvin submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 220, line 9, page 5, by striking after the word "and" and before the word "Grady," all of lines 9, 10 and 11, and inserting the following, "Comanche and Cotton Counties, and one to be nominated in Grady, Stephens and Jefferson Counties."

GARVIN.

Senator Dixon submitted the following amendment, which was tabled, upon motion of Senator Wilbanks:

Mr. President: I move to amend House Bill No. 220, lines 1, 2, and 3, page 5, by striking after the figure "19" and adding the following: "the counties of Carter, Love, Johnston and Marshall. Said district shall have three district judges, who shall be nominated as follows: One judge nominated from Carter, one from Love County and one from Johnston and Marshall Counties."

DIXON.

Senator Morrison asked to be recorded "present," which was the order.

Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, line 4, page 5, by striking after the word "Garvin," and before the word "McClain", the word "and" and

inserting a comma and the following word "McClain", and in line 5, the words "and Murray."

PAUL.

Senator Paul asked unanimous consent, which was granted, to strike the word "Murray" in line 1, page 5.

Senator Thomas submitted the following amendment:

Mr. President: I move to amend House Bill No. 220, line 13, page 5, by striking after the word "Greer" the word "Kiowa" and inserting in line 5, page 8, after the word "Washita", the word "Kiowa."

By unanimous consent, the Senate proceeded to consider HOUSE BILL NO. 220, by Judicial District numbers, beginning with number 1.

Senator Coppock submitted the following amendment, which was tabled, upon motion of Senator Wilbanks:

Mr. President: I move to amend House Bill No. 220, line 4, page 2, by re-writing "District No. 2," as follows: "The counties of Woods, Woodward, Alfalfa and Major, with one Judge. District No. 2, the counties of Grant, Garfield and Kingfisher, shall have one Judge." And by renumbering the following Districts.

COPPOCK.

Senator Morrison submitted the following amendment:

Mr. President: I move to amend House Bill No. 220, line 14, page 3, by striking after the word, "have," and before the word "Judges," the word, "five," and inserting the word, "six," and changing, in line 15, after the word, "county", and before the word, "to", the word, "Four," to the word, "five."

MORRISON.

Senator Wilbanks moved to table the Morrison amendment, which motion failed of adoption.

Senator Ballard, as a substitute, submitted the following amendment:

Mr President: I move to amend House Bill No. 220, line 4, page 5, by striking the words, "Cleveland and McClain," from District No. 20, and adding, "Cleveland and McClain," to District 13, and by striking the word, "five," in line 4, page 4, and inserting the word, "six," and by adding after the word, "large" line 7, page 4, the following: "One Judge to be nominated and elected from Cleveland and McClain counties."

BALLARD.

Senator Paul moved to table the Ballard amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Chamberlin, Commons, Fischl, Garvin, Johnston, Lester, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Rizley, Sowards, Stacey, Whitaker, Wilbanks. Total, 18.

Nays: Ballard, Briggs, Carmack, Clark, Coppock, Daugherty, Dixon, Howard, Jennings, Liggett, Moon, Morrison, Ritzhaupt, Rutherford, Waldrep, Willis. Total, 16.

Not voting: Curnutt, Fidler, Hutchinson, MacDonald, Rizley, Stewart, Taylor, Thomas. Total, 8.

Absent: Logan. Total, 1.

Excused: Powers. Total, 1.

Senator Rizley asked to be recorded "present," which was the order.

The vote occurring on the Morrison amendment, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carmack, Clark, Coppock, Daugherty, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, Moon, Morrison, Ritzhaupt, Rizley, Rutherford, Stewart, Taylor, Thomas. Total, 22.

Nays: Carlile, Chamberlin, Commons, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stacey, Waldrep, Whitaker, Wilbanks, Willis. Total, 17.

Not voting: Curnutt, Fidler, Hutchinson. Total, 3.

Absent: Logan. Total, 1.

Excused: Powers. Total, 1.

Senators Fischl and Ray submitted the following amendment:

Mr. President: I move to amend House Bill No. 220, line 3, page 5, by striking the words "which shall be nominated and elected at large," and inserting the following: "one to be nominated from Carter County and one from Love, Marshall and Johnston counties, which judges so nominated, shall be elected at large."

FISCHL.

RAY.

Senator Dixon, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 220, lines 1 to 3, page 5, by adding after the word "large," the following: "Marshall and Love counties shall constitute one nominating district and Carter and Johnston counties shall constitute one nominating district."

DIXON.

Senator Ray raised a point of order against the Dixon amendment, which was overruled, stating the subject matter had been previously disposed of.

Senator Ray moved to table the Dixon amendment, which motion failed of adoption.

The vote occurring on the Dixon amendment, it was declared adopted.

Senator Wilbanks asked unanimous consent, which was granted, to submit the following as a corrective amendment for the Dixon amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 220, line 3, page 5, by striking the remainder of line 3 and adding the following: "one of which will be nominated from Carter and Johnston Counties, one nominated



from Love and Marshall counties, the two judges to be elected at large over the District."

WILBANKS.

Senator Carmack submitted the following amendment, which was tabled, upon motion of Senator Rizley:

Mr. President: I move to amend House Bill No. 220, line 3, page 2, by striking after the word "Harper," the words "and Ellis."

CARMACK.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, lines 13 to 15, page 4, by striking all of said lines and inserting the following: "Number 15. The Counties of Haskell, Latimer, LeFlore, McIntosh and Pittsburg. Said districts shall have two judges, one of whom shall reside and be nominated in that part of the district comprised of Haskell, LeFlore and Latimer Counties and one in that part of the district comprised of McIntosh and Pittsburg counties, which two judges shall be elected at large" and by re-numbering the following district.

BRIGGS.

Senator Liggett submitted the following amendment:

Mr. President: I move to amend House Bill No. 220, line 12, page 3, by striking the word "Beckham" and inserting the word "Kiowa."

LIGGETT.

Senators Liggett and Thomas asked unanimous consent, which was granted, to submit the following amendment in lieu of the pending Liggett amendment:

Mr. President: I move to amend House Bill No. 220, line 13, page 5, by striking after the word "Greer" the word "Kiowa" and inserting in line 5, page 8, after the word "Washita," the word "Kiowa."

LIGGETT.

THOMAS.

Senator Reed, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 220, by making a new section and renumbering the succeeding sections: "Until the effective date of this Act, Greer and Beckham Counties are hereby added to and made a part of the present twenty-fifth Judicial district; Roger Mills and Dewey Counties are hereby added to and made a part of the present Seventeenth Judicial District; and Ellis County is hereby added to and made a part of the present twentieth Judicial district. Upon and after the effective date, this Section shall be inoperative."

REED.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate amendments to:

ENGROSSED HOUSE BILL NO. 20—By MARTIN, entitled:

An Act making appropriations from the General Revenue Fund of the State of Oklahoma for all State educational, eleemosynary and penal institutions, and from the revolving funds of certain institutions; providing for the appropriation and distribution of the new college funds in accordance with Section 5626, Oklahoma Statutes, 1931, to the institutions entitled to the same, and providing for the appropriation and distribution of Section 13 funds as provided in Section 5464, Oklahoma Statutes, 1931, to the institutions entitled to the

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same, and appropriating the Public Building Fund to certain institutions herein specified, and asks your Honorable Body for a Conference thereon.

The Speaker has appointed Representatives Martin, Ebey (Pontotoc), Turner, Shoemaker and Glenn, as Conferees on said Bill.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator MacDonald, the request of the Honorable House, for a conference on Engrossed House Bill No. 20 was ordered granted, the presiding officer appointing as Senate Conferees thereunder, Senators Chamberlin, Memminger, Briggs, Ballard, MacDonald, Stewart and Garvin.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker has appointed: Representatives Remund and Stewart, as additional Conferees on:

ENGROSSED HOUSE BILL NO. 20—By MARTIN, entitled:

An Act making appropriations from the General Revenue Fund of the State of Oklahoma for all state educational, eleemosynary and penal institutions, and from the Revolving Funds of certain institutions; providing for the appropriation and distribution of the new college funds in accordance with Section 5626, Oklahoma Statutes, 1931, to the institutions entitled to the same, and providing for the appropriation and distribution of Section 13 funds as provided in Section 5464, Oklahoma Statutes, 1931, to the institutions entitled to the same, and appropriating the Public Building Fund to certain institutions herein specified.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House concurs in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 622—By COMMITTEE ON APPROPRIATIONS, entitled:

A Bill to be entitled an Act making an appropriation from the Public Building Fund for repairs and improvements, and for the purchase of lands, at certain State Institutions hereinafter named and in the amount set opposite each for the purpose specified; and declaring an emergency,

and the same has been passed, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 623—By COMMITTEE ON APPROPRIATIONS, entitled:

An Act making appropriation to pay claims against deficiency certificates, numbers 19 and 22 to 30, inclusive, for fiscal year ending June 30, 1931; numbers 1 to 6, inclusive, for fiscal year ending June 30, 1932; numbers 1 to 4, inclusive, for fiscal year ending June 30, 1933; as approved and certified to by the Governor under authority of Chapter 231, of Session Laws of Oklahoma, 1915, as amended by Chapter 229, of the Session Laws of Oklahoma, 1919; and declaring an emergency, and the Bill has been passed AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.



To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker has appointed: Representative Rawls, as additional Conferee on:

ENGROSSED HOUSE BILL NO. 625—By COMMITTEE ON APPROPRIATIONS, entitled:

A Bill to be entitled an Act making appropriation from the General Revenue Fund and other funds, for the purpose of paying claims against certain State Departments and Institutions hereinafter set out; and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Concurrent Resolutions Nos. 17 and 22 correctly engrossed, and Senate Bills Nos. 25 and 359 correctly enrolled.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Concurrent Resolutions Nos. 17 and 22 and ordered, each, transmitted to the Honorable House for consideration.

Senator Stacey presiding.

Senate Bill No. 25 was read at length, 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.

Senator Nichols presiding.

Senate Bill No. 359 was read at length 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.

Referring further to HOUSE BILL NO. 220:

Senators Wilbanks and Thomas submitted the following amendment, in lieu of the Liggett, Thomas amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, line 2, page 4, by striking after the word "Beckham," and before the words "Roger Mills," the word "and" and inserting a comma therefor and adding after the word "Roger Mills," the words "and Kiowa," and in line 13, page 5, by striking the word "Kiowa."

WILBANKS,  
THOMAS.

Senator MacDonald presiding.

Senator Ballard moved that the vote be re-considered by which the Paul amendment to "District No. 20" was adopted.

Senator Nance, as a substitute, moved that the vote be re-considered by which the Morrison amendment to line 14, page 3, was adopted, which motion, by unanimous consent, he withdrew.

Senator Nance served notice on the Senate that he would, on some future legislative day, move to re-consider the vote by which the Morrison amendment was adopted.

Senator Wilbanks moved to table the Ballard motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Commons, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stacey, Taylor, Thomas, Wilbanks. Total, 19.

Nays: Ballard, Briggs, Carmack, Coppock, Hutchinson, Jennings, Moon, Ritzhaupt, Rizley, Rutherford, Whitaker. Total, 11.

Not Voting: Carlile, Chamberlin, Clark, Curnutt,

Daugherty, Dixon, Fidler, Fischl, Howard, Stewart, Waldrep, Willis. Total, 12.

Absent: Logan. Total, 1.

Excused: Powers. Total, 1.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 406 correctly enrolled.

LIGGETT, Chairman.

Senate Bill No. 406 was read for the fourth time at length, the enrolled copy signed, in open session, by the Presiding Officer and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Wilbanks moved that Section 1, as amended, of House Bill No. 220 be adopted.

Senator Ballard, as a substitute, moved that further consideration of House Bill No. 220 be indefinitely postponed, which motion was tabled, upon motion of Senator Paul.

The vote occurring on the Wilbanks motion, it was declared adopted.

Section 2 was read.

Senator Wilbanks submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, line 5, page 7, by striking after the word "September," the remainder of lines 5 and 6 and placing a period after the word "September" and on line 11, page 7, substituting a comma for the period after the word "September" and adding the following: "and Pawnee County in March, July and November."

WILBANKS.

Senator Fischl submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No.

220, line 18, page 9, by changing said lines to read as follows: "Carter County in January, May, September and December."

FISCHL.

Senator Memminger submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, line 1, page 9, by striking the word "September" and inserting the word "October."

MEMMINGER,  
MacDONALD.

Senator Ballard asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, line 5, page 10, by striking the word "September" and inserting the following: "third Monday in November."

BALLARD.

Senator Rizley submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, lines 14 and 15, page 5, by striking after the word "county," the words "April and November" and inserting the words "May and December," and by striking after the word "county" in line 15, the words "May and December" and inserting the words "April and May."

RIZLEY.

Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, line 3, page 10, by adding after the word "October" the following: "Murray County in March and September" and by striking the same from lines 1 and 2, page 10.

PAUL.



Senator Thomas submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, line 13, page 5, by striking after the word "Greer" the words "Kiowa County" and inserting in line 15, page 8, after the word "Washita," the words "and Kiowa Counties."

THOMAS.

Upon motion of Senator Wilbanks, Section 2, as amended, was adopted.

Sections 3 and 4 were read and adopted, upon motions of Senator Wilbanks.

Senator Chamberlin asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, lines 14 and 15, page 10, by striking after the word "August," the remainder of line 14 and up to and including the word "September" in line 15.

CHAMBERLIN.

Section 5 was read and adopted, upon motion of Senator Wilbanks.

Section 6 was read.

Senator Daugherty submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, page 12, by striking Section 6 and inserting the following: "Section 6. Immediately upon the passage and approval of this Act, the present judicial district number 2, composed of Nowata and Rogers counties, is hereby abolished. Nowata County is hereby attached to the present judicial district number 30, and Rogers County is hereby attached to the present judicial district No. 23, provided this section will be inoperative after January 1, 1935. It is the purpose and intent of this Section to attach Nowata and Rogers Counties to the

present judicial districts numbers 30 and 23, respectively, so that a new judge will not be required to fill vacancy now existing in present judicial district number 2."

DAUGHERTY.

Senator Reed submitted the following amendment, which was adopted:

Mr. President: I move to amend the Daugherty amendment, by adding a new paragraph as follows: "Immediately upon the passage and approval of this Act, Greer and Beckham counties are hereby added to and made a part of the present twenty-fifth judicial district; Roger Mills and Dewey counties are hereby attached to and made a part of the present seventeenth judicial district and Ellis county is hereby added to and made a part of the present twentieth judicial district. Upon and after the effective date of this Act, this section shall be inoperative.

REED.

Senators Briggs and Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, lines 6 to 11, both inclusive, page 9, by striking said lines and inserting the following: "District 15. Haskell County in January and July; Latimer County in February and September; LeFlore county in April and November; McIntosh county in March, August, and December; and Pittsburg county in January, May and October," and re-numbering the succeeding subdivisions.

BRIGGS,

WHITAKER.

Senator Carmack moved to re-consider the vote by which the Reed amendment was adopted, which motion was tabled, upon motion of Senator Wilbanks.

Senator Wilbanks asked unanimous consent, which was granted, to amend the Reed amendment, by striking the figures "20" and inserting the figures "31st."

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Upon motion of Senator Wilbanks, House Bill No. 220, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Nance, House Bill No. 220, as amended, was ordered printed and set for Special Order, at 1:00 p. m., on the next legislative day.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 574—By HARP, entitled:

An Act to be known as the Cigar and Cigarette School Fund Act; providing for the collection of a license fee from retail dealers in cigars and cigarettes; providing for the manner for making applications for such license to the County Treasurer and the manner of issuance of the same by him; providing for the payment of a license fee to the County Treasurer for the use and benefit of the school districts of the county, and the manner of enforcing collection of such fee; providing for penalties and fines for violation of this Act; repealing Section 1951 and Section 1952, Oklahoma Compiled Statutes 1931, together with other laws in conflict herewith,

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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 574 was read at length for the fourth time, the enrolled copy signed, in open session, by the

Presiding Officer and ordered returned to the Honorable House.

Senator Ballard moved that the Senate adjourn, to meet at 1:30 p. m., Wednesday, April 19th, which motion failed of adoption.

Senator Commons moved that the Senate proceed to the consideration of SENATE BILL NO. 51, as amended in Conference, the Report thereon having been adopted on a previous legislative day, which motion prevailed.

Senate Bill No. 51, as amended in Conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Garvin, Howard, Hutchinson, Johnston, Lester, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep, Wilbanks, Willis. Total, 26.

Nays: Ballard, Coppock, Jennings, Liggett, MacDonald, Taylor, Whitaker. Total, 7.

Not Voting: Briggs, Curnutt, Dixon, Fidler, Fischl, Moon, Ray, Sowards, Thomas. Total, 9.

Absent: Logan. Total, 1.

Excused: Powers. Total, 1.

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 Commons, the emergency section to Engrossed Senate Bill No. 51 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Sen-



ate Bill No. 51, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

COMMONS.

Senator Ballard served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 51 was passed.

Senator Nance moved that the rules be suspended for the purpose of reconsidering the vote by which Senate Bill No. 51 was passed, which motion prevailed.

Senator Nance moved that the vote be reconsidered by which Senate Bill No. 51 was passed, which motion was tabled, upon motion of Senator Commons.

Senate Bill No. 51, together with Conference Committee Report, thereon, was ordered transmitted to the Honorable House, for further consideration.

THIRD READING

Upon the request of Senator Whitaker, the Senate proceeded to the consideration of HOUSE JOINT RESOLUTION NO. 52, by Henderson, under Third Reading.

HOUSE JOINT RESOLUTION NO. 52 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following result:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Dixon, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Curnutt, Daugherty, Fidler, Fischl, Lester, Morrison, Ray, Reed, Sowards, Taylor, Thomas. Total, 11.

Absent: Logan. Total, 1.

Excused: Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Dixon, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Curnutt, Daugherty, Fidler, Fischl, Lester, Morrison, Ray, Reed, Sowards, Taylor, Thomas. Total, 11.

Absent: Logan. Total, 1.

Excused: Powers. 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 Joint Resolution No. 52, 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,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 184—By COMMONS, entitled:

An Act amending Section 11151, Oklahoma Statutes 1931, (Section 21, Chapter 42, Session Laws 1929), relating to the traveling way and filling of cans or tubs

and repealing all Acts or parts of Acts in conflict therewith.

ENROLLED SENATE BILL NO. 185—By COMMONS, entitled:

An Act amending Section 11146 Oklahoma Statutes 1931 (Section 16, Chapter 42, Session Laws 1929), relating to the duties of mine foremen.

ENROLLED SENATE BILL NO. 366—By MOON, entitled:

An Act relating to the duties and compensation of members of the Board of County Commissioners of all counties in the State having a population between 65,000 and 77,500 according to the last preceding Federal Census, providing compensation in lieu of expenses incurred by County Commissioners where township government has been or may be abolished, authorizing the compensation for said duties, and providing the method and means for payment and the fund from which said compensation shall be paid, repealing all Acts in conflict herewith; and declaring an emergency.

ENROLLED SENATE BILL NO. 401—By WALDREP, entitled:

An Act providing that governing board of any municipality of this State may sell bonds heretofore or hereafter authorized to be issued by the vote of the qualified electors in any amount that is deemed necessary and proper; providing said sale shall be in the manner now provided by law 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 184, 185, 366 and 401 were, each, ordered referred to the Governor for consideration.

Upon the request of Senator Nichols, the Senate proceeded to the consideration of the emergency on SENATE BILL NO. 49, by Nichols:

The question being, "Shall Senate Bill No. 49, become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Dixon, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Curnutt, Daugherty, Fidler, Fischl, Lester, Morrison, Ray, Reed, Sowards, Taylor, Thomas. Total, 11.

Absent: Logan. Total, 1.

Excused: Powers. 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 Engrossed House Amendments to Senate Bill No. 49 and ordered the bill, as amended, referred for enrollment.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 234—By RIZLEY, entitled:

An Act authorizing the transfer of any surplus money in the sinking fund of any city, town or township to the general fund; prescribing the use to which said



transferred funds shall be put; repealing all Acts and 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, AS AMENDED, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 234 were read, as follows:

ENGROSSED HOUSE AMENDMENT NO. 1. A new section to be numbered Section 2, and by re-numbering Sections two and three, to read three and four, respectively, said new section to read as follows:

“SECTION 2. Provided, however, that before any governing body of such city or town shall make such transfer, application shall be made by such governing body to the District Court of the County for an order authorizing it so to do. Such application shall be filed in the office of the Clerk of the District Court as in other cases, setting forth briefly, the amount of money in the sinking fund of said city or town, and the amount of all its outstanding bonds, coupons, and judgments, and the amount of the sinking fund that the governing body wishes to transfer to the general fund of the said city or town. Notice of the hearing of said application shall be given by publication of a notice thereof in a newspaper of general circulation throughout the county, for two consecutive weekly issues of such newspaper. Upon the date fixed for the hearing of said application, any taxpayer, bond, coupon or judgment holder may appear and contest the same. After said hearing, the court shall make an order as to distribution of said surplus funds, if there be any, and such order shall be final.”

Upon motion of Senator Rizley, the Senate con-

curred in Engrossed House Amendments to Engrossed Senate Bill No. 234.

Engrossed Senate Bill No. 234, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Wal-drep, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Briggs, Curnutt, Dixon, Fidler, Fischl, Lester, Morrison, Ray, Sowards, Taylor, Thomas. Total, 11.

Absent: Logan. Total, 1.

Excused: Powers. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Wal-drep, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Briggs, Curnutt, Dixon, Fidler, Fischl, Lester, Morrison, Ray, Sowards, Taylor, Thomas. Total, 11.

Absent: Logan. Total, 1.

Excused: Powers. 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 Engrossed House Amendments to Engrossed Senate Bill No. 234 and ordered the bill, as amended, referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 21—By PUGH, PAUL and CHAMBERLIN, entitled:

A Resolution requesting an investigation by the Department of Agriculture of the United States of the prices charged by stockyards for feed for livestock shipped to said stockyards for marketing,  
and to advise you, and, through you, the Honorable Senate, that the same has been signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 21 was ordered referred to the Secretary of State.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has refused to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 121—By DANIEL and MALLORY, entitled:

An Act creating a Textbook Commission for the State and providing for adoption of School textbooks to

be used in the common schools and teachers and junior highschools and colleges of the State; fixing compensation for the Textbook Commission; providing for the qualifications of said Commission; fixing the duties of the Governor and State Superintendent of Public Instruction in connection with said Commission; said adoption to run for ten years, and respectfully requests your Honorable Body for a Conference thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Ritzhaupt, the request of the Honorable House for a conference on Engrossed House Bill No. 121, was granted, the Presiding Officer appointing as Senate conferees, thereunder, Senators MacDonald, Waldrep and Ritzhaupt. To the President of the Senate, Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 361—By SPECK, entitled:

An Act amending Section 1674, Oklahoma Statutes 1931, providing for the issuance and recording of marriage licenses and delivery of certificate of marriage, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 361.

To the President of the Senate, Building.

SIR:



I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 621—By LOWRANCE, HOGG, JONES, RAWLS, MALLORY, EBNEY (Pontotoc), BEAVER, HENDERSON, TODD, MOONEY, JOHNSON (Comanche), BENNETT, HUGHES, ALBRIGHT, TURNER, and SULLIVAN of the House, entitled:

An Act authorizing shippers of live stock and lessees of feeding pens and impounding places in stockyards to furnish feed for stock covering the leased period; providing that any person, firm or corporation refusing to permit such feeding to be guilty of a misdemeanor, fixing the punishment therefor, and declaring an emergency.

ENROLLED HOUSE BILL NO. 701—By MARTIN and PHILLIPS (Okfuskee), entitled:

An Act making appropriation to pay the salaries and traveling expenses of District Judges and Court Reporters and declaring an emergency.

ENROLLED HOUSE BILL NO. 628—By COMMITTEE ON APPROPRIATIONS, entitled:

An Act making supplemental appropriations to pay Confederate pensions for the remainder of the fiscal year ending June 30, 1933, and declaring an emergency.

ENROLLED HOUSE BILL NO. 732—By HENDERSON, BATSON, LEECRAFT of the House, and BRIGGS, COMMONS, CHAMBERLIN, NICHOLS of the Senate, entitled:

An Act appropriating funds collected and to be collected and placed to the credit of the State Highway Construction and Maintenance Fund in the State Treasury, to be used and expended by the State Highway Commission of the State of Oklahoma in the payment of salaries, wages, and expenses of the State Highway Commission, its agents, servants and employees, and other obligations, and such other purposes as may be provided by law, and for the construction and mainten-

ance of State Highways, and highways constructed under the provision of Chapter 50, Article 2, Oklahoma Statutes 1931, and Acts amendatory thereof and declaring an emergency.

ENROLLED HOUSE BILL NO. 693—By MARTIN, entitled:

An Act creating the "Oklahoma Tax Commission Fund;" making appropriations therefrom for the support of the Oklahoma Tax Commission, in the performance of its lawful duties; providing for the disposition of unexpended balances; repealing conflicting laws; and declaring an emergency.

ENROLLED HOUSE BILL NO. 623—By COMMITTEE ON APPROPRIATIONS, entitled:

An Act making appropriation to pay claims against deficiency certificates, numbers 19 and 22 to 30, inclusive, for fiscal year ending June 30, 1931; numbers 1 to 6, inclusive, for fiscal year ending June 30, 1932; numbers 1 to 4, inclusive, for fiscal year ending June 30, 1933; as approved and certified to by the Governor under authority of Chapter 231, of Session Laws of Oklahoma, 1915; as amended by Chapter 229, of the Session Laws of Oklahoma, 1919; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 621, 623, 628, 693, 701 and 732 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 o'clock a. m., Wednesday, April 19th, 1933.

## EIGHTIETH LEGISLATIVE DAY

Wednesday, April 19, 1933.

Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by the President Pro Tempore, who announced the Senate recessed to meet at 1:30 p. m.

### AFTERNOON SESSION

The Senate re-assembled at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis.  
Total, 40.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. Total, 3.

The President 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 State and County Affairs, to whom was referred Engrossed House Bill No. 190, by Sturgell and Johnson, entitled:

An Act authorizing the Board of County Commissioners of any County to lease grounds, and buildings for County Free Fair purposes, authorizing a tax levy

of not to exceed one half ( $\frac{1}{2}$ ) mill to be made for paying for leasing and maintaining such grounds and buildings, 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.

WALDREP, Chairman.

Mr. President: We, your Committee on Revenue and Taxation to whom was referred House Bill No. 319 by Cloyd, entitled:

An Act creating a Court Fund, providing procedure for the expenditure 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, as amended.

WHITAKER, Chairman.

Mr. President: We, your Committee Judiciary No. 1 to whom was referred House Bill No. 340 by Broaddus, Chambers, Hill, Conner, Logsdon, Phillips (Okfuskee) and Singleton, entitled:

An Act amending Section 1678, Chapter 13 of the Oklahoma Statutes of 1931, providing against the marriage of white persons with negroes, or persons of African descent, or fornication between such persons; defining fornication within the meaning of this Act; fixing penalty, declaring emergency, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CURNUTT, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 346,



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correctly engrossed, and Senate Bills Nos. 49 and 234, correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 346, as amended, and ordered the bill returned to the Honorable House.

Senate Bills Nos. 49 and 234 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.

Senator Paul having served notice that he would, moved that the vote be re-considered by which HOUSE BILL No. 692, by Cloyd of the House, and Paul, of the Senate, failed of passage.

Senator Ballard moved to table the Paul motion, which motion failed of adoption.

The vote occurring on the Paul motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Carmack, Commons, Curnutt, Daugherty, Fischl, Johnston, Lester, Liggett, MacDonald, Nance, Nichols, Paul, Pugh, Ray, Reed, Rizley, Taylor, Willis.  
Total, 18.

Nays: Ballard, Briggs, Clark, Coppock, Dixon, Hutchinson, Jennings, Memminger, Moon, Ritzhaupt, Rutherford, Stacey, Stewart, Whitaker, Wilbanks.  
Total, 15.

Not Voting: Carlile, Chamberlin, Garvin, Howard, Sowards, Thomas, Waldrep. Total, 7.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. Total, 3.

Senator Paul served notice that he would, on some future legislative day, move to reconsider the vote by which House Bill No. 692 failed of passage.

### SPECIAL COMMITTEE REPORT

Senator Dixon submitted the following Special Committee Report, with the request that the Report be printed in the Journal:

To the State Senate of the Fourteenth Legislature:

We, your committee appointed to investigate the oil situation as administered under the proration laws, the military enforcement thereof and the Corporation Commission and all other branches of government whose duty it was to enforce the aforementioned laws, hereby submit the following report:

That on the 11th day of January, 1933, the following committee was appointed by the aforementioned Senate:

Honorable Paul Stewart, Chairman,  
Honorable J. Woody Dixon, Vice-Chairman,  
Honorable Morton Rutherford, Member,  
Honorable Ross Rizley, Member,  
Honorable John A. MacDonald, Member,  
Honorable W. C. Fidler, Member,  
Honorable Dave Logan, Member.

The said committee was thereafter organized and promulgated certain rules of procedure to the effect that the committee could only act through a vote of a majority of the members thereof, and thereafter upon a subsequent date, the Honorable A. L. Commons and Honorable James C. Nance, members of said Senate, were added as members of said committee. That said committee as aforementioned proceeded upon its duties.

Before attempting to report the activities of said committee, your committee begs leave to advise that its investigation to the date of its discharge was incomplete and that all facts and information given to said committee had not been investigated fully as was the desire of your committee. Your committee is of the opinion that it would require several months to complete its

investigation due to the vast amount of information and the ramifications of the facts so far developed to completely make an intelligent report upon this matter.

Your committee regrets to report further that it was without the necessary authority to enforce its process and compel various witnesses to appear before the same to give testimony and this authority was not given to the committee and without this authority the said committee was practically powerless to make a complete and thorough investigation, and because of that fact this report can only be partially complete.

The committee proceeded to take the testimony of certain witnesses on or about the 18th day of January, 1933. One of the first witnesses called by said committee and sworn to testify was Colonel Cicero I. Murray who had been appointed as Colonel in command of the military forces to enforce and administer said law. The military enforcement and administration of said laws began on the 21st day of June, 1932, under an executive order to that effect issued by the Chief Executive, the Honorable William H. Murray, Governor of the State of Oklahoma. In the enforcement and administration of said laws the Chief Executive of the State of Oklahoma issued an executive order levying an arbitrary assessment against all operators in the Oklahoma City field, which amounted to nothing more or less than an attempt upon the part of the executive branch of government to levy and assess a tax upon certain citizens of the State of Oklahoma without representation as provided by the Constitution of the State of Oklahoma, and which assessment or tax ranged from one-fourth cent to one cent per barrel upon all the oil produced and which sum of money totaling \$7,000.00 to \$22,000.00 per month was collected by and paid directly to Cicero I. Murray. That this assessment and tax was collected by the said Cicero I. Murray in command under threats that if same were not paid the producers' wells would be shut in.

The testimony of Colonel Cicero I. Murray was to the effect that considerable money had been collected by him in the enforcement of the proration laws through the militia in the Oklahoma City field and that the said Colonel Murray, at the outset of the investigation, agreed to furnish your committee with all records, data and other forms of information that he might have that would aid the committee in its complete investigation of the enforcement of the proration laws.

Your committee further diligently endeavored to take all testimony that might throw any light or information as to the enforcement of the proration laws in Oklahoma and especially in the Oklahoma City field. The committee has adduced testimony which discloses that the enforcement of the proration laws under said Cicero I. Murray was without the success as expected; that wholesale running of what is termed "hot" oil was indulged in; numerous racketeers boldly held themselves out as being able to furnish protection for the running of "hot" oil for a stated and stipulated sum of money. In some instances offices were set up for that purpose. Particularly was this true in the Parker-Walker insurance firm, which the evidence discloses did accept \$18,000.00 for furnishing protection to the McArthur Oil Corporation in its running of illegal or "hot" oil. Evidence was further adduced in this case that protection was furnished; that some 180,000 barrels of illegal or "hot" oil was run in excess of the allowable as set by the Corporation Commission. The committee has heard numerous other witnesses disclose that some 12,000,000 barrels of oil was run in excess of allowable as set by the Corporation Commission of Oklahoma in the Oklahoma City field alone during the year 1932. Upon some of this enormous amount of oil tax has been paid and some not.

The committee's evidence was particularly confined



to the years 1931 and 1932 and we desire to furnish here below the interesting figures disclosing the great discrepancy in the respective offices of this state as to oil allowables in the Oklahoma City field and what oil runs were reported and upon what amount taxes were paid during the year 1932. (Statement of production in the Oklahoma City field is shown by reports of the Umpire's office, Corporation Commission and Oklahoma Tax Commission, 1932)

Allowable -----	25,862,857 barrels;
Reported to Umpire -----	32,220,215 barrels;
Reported to Corporation Commission -----	
-----	29,503,558 barrels;
Reported to Tax Commission --	37,100,487 barrels;

and we, your committee, are informed that this gross figure will be raised an additional million barrels, making a total of 12,000,000 barrels produced during the above year that was not allowable oil.

The committee had before it numerous oil companies disclosing that they constantly indulged in running "hot" oil or illegal oil and are running "hot" oil at this time.

The evidence further shows that the umpires and militia have been complete failures in enforcing the proration laws and in seeing that equity prevailed among the operators. The testimony further shows that during the latter part of 1931 and to date some \$168,000.00 was received in the personal and military bank accounts of Cicero I. Murray and as to who paid this amount of money and how same was spent this committee has been unable to ascertain due to the subsequent refusal of said Cicero I. Murray to come before the committee and explain or contradict same, and in this respect your committee was informed that two companies alone, Anderson-Prichard Oil Corporation and the T. B. Slick interests, advanced Cicero I. Murray more than \$25,000.00 which was placed in the said Cicero I. Murray's private

or personal bank account. We were told that this was advanced for the purpose of carrying out the proration laws, but no accounting has been made of this money so far as this committee has been able to ascertain.

We, your committee, beg to report further that we made every effort to trace the money received by the said Cicero I. Murray as above stated, but due to a mingling of his personal, military and Blue Valley Farmer accounts, same was impossible, and due to his refusal to appear before the committee and strictly account for same, your committee cannot intelligently advise you as to how this sum in excess of \$168,000.00 was received and disbursed. We also discovered oil men who were being regulated and supervised in their oil business, directly or indirectly by Cicero I. Murray, giving or loaning money to the said Cicero I. Murray in one form or another, and especially was this true with C. B. Ames, an officer of the Texas Company and now president of the American Petroleum Institute, who guaranteed the payment of a \$7,500.00 loan made to Cicero I. Murray by the Liberty National Bank, prior to Cicero I. Murray being put in command of the military enforcing of the proration laws, and in the advancements of Anderson-Prichard and the Slick interests in the approximate amount of \$25,000.00, and in the loans made by Roy Johnson, also an oil man, and others.

We, your committee, believe this to be exceedingly bad practice for money to be advanced or loaned to the regulator by those being regulated.

We respectfully submit and tender a complete transcript in two volumes of all testimony taken before this committee which discloses many details of violations of the proration laws during the period covered by our examination and which are too numerous to take up in this report. You will find that the running of "hot" oil was greatly indulged in in the Oklahoma City field, also questionable activities of members of the militia, such

as some members being on the payroll of oil companies, and, in one instance, a member of the militia was paid by an oil company by receiving checks made payable to his wife. Also you will find evidence where the commander in charge of the militia, Cicero I. Murray, had his brother, Frank Murray, employed in the militia under an assumed name, and whose practice it was, while so employed, to make arrangements for ostensible protection in the running of "hot" or illegal oil. These and many other questionable activities on the part of the militia under the said Cicero I. Murray forces us to the one inevitable conclusion and that is that the said Cicero I. Murray is not and was not a qualified person to enforce the proration laws of this state.

It is an admitted fact that the militia failed to enforce the proration laws in the Oklahoma City field. Either this was intentional or due to incompetency on the part of the administrative force by employing inexperienced officers and men.

Your committee has further disclosed by its activities several hundred thousand barrels of oil that was produced in the Oklahoma City field and upon which taxes had not been paid, and your committee has further disclosed various and sundry bank accounts that have been created with funds rightly due to the royalty owners upon oil that was produced illegally.

The investigation discloses that prior to the appointment of the investigating committee various and sundry persons in violation of the rules and regulations of the Oklahoma Tax Commission from time to time filed what is termed "blanket reports" concerning the amount of tax due the State of Oklahoma on oil produced in the Oklahoma City field; that just immediately prior to the appointment of the investigating committee a blanket report was filed containing a check in excess of \$32,000.00 for the purpose of paying tax on oil produced in the Oklahoma City field. The Oklahoma Tax Commis-

sion, although investigating the matter, had been unable to ascertain what particular company or companies or from what wells the production of oil had been had upon which the check was issued. Through the investigation it was disclosed that this particular item in excess of \$32,000.00 had been paid by the Champlin Refining Company upon one particular well producing oil in the Oklahoma City field, and that the practices of the Champlin Company had been to so conceal its activities and to so handle its records by keeping a duplicate set of books for the purpose of concealing the true facts as to the amount of oil it was producing from any particular well or wells in the Oklahoma City field.

Your committee is further advised that since the organization of this investigating committee and its activities that in excess of \$50,000.00 has been paid in taxes through blanket reports made to the Oklahoma Tax Commission and this committee feels that it was in great measure instrumental in the collection of this particular tax.

Your committee finds that during the administration of proration in the Oklahoma City field under the Corporation Commission as well as under the military authorities, many and sundry flagrant violations of the law respecting proration have taken place and that, in addition thereto, many racketeers have preyed upon the public and upon the producers receiving in payment large sums of money obtained under the guise of protection, the obtaining of which sums, in the opinion of your committee, amounts in many cases to extortion. Your committee feels that much of this has been accomplished because of inefficiency, lack of qualification and selfishness on the part of those whose duty it was to administer and enforce the law, and it is a regrettable condition that, due to the inadequacy of the law, false statements, false reports, extortion under the guise of protection could be and were had without impunity, and that no



law can be found upon the statute books or in the Constitution adequate to punish those guilty of such practices, and your committee finds that, unless laws to be enacted in the future, contain adequate provisions for the punishment of those guilty of the matters and things hereinafore set forth, the so-called proration laws had as well be repealed.

### THE CORPORATION COMMISSION

Your committee finds that for more than eighteen months last past there has been a lack of harmony prevailing among the members of the Corporation Commission; that many hearings involving days of testimony and exceptionally large records involving numerous and sundry cases have come to the attention of the Commission and that because of apparent difference of opinion existing among the members of the Commission, many orders affecting various phases of proration have been made without conferences which resulted in a wide diversity of opinion among the respective members of the Corporation Commission and has caused its orders to be severely criticised by various and sundry operators in the field. This seems to have been particularly true in cases or orders that have been made under what is termed water allowables and flat allowables, certain of the operators contending that because of orders allowing production under flat and water allowables discriminations were made in favor of those who obtained such order, it being the contention and claim of those who oppose the granting of flat and water allowables that such allowables result in an advantage in favor of those securing such orders.

The investigation further discloses that from time to time various and sundry attorneys representing producing companies in the Oklahoma City field have also appeared as attorneys for the Corporation Commission and for the proration officials, either the producers' committee, the umpire or Colonel Cicero I. Murray, acting

in the capacity of umpire, and that many hundreds of dollars have been paid such attorneys while representing the proration officials out of money collected by and through said special assessment taxes from all the operators contributing thereto under and by virtue of the executive order, and that various and sundry orders have been prepared by such attorneys while ostensibly acting in such dual capacity, evidence having been adduced to the effect that not only orders but that notices of hearing for the purpose of promulgating new rules have been prepared by such attorneys instead of by the attorney employed by the Corporation Commission itself. This practice has resulted in much dissatisfaction among the producers in the Oklahoma City field and has caused many accusations to be made and much strife and discord among the producers themselves. Without imputing any improper motives to the attorneys whose names have been mentioned before your committee as acting in such dual capacity, having in mind that many of such attorneys have splendid reputations and whose integrity and honesty as practitioners has never been questioned, your committee feels that this practice should not be followed; that an attorney representing clients whose interests are antagonistic to other interests and upon which controversial matters are had before the Corporation Commission, that the umpire, Corporation Commission, or any other person, commission or court, whose duty it is to pass upon the matters in controversy, should be represented by counsel whose clients are not interested in the matters in controversy before the commission, court or umpire.

Your committee further finds that the Corporation Commission has been lax in its duty, particularly in its failure to promulgate proper rules and orders directing the taking of potentials of the various and sundry wells in the Oklahoma City field; that under the evidence ad-

duced no potentials have been taken on any well in the Oklahoma City field since November, 1931, except, of course, such wells as may have been drilled in since that date.

It is the opinion of your committee from the evidence offered and practically undisputed that a large proportion of the wells in the Oklahoma City field, if potentials had been taken during regular intervals and periods, would be much less than the potentials as now shown by the records and upon which allowables are now being obtained. This your committee feels and so finds results in a discrimination against what we may term new wells or wells of recent production as against the older wells in the field.

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We, your committee, respectfully beg to report further that in the estimated amount of oil and other disclosures as set out and enumerated by your committee does not represent, as we believe, the true amount of oil, or all of the oil that was produced in the Oklahoma City field in excess of allowable, or what is commonly termed "hot" oil but only represents that amount of oil that we have been able to disclose and other figures that we have been able to disclose within the short time and with the limited means at our disposal. We feel on a matter of this importance and magnitude that it would take months and a great deal of expense, including a large staff of auditors, bank examiners and investigators to completely disclose the true amount of oil that has run out of this field and in excess of allowable and upon which tax has not been paid.

#### CONCLUSIONS AND RECOMMENDATIONS

We, your committee, humbly recommend the following:

##### I.

That the military branch of enforcement of the proration laws in the Oklahoma City field be discontinued,

that Colonel Cicero I. Murray be relieved of all duties and that a full and complete report and accounting of all moneys paid in to that branch be made as all other public funds are accounted for.

II.

Your committee further condemns the practice of having the proration laws enforced by the militia, that the same is not responsive and that we further condemn the enforcement or attempted enforcement of the proration laws by what is known as an umpire's committee or umpires who have in the past been chosen by the producers themselves.

III.

We respectfully recommend that in the enactment of a new proration law that the power of enforcement be placed in the hands of the Corporation Commission whose duty it is to promulgate rules and regulations with reference to proration thereby avoiding dual responsibility.

IV.

We, your committee, further recommend that in the enactment of a new proration law, adequate and severe penalty be placed therein for a violation of said newly enacted proration law.

V.

We, your committee, further recommend that all legal matters necessary to be performed by the proration enforcement officials be performed by the regular attorney for the Corporation Commission and the Attorney General of the State of Oklahoma, thereby saving considerable expense to the people of the State of Oklahoma.

VI.

We further recommend that some adequate law be passed which would carry a severe penalty against any producer of oil that conceals or withholds payment from



the rightful owners of such royalty for more than a reasonable length of time.

VII.

We further recommend that in any law that may be enacted a severe penalty be contained therein carrying with it a fine, imprisonment, or both, and in addition thereto removal from office, for any official who, through collusion, gross misconduct or who otherwise wilfully violates the duties imposed upon him by virtue of said office.

VIII.

We, your committee, having fully reported, recommend to the Honorable Senate that this report be adopted and that this committee be discharged.

Respectfully submitted,

J. WOODY DIXON,

Vice Chairman.

MORTON RUTHERFORD,

ROSS RIZLEY,

W. C. FIDLER,

DAVE LOGAN.

Senator Paul moved that the Special Committee Report be rejected.

Senator Stacey, as a substitute, moved that the Special Committee Report be received and printed in the Journal, which motion prevailed.

FIRST READING

The following Resolution was introduced and read for the first time:

SENATE JOINT RESOLUTION No. 28—By WALDREP: A Resolution authorizing and empowering the State Highway Commission to purchase from Pottawatomie County, Oklahoma, the Asher Bridge located at and near Asher, Oklahoma, on the South Canadian River; making other provisions with reference thereto.

SECOND READING

The following bills were read for the second time and, upon motion of Senator Commons, ordered placed

upon the Calendar, without reference to a committee:

SENATE BILL NO. 427—By BRIGGS and COPPOCK of Senate, COLLINS of House.

SENATE BILL NO. 428—By NICHOLS.

SENATE BILL NO. 429—By WHITAKER.

SENATE JOINT RESOLUTION NO. 27—By JOHNSTON.

ENGROSSED HOUSE BILL NO. 531—By ALBRIGHT, DANIEL and FITZGERALD.

ENGROSSED HOUSE BILL NO. 276—By WILLIAMS.

ENGROSSED HOUSE BILL NO. 361—By SPECK.

Senator Fischl moved that the Secretary of the Senate be instructed to prepare and mail to each member of the Senate, mimeographed copies of all bills and resolutions passed by the Fourteenth Legislature and approved by the Governor.

Senator Nance moved to amend the Fischl motion, as follows: "By authorizing the mimeographing to commence immediately," which motion prevailed.

The vote occurring on the Fischl motion, as amended, it was declared adopted.

Senator Nichols moved that consideration of HOUSE BILL NO. 132, by Leecraft, et al, be set for Special Order at 4:00 p. m., this day. \*

Senator Pugh raised a point of order against the Nichols motion, which was sustained, stating the Senate had ordered that only Senate bills be considered on this day.

Upon motion of Senator Nichols, consideration of House Bill 132 was set for Special Order at 10:00 a. m., on the next legislative day.

#### GENERAL ORDER

Senator Stewart asked unanimous consent, which was granted, to take up for consideration, SENATE BILL NO. 426, by Stewart.

Section 1 was read.

Senator Briggs submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 426, lines 5 to 13, page 2, by striking all of lines 1 to 13 and inserting the following: "Section 1. All persons transporting cattle, horses, hogs, sheep, or other livestock, in motor vehicles over the public highways of this State, from one county to another, or from within the State to any point outside the State, shall, before transporting the same, file with some Justice of the Peace, County Judge, or Sheriff of the County from which same is being transported, a statement in writing showing the point from and to which same is to be transported, the description, number, marks, or brands of said livestock, and designating the type of motor vehicle and name of the driver and same shall be executed in duplicate, the original of which shall be kept and retained on file and the copy shall be certified to by the officer before whom filed, that same is a true and correct copy of the original on file in his office, and delivered to the person executing such statement, which, when so certified, shall operate as a certificate of permit to transport said animals thereon described between the points therein designated."

BRIGGS  
STEWART.

Senator Nance submitted the following amendment to the Briggs-Stewart amendment, which was adopted:

Mr. President: I move to amend the Briggs-Stewart amendment, by adding after the words "and designating the type of motor vehicle," and before the words "and may," the words "and the number of motor license place."

NANCE.

Senator Coppock moved that further consideration of Senate Bill No. 426 be indefinitely postponed.

Senator Stewart moved to table the Coppock motion,

which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Curnutt, Dixon, Johnston, Lester, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks. Total, 22.

Nays: Clark, Coppock, Howard, Hutchinson, Liggett, Rutherford, Sowards, Willis. Total, 8.

Not Voting: Chamberlin, Commons, Daugherty, Fischl, Garvin, Jennings, MacDonald, Reed, Rizley, Thomas. Total, 10.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. Total, 3.

The vote occurring on the Briggs-Stewart amendment, as amended, it was declared adopted.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 426, by adding a new Section, as follows: "That all public stock yards, except those under the control of and under the rules and regulations of the United States Department of Agriculture, shall be required to keep a record of all livestock received at said yards, show the make and license number of the vehicle, the type, the truck driver, and a general description of the animals received."

BALLARD.

Senator Nance asked unanimous consent, which was granted, to amend the Ballard amendment:

Mr. President: I move to amend the Ballard amendment, by adding the word "motor" before the word "vehicle" and after the word "vehicle" add "making delivery of livestock."

NANCE.

Senator Ballard presiding.

The vote occurring on the Ballard amendment, as amended, it was declared adopted.



Upon motion of Senator Stewart, Senate Bill No. 426, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Stewart, the rules of the Senate were suspended, and Senate Bill No. 426 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 426 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Curnutt, Dixon, Fischl, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Pugh, Ray, Ritzhaupt, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 23.

Nays: Carlile, Chamberlin, Clark, Coppock, Daugherty, Howard, Hutchinson, Liggett, Moon, Paul, Rutherford, Sowards. Total, 12.

Not Voting: Commons, Garvin, Reed, Rizley, Thomas. Total, 5.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. 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 MacDonald, the emergency section to Senate Bill No. 426 was ordered stricken.

The question being "Shall the title of the Bill become the title of the Act?" Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 426, as follows:

Line 6, page 1, by inserting after the word "to" and before the word "secure" the following: "Make and file statement with and".

And in line 8, after the word "Sheriff" and before the

word "of" the following: "A Justice of the Peace or County Judge."

And at end of line 9, insert the words, "hogs, sheep".

And in line 14, after the word "Sheriff" insert the words "Justice of the Peace or County Judge."

And strike the words, "and declaring an emergency," and in lieu thereof insert the following: "and requiring stock yards and packing plants to keep records pertaining to vehicles and persons delivering livestock and the livestock delivered thereto."

BRIGGS.

Senate Bill No. 426 was ordered referred for engrossment.

Senator Nichols moved that the Senate work under a Call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted "absent": Senators Commons, Curnutt, Garvin, Logan, Morrison, Ray, Reed, Ritzhaupt, Rizley, Sowards, Taylor, Thomas and Wilbanks.

The Sergeant-at-Arms was instructed to notify all absent members of the proceedings of the Senate.

Senator Fischl moved that the Senate Auditor be instructed to purchase \$10.00 worth of postage for each member of the Senate.

Senator Pugh moved to amend the Fischl motion, by striking the figures "\$10.00" and inserting the figures "\$5.00", which motion, by unanimous consent, he withdrew.

Senator MacDonald moved to table the Fischl motion, which motion, by unanimous consent, he withdrew.

Senators Curnutt, Ray, Taylor and Ritzhaupt asked to be recorded "present," which was the order.

Senator Pugh, as a substitute for the Fischl amendment, moved that the Senate Auditor be instructed to purchase \$5.00 worth of postage for each member of the Senate, which motion failed of adoption.

The vote occurring on the Fischl motion, it was declared adopted.

Senators Rizley, Reed and Garvin, asked to be recorded "present" which was the order.

Senator Nichols moved that HOUSE BILL NO. 714, by Hill, Wooten, and Grisso, become a law, notwithstanding the veto thereof by the Governor.

Senator Curnutt, as a substitute, moved that the Senate proceed to the consideration of Senate Bills under third reading, which motion failed of adoption.

The question being, "Shall House Bill No. 714, notwithstanding the veto of the Governor, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Commons, Curnutt, Daugherty, Dixon, Fischl, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 30.

Nays: Coppock, Hutchinson. Total, 2.

Not Voting: Chamberlin, Clark, Garvin, Memminger, Rutherford, Sowards, Thomas, Wilbanks. Total, 8.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. Total, 3.

The Bill 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 House Bill No. 714, notwithstanding the veto of the Governor, become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 33.

Nays: Coppock, Hutchinson. Total, 2.

Not Voting: Dixon, Rutherford, Sowards, Thomas, Wilbanks. Total, 5.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. Total, 3.

The emergency having received the constitutional three-fourths majority of the votes of all members elected to and constituting the Senate was declared passed.

House Bill No. 714 was ordered returned to the Honorable House.

#### SPECIAL ORDER

By unanimous consent HOUSE BILL NO. 220 was considered as follows:

Senator Commons asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, line 2, page 1, by striking the words "twenty-three" and inserting the words "twenty-two."

#### COMMONS.

Senator Commons asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, line 7, page 2, by striking after the word "which" and before the word "judges" the word "five," and inserting the word "six."

#### COMMONS.

Senator Daugherty asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, line 10, page 12, by adding after the figure "2," the following: "provided that the terms of court in said counties of Rogers and Nowata shall be as follows: Rogers county shall be begun on the second Monday of May and Novem-



ber, and in Nowata county, the first Monday in June and December”.

DAUGHERTY.

Senator Willis asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, line 11, page 3, by striking after the word “Roger Mills” and before the word “Kiowa,” the word “and” and substituting therefor a comma and adding the following words at the end of line 17, “Greer, Harmon, Jackson, and Tillman. Said district will have two judges, one to be nominated from the counties of Blaine, Dewey, Custer, Washita, Beckham, Roger Mills and Kiowa, the other Judge to be nominated from Greer, Harmon, Jackson, and Tillman counties, and both of said judges will be elected in the district at large” and by striking lines 16 and 17, page 15.

WILLIS.

Senator Willis asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 220, line 15, page 8, by striking after the word “Washita” the last three words in line 15 and on line 17½, add the following: “regular terms of court will be convened on the third Monday of the respective months hereinafter set out in the other counties of the twelfth district, as follows: Harmon County in January and July; Greer County in February and August; Jackson County in April and October; Tillman County in May and November; and Kiowa County in March and September,” and by striking lines 13, 14, 15, and 16, page 10.

WILLIS.

Senator Rizley presiding.

Senator Memminger asked unanimous consent, to which objections were voiced, to take up for consideration,

SENATE JOINT RESOLUTION NO. 26, by Memminger and MacDonald.

Upon motion of Senator Memminger, the Senate proceeded to the consideration of Senate Joint Resolution No. 26.

Senator Ballard presiding.

Senator Johnston asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator MacDonald:

Mr. President: I move to amend Senate Joint Resolution No. 26, line 14, page 2, after the word "all" and before the word "years" by striking the word "seventy" and inserting the word "sixty-five," and in line 15, strike the word "fifteen" and insert the word "ten."

JOHNSTON.

Upon motion of Senator Memminger, Senate Joint Resolution No. 26, was advanced to engrossment and third reading.

Upon motion of Senator Memminger, the rules of the Senate were suspended and Senate Joint Resolution No. 26 was considered engrossed and placed upon third reading and final passage.

SENATE JOINT RESOLUTION NO. 26 was read at length for the third time, as follows:

SENATE JOINT RESOLUTION NO. 26—By MEMMINGER and MacDONALD.

A JOINT RESOLUTION PROVIDING FOR THE SUBMISSION OF A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF OKLAHOMA; PROVIDING THAT THE LEGISLATURE SHALL HAVE THE POWER TO ENACT LAWS PROVIDING PENSIONS FOR PERSONS OVER SEVENTY YEARS OF AGE WHO HAVE BEEN A RESIDENT OF THE STATE OF OKLAHOMA FOR FIFTEEN YEARS NEXT

PRECEDING, AND WHO DO NOT HAVE AN ANNUAL INCOME IN EXCESS OF \$250.00 PER YEAR; PROVIDING THAT NO PERSON PENSIONED UNDER SUCH LAWS SHALL RECEIVE A PENSION IN EXCESS OF TEN DOLLARS PER MONTH; AND AMENDING ARTICLE FIVE OF SAID CONSTITUTION BY ADDING AN ADDITIONAL SECTION TO BE KNOWN AS SECTION 44-A ~~OF~~ THE CONSTITUTION OF THE STATE OF OKLAHOMA.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. That the following proposed amendment to Article Five of the Constitution of the State of Oklahoma, shall be referred by the Secretary of State to the people for their approval or rejection, at the next regular general election held in the State of Oklahoma, as and in the manner provided by law, said proposed amendment being an amendment of Article Five of the Constitution of the State of Oklahoma by adding an additional Section thereto, to be known as Section 44-A of Article Five of the Constitution of the State of Oklahoma, and being as follows, to-wit:

“Section 44-A. The Legislature shall have the power to enact laws providing pensions for persons over seventy years of age who have been a resident of the State of Oklahoma for fifteen (15) years next preceding, and who do not have an annual income in excess of Two Hundred Fifty (\$250.00) Dollars per year; Provided, that no person pensioned under such laws shall receive a pension in excess of Ten (\$10.00) Dollars per month.”

Said proposed amendment shall be submitted as provided by law in the following form:

SHALL THE PROPOSED AMENDMENT  
BE ADOPTED?

☐ YES

☐ NO

If a majority of all the electors voting at such election shall vote in favor of the above amendment, it shall thereby become a part of the Constitution of the State of Oklahoma.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Clark, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 30.

Nays: Ballard, Coppock. Total, 2.

Not Voting: Chamberlin, Dixon, Hutchinson, Moon, Rutherford, Sowards, Thomas, Wilbanks. Total, 8.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. Total, 3.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

Senate Joint Resolution No. 26 was ordered referred for engrossment.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

Building

SIR:



*Eightieth Day, Wednesday, Apr. 19, 1933*    2359

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 17—By CHAMBERLIN, COMMONS, NICHOLS and NANCE, entitled:

A Concurrent Resolution fixing the day and hour of the sine die adjournment of the Regular Session of the Fourteenth Legislature of the State 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 17 was ordered referred for enrollment.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 51—By PUGH and WILLIS, entitled:

An Act providing for a state-wide and uniform schedule of salaries and compensation for county judges, county attorneys, sheriffs, county clerks, court clerks, county treasurers, county assessors, county superintendents, county commissioners and county surveyors, based upon the Federal Decennial Census of 1930, and providing the payment of a mileage to each Sheriff and Deputy Sheriff of the State in addition to the salaries provided by law, in lieu of actual and necessary expenses incurred on official business, and fixing the compensation that shall be paid each Sheriff for keeping, feeding and maintaining prisoners, repealing all Acts and parts of Acts in conflict therewith and declaring an emergency,

together with Conference Committee Report thereon, and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted and the Bill has been passed, AS AMENDED by said Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 51, as amended in conference, was ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 58 — By NANCE of the Senate and MOONEY of the House, entitled:

An Act requiring the County Treasurer to collect from the successful bidder at any tax resale held in the State of Oklahoma, in addition to the amount bid upon the property, an amount sufficient to defray all costs of preparing, listing and advertising the lot, parcel or tract of real estate purchased by said successful bidder at said sale and providing for the distribution of the proceeds of said tax resale; providing for the distribution of the proceeds from the sale of real estate made by the County Commissioners, after title is acquired by the county at the sale of said property at resale and providing that all real estate acquired by the county at the annual resale, and remaining unsold, shall be sold by the County Commissioners at public sale on or before the expiration of a period of one year; providing for the distribution of the proceeds of said sales and providing for the redemption of property by the former owner; providing for the payment of all expenses incurred by the county in the conduct of an annual resale, or any

sale of property by the county; and providing for the management of any real estate acquired by the county, by the Board of County Commissioners; and declaring an emergency, together with Conference Committee Report thereon, and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted and the Bill has been passed, AS AMENDED by said Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 58, as amended in conference, was ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 49—By NICHOLS, entitled:

An Act providing for a cash deposit by any party to a civil action before a trial court where the court fund may become exhausted or depleted, and making it the duty of the judge of such court to cause such jury to be drawn and impanelled, and fixing the number of such jurors and their per diem; and declaring an emergency.

ENROLLED SENATE BILL NO. 234—By RIZLEY, entitled:

An Act authorizing the transfer of any surplus money in the sinking fund of any city, town or township to the General Fund; prescribing the use to which said transferred funds shall be put; repealing all Acts and parts of Acts in conflict therewith; and declaring an emergency, and to advise 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 49 and 234 were, each, ordered referred to the Governor for consideration. To the President of the Senate, Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 406—By WILBANKS of the Senate and DARKS of the House.

An Act prohibiting the City of Holdenville, Oklahoma, its lessees and assigns, from using any real property now or hereafter acquired by said city for municipal water works in such a manner as to cause contamination and pollution of said water works; authorizing the city council of said city to make and enforce rules and regulations to preserve said real property from pollution and contamination and to charge fees from owners and occupants of property thereon to cover costs of inspection and sanitation; empowering said city council to summarily remove the property of persons refusing to obey said rules and regulations; giving said city a lien on property placed on said real property for fees assessed against them and which are not paid, within sixty days after due date thereof; and authorizing the city to advertise and sell said property, after giving thirty days notice, the proceeds of the sale, after said fees and costs of sale have been paid, to be paid to the owners of said property; and declaring an emergency.

ENROLLED SENATE BILL NO. 25—By STACEY.

An Act amending Section 6214, Oklahoma Statutes 1931, relating to the adoption of the Resolution of Necessity for paving or other street improvement by the



governing body of any city or town; and declaring an emergency.

ENROLLED SENATE BILL NO. 359—By STEWART and MacDONALD.

An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the permanent Journals and Session laws, together with other expenses of the Regular Session of the Fourteenth Legislature, providing for the closing of the business of the two Houses of said Session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 25, 359 and 406 were, each, ordered referred to the Governor for consideration. To the President of the Senate, Building.  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker has appointed Representatives Daniel, Massey, and Cavitt, as Conferees on:

ENGROSSED HOUSE BILL NO. 121—By DANIEL and MALLORY, entitled:

An Act creating a Textbook Commission for the State and providing for adoption of school textbooks to be used in the common schools and teachers and junior highschools and colleges of the State; fixing compensation for the Textbook Commission; providing for the qualifications of said Commission; fixing the duties of the Governor and the State Superintendent of Public In-

struction in connection with said Commission; said adoption to run for ten years.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to adopt the Conference Committee Report on:

ENGROSSED HOUSE BILL NO. 625—By COMMITTEE ON APPROPRIATIONS, entitled:

A bill to be entitled an Act making an appropriation from the General Revenue Fund and other funds, for the purpose of paying claims against certain State departments and institutions hereinafter set out; and declaring an emergency,  
and asks your Honorable Body for a further conference. The Speaker has re-appointed the same Conferees.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator MacDonald, the request of the Honorable House for a further conference on Engrossed House Bill No. 625 was granted, and the Senate Conferees heretofore appointed, were named as the Conferees for the further conference.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House of Representatives has refused to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 682—By ANGLIN, BATSON, DANIEL, LEECRAFT, GARLAND,

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BABB, PHILLIPS (Atoka), PHILLIPS (Okfuskee), entitled:

An Act relating to lands acquired by the several counties of the State of Oklahoma by purchase for delinquent taxes; prescribing a limitation for action to set aside resale; providing for acquiring title thereto by entry, improvement, use and payment of accruing taxes; placing said lands under supervision of Commissioners of Land Office; for classification and subdivision of said lands, issuing certificates of selection, cancellation of entries, making proof of compliance and right to conveyance of title, execution and delivery of deed conveying title thereto; providing for sale of lands not entered; repealing conflicting laws, and asks your Honorable Body for a Conference thereon. The Speaker has appointed Representatives Daniel, Garland, Phillips (Atoka), as Conferees thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Commons, the request of the Honorable House for a conference on Engrossed House Bill No. 682 was granted, the Presiding Officer appointing as Senate Conferees thereunder, Senators Stewart, Briggs and Whitaker.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 15—By COX, HENDERSON, WILLIAMS, JONES, ALBRIGHT, MALLORY, WINGO, WRIGHT, HINDS, HAILE, ALLEN, entitled.

Concurrent Resolution memorializing Congress to make it mandatory upon the Secretary of Agriculture of the United States to equitably allocate Federal Aid Highway Funds,

and to advise you, and, through you, the Honorable Senate, that the same has been signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer, in open session, signed Enrolled House Concurrent Resolution No. 15 and ordered the same returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 622—By COMMITTEE ON APPROPRIATIONS, entitled:

A Bill to be entitled an Act making an appropriation from the Public Building Fund for repairs and improvements, and for the purchase of lands, at certain State institutions hereinafter named and in the amount set opposite each for the purpose specified; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 622 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 236 correctly engrossed.

LIGGETT, Chairman.



### THIRD READING

Senator Commons asked unanimous consent, which was granted, to take up for consideration, HOUSE BILL NO. 236, by Phillips (Okfuskee).

Senator Rutherford submitted the following amendment:

Mr. President: I move to amend House Bill No. 236, line 12, page 3, by inserting after the word "sale" the following: "provided, however, that any taxpayer shall have the right, within thirty days, to appeal to and protest any decision of said State Equalization Board before the Equalization Board of the County in which said property is located. Said appeal, if taken by the taxpayer, shall be perfected by a written notice, signed by the taxpayer or his attorney, and served upon the Chairman of the State Equalization Board and, if the appeal be taken by the State Equalization Board, a written notice, signed by the Chairman of said Board, shall be served upon the taxpayer and the cause shall be tried de nova before the County Equalization Board. Either the Equalization Board or taxpayer may appeal within thirty days from the decision of the County Equalization Board to the district court of the county wherein the property is located, or where the taxpayer resides, which appeal shall be perfected in the same manner as the appeal from the State Equalization Board to the County Equalization Board and said district court shall try said cause de nova. Upon final judgment in the district court, appeal may be taken by either party within forty days to the Supreme Court of the State of Oklahoma, said appeal to be perfected in the same manner as appeals in civil cases. The appeals in the Supreme Court shall be disposed of in the same manner as the appeals from the Industrial Commission."

RUTHERFORD.

Senator Dixon moved that the rules of the Senate be

suspended for the purpose of considering the Rutherford amendment.

Senator Commons moved the adoption of the previous question, which motion prevailed.

The vote occurring on the Dixon motion, it was declared failed of adoption.

Senator Jennings submitted the following motion:

Mr. President: I move to recommit House Bill No. 236 to the Committee on Revenue and Taxation with the following instructions: To redraft said bill to provide for such re-valuations and proceedings to be had before the County Equalization Board of the county wherein the property is located, with adequate provisions for appeal either by the State of Oklahoma, acting by or through the County Attorney of such county, the Oklahoma Tax Commission, and by such taxpayer.

#### JENNINGS.

Senator Nichols moved to table the Jennings motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Garvin, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 21.

Nays: Ballard, Briggs, Clark, Coppock, Curnutt, Dixon, Hutchinson, Jennings, Moon, Rizley, Rutherford, Stewart, Waldrep. Total, 13.

Not Voting: Daugherty, Fischl, Howard, Liggett, Ray, Thomas. Total, 6.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. Total, 3.

Senator Wilbanks presiding.

HOUSE BILL NO. 236 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

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Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Garvin, Howard, Johnston, Lester, Liggett, Memminger, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 23.

Nays: Ballard, Clark, Coppock, Curnutt, Hutchinson, Jennings, Rizley, Rutherford, Stewart. Total, 9.

Not Voting: Dixon, Fischl, MacDonald, Moon, Ray, Sowards, Thomas, Waldrep. Total, 8.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. 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 Curnutt, the emergency section to House Bill No. 236 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 236, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

CURNUTT.

House Bill No. 236, as amended, was referred for engrossment.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 426 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Bill No. 426 and ordered it transmitted to the Honorable House, for consideration.

Senator Curnutt served notice that he would, on

some future legislative day, move to reconsider the vote by which HOUSE BILL NO. 236 was passed.

Senator Chamberlin moved that the vote be reconsidered by which House Bill No. 236 was passed, which motion was tabled, upon motion of Senator Whitaker  
 Senator Commons presiding.

By unanimous consent, HOUSE BILL NO. 220, as amended, was considered engrossed and placed upon third reading and final passage.

Senator Wilbanks presiding.

# SPECIAL ORDER

(Third Reading)

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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Ballard, Coppock, Taylor. Total, 3.

Not Voting: Dixon, Fischl, MacDonald, Ray, Sowards, Thomas. Total, 6.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. 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 title of the bill become the title of the Act?" Senator Wilbanks submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 220, to read as follows: "AN ACT CREATING TWENTY DISTRICT COURT JUDICIAL DISTRICTS



IN THE STATE OF OKLAHOMA; FIXING TIME FOR CONVENING COURT IN THE VARIOUS COUNTIES IN SAID DISTRICTS; PROVIDING FOR THE NOMINATION AND ELECTION OF JUDGES THEREOF; REPEALING SECTIONS 3832 TO 3857, INCLUSIVE, OKLAHOMA STATUTES, 1931, AND ALL OTHER ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH; REPEALING CHAPTER 21, ARTICLE 3, OF THE SESSION LAWS OF 1931, AND SECTIONS 3852, 3853 AND 3854, OKLAHOMA STATUTES, 1931; CONSOLIDATING CERTAIN JUDICIAL DISTRICTS; RESTRICTING THE EFFECTIVE DATE OF CERTAIN PROVISIONS OF THIS ACT; AND PROVIDING THAT THE INVALIDATING OF ANY PART OR PORTION OF THIS ACT WILL NOT AFFECT OTHER PARTS OR PORTIONS THEREOF."

WILBANKS.

House Bill No. 220, as further amended, was ordered referred for re-engrossment.

Senator Commons moved that the Senate proceed to the consideration of HOUSE BILL NO. 187, by Kight and Batson.

Senator Reed, as a substitute, moved that further consideration of House Bill No. 187 be indefinitely postponed.

President Burns presiding.

Senator Johnston, in lieu of all pending motions, moved that the Senate proceed to the consideration of Senate Bills under Third Reading, in their order on the calendar.

Senator Commons moved to table the Johnston motion, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Coppock, Daugherty, Garvin, Jennings, Lester, MacDonald, Moon, Nance, Paul, Pugh, Ritzhaupt. Total, 15.

Nays: Ballard, Briggs, Clark, Curnutt, Hutchinson, Johnston, Liggett, Memminger, Reed, Rizley, Rutherford, Stacey, Stewart, Taylor, Waldrep, Wilbanks, Willis. Total, 17.

Not Voting: Dixon, Fischl, Howard, Nichols, Ray, Sowards, Thomas, Whitaker. Total, 8.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. Total, 3.

The vote occurring on the Johnston motion, it was declared adopted.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Joint Resolution No. 2, Senate Bills Nos. 143, 260, 281, 296, 310, 320 and 321, each, correctly engrossed.

LIGGETT, Chairman.

### THIRD READING

SENATE BILL NO. 137 was read at length for the third time.

Senator Curnutt moved that SENATE BILL NO. 89 be substituted for Senate Bill No. 137.

Senator Chamberlin raised a point of order against the Curnutt motion, which was sustained, stating Senate Bill No. 89 was not on the Senate calendar.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Carlile, Carmack, Chamberlin, Commons, Garvin, Howard, Johnston, Lester, Liggett, Moon, Nance, Nichols, Paul, Pugh, Ritzhaupt, Taylor, Thomas, Willis. Total, 18.

Nays: Ballard, Briggs, Clark, Coppock, Curnutt, Daugherty, Hutchinson, Jennings, MacDonald, Memminger, Reed, Rizley, Rutherford, Stacey, Stewart, Waldrep, Whitaker, Wilbanks. Total, 18.

Not Voting: Dixon, Fischl, Ray, Sowards. Total, 4.

Absent: Logan. Total, 1.

Excused, Fidler, Morrison, Powers. 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.

Upon motion of Senator Memminger, SENATE BILL NO. 362, by Memminger, was ordered stricken from the calendar.

SENATE 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: Briggs, Carlile, Carmack, Clark, Commons, Coppock, Curnutt, Daugherty, Howard, Hutchinson, Jennings, Johnston, MacDonald, Memminger, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Ballard, Chamberlin, Garvin, Lester, Liggett, Moon, Nance, Nichols, Paul, Pugh, Rutherford. Total, 11.

Not Voting: Dixon, Fischl, Ray, Sowards. Total, 4.

Absent: Logan. Total 1.

Excused: Fidler, Morrison, Powers. 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 MacDonald, the emergency section to Senate Bill No. 288 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 288, by striking therefrom the words, "and declaring an emergency."

MacDONALD.

Senate Bill No. 288, as amended, was ordered referred for re-engrossment.

CONFERENCE COMMITTEE REPORT

Senator MacDonald asked unanimous consent to submit a Conference Committee Report on ENGROSSED SENATE BILL NO. 27.

Senator Curnutt raised a point of order, which was overruled, stating the consideration of a Conference Committee Report would require a suspension of the rules.

Conference Committee Report on Engrossed Senate Bill No. 27 was read, as follows, and, upon motion of Senator Nance, adopted:

Oklahoma City, Oklahoma

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF OKLAHOMA:

We, your Conference Committee, to whom was referred Engrossed House Amendments to Engrossed Senate Bill No. 27, by MacDonald, 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 30, 1934, and June 30, 1935, by functions of each department in accordance with the budget classifications adopted by the Governor,

have had under consideration the said amendments to the said measure and after due consideration make the following report and recommendation:

1. Page 2, line 13, change the “:” to “;” and add the following:

“And provided further that for the reason that the collection of taxes in sufficient amount to meet the appropriations herein made is uncertain, the Governor shall have the power to restrict expenditures authorized by this bill to the collection of taxes for that pur-



pose. To that end, the governor shall have the power to require the heads of state departments to file estimates of expenditures covering each quarter annual period, in advance, with him; if he shall approve such estimates, contracts may be let for expenditures in the amount of such estimates; if he shall disapprove any estimate, the head of the department shall revive the same so as to come within the estimated revenues. The Auditor shall not issue warrants in excess of the approved estimates, neither shall the Board of Public Affairs, the Board of Agriculture, or other governing boards make contracts in excess of such estimates. If the head of any state department shall refuse to file such estimate, the Governor shall certify the matter to the State Auditor and he shall issue no warrant in favor of such department."

2. Page 2, line 18, after the word "Governor" strike the figures "\$6,375.00" in each column and insert in lieu thereof the figures "\$6,000.00"

3. Page 2, line 20, after the word "Chief Clerk" strike the figures "\$1,320.00" in each column and insert in lieu thereof the figures "\$1,700.00".

4. The House recedes from Amendment No. 1.

5. The House recedes from Amendment No. 1-A and in lieu thereof recommends the following:

"Stenographer                      \$1,700.00        \$1,700.00"

6. The House recedes from Amendment No. 2.

7. Page 3, line 9, after the word "Rewards" strike the figures "\$5,000.00" in each column and insert in lieu thereof the figures "\$4,000.00".

8. Page 3, line 11, after the word "Governor" strike the figures "\$2,500.00" in each column and insert in lieu thereof the figures "\$1,500.00".

9. The Senate concurs in Amendment No. 3.

9-A. Page 3, line 15, insert the figures "\$1,500" in the first column.

10. The Senate concurs in Amendment No. 4.

11. The Senate concurs in Amendment No. 5.
12. The House recedes from Amendment No. 6.
13. The Senate concurs in Amendment No. 7.
14. The House recedes from Amendment No. 8,  
and the totals are changed to read:

“\$56,105.00      \$56,455.00”

15. The Senate concurs in Amendment No. 9.
16. The Senate concurs in Amendment No. 10
17. The Senate concurs in Amendment No. 11.
18. The House recedes from Amendment No. 12 and  
in lieu thereof recommends the following:

“Superintendent      \$2,100.00      \$2,100.00”

19. The House recedes from Amendment No. 13,  
and in lieu thereof recommends the following:

“Assistant Superinten-  
dent      \$2,000.00      \$2,000.00”

20. The House recedes from Amendment No. 14.
21. The Senate concurs in Amendment No. 15.
22. The Senate concurs in Amendment No. 16.
23. Page 4, line 24; change the totals in each column  
to read as follows:

“\$18,350.00      \$18,350.00”

24. The House recedes from Amendment No. 17.
25. The House recedes from Amendment No. 18  
and in lieu thereof recommends the following:

“State Auditor      \$4,000.00      \$4,000.00”

26. Page 5, line 13, strike the word “Cashier” and  
insert in lieu thereof the word “Secretary”.

27. The House recedes from Amendment No. 19.  
and in lieu thereof recommends the following:

“Claim Auditor      \$1,500.00      \$1,500.00”

28. Page 5, line 15, strike the words “Assistant  
Claim Clerk” and insert in lieu thereof the words “As-  
sistant Claim Auditor.”

29. Page 5, between lines 15 and 16, insert the  
following:

“Claim Clerk      \$1,200.00      \$1,200.00”

30. The Senate concurs in Amendment No. 20.
31. Page 5, strike line 18 and insert in lieu thereof:  
"Assistant Accountant    \$1,500.00    \$1,500.00"
32. The House recedes from Amendment No. 21.
33. The House recedes from Amendment No. 22.
34. The House recedes from Amendment No. 23.
35. The House recedes from Amendment No. 24.
36. The House recedes from Amendment No. 25.
37. The House recedes from Amendment No. 26.
38. Page 5, between lines 26 and 27 insert the following:  
"Warrant Registrar  
Clerk                                \$1,200.00    \$1,200.00"
39. The House recedes from Amendment No. 27,  
and the totals are changed to read:  
"\$28,775.00    \$29,275.00"
40. The House recedes from Amendment No. 28.
41. The House recedes from Amendment No. 29.
42. The House recedes from Amendment No. 30.
43. Page 6, line 19, after the words "Bond and Security Registrar" strike the figures "\$1,800.00" in each column and insert in lieu thereof the figures \$1,700.00".
44. The Senate concurs in Amendment No. 31.
45. Page 6, line 21, after the word "Cashier" strike the figures "\$1,800.00" in each column and insert in lieu thereof the figures \$1,700.00."
46. The House recedes from Amendment No. 32,  
and in lieu thereof recommends the following:  
"Warrant Clerk                        \$1,700.00    \$1,700.00"
47. Page 6, between lines 27 and 28 insert  
"Extra Help                                \$2,400.00    \$2,400.00"
48. Page 7, strike lines 28, 29, 30 and 31, and insert in lieu thereof the following:  
"Deficiency Fund, under  
Chapter 20, Article 4 Ses-  
sion Laws 1931                        \$75,000.00    \$75,000.00"

49. The House recedes from Amendment No. 33, and the totals are changed to read:

\$559,696.00    \$297,175.00

50. The House recedes from Amendment No. 34, and in lieu thereof recommends the following:

“Attorney General    \$4,800.00    \$4,800.00”.

51. The House recedes from Amendment No. 34-A.

52. The House recedes from Amendment No. 35, and in lieu thereof recommends the following:

“File Clerk    \$1,500.00    \$1,500.00”

53. The House recedes from its Amendment No. 36, and on page 7, lines 38 and 39 are both stricken and the following inserted in lieu thereof:

“Assistant Attorneys Gen-  
eral (5 @ \$3400 each  
and 3 @ \$3,000 each) \$26,000.00    \$26,000.00”

54. The House recedes from Amendment No. 37.

55. The House recedes from Amendment No. 38 and the totals are changed to read:

\$51,570.00    \$51,570.00”

56. The House recedes from Amendment No. 39.

57. The Senate concurs in Amendment No. 40.

58. The House recedes from Amendment No. 41.

59. The House recedes from Amendment No. 42.

60. The House recedes from Amendment No. 43.

61. The House recedes from Amendment No. 44.

62. The House recedes from Amendment No. 45

and the totals are changed to read:

“\$8,470.00    \$8,470.00”

63. The House recedes from Amendment No. 46.

64. The House recedes from Amendment No. 47.

65. The House recedes from Amendment No. 48.

66. The House recedes from Amendment No. 49.

67. The House recedes from Amendment No. 50.

68. Page 9, line 20, strike the figures “\$4,000.00” in each column and insert in lieu thereof the figures “\$3,000.00”.



- 69. The House recedes from Amendment No. 51.
- 70. The House recedes from Amendment No. 52.
- 71. The Senate concurs in Amendment No. 53.
- 72. The House recedes from Amendment No. 54,  
and in lieu thereof recommends the following:

“Traveling                      \$1,500.00      \$1,500.00”

- 73. The House recedes from Amendment No. 55.
- 74. The House recedes from Amendment No. 56.
- 75. The Senate concurs in Amendment No. 57.
- 76. The Senate concurs in Amendment No. 58.
- 77. The House recedes from Amendment No. 59.
- 78. Page 10, line 23, strike the figures “\$50.00”  
inserting in lieu thereof the figures “\$25.00.”

- 79. The Senate concurs in Amendment No. 60.

- 80. Page 10, between lines 40 and 41, insert the fol-  
lowing:

“Statistical Bureau      \$1,200.00      \$1,200.00”

- 81. Page 11, line 5, strike the figures “\$800.00”  
in each column and insert in lieu thereof the figures  
“\$500.00”.

- 82. The Senate concurs in Amendment No. 61.
- 83. The Senate concurs in Amendment No. 62.
- 84. The Senate concurs in Amendment No. 63.
- 85. The House recedes from Amendment No. 64.
- 86. The House recedes from Amendment No. 65.
- 87. The House recedes from Amendment No. 66.
- 88. The House recedes from Amendment No. 67,  
and the totals are changed to read:

“\$109,930.00      \$108,930.00”

- 89. The House recedes from Amendment No. 68.
- 90. The House recedes from Amendment No. 69.
- 91. The House recedes from Amendment No. 70.
- 92. The House recedes from Amendment No. 71.
- 93. The House recedes from Amendment No. 72.
- 94. The House recedes from Amendment No. 73,  
and in lieu thereof recommends the following:

- “Commissioner of  
Labor                      \$2,880.00      \$2,880.00”
95. The House recedes from Amendment No. 74.
96. The House recedes from Amendment No. 75.
97. Page 12, strike line 12 and insert in lieu thereof:
- “Factory and Boiler Inspectors (2 @ \$1320  
each)                      \$2,640.00      \$2,640.00”
98. The House recedes from Amendment No. 76.
99. The House and Senate concur in Amendment No. 77.
100. The House recedes from Amendment No. 78, and in lieu thereof recommends the following:
- “Traveling                      \$3,600.00      \$3,600.00”
101. The House recedes from Amendment No. 79, and in lieu thereof recommends the following:
- “Communication              \$750.00      \$750.00”
102. The House recedes from Amendment No. 80 and in lieu thereof recommends the following:
- “Printing                      \$500.00      \$500.00”
103. The House recedes from Amendment No. 81, and in lieu thereof recommends the following:
- “Office Supplies              \$400.00      \$400.00”
104. The Senate concurs in Amendment No. 82.
105. The Senate concurs in Amendment No. 83.
106. The House recedes from Amendment No. 84, and the totals are changed to read:
- “\$27,341.00      \$27,341.00”
107. The House recedes from Amendment No. 85, and in lieu thereof recommends the following:
- “Chairman of Board      \$4,320.00      \$4,320.00”
108. The House recedes from Amendment No. 86.
109. The House recedes from Amendment No. 87, and in lieu thereof recommends the following:
- “Chief Clerk                      \$2,000.00      \$2,000.00”

- 110. The House recedes from Amendment No. 88.
- 111. The Senate concurs in Amendment No. 89.
- 112. The House recedes from Amendment No. 90.
- 113. The House recedes from Amendment No. 91.
- 114. The House recedes from Amendment No. 92.
- 115. The House recedes from Amendment No. 93.
- 116. The House recedes from Amendment No. 94.
- 117. The Senate concurs in Amendment No. 95.
- 118. The House recedes from Amendment No. 96.
- 119. The House recedes from Amendment No. 97.
- 120. The following insertion is made on page 13,  
between lines 17 and 18:

“Extra Help                      \$2,000.00    \$2,000.00”

- 121. The Senate concurs in Amendment No. 98.

122. The House recedes from Amendment No. 99,  
and the totals are changed to read:

“\$43,960.00    \$43,960.00”

- 123. Page 14, line 2, strike the figures “\$1,620.00”  
in each column and insert in lieu thereof the figures  
“\$1,500.00.”

- 124. Page 14, line 3, strike the figures “\$1,620.00”  
in each column and insert in lieu thereof the figures  
“\$1,500.00.”

- 125. The House recedes from Amendment No. 100  
and in lieu thereof recommends the following:

“Janitors (24 at \$720

each)                      \$17,280.00    \$17,280.00”

- 126. Page 14, line 6, strike the figures “\$1,800.00”  
in each column and insert in lieu thereof the figures  
“\$1,500.00.”

- 127. The House recedes from Amendment No. 101.
- 128. The House recedes from Amendment No. 102.
- 129. The House recedes from Amendment No. 103,  
and on page 14, all of line 13 is stricken and the follow-  
ing inserted in lieu thereof:

“Lights, water and ice    \$15,000.00    \$13,000.00”

Provided that \$2,400.00 of the above amount for

the year ending June 30, 1934, shall be available for installing a water cooling system for the Capitol.

130. The House recedes from Amendment No. 104.

131. The House recedes from Amendment No. 105, and in lieu thereof recommends the following:

“Cleaning and Disinfecting \$1,200.00    \$1,200.00”

132. The House recedes from Amendment No. 106.

133. The House recedes from Amendment No. 107, and the totals are changed to read:

\$66,760.00    \$64,760.00”

134. Page 17, between lines 2 and 3 insert the following:

“Extra Help                      \$2,400.00    \$2,400.00.”

135. Page 17, line 3, strike the figures “\$6,000.00” and insert in lieu thereof, in each column the figures “\$8,400.00.”

136. The House recedes from Amendment No. 108, and in lieu thereof recommends the following:

“Superintendent              \$4,000.00    \$4,000.00”

137. The House recedes from Amendment No. 109.

138. Page 17, line 13, strike the figures “\$4,000.00” in each column and in lieu thereof insert the figures “\$3,000.00.”

139. The House recedes from Amendment No. 110.

140. The House recedes from Amendment No. 111.

141. The House recedes from Amendment No. 112.

142. The House recedes from Amendment No. 113, and the totals are changed to read:

“\$66,840.00    \$66,840.00”

143. The Senate concurs in Amendment No. 114.

144. The Senate concurs in Amendment No. 115.

145. The House recedes from Amendment No. 116.

146. The House recedes from Amendment No. 117.

147. Page 18, line 15, strike the figures “\$750.00” in each column and insert in lieu thereof the figures “\$1,000.00.”

148. The House recedes from Amendment No. 118.



149. The House recedes from Amendment No. 119.  
150. The House recedes from Amendment No. 120.  
151. The House recedes from Amendment No. 121,  
and the totals are changed to read:

“\$6,725.00    \$6,725.00”

152. Page 18, line 29, strike the figures “\$27,000.-00” in the first column and insert in lieu thereof the figures “\$29,500.00.”

153. Page 18, line 30, the totals are changed to read:

“\$36,040.00    \$31,540.00”

154. Page 19, line 4, strike line 4 and insert in lieu thereof:

“Referee                      \$3,000.00    \$3,000.00”

155. The Senate concurs in Amendment No. 122.

156. The House recedes from Amendment No. 123,  
and the totals are changed to read:

“\$105,100.00    \$105,100.00”

157. The House recedes from Amendment No. 124.

158. The House recedes from Amendment No. 125.

159. The House recedes from Amendment No. 126.

160. The House recedes from Amendment No. 127.

161. The House recedes from Amendment No. 128.

162. Page 19, between lines 23 and 24 insert the following:

“Wages                      \$1,200.00    \$1,200.00”

163. Page 19, line 33, the totals are changed to read as follows:

“\$14,510.00    \$15,510.00”

164. Page 20, line 9, strike the figures \$11,500.00 in each column and insert in lieu thereof the figures \$10,000.00.

165. The House recedes from Amendment No. 130 and in lieu thereof recommends the following:

“Printing other than office

supplies                      \$1,600.00    \$1,600.00”

166. Page 20, line 13, strike the figures “\$1,800.00”

in each column and insert in lieu thereof the figures "\$1,-380.00."

167. The House recedes from Amendment No. 131, and the totals are changed to read:

"\$18,680.00    \$18,680.00"

168. The House recedes from Amendment No. 132, and in lieu thereof recommends that all of line 18, page 20, be stricken and the following inserted:

"Thomas A. Edwards, Judge  
or his successor            \$6,000.00    \$6,000.00  
James S. Davenport, Judge,  
or his successor            \$6,000.00    \$6,000.00  
Will H. Chappell, Judge,  
or his successor            \$6,000.00    \$6,000.00"

169. The Senate concurs in Amendment No. 133.

170. The House recedes from Amendment No. 134, and the totals are changed to read:

"\$24,100.00    \$24,100.00"

171. Page 21, line 14, strike the figures "\$1,800.00" in each column and in lieu thereof insert the figures "\$1,-500.00."

172. Page 21, between lines 14 and 15, insert the following:

"Reference Librarian    \$1,200.00    \$1,200.00"

173. Page 21, line 24, the totals are changed to read as follows:

"\$8,840.00    \$8,840.00"

174. The Senate concurs in Amendment No. 135.

175. The Senate concurs in Amendment No. 136.

176. The House recedes from Amendment No. 137, and in lieu thereof inserts the following:

"J. C. Walton, Commis-  
sioner, or his successor    \$4,000.00    \$4,000.00  
Paul Walker, Commissioner,  
or his successor            \$4,000.00    \$4,000.00  
Ed Hughes, Commissioner,  
or his successor            \$4,000.00    \$4,000.00"

- 177. The House recedes from Amendment No. 138.
- 178. The House recedes from Amendment No. 139.
- 179. The House recedes from Amendment No. 140.
- 180. The House recedes from Amendment No. 141.
- 181. Page 23, between lines 3 and 4, insert the following:

“Extra Help                      \$1,200.00    \$1,200.00”

- 182. The House recedes from Amendment No. 142.
  - 183. The House recedes from Amendment No. 143.
  - 184. The House recedes from Amendment No. 144.
  - 185. The House recedes from Amendment No. 145.
  - 186. The House recedes from Amendment No. 146.
  - 187. The House recedes from Amendment No. 147.
  - 188. The House recedes from Amendment No. 148.
  - 189. The House recedes from Amendment No. 149.
  - 190. The House recedes from Amendment No. 150.
  - 191. The House recedes from Amendment No. 151.
  - 192. The House recedes from Amendment No. 152.
  - 193. The House recedes from Amendment No. 153.
  - 194. The House recedes from Amendment No. 154.
  - 195. The House recedes from Amendment No. 155,
- and in lieu thereof recommends the following:

“Stenographers (3 at \$1,-  
200.00 each)                      \$3,600.00    \$3,600.00”

- 196. The Senate concurs in Amendment No. 156.
  - 197. The House recedes from Amendment No. 157.
  - 198. The House recedes from Amendment No. 158.
  - 199. The House recedes from Amendment No. 159,
- Page 23, strike all line 30.

- 200. The House recedes from Amendment No. 160.
  - 201. The House recedes from Amendment No. 161.
  - 202. The House recedes from Amendment No. 162.
  - 203. The House recedes from Amendment No. 163.
  - 204. The House recedes from Amendment No. 164.
  - 205. The House recedes from Amendment No. 165,
- and in lieu thereof recommends the following:

“Stenographer                      \$1,200.00    \$1,200.00”

206. The House recedes from Amendment No. 166, and in lieu thereof recommends the following:

“Conservation Officers (5 at  
\$1,800 each)                      \$9,000.00    \$9,000.00”

207. The House recedes from Amendment No. 167.

208. The House recedes from Amendment No. 168.

209. The House recedes from Amendment No. 169, and in lieu thereof recommends the following:

“Public Utilities—Appraisal,  
Audit, and Litigation (to  
be expended by and with  
the approval of the Gov-  
ernor)                      \$50,000.00    \$50,000.00”

210. The Senate concurs in Amendment No. 170.

211. Page 24, between lines 10 and 11 insert the following:

“Motor Bus Director              \$2,000.00    \$2,000.00”

212. The House recedes from Amendment No. 171, and in lieu thereof recommends that the figures be changed to read as follows:

\$12,500.00    \$12,500.00”

213. The House recedes from Amendment No. 172, and the totals are changed to read:

“\$178,600.00    \$178,600.00”

214. The House recedes from Amendment No. 173, and recommends that all of lines 20 and 21, on page 24, be stricken and the following insertion made in lieu thereof:

“Extra Help (not to exceed  
\$75.00 per person per  
month)                      \$3,600.00    \$3,600.00”

215. The House recedes from Amendment No. 174.

216. The House recedes from Amendment No. 175.

217. The House recedes from Amendment No. 176, and recommends that the figures be changed to read:

“\$2,880.00”



218. The House recedes from Amendment No. 177, and recommends the following in lieu thereof:

“Chief Bank Examiner        \$2,400.00    \$2,400.00”

219. Page 25, strike line 5 and insert in lieu thereof:

“Bank Examiners (Eight) \$18,000.00    \$18,000.00”

220. The Senate concurs in Amendment No. 178.

221. The House recedes from Amendment No. 179, and recommends in lieu thereof the following:

“Attorney                                \$3,600.00    \$3,600.00”

222. The House recedes from Amendment No. 180 and recommends in lieu thereof the following:

“Three Stenographers at  
\$1,200.00 each                                \$3,600.00    \$3,600.00”

223. The House recedes from Amendment No. 181, and recommends in lieu thereof the following:

“Additional Help                                \$3,600.00    \$3,600.00”

224. The Senate concurs in Amendment No. 182.

225. The Senate concurs in Amendment No. 183.

226. The House recedes from Amendment No. 184,

and the totals are changed to read:

“\$60,280.00    \$59,080.00”

227. The House recedes from Amendment No. 185.

228. The House recedes from Amendment No. 186.

229. The Senate concurs in Amendment No. 187.

230. The Senate concurs in Amendment No. 188.

231. The Senate concurs in Amendment No. 189.

232. Page 25, line 31, strike the figures “\$2,400.00” in each column and insert in lieu thereof the figures “\$2,100.00.”

233. The House recedes from Amendment No. 190.

234. The Senate concurs in Amendment No. 191.

235. The Senate concurs in Amendment No. 192.

236. The Senate concurs in Amendment No. 193.

237. The House recedes from Amendment No. 194.

238. The Senate concurs in Amendment No. 195.

239. The House recedes from Amendment No. 196.  
240. The House recedes from Amendment No. 197,  
and in lieu thereof recommends the following:

“Registrar	\$2,000.00	\$2,000.00”
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241. The House recedes from Amendment No. 198.  
242. The House recedes from Amendment No. 199.  
243. The House recedes from Amendment No. 200.  
244. The House recedes from Amendment No. 201.  
245. The Senate concurs in Amendment No. 202.  
246. The House recedes from Amendment No. 203,  
and the totals are changed to read:

“\$97,210.00    \$97,210.00”

247. The Senate concurs in Amendment No. 204.
  248. The Senate concurs in Amendment No. 205.
  249. The Senate concurs in Amendment No. 206.
  250. The House recedes from Amendment No. 207.
  251. The House recedes from Amendment No. 208.
  252. The Senate concurs in Amendment No. 209.
  253. The House recedes from Amendment No. 210.
  254. The House recedes from Amendment No. 211.
  255. The House recedes from Amendment No. 212.
  256. The House recedes from Amendment No. 213.
  257. The House recedes from Amendment No. 214,
- and in lieu thereof recommends the following:

“Appeal Clerk	\$1,200.00	\$1,200.00”
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258. The House recedes from Amendment No. 215.  
259. The House recedes from Amendment No. 216.  
260. Page 27, strike all of line 13 and in lieu thereof insert the following:

“Assistant File Clerks (3 at \$1,200.00 each)	\$3,600.00	\$3,600.00”
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261. The Senate concurs in Amendment No. 217.  
262. The House recedes from Amendment No. 218,  
and in lieu thereof recommends the following:

“Traveling	\$4,500.00	\$4,500.00”
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263. The Senate concurs in Amendment No. 219.

264. The House recedes from Amendment No. 220,  
and the totals are changed to read:

“\$59,320.00 \$59,320.00”

265. The House recedes from Amendment No. 221.

266. The House recedes from Amendment No. 222.

267. The House recedes from Amendment No. 223.

268. The Senate concurs in Amendment No. 224.

269. The Senate concurs in Amendment No. 225.

270. The Senate concurs in Amendment No. 226.

271. The House recedes from Amendment No. 227,  
and the totals are changed to read:

“\$19,880.00 \$19,880.00”

272. The House recedes from Amendment No. 228.

273. The House recedes from Amendment No. 229.

274. The House recedes from Amendment No. 230.

275. The House recedes from Amendment No. 231.

276. Page 29, strike all of line 17.

277. The House recedes from Amendment No. 232.

278. The House recedes from Amendment No. 233.

279. The House recedes from Amendment No. 234.

280. The House recedes from Amendment No. 235,  
and the figures are changed to read as follows:

“\$2,100.00 \$2,100.00”

281. Page 30, after the figure “2” in line 5, insert  
the word “Assistants.”

282. The House recedes from Amendment No. 236.

283. The House recedes from Amendment No. 237.

284. The House recedes from Amendment No. 238.

285. The House recedes from Amendment No. 239.

286. The House recedes from Amendment No. 240.

287. The House recedes from Amendment No. 241,  
and the figures are changed to read:

“\$2,400.00 \$2,400.00”

288. The House recedes from Amendment No. 242.

289. The House recedes from Amendment No. 243.

290. The House recedes from Amendment No. 244,  
and the totals are changed to read:

“\$94,020.00 \$94,020.00”

291. The House and Senate concur in Amendment No. 245, in the following particulars:

State Market Commission

Forest Commission

Soldiers' Relief Commission

State Insurance Board

Oklahoma Securities Commission

The House recedes from the Conservation Commission and recommends the following:

“For Salaries, Support

and Maintenance \$3,000.00 \$3,000.00”

The House recedes from the State Plant Board and the entire item is stricken.

Respectfully submitted,

SENATE CONFEREES:

HOUSE CONFEREES:

JOHN A. MacDONALD,

BENJ. MARTIN,

C. B. MEMMINGER,

CHAS. WILLIAMS,

J. C. NANCE,

S. H. SINGLETON,

ALLEN G. NICHOLS,

A. D. JONES,

A. L. COMMONS,

J. A. JOHNSON,

W. A. CARLILE,

CARL W. REMUND,

H. M. CURNUTT,

D. W. BUSHYHEAD,

PAUL STEWART,

LEON C. PHILLIPS.

CECIL R. CHAMBERLIN,

Senate Bill No. 27, as amended in conference, was read at length.

The question being, “Shall the Bill pass?” the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Pugh, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Ballard, Coppock, Hutchinson, Jennings, Paul, Rizley, Rutherford. Total, 7.



Not Voting: Dixon, Fischl, Ray, Sowards. Total, 4.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. Total, 3.

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. 27, together with Conference Committee Report thereon, was ordered transmitted to the Honorable House, for consideration.

MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 121—By DANIEL and MALLORY, entitled:

An Act creating a textbook commission for the State of Oklahoma and providing for adoption of school textbooks to be used in the common schools and teachers colleges of the State of Oklahoma,  
together with Conference Committee Report thereon, and, to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted by the House and the Bill has been passed, AS AMENDED by said Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on Engrossed House Bill No. 121 was read, as follows:

TO THE SPEAKER OF THE HOUSE

and

PRESIDENT OF THE SENATE:

We, your Conference Committee, to whom was refer-

red Engrossed House Bill No. 121, by Daniels and Mallory, entitled:

"AN ACT CREATING A TEXTBOOK COMMISSION FOR THE STATE OF OKLAHOMA; PROVIDING FOR THE ADOPTION OF SCHOOL TEXTBOOKS TO BE USED IN THE COMMON SCHOOLS AND OTHER SCHOOLS IN THE STATE OF OKLAHOMA; FIXING THE NUMBER OF MEMBERS OF SAID COMMISSION, PRESCRIBING THE QUALIFICATIONS OF SAID MEMBERS; FIXING THE COMPENSATIONS OF THE MEMBERS OF SUCH COMMISSION; PRESCRIBING THE LENGTH OF TERM OF SUCH ADOPTIONS; MAKING OTHER AND FURTHER PROVISIONS WITH REFERENCE TO SUCH COMMISSION, THE MEMBERS THERETO AND THE DUTIES OF SUCH COMMISSION; REPEALING ARTICLES 6694 TO 6730, OF THE COMPILED OKLAHOMA STATUTES, ETC.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation:

1st. That the House concur in Senate Amendment No. 1, with the proviso that this language be added: "AND DECLARING AN EMERGENCY."

2nd. That the House concur in Senate Amendment No. 2.

3rd. That the Senate recede from Amendment No. 3.

4th. That the House concur in Senate Amendment No. 4, with the provision that the word, "ten," be changed to read, "five."

5th. That the House concur in Senate Amendment No. 5, with the following provisions:

(1) That the language "not later than the 10th day of June, 1933," be stricken and the following substituted therefor: "At any time after the effective date of this Act."

(2) That the word, "ten," be changed to the word "five."

(3) That the word, "present," in line 21, of Senate Amendment No. 5, be changed to the word, "proceed."

We further recommend that an additional section be added to the bill, to be known as "Section 23," which shall read 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,

J. T. DANIEL,	JOHN A. MacDONALD,
GUY B. MASSEY,	TOM WALDREP,
R. A. CAVITT,	LOUIS H. RITZHAUPT,
House Conferees.	Senate Conferees.

Upon motion of Senator MacDonald, the Senate adopted the Conference Committee Report on Engrossed House Bill No. 121.

Engrossed House Bill No. 121, as amended in Conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Pugh, Reed, Ritzhaupt, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 24.

Nays: Ballard, Coppock, Curnutt, Garvin, Hutchinson, Jennings, Nance, Rizley, Rutherford, Stacey, Willis. Total, 11.

Not Voting: Dixon, Fischl, Paul, Ray, Sowards. Total, 5.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Coppock, Garvin, Hutchinson, Stacey. Total, 4.

Not Voting: Dixon, Fischl, Paul, Ray, Sowards. Total, 5.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. 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.

Engrossed House Bill No. 121, together with Conference Committee Report thereon, was ordered returned to the Honorable House.

### THIRD READING

SENATE BILL NO. 292 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Clark, Commons, Coppock, Curnutt, Daugherty, Howard, Hutchinson, Jennings, Johnston, Liggett, Moon, Rizley, Rutherford, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 21.

Nays: Ballard, Carmack, Chamberlin, Garvin, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Stacey, Thomas. Total, 15.



Not Voting: Dixon, Fischl, Ray, Sowards. Total, 4.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. 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.

Upon motion of Senator Johnston, SENATE BILL NO. 299, by Johnston, was ordered stricken from the calendar.

Senator Briggs moved that SENATE BILL NO. 245, by Morrison, Briggs, Pugh and Chamberlin, be advanced to engrossment and third reading.

Senator Moon raised a point of order against the Briggs motion, which was sustained, stating the motion would require a suspension of the rules.

Upon motion of Senator Nance, further consideration of SENATE BILL NO. 296, by Powers, was indefinitely postponed.

Upon motion of Senator Stacey, SENATE JOINT RESOLUTION NO. 2, by Stacey, was ordered stricken, for the reason the subject matter is contained in another bill.

SENATE BILL NO. 143 was read for the third time at length.

Senator Nance moved that further consideration of Senate Bill No. 143 be indefinitely postponed, which motion, by unanimous consent, he withdrew.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Clark, Commons, Coppock, Curnutt, Daugherty, Howard, Jennings, Johnston, Lester, Liggett, Nichols, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks. Total, 23.

Nays: Carmack, Chamberlin, Garvin, Hutchinson, Memminger, Moon, Nance, Paul, Pugh, Willis. Total, 10.

Not voting: Dixon, Fischl, MacDonald, Ray, Rutherford, Sowards, Thomas. Total, 7.

Absent. Logan. Total, 1.

Excused: Fidler, Morrison, Powers. Total, 3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

Senator Moon served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 143 was passed.

Senator Curnutt moved that the vote be reconsidered by which Senate Bill No. 143 was passed, which motion was tabled, upon motion of Senator Stewart.

Upon motion of Senator Curnutt, the emergency section to Senate Bill No. 143 was ordered stricken.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 143, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

CURNUTT.

Senate Bill No. 143, as amended, was referred for re-engrossment.

#### GENERAL ORDER

Upon motion of Senator Briggs, SENATE BILL NO. 245, by Morrison, Briggs, Pugh and Chamberlin, was advanced to engrossment and third reading.

Senator Memminger asked unanimous consent, to which objections were voiced, to advance to engrossment and Third Reading SENATE BILL NO. 307, by Memminger.

Senator Pugh asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading SENATE BILL NO. 400, by Pugh.

Senator Pugh moved that the rules of the Senate be suspended for the purpose of advancing Senate Bill No.

400 to engrossment and third reading, which motion, by unanimous consent, he withdrew.

### THIRD READING

SENATE BILL NO. 260 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Moon, Nance, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Waldrep, Willis. Total, 31.

Nay: Wilbanks. Total, 1.

Not voting: Dixon, Fischl, MacDonald, Nichols, Ray, Sowards, Thomas, Whitaker. Total, 8.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. 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 Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 260, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 281 was read for the third time at length.

Senator Waldrep moved that further consideration of Senate Bill No. 281 be indefinitely postponed, which motion, by unanimous consent, he withdrew.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Howard, Hutchinson, Johnston, Lester, Liggett, Memminger, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Garvin, Jennings, Moon, Reed, Rutherford.  
Total, 5.

Not voting: Dixon, Fischl, MacDonald, Ray, Sowards, Thomas. Total, 6.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. 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 Chamberlin, the emergency section to Senate Bill No. 281 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 281, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

CHAMBERLIN.

Senate Bill No. 281, as amended, was ordered referred for re-engrossment.

Senator Commons presiding.

SENATE BILL NO. 310 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Howard, Hutchinson, Johnston, Lester, Liggett, Memminger, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Taylor, Waldrep, Whitaker, Wilbanks, Willis.  
Total, 28.

Nays: Garvin, Jennings, Moon, Rutherford. Total, 4.

Not Voting: Daugherty, Dixon, Fischl, MacDonald, Ray, Sowards, Stewart, Thomas. Total, 8.

Absent: Logan. Total, 1.



Excused: Fidler, Morrison, Powers. 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 Nance, the emergency section to Senate Bill No. 310 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 310, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

NANCE.

Senate Bill No. 310, as amended, was referred for re-engrossment.

SENATE BILL NO. 320 was read at length for the third time.

Senator Johnston asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 320, line 5, page 2, by adding after the word, "Incompetent," the words, "by reason of insanity."

JOHNSTON.

Senate Bill No. 320, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Clark, Coppock, Daugherty, Garvin, Hutchinson, Johnston, Lester, Memminger, Moon, Nance, Paul, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 26.

Nays: Chamberlin, Commons, Curnutt, Howard, Jennings, Liggett, Rutherford. Total, 7.

Not Voting: Dixon, Fischl, MacDonald, Nichols, Ray, Sowards, Thomas. Total, 7.

Absent: Logan. Total, 1.

Excused: Fidler, Morrison, Powers. 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 Ritzhaupt, the emergency section to Senate Bill No. 320 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Ritzhaupt submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 320, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

RITZHAUPT.

Senate Bill No. 320, as amended, was ordered referred for re-engrossment.

Upon motion of Senator Ritzhaupt, SENATE BILL NO. 321, by Ritzhaupt, was ordered stricken from the calendar.

#### GENERAL ORDER

Senator Paul moved that HOUSE BILL NO. 187, by Kight and Batson, be stricken from the calendar, which motion, by unanimous consent, he withdrew.

Senator Paul moved that SENATE BILL NO. 171, by Nance, be substituted for House Bill No. 187.

Senator Moon raised a point of order against the Paul motion, which was sustained, stating the motion would require a suspension of the rules.

Senator Nance moved that Senate Bill No. 171 be substituted, as an amendment to House Bill No. 187, the bill to be printed and placed upon the calendar.

Senator Moon raised a point of order against the Nance motion, which was sustained, stating bills under Third Reading were under consideration.

Senator Paul moved that House Bill No. 187 be stricken from the calendar.

Senator Nance, as a substitute, moved that Senate Bill No. 171 be ordered printed, which motion prevailed.

The Presiding Officer announced matters were on the President's desk, for the consideration of the Senate, in executive session.

Upon motion of Senator Stewart, the Senate closed its doors and went into executive session.

The Senate reassembled, in open session, with Senator Commons presiding, who announced the Senate, in executive session, had advised and consented to the following executive nomination:

JOHN T. BAILEY, Pushmataha County, Oklahoma, as a Member of the Oklahoma Tax Commission, for the unexpired term of W. B. Hudson, deceased.

Upon motion of Senator Hutchinson, the call of the House was ordered lifted.

#### GENERAL ORDER

Senator Memminger asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE BILL NO. 307, by Memminger.

Senator Howard asked unanimous consent, which was granted, to advance to engrossment and third reading SENATE JOINT RESOLUTION NO. 23, by Howard, of the Senate, and Hughes, of the House.

Senator Paul moved that HOUSE BILL NO. 187, by Kight and Batson, be stricken from the calendar, which motion, by unanimous consent, he withdrew.

Senator Paul moved that SENATE BILL NO. 171, by Nance, be substituted for House Bill No. 187.

Senator Nance, as a substitute, moved that House Bill No. 187 be amended by substituting therefor Senate Bill No. 171, by Nance, which motion prevailed.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 197 — By NANCE, entitled:

An Act setting out the manner and procedure for a city to become an incorporated town, providing for the election of officers of said incorporated town, providing that the incorporated town shall assume the debts of said city; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 197 was ordered referred for enrollment.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 4—By DANIELS, MARSHALL, BUSHYHEAD, KING (Coal), McELHANEY, HART, PALMER, LEECRAFT, HINDS, SULLIVAN, TURNER, SINGLETON, EASON, GLEN, HAILE, BEAVER, OTTESEN, JONES, MOONEY, MORSE, GARLAND, MISENHEIMER, WAGNER, BEAMAN, KING (Creek), HOGG, HUTCHINGS, DARKS, SPEAR, CAVINS, PHILLIPS



*Eightieth Day, Wednesday, Apr. 19, 1933* 2403

(Atoka), GRAY, CAVITT, MALLORY, CONNER, HUGHES, BEAVER and PARKS, entitled:

An Act creating a commission to be known as the "Commission for Old Age Security," prescribing its powers and duties, fixing the salaries of the officers and employees thereof, and prescribing their duties, providing a pension for persons seventy years of age, or more, the adult blind over twenty-one years of age, who do not have property, real or personal of a value in excess of \$1,000.00, or a yearly income of more than \$250.00, providing penalties for violations thereof, levying stamp taxes therefor, and declaring an emergency, and asks your Honorable Body for a Conference thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Nance, the request of the Honorable House, for a conference on Engrossed House Bill No. 4, was granted, the Presiding Officer appointing as Senate conferees, thereunder, Senators Nance, Nichols, Garvin, Whitaker, Carlile, Rizley and Johnston.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 20—By MARTIN, entitled:

An Act making appropriations from the General Revenue Fund of the State of Oklahoma for all State educational, eleemosynary and penal institutions, and from the revolving funds of certain institutions; providing for the appropriation and distribution of the new college funds in accordance with Section 5626 Oklahoma Statutes 1931, to the institutions entitled to the same, and providing for the appropriation and distribution of Section 13 funds as provided in Section 5464 Oklahoma Statutes 1931, to the institutions entitled to the same and

appropriating the public building fund to certain institutions herein specified, together with Conference Committee Report thereon, and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted by the House and the Bill has been passed, AS AMENDED by said Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on Engrossed House Bill No. 20 was submitted, as follows, which, upon motion of Senator Chamberlin, was adopted:

#### CONFERENCE COMMITTEE REPORT

To the Senate and the House of Representatives of the State of Oklahoma:

We, your Conference Committee, to whom was referred Engrossed Senate Amendments to Engrossed House Bill No. 20, by Martin, entitled:

An Act making appropriations from the General Revenue Fund of the State of Oklahoma for all State Educational, Eleemosynary and Penal Institutions, and from the Revolving Funds of certain institutions; providing for the appropriations and distribution of the New College Funds in accordance with Section 5626 Oklahoma Statutes 1931, to the institutions entitled to the same, and providing for the appropriation and distribution of Section 13 funds as provided in Section 5464 Oklahoma Statutes 1931, to the institutions entitled to the same and appropriating the Public Building Fund to certain institutions herein specified,

have had under consideration the said amendments to the said measure and after due consideration make the following report and recommendation:

1. The House concurs in Amendment No. 1.
2. The Senate recedes from Amendment No. 2.
3. The Senate recedes from Amendment No. 3.

4. The Senate recedes from Amendment No. 4.
5. The House concurs in Amendment No. 5.
6. The Senate recedes from Amendment No. 6.
7. The House concurs in Amendment No. 7.
8. The Senate recedes from Amendment No. 8.
9. Page 2, Line 26, strike the entire line.
10. The Senate recedes from Amendment No. 9 and the totals are changed to read,

\$854,475.00	\$854,475.00
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11. The Senate recedes from Amendment No. 10, and in lieu thereof recommends the following:

\$694,475.00	\$694,475.00
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12. The Senate recedes from Amendment No. 11, and the totals are changed to read,

\$854,475.00	\$854,475.00
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13. The House concurs in Amendments Nos. 12 to 29 inclusive.

Respectfully submitted,

House Conferees:

BENJ. MARTIN,  
CARL W. REMUND,  
W. H. EBEL,  
M. STEWART,  
SCOTT GLEN.

Senate Conferees:

CHAMBERLIN  
MEMMINGER,  
BRIGGS,  
BALLARD,  
MacDONALD,  
STEWART,  
GARVIN.

By unanimous consent, further consideration of House Bill No. 20, as amended in Conference, was deferred for this legislative day.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House of Representatives has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 255—By WIL-  
LIAMS, entitled:

An Act amending Sections 5586 and 5594, Oklahoma  
Statutes 1931, relating to the leasing for oil and gas  
mining purposes any or all of state owned lands set  
apart and designated for the use, benefit, and occupancy  
of State educational institutions, and declaring an emer-  
gency,  
and the Bill has been passed AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR: -

I am directed by the House of Representatives to  
transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 649—By LEE-  
CRAFT, HENDERSON, GRAY, MASSEY, DUKE,  
TURNER, WORTHINGTON, MALLORY, STUR-  
GELL, MOONEY, HANKLA, KING, JONES, entitled:

An Act relating to the expenditure of money by  
counties for farm demonstration work and home dem-  
onstration work including 4-H club work, in cooperation  
with the United States Department of Agriculture and  
the Oklahoma Agricultural and Mechanical College, au-  
thorizing the Excise Board to make a levy to provide  
funds in order to cooperate with the Department of Ag-  
riculture and the Oklahoma Agricultural and Mechanical  
College, amending Section 8775, Oklahoma Statutes,  
1931, 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 ses-  
sion.

Respectfully,

R. M. McCOOL, Chief Clerk.



The Presiding Officer announced First Reading of Engrossed House Bill No. 649.

RESOLUTIONS

Senator Nance asked unanimous consent, which was granted, to introduce the following resolution, which was read at length:

SENATE RESOLUTION NO. 26—By NANCE and PAUL.

A RESOLUTION MEMORIALIZING THE SECRETARY OF THE INTERIOR TO REQUIRE OIL COMPANIES AND PIPE LINE PURCHASING COMPANIES TO PAY GROSS PRODUCTION TAXES ON THE BASIS OF FULL PRODUCTION OF OIL THROUGHOUT THE NATION.

WHEREAS, it has been the custom of producing Oil Companies to deduct 3% of oil produced and to pay taxes on only 97 barrels of oil produced instead of paying taxes on every 100 barrels produced; and,

WHEREAS, most of the oil producing states have remedied this situation; and,

WHEREAS, said condition became apparent to the Federal Government and that the Secretary of the Interior on August 6, 1932, made and entered an order requiring all producing oil companies to pay gross production tax upon each 100 barrels of oil produced instead of paying on the basis of 97 barrels, and that the said major producing oil companies appealed from said order, and that on February 1, 1933, said appeal was heard before the Secretary of the Interior, at Washington, D. C., and that the Secretary of the Interior importuned the State of Oklahoma through the Governor and the Tax Commission to appear at said hearing and to assist the Secretary in its effort to uphold said order and that in pursuance to said request the Governor of the State of Oklahoma ordered counsel for the State of Oklahoma and certain members of the Tax Commission to appear at Washington and represent the

State of Oklahoma in said matter, and that after a full and complete hearing in which the representatives of the State of Oklahoma participated, the Secretary of the Interior entered his final order directing said companies to pay tax upon every 100 barrels of oil produced; and,

WHEREAS, it now appears that the said major producing oil companies have petitioned the said Secretary of the Interior to vacate said order so made by the former Secretary of the Interior; and,

WHEREAS, the payment of 97 instead of 100 barrels of oil actually produced works a hardship on the Osage and other Indian lands of Oklahoma and on the school children of this State, where oil is produced on the school lands, and also is injurious to the tax payers of this State:

NOW, THEREFORE, BE IT RESOLVED: By the Senate of the State of Oklahoma: That the Secretary of the Interior be requested and importuned to let said order remain and that he be requested not to disturb the same.

BE IT FURTHER RESOLVED that copy of said resolution be immediately forwarded to the present Secretary of the Interior at Washington, D. C.

Senator Nance submitted the following amendment which was adopted:

Mr. President: I move to amend Senate Resolution No. 26, line 3, of the typewritten copy, by inserting after the words, "purchasing oil companies," and before the words, "to pay gross production," the words, "and pipe line purchasing companies."

NANCE.

Upon motion of Senator Nance, Senate Resolution No. 26, as amended, was adopted, and referred for engrossment.

Upon motion of Senator Nance, the Senate adjourned, to meet at 10:00 o'clock, a. m., Thursday, April 20th, 1933.

## EIGHTY-FIRST LEGISLATIVE DAY

Thursday, April 20, 1933

Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by the President, who announced the Senate recessed, to meet at 11:00 a. m.

At 11:00 a. m., the Senate re-assembled with the President presiding, who announced the Senate recessed, to meet at 1:30 p. m.

### AFTERNOON SESSION

At 1:30 p. m., the Senate re-assembled with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 37.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### COMMITTEE REPORTS

Senator Willis submitted the following committee report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 220 and 236 and Senate Joint Resolution No. 26, Senate Bills Nos. 143, 281, 288, 310 and 320, each, correctly engrossed.

WILLIS, Vice-Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos.

220, as amended and 236, as amended, and ordered, each, returned to the Honorable House.

The President, in open session, signed Engrossed Senate Joint Resolution No. 26, Engrossed Senate Bills Nos. 143, 281, 288, 310 and 320, and ordered, each, transmitted to the Honorable House for consideration.

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 House Bill No. 33, by Smalley and Glen, entitled:

An Act repealing House Joint Resolution Number 53, Chapter 66, Article 19, Oklahoma Session Laws, 1931, relating to the office of delinquent personal tax collector in Pottawatomie County 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.

WHITAKER, Chairman.

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 445, by Smalley and Abernathy (Pottawatomie), entitled:

An Act amending Sections One and Two, Chapter 66, Article 19, Session Laws, 1931; relating to the county delinquent personal tax collector of Pottawatomie 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.

WHITAKER, Chairman.

Upon motion of Senator MacDonald, Senate Bill 427 was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and Senate Bill No. 427 was considered engrossed and placed upon third reading and final passage.



SENATE BILL NO. 427 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Thomas, Waldrep, Wilbanks, Willis. Total, 30.

Not Voting: Hutchinson, Ray, Reed, Sowards, Stewart, Taylor, Whitaker. Total, 7.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Thomas, Waldrep, Wilbanks, Willis. Total, 30.

Not Voting: Hutchinson, Ray, Reed, Sowards, Stewart, Taylor, Whitaker. Total, 7.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused, Fidler. 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. 427 was ordered referred for engrossment.

### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE JOINT RESOLUTION NO. 50—By TODD of the House and THOMAS of the Senate, entitled:

A Joint Resolution authorizing W. B. Collins and Susie M. Collins to bring suit against the State of Oklahoma for damages sustained by them by reason of the manner of construction and location of a bridge by the State Highway Commission in Washita County, Oklahoma,

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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Joint Resolution No. 50.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 487—By CAVINS, entitled:

An Act making it unlawful for the County Superintendent of Public Instruction to approve contracts for

a term which extend beyond the term of office of said County Superintendent; providing penalty for violation thereof; repealing all 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 487.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker has appointed Representatives Marshall, McElhaney, Hogg, Strickland (Pontotoc), Parks, Hinds, and Beaver, as Conferees on:

ENGROSSED HOUSE BILL NO. 4—By DANIELS, MARSHALL, BUSHYHEAD, KING (Coal), McELHANEY, HART, PALMER, LEECRAFT, HINDS, SULLIVAN, TURNER, SINGLETON, EASON, GLEN, HAILE, BEAVER, OTTESEN, JONES, MOONEY, MORSE, GARLAND, MISENHEIMER, WAGNER, BEAMAN, KING, (Creek), HOGG, HUTCHINGS, DARKS, SPEAR, CAVINS, PHILLIPS (Atoka), GRAY, CAVITT, MALLORY, CONNER, HUGHES, BEAVER and PARKS, entitled:

An Act creating a commission to be known as the "Commission for Old Age Security," prescribing its powers and duties, fixing the salaries of the officers and employees thereof, and prescribing their duties, providing a pension for persons seventy years of age, or more, the adult blind over twenty-one years of age, who

do not have property, real or personal of a value in excess of \$1,000.00, or a yearly income of more than \$250.00, providing penalties for violations thereof, levying stamp taxes therefor, and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE BILL NO. 184—By COM-  
MONS:

An Act amending Section 11151, Oklahoma Statutes 1931, (Section 21, Chapter 42, Session Laws 1929), relating to the traveling way and filling of cans or tubs and repealing all Acts or parts of Acts in conflict therewith,

which bill I have this day signed and approved.

Witness my hand, this April 19th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE BILL No. 185—By COM-  
MONS:

An Act amending Section 11146, Oklahoma Statutes 1931, (Section 16, Chapter 42, Session Laws 1929), relating to the duties of Mine Foremen,



which bill I have this day signed and approved.

Witness my hand, this April 20th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State

ENROLLED SENATE BILL No. 214—By CHAM-  
BERLIN, COMMONS, MORRISON, NICHOLS, WHIT-  
AKER, MacDONALD and Nance,

An Act providing for the redemption of real estate  
sold to the County on account of delinquent ad valorem  
taxes, which bill I have this day signed and approved.

Witness my hand, this April 18th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State

ENROLLED SENATE BILL No. 401—By WALD-  
REP.

An Act providing that Governing Board of any  
municipality of this state may sell bonds heretofore or  
hereafter authorized to be issued by the vote of the  
qualified electors in any amount that is deemed neces-  
sary and proper; provided said sale shall be in the  
manner now provided by law and declaring an  
emergency,

which bill I have this day signed and approved.

Witness my hand, this April 19th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State

ENROLLED HOUSE JOINT RESOLUTION No. 38  
—By DARKS, of the HOUSE and WILBANKS of the  
SENATE.

A Joint Resolution authorizing one Harold Wright,  
a former inmate of the State Penitentiary at McAlester,  
Oklahoma, now a resident of Holdenville, Oklahoma,  
to bring suit against the State of Oklahoma,  
which bill having passed the Senate and House of  
Representatives, was presented to me April 13th and  
held by me, without action thereon, for more than five  
days, (Sundays excepted) whereby the same became a  
law.

Witness my hand, this April 20th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State

ENROLLED HOUSE BILL No. 154—By MARTIN,  
BROADDUS and SHOEMAKE.

An Act preventing the confiscation and misuse of  
milk cans or cream cans; providing for the introduction  
of evidence; providing for the issuance of a search war-  
rant; providing for the filing and publication of brands;  
restricting transportation of branded containers and  
prescribing the penalty for the violation of this Act,  
which bill having passed the Senate and House of Rep-  
resentatives was presented to me April 12th and held  
by me, without my signature, for more than five days,

*Eighty-first Day, Thursday, Apr. 20, 1933* 2417

(Sundays excepted) whereby the same became a law.

Witness my hand, this April 19th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with  
the Secretary of State

ENROLLED HOUSE BILL No. 169—By O'NEILL.

An Act abolishing the Superior Court of Garfield  
County; providing for the disposition of all cases pend-  
ing in said Court; fixing the effective date of the Act,  
which bill having passed the Senate and House of Rep-  
resentatives was presented to me April 13th and held  
by me, without action thereon, for more than five days,  
(Sundays excepted) whereby the same became a law.

Witness my hand, this April 20th, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE HONORABLE THE SENATE OF THE FOUR-  
TEENTH LEGISLATURE OF THE STATE OF OKLA-  
HOMA:

Gentlemen:

On yesterday, the Senate substituted for House  
Bill No. 187 another bill with different provisions.

This last Bill, proposed as a substitute of House  
Bill No. 187, by the Senate, does not at all protect the  
school funds, in vital essentials.

Why is it that a Senator does not want an audit of  
this fund every two years?

If it is audited every two years, as proposed in  
the House Bill, and the contract for the audit is made  
by the Governor, Speaker of the House, and President  
Pro Tempore of the Senate, then the School Land Com-  
mission will not control the audit. If the audit is made

every two years, prosecution can be had for wrongdoing, without the same being barred by the statute of limitations, and a repetition of the recent theft of more than \$40,000.00 cannot again occur.

In addition, the dropping of lands from the rolls, issued under a "shady" transaction, as was done some eight and ten years ago, would not again occur.

Another vital point: Why should the Senate or any Senator want to reduce this interest to 3 per cent, when we haven't enough money now to supply the farmers who would gladly secure a loan at 5 per cent? Why should the school children be denied 40 per cent of the amount of interest that could be collected?

It is readily seen that when you cut down the interest from 5 to 3, you are throwing upon the taxpayer of the State that amount of taxes.

Your substitute is further objectionable in that you do not allow the extension of a loan already made, unless it complies with certain restrictions named in the Bill, which will cause the foreclosure of many loans now that by their extension would enable the borrower to pay out, and possibly prevent a loss to the school fund.

The Bill, as written and submitted to the House, was written under an abundance of experience, with an eye singular to the protection of the funds, as well as to give opportunity to safeguard the loan of the man who desires to make payment, but requires some extension of time.

It is not absolutely essential that the clause relating to the control of the Department by the Secretary should be in the Bill, but every other provision of the House Bill should, beyond doubt, be adopted; and I appeal to the Senate not to permit men like Senator Reed and others who have borrowed this money to defeat the safeguarding of this fund; a proper audit



regularly, that the transactions of the Commission may be made known; and that the public may know what these transactions are.

The provision in this proposed substitute, proposing to loan on warrants is purely a banking proposition, and the man who stands for it is unwittingly serving the bankers' interest rather than the farmer, as intended by the Constitution.

This Bill is more important than any other measure submitted to the Legislature, even tax measures; and, if the Honorable Senate cannot adopt a wholesome bill, I shall initiate one, with a perfect assurance that the people of this State want these funds safeguarded.

These funds are held in trust by the State for the future school children and the current expenses of schools, in that we are acting as trustees; and, if we do not keep that trust faithfully, we should be stamped as double criminals, for the breaking of a trust is far worse than common theft, in that not only the property is taken, as in the case of theft, but the confidence of the public is thus robbed.

If the gentlemen legislating would follow a wholesome public policy and forget their own selfish interests, legislation would be better for the people and the State.

If this be harsh language, it is made necessary because of my constant effort for nearly three months to have this Bill enacted; and it shall become the law, if we have to go to the people. The borrowers of this school fund as a body, like every one else, desire a fair, square, honest deal and transaction.

Respectfully submitted, on this the 20th day of April, A. D., 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

Senator Paul moved that a committee be appointed

to draft a bill somewhat in compliance with the Message from the Governor and incorporate it into a substitute bill, which motion prevailed, the President appointing as such Special Committee, Senators Paul, Rizley, MacDonald, Willis and Nance.

Upon the request of Senator MacDonald, Senator Commons was appointed in his stead as a member of the Special Committee.

#### RESOLUTION

Senator Nichols asked unanimous consent which was granted, to submit the following Resolution, the title of which is as follows:

SENATE CONCURRENT RESOLUTION NO. 24—  
By NICHOLS and DIXON.

A Resolution creating a committee to investigate the necessity for the creation of a Conservation Commission for the administration of the laws relating to the conservation of Crude Petroleum and Natural Gas, and other conservation matters.

Senator Nichols requested, to which objections were voiced, that the Senate proceed to the consideration of Senate Concurrent Resolution No. 24.

Senator Nichols moved that the rules of the Senate be suspended, for the purpose of considering Senate Concurrent Resolution No. 24.

Senator Paul, as a substitute, moved that further consideration of Senate Concurrent Resolution No. 24 be indefinitely postponed.

Upon motion of Senator Paul, the previous question was ordered.

By unanimous consent, Senate Concurrent Resolution No. 24 was read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 24—By  
NICHOLS and DIXON.

A RESOLUTION CREATING A COMMITTEE TO  
INVESTIGATE THE NECESSITY FOR THE

CREATION OF A CONSERVATION COMMISSION FOR THE ADMINISTRATION OF THE LAWS RELATING TO THE CONSERVATION OF CRUDE PETROLEUM AND NATURAL GAS, AND OTHER CONSERVATION MATTERS.

WHEREAS, crude petroleum and natural gas constitute, next to agriculture, the most important resources of the state of Oklahoma; and,

WHEREAS, the conservation of crude petroleum and natural gas, and the equitable taking thereof, presents one of the most important problems of the government of the State of Oklahoma; and,

WHEREAS, the maintenance of the State government and the schools of Oklahoma are largely dependent upon the revenues to be derived from the taxation of crude petroleum and natural gas, and the products thereof; and,

WHEREAS, the future welfare of the State of Oklahoma is so largely dependent upon the conservation of crude petroleum and natural gas, and the revenues to be derived therefrom; and,

WHEREAS, the welfare of the State of Oklahoma, and its people and its future generations, is so largely dependent upon the conservation of these natural resources; and,

WHEREAS, the Legislature of 1915, through Chapters 25 and 197 of the Session Laws of 1915, saw fit to regulate the conservation of crude petroleum and natural gas and the equitable taking thereof, and the Legislature now in session, through the enactment of House Bill No. 481, has seen fit to provide additional legislation for the strengthening and enforcement of the conservation and equitable laws relating to crude petroleum and natural gas, and to place the jurisdiction thereof under the Corporation Commission of the State of Oklahoma; and,

WHEREAS, the Corporation Commission was created by the Constitution as a public service commission, intended

primarily for the regulation of transportation and transmission companies, and other public utilities; and,

WHEREAS, the original jurisdiction of the Corporation Commission as set out in the Constitution, over such public service corporations, has been greatly extended from time to time until that Commission is greatly overburdened with its duties, aside, apart from and without the addition of the administration of the conservation laws of the State; and,

WHEREAS, the duties in connection with the administration of the laws dealing with the conservation of crude petroleum and natural gas are sufficient to occupy the entire time of any Commission; and,

WHEREAS, such duties may be inconsistent with the administration of the laws relating to public service companies and public utilities; and, whereas, the duties and time required by the Corporation Commission for the administration of the laws dealing with the conservation of crude petroleum and natural gas, and the equitable taking thereof, will consume the greater portion of the time of the Corporation Commission and will prevent the adequate and timely consideration of public utility matters; and,

WHEREAS, the funds for the administration of the conservation laws dealing with crude petroleum and natural gas and the equitable taking thereof, and the cost thereof, are to be assessed against the products of crude petroleum and natural gas; and the costs of the administration of these laws are to be borne entirely by the petroleum industry; and,

WHEREAS, the proper administration of the laws dealing with the conservation of crude petroleum and natural gas and the equitable taking thereof demand a Commission which can give its entire time to this subject;

NOW, THEREFORE, BE IT RESOLVED that the Senate and House by joint concurrent resolution direct the appointment of a committee to investigate the necessity and



practicability of the creation of a Conservation Commission and the administrative machinery for the enforcement of the conservation laws of the State of Oklahoma and specifically those relating to the conservation of crude petroleum and natural gas and the equitable taking thereof.

AND BE IT FURTHER RESOLVED that this Committee be composed of five members and shall be appointed as follows: Two by the President of the Senate, two by the Speaker of the House and one by the Governor, and that the Governor shall be ex-officio Chairman thereof.

AND BE IT FURTHER RESOLVED that this Committee shall be directed to begin investigation at once and the preparation of its report, and that such report shall be made to the next regular session of the Legislature, or, in the event of a special session, at the next special session of the Legislature.

The vote occurring on the Paul motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Clark, Coppock, Curnutt, Fischl, Garvin, Jennings, Johnston, Lester, Memminger, Nance, Paul, Pugh, Ray, Rizley, Rutherford, Stacey, Taylor, Waldrep, Whitaker, Willis. Total, 21.

Nays: Carmack, Commons, Nichols, Ritzhaupt. Total, 4.

Not Voting: Briggs, Carlile, Chamberlin, Dixon, Howard, Hutchinson, MacDonald, Reed, Sowards, Stewart, Thomas, Wilbanks. Total, 12.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. Total, 1.

Senator Willis submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Resolution No. 26 and Senate Bill No. 427 correctly engrossed.

WILLIS, Vice-Chairman.

The President, in open session, signed Engrossed Senate Resolution No. 26 and ordered the same referred for enrollment.

The President, in open session, signed Engrossed Senate Bill No. 427 and ordered it transmitted to the Honorable House for consideration.

## SECOND READING

The following Bills were read for the second time, and upon unanimous consent, ordered referred to the Calendar, without reference to a committee:

SENATE JOINT RESOLUTION NO. 28—By WALDREP.

ENGROSSED HOUSE BILL NO. 649—By LEE-CRAFT, HENDERSON, GRAY, MASSEY, DUKE, TURNER, WORTHINGTON, MALLORY, STURGELL, MOONEY, HANKLA, KING, JONES.

Senator Commons moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were recorded "absent"; Senators Carlile, Chamberlin, Daugherty, Dixon, Liggett, Logan, Moon, Morrison, Paul, Powers, Reed, Sowards, Stewart, and Wilbanks.

The Sergeant-at-Arms was instructed to notify all absent members to come into the Senate Chamber.

Senators Chamberlin, Paul and Reed asked to be recorded "present," which was the order.

Upon motion of Senator MacDonald, the Senate proceeded to call the roll on HOUSE BILL NO. 20, as amended in conference.

House Bill No. 20, as amended in conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray,

Reed, Ritzhaupt, Rutherford, Stacey, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Garvin, Hutchinson, Rizley. Total, 3.

Not Voting: Ballard, Briggs, Carlile, Dixon, Sowards, Stewart, Thomas. Total, 7.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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. 20, together with the conference committee report thereon, was ordered returned to the Honorable House.

Senator Garvin sent up the following explanation of his vote:

Mr. President: My reason for voting against House Bill No. 20 was, that the Petroleum Experiment Station at Bartlesville was taken out of the bill in conference, in the House Appropriation room on the morning of April 19th, and was placed back in the Bill for some reason unknown to me and I am unable to understand why, when a motion to strike in conference committee, carried unanimously, that it would be legally placed back in the bill without further conference.

GARVIN.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Joint Resolution No. 23, Senate Bills Nos. 44, 186, 213, 245, 246, 256, 307, 344, 348, 393, 403, 405, 411, and 416, each, correctly engrossed.

LIGGETT, Chairman.

Senator Waldrep presiding.

By unanimous consent, the Senate proceeded to consider bills under third reading.

THIRD READING

SENATE BILL NO. 186 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 31.

Not Voting: Carlile, Dixon, Pugh, Sowards, Stewart, Wilbanks. Total, 6.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 31.

Not Voting: Carlile, Dixon, Pugh, Sowards, Stewart, Wilbanks. Total, 6.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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. 186, and ordered the same transmitted to the Honorable House.

Senator Wilbanks asked to be recorded "present," which was the order.

SENATE BILL NO. 344 was read for the third time at length.

Senator Johnston asked unanimous consent, to submit a substitute for Senate Bill No. 344, to which Senator Jennings objected.

Senator Johnston moved that the rules be suspended, for the purpose of submitting the following amendment, which motion prevailed:

Mr. President: I move to amend Senate Bill No. 344, by substituting therefor, the following:

SENATE SUBSTITUTE FOR SENATE BILL NO.

344—By JOHNSTON, THOMAS, NANCE, WILLIS, NICHOLS, BRIGGS, of the Senate; HENDERSON and REMUND, of the House.

AN ACT VALIDATING THE APPOINTMENTS OF MEMBERS, AGENTS, SERVANTS, AND EMPLOYEES OF THE STATE HIGHWAY COMMISSION UNDER PREVIOUS EXISTING STATUTES REGULATING THE SAME PRIOR TO THE EFFECTIVE DATE OF SENATE BILL NO. 55 OF THE FOURTEENTH LEGISLATURE, AUTHORIZING SAID PERSONS TO PERFORM THE DUTIES OF THEIR OFFICES UNDER EXISTING LAW AND EMPOWERING THE STATE HIGHWAY COMMISSION CREATED BY SENATE BILL NO. 55 TO RATIFY, CONFIRM AND APPROVE ALL ACTS OF SUCH PERSONS; AND DECLARING AN EMERGENCY.

WHEREAS, the Fourteenth Legislature has enacted Senate Bill No. 55 creating a Department of Highways, which said Act has been effective since midnight, Saturday, February 11, 1933; and

WHEREAS, His Excellency, the Governor, appointed but one member of said commission, and by reason of the provisions of said Act and the opinion of the Attorney General to the effect that the former members of the Highway Commission are not de facto officers, there is serious doubt as to whether or not there is any authority of law for the payment of the *members*, agents, servants and employees of the former state Highway Department for services rendered pursuant to previous appointment and the taking care of the functions and performance of their duties concerning the roads and highways of the Department of Highways of the State of Oklahoma to such an extent that there should be clear and unquestioned authority to continue their services during the interim existing from the effective date of said Senate Bill No. 55 until the personnel of the Highway Commission now authorized by law is appointed by His Excellency, the Governor, and approved by the Senate; and

WHEREAS, in order that the orderly performance of the functions and duties of the Department of Highways, and its employees may be carried on, it is essential that specific authority be given therefor:

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. That all appointments, employments and contract duties existing between the former Highway Commission of the State of Oklahoma and all *members*, agents, servants, employees and contractors be, and the same are, hereby in all respects authorized, ratified, confirmed and approved.

SECTION 2. It is further provided that all of said

*members*, agents, servants and employees be, and they are hereby, authorized and empowered to continue the performance of the duties enjoined upon them under the employment of the previous Highway Department, and under existing laws of this State until such time as the personnel of the Highway Department, authorized by Senate Bill No. 55 of the Fourteenth Legislature, is appointed and confirmed as provided by law.

It is further provided that said *members*, agents, servants, and employees shall be paid the amount of salary per diem, or fees, authorized in their employment by the previous Department of Highways.

SECTION 3. It is further provided that the Department of Highways, as created by said Senate Bill No. 55 of the Fourteenth Legislature, when the personnel is selected as provided by law and inducted into office, be, and the same is hereby empowered to ratify, confirm and approve in all respects the employment of all *members*, agents, servants and employees, and to allow claims for salaries representing payment for such services the same as though such persons were employed by the incoming personnel of said State Highway Department.

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 take effect and be in full force from and after its passage and approval.

JOHNSTON.

Senator Jennings raised a point of order against the Johnston amendment, stating the amendment was not germane, which point was overruled.

Upon motion of Senator Johnston, the amendment was adopted.

Senate Bill No. 344 was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Pugh, Reed, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 23.

Nays: Ballard, Coppock, Hutchinson, Jennings, Ritzhaupt, Rizley, Wilbanks. Total, 7.

Not Voting: Carlile, Dixon, Paul, Ray, Rutherford, Sowards, Stewart. Total, 7.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Garvin, Hutchinson, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Ballard, Jennings. Total, 2.

Not Voting: Carlile, Dixon, Fischl, Howard, Ray, Rutherford, Sowards, Stewart. Total, 8.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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 Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 344 by striking therefrom the words, "AND DECLARING AN EMERGENCY."

JOHNSTON.

Senate Bill No. 344, as amended, was ordered referred for re-engrossment.

#### GENERAL ORDER

Senator Nance asked unanimous consent, to which objections were voiced, to take up for consideration, HOUSE BILL NO. 605, by Mooney, of the House, and Nance, of the Senate.

#### THIRD READING

SENATE BILL NO. 393 was read at length for the third time.

Upon motion of Senator Nance, Senate Bill No. 393 was ordered stricken from the Calendar.

SENATE BILL NO. 405 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Commons, Memminger, Nichols, Thomas. Total, 5.

Nays: Ballard, Carmack, Chamberlin, Clark, Coppock, Curnutt, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Nance, Paul, Pugh, Ritzhaupt, Rizley, Stacey, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 23.

Not voting: Carlile, Dixon, Fischl, MacDonald, Ray, Reed, Rutherford, Sowards, Stewart. Total, 9.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. Total, 1.

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 Garvin moved that the vote be reconsidered by which the Conference Committee Report on House Bill No. 20 was adopted, which motion was ruled out of order by the Chair, for the reason the Senate was considering bills under third reading.

Senators Stewart and Carlile asked to be recorded "present," which was the order.

SENATE BILL NO. 213 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Waldrep, Wilbanks, Willis. Total, 26.

Nays: Memminger, Whitaker. Total, 2.

Not voting: Commons, Dixon, Fischl, MacDonald, Ray, Reed, Rutherford, Sowards, Taylor. Total, 9.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. Total, 1.

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 Hutchinson, the emergency section was ordered stricken.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Hutchinson submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 213 by striking therefrom the words. "AND DECLARING AN EMERGENCY."

HUTCHINSON.

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Senate Bill No. 213, as amended, was ordered referred for re-engrossment.

Senator Dixon asked to be recorded "present," which was the order.

SENATE BILL NO. 246 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not voting: Carlile, Commons, Reed, Rutherford, Sowards. Total, 5.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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 Senate Bill No. 246, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Waldrep, SENATE BILL NO. 44, By Waldrep, was ordered stricken from the Calendar.

SENATE BILL NO. 256 was read at length for the third time.

Senator Stacey asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend Senate Bill No. 256, line 4, page 2, by striking all of the remainder of the Section, commencing with line 4, page 2, and substituting the following: "Any provision in a real estate mortgage, deed of trust or note, secured by either, providing for an at-

torney fee in case of foreclosure, shall be null and void." And by amending the title by striking out the four lines, commencing with the word, "Providing," and ending with the word, "Provided."

STACEY.

Senator Stacey asked unanimous consent, to which objections were voiced, to consider his amendment.

Senator Stacey moved that the rules of the Senate be suspended for the purpose of considering his amendment, to Senate Bill No. 256, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Carmack, Coppock, Garvin, Hutchinson, Jennings, Johnston, Lester, Memminger, Nance, Paul, Reed, Stacey, Taylor, Thomas, Whitaker. Total, 15.

Nays: Ballard, Briggs, Clark, Commons, Curnutt, MacDonald, Pugh, Ritzhaupt, Rizley, Waldrep, Wilbanks, Willis. Total, 12.

Not Voting: Carlile, Chamberlin, Dixon, Fischl, Howard, Nichols, Ray, Rutherford, Sowards, Stewart. Total, 10.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. Total, 1.

Senator Ballard moved that further consideration of Senate Bill No. 256 be indefinitely postponed, which motion failed of adoption.

Senator Sowards 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: Carmack, Coppock, Garvin, Howard, Hutchinson, Johnston, Lester, Memminger, Nance, Nichols, Paul, Ray, Reed, Sowards, Stacey, Taylor, Thomas. Total, 17.

Nays: Ballard, Briggs, Chamberlin, Clark, Commons, Curnutt, Dixon, Jennings, Pugh, Rizley, Rutherford, Waldrep, Whitaker, Wilbanks, Willis. Total, 15.



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Not Voting: Carlile, Fischl, MacDonald, Ritzhaupt, Stewart. Total, 5.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. Total, 1.

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.

Upon motion of Senator Ballard, SENATE BILL NO. 411, by Johnston, Briggs, Waldrep, Willis and Carlile, was ordered stricken from the calendar.

SENATE BILL NO. 403 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Ballard, Carmack, Curnutt, Dixon, Thomas. Total, 5.

Not Voting: Nance, Stewart. Total, 2.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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: Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nichols, Paul,

Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Ballard, Carmack, Curnutt, Dixon, Thomas. Total, 5.

Not Voting: Nance, Stewart. Total, 2.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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. 403, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 416 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 33.

Nays: Chamberlin, Willis. Total, 2.

Not Voting: Rutherford, Stewart. Total, 2.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 33.

Nays: Chamberlin, Willis. Total, 2.

Not Voting: Rutherford, Stewart. Total, 2.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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. 416, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 348 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Carmack, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 30.

Not Voting: Ballard, Briggs, Carlile, Chamberlin, Coppock, Stewart, Whitaker. Total, 7.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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-

agency measure?" the roll was called with the following results:

Ayes: Carmack, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 30.

Not Voting: Ballard, Briggs, Carlile, Chamberlin, Coppock, Stewart, Whitaker. Total, 7.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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. 348, and ordered the same transmitted to the Honorable House.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 213 and 344, each, correctly engrossed.

HOWARD, Vice-Chairman.

President Burns presiding.

The President, in open session, signed Engrossed Senate Bills Nos. 213 and 344 and ordered, each, transmitted to the Honorable House, for consideration.

### THIRD READING

SENATE BILL NO. 307 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Howard,



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Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Thomas, Waldrep, Wilbanks, Willis. Total, 31.

Not Voting: Briggs, Coppock, Garvin, Stewart, Taylor, Whitaker. Total, 6.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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, in open session, signed the engrossed copy of Senate Bill No. 307, and ordered the same transmitted to the Honorable House.

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: Briggs, Carlile, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Waldrep, Wilbanks, Willis. Total, 29.

Nays: Carmack, Garvin, Jennings, Sowards. Total, 4.

Not Voting: Ballard, Coppock, Taylor, Whitaker. Total, 4.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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 President, in open session, signed the engrossed

copy of Senate Joint Resolution No. 23, and ordered the same transmitted to the Honorable House.

### RESOLUTIONS

Senator Briggs asked unanimous consent, which was granted, to introduce the following resolution:

SENATE CONCURRENT RESOLUTION NO. 25, by Briggs, Stewart, MacDonald and Nance, of the Senate, and Henderson and Kight, of the House, entitled: A RESOLUTION MEMORIALIZING CONGRESS URGING THE PASSAGE BY CONGRESS OF AN ACT APPROPRIATING FUNDS FOR FEDERAL AID HIGHWAY CONSTRUCTION, TO BE DISTRIBUTED AMONG THE VARIOUS STATES OF THE UNION FOR THE RELIEF AND TO PROVIDE WORK FOR THE UNEMPLOYED.

### THIRD READING

Senator Nichols asked unanimous consent, which was granted, to consider HOUSE BILL NO. 132, by Leecraft, et al.

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: Ballard, Carlile, Carmack, Chamberlin, Commons, Dixon, Fischl, Garvin, Johnston, Lester, MacDonald, Memminger, Nichols, Paul, Ritzhaupt, Stacey, Taylor, Thomas, Whitaker. Total, 19.

Nays: Briggs, Clark, Coppock, Curnutt, Pugh, Ray, Rutherford, Stewart, Waldrep, Willis. Total, 10.

Not Voting: Howard, Hutchinson, Jennings, Nance, Reed, Rizley, Sowards, Wilbanks. Total, 8.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. Total, 1.

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.

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Senator Nichols served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which House Bill No. 132 failed of passage.

### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 238 — By BROADDUS and PHILLIPS (Okfuskee), entitled:

An Act to amend Section 206, Oklahoma Statutes 1931, Volume I, providing what the answer in civil proceedings shall contain.

ENGROSSED HOUSE BILL NO. 239 — By BROADDUS and PHILLIPS (Okfuskee), entitled:

An Act providing for the verification of pleadings in all civil actions.

ENGROSSED HOUSE BILL NO. 637—By MARSHALL, entitled:

An Act amending Section 6130 Oklahoma Statutes 1931, which provides for annexation to any city or territory adjacent to the city limits, and provides the procedure therefor; by providing that where the territory sought to be annexed to any city is separated from another city or town by a distance of twenty (20) rods or less, such intervening territory may be annexed by either of the cities or towns adjacent thereto, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bills Nos. 238, 239 and 637.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 719—By EASON and O'NEILL, entitled:

An Act prohibiting storing, selling, offering for sale of petroleum products under deceptive trade name or brands, substitution of the same for products bearing the distinguishing trade-mark, name or brand, imitating or copying designs, symbols, trade-marks or brands, defining substitution, declaring same a misdemeanor, providing penalties for 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 719.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 346—By CHAMBERS, LOGSDON, KIRKPATRICK, TIMMONS, BEARD, BOYER, EBY (Tulsa), entitled:

An Act to amend Section 9695, Oklahoma Statutes 1931, relating to attesting deeds or other instruments affecting real estate executed by a corporation, except when executed by an attorney in fact, repealing all Acts



and parts of Acts in conflict herewith, and declaring an emergency.

ENROLLED HOUSE JOINT RESOLUTION NO. 52—By HENDERSON, entitled:

A Joint Resolution creating the office of delinquent personal tax collector, in Haskell County, Oklahoma, prescribing his terms, duties and compensation, amending Sections 12727, 12730 and 12731, Compiled Oklahoma Statutes, 1931, insofar as Haskell County is concerned, providing for the collection of delinquent taxes on personal property in Haskell County, Oklahoma, repealing Section 12729, Compiled Oklahoma Statutes, 1931, and all other Acts in conflict herewith insofar as Haskell County, Oklahoma, is concerned 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Joint Resolution No. 52 and House Bill No. 346 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the President and ordered returned to the Honorable House.

The following Messages from the Honorable House were received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED SENATE BILL NO. 359—By STEWART and MacDONALD

an act making appropriation for mileage and per diem of employees and expenses of closing the business and

printing the journals, which bill I have this day signed and approved.

Witness my hand, this April 20th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

HOUSE BILL NO. 623—By COMMITTEE ON  
APPROPRIATIONS

an act making appropriations for the payment of deficiency certificates, which bill I have this day signed and approved.

Witness my hand, this April 20th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 628—By COM-  
MITTEE ON APPROPRIATIONS

an act making supplemental appropriations to pay confederate pensions for the remainder of the fiscal year, which bill I have this day signed and approved.

Witness my hand, this April 20th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

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ENROLLED HOUSE BILL NO. 732—By HENDERSON, BATSON, LEECRAFT, of the House and BRIGGS, COMMONS, CHAMBERLIN, NICHOLS of the Senate,

an act appropriating funds to the credit of the State Highway Commission and providing for their disbursement by said Commission, which bill I have this day signed and approved.

Witness my hand, this April 20th, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

GENERAL ORDER

Senator Nance asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 605, by Mooney, of the House, and Nance, of the Senate.

Upon motion of Senator Nance, House Bill No. 605 was advanced to engrossment and third reading.

Upon motion of Senator Nance, the rules of the Senate were suspended and House Bill No. 605 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 605 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 27.

Nays: Ballard, Curnutt, Jennings, Rutherford. Total, 4.

Not voting: Dixon, Ritzhaupt, Rizley, Sowards, Stewart, Wilbanks. Total, 6.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Not voting: Carlile, Dixon, Rizley. Total, 3.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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 copy of House Bill No. 605, and ordered the same transmitted to the Honorable House.

Senator Chamberlin asked unanimous consent, to which objections were voiced, to consider SENATE BILL NO. 245, by Morrison, Briggs, Pugh and Chamberlin, under Third Reading.

Senator Chamberlin moved that the Senate proceed to the Third Reading of Senate Bill No. 245.

Senator Fischl, as a substitute, moved that the vote be reconsidered by which SENATE BILL NO. 89, by Coppock and Fischl, of the Senate, and Stewart and Massey, of the House, was ordered stricken from the calendar.

Senator Chamberlin raised a point of order against



the Fischl motion, which was sustained, stating the motion in improper form.

The vote occurring on the Chamberlin motion, it was declared adopted.

### THIRD READING

SENATE BILL NO. 245 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Commons, Garvin, Nance, Nichols. Total, 4.

Not voting: Dixon, Rizley, Stewart. Total, 3.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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, in open session, signed the engrossed copy of Senate Bill No. 245, and ordered the same transmitted to the Honorable House.

Senator MacDonald moved that the vote be reconsidered by which HOUSE BILL NO. 132, by Leecraft, et al., failed of passage, which motion prevailed, on a standing vote of 28 affirmative votes.

Senator MacDonald moved that House Bill No. 132 be referred to a Special Committee, composed of Senators Whitaker, Liggett, Briggs and Nichols, for the purpose of further considering the bill, which motion prevailed.

Senator Fischl moved that the vote be reconsidered by which SENATE BILL NO. 89, by Fischl and Cop-

pock, of the Senate, and Stewart and Massey, of the House, was ordered stricken from the calendar, which motion prevailed.

Senator Fischl moved that the vote be reconsidered by which Senate Bill No. 89 failed of passage, which motion prevailed, upon a standing vote of more than a majority of the members of the Senate.

SENATE BILL NO. 89 was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Clark, Coppock, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, MacDonald, Memminger, Ray, Reed, Rizley, Rutherford, Stacey, Thomas, Whitaker, Wilbanks. Total, 20.

Nays: Carlile, Carmack, Chamberlin, Commons, Howard, Lester, Nance, Nichols, Paul, Pugh, Sowards, Taylor, Willis. Total, 13.

Not voting: Dixon, Ritzhaupt, Stewart, Waldrep. Total, 4.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. Total, 1.

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 Paul moved that the vote be reconsidered by which SENATE BILL NO. 137, by Chamberlin, Ray, Carmack and Commons, failed of passage.

Senator Ballard moved to table the Paul motion, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Clark, Coppock, Curnutt, Dixon, Fischl, Hutchinson, Jennings, Memminger, Ray, Rizley, Rutherford, Stacey, Stewart, Taylor, Whitaker, Wilbanks. Total, 18.

Nays: Carlile, Carmack, Chamberlin, Commons, Garvin, Howard, Johnston, Lester, MacDonald, Nance,

Nichols, Paul, Pugh, Reed, Ritzhaupt, Thomas, Waldrep, Willis. Total, 18.

Not voting: Sowards. Total, 1.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. Total, 1.

The President, voting "NO," declared the Ballard motion failed of adoption.

Senator Wilbanks presiding.

The vote occurring on the Paul motion, it was declared failed of passage, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Howard, Johnston, Lester, MacDonald, Memminger, Nichols, Paul, Pugh, Ray, Thomas, Willis. Total, 15.

Nays: Ballard, Clark, Coppock, Curnutt, Fischl, Hutchinson, Jennings, Reed, Rutherford, Stacey, Stewart, Taylor, Whitaker, Wilbanks. Total, 14.

Not voting: Briggs, Dixon, Garvin, Nance, Ritzhaupt, Rizley, Sowards, Waldrep. Total, 8.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. Total, 1.

#### GENERAL ORDER

Senator Nichols asked unanimous consent, to which objections were voiced, to advance to engrossment and Third Reading HOUSE BILL NO. 573, by Phillips (Okfuskee), and Ottesen.

Upon motion of Senator Nichols, House Bill No. 573 was advanced to engrossment and third reading.

Upon motion of Senator Nance, HOUSE BILL NO. 437, by Wingo, was advanced to engrossment and third reading.

Upon motion of Senator Fischl, HOUSE BILL NO. 532, by Fitzgerald, et al, was advanced to engrossment and third reading.

Upon motion of Senator Commons, HOUSE BILL

NO. 319, by Cloyd, was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, HOUSE BILL NO. 734, by Martin, was advanced to engrossment and third reading.

Senator Rizley asked unanimous consent, which was granted, to take up for consideration HOUSE CONCURRENT RESOLUTION NO. 30, which was read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 30—By COX, WRIGHT, ARMSTRONG, WINGO, WILLIAMS, WILMOT, ALLEN, O'NEILL, ULMARK, and BURNHAM.

A CONCURRENT RESOLUTION DECLARING THAT IT WAS NOT THE INTENTION OF THE LEGISLATURE, IN ENACTING HOUSE BILL NO. 416 OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, TO REPEAL BY IMPLICATION THE PROVISIONS OF CHAPTER 280 OKLAHOMA SESSION LAWS 1929, SAME BEING SECTIONS 12545 to 12548, INCLUSIVE, OKLAHOMA STATUTES 1931.

WHEREAS, House Bill Number 416 of the Fourteenth Legislature of the State of Oklahoma, amending Sections 12527, 12536 and 12552 Oklahoma Statutes 1931, levying a gasoline excise tax, and providing for the disposition of the revenue derived therefrom, went into effect on the eighth day of April, 1933, and

WHEREAS, the question has been raised as to whether or not the provisions of said House Bill Number 416 repealed by implication the provisions of Chapter 280, Oklahoma Session Laws 1929, the same being Sections 12545 to 12548, inclusive, Oklahoma Statutes 1931, exempting purchasers of motor fuel in quantities of fifty gallons or more at one time to be used in operating tractors or stationary engines used for agricultural pur-



poses from the payment of the excise tax on motor fuel, and

WHEREAS, it was not the intention of the Legislature in enacting said House Bill Number 416 to repeal said Chapter 280, Oklahoma Session Laws 1929, to-wit; said Sections 12545 to 12548, inclusive, Oklahoma Statutes 1931, but to leave same in full force and effect.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, THE SENATE CONCURRING THEREIN:

SECTION 1. That in enacting House Bill Number 416 of the Fourteenth Legislature of the State of Oklahoma, said Legislature did not intend to repeal, modify or impair the provisions of Chapter 280, Oklahoma Session Laws 1929, same being Sections 12545 to 12548, inclusive, Oklahoma Statutes 1931, but intended that said Chapter and Sections should remain in full force and effect.

Upon motion of Senator Rizley, House Concurrent Resolution No. 30 was adopted.

The Presiding Officer, in open session, signed Engrossed House Concurrent Resolution No. 30 and ordered the same returned to the Honorable House.

### THIRD READING

Senator Howard asked unanimous consent, which was granted, to consider, under Third Reading, HOUSE BILL NO. 415, by McElhaney and Misenheimer.

HOUSE BILL NO. 415 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed,

Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis, Total, 34.

Nay: Coppock. Total, 1.

Not voting: Briggs, Sowards. Total, 2.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis, Total, 34.

Nay: Coppock. Total, 1.

Not voting: Briggs, Sowards. Total, 2.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. 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. 415, and ordered the same transmitted to the Honorable House.

#### GENERAL ORDER

Senator Waldrep asked unanimous consent, which was granted, to consider HOUSE BILL NO. 37, by Glen and Smalley.

Senator Waldrep asked unanimous consent, which

was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 37, line 16, page 2, by striking after the word, "in", and before the figures, "1935," the word, "January," and inserting the word, "February."

WALDREP.

Upon motion of Senator Waldrep, House Bill No. 37, as amended, was advanced to engrossment and third reading.

Senator Ritzhaupt asked unanimous consent, which was granted, to advance to engrossment and third reading, HOUSE BILL NO. 165, by Spear.

Senator Nance asked unanimous consent, which was granted, to advance to engrossment and third reading HOUSE JOINT RESOLUTION NO. 47, by Munson, et al., of the House, and Nance, of the Senate.

Senator Chamberlin asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading HOUSE BILL NO. 361, by Speck.

Senator Commons moved that the rules of the Senate be suspended and HOUSE BILL NO. 319, by Cloyd, be considered engrossed and placed upon third reading and final passage.

Senator Curnutt presiding.

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: Ballard, Carmack, Clark, Commons, Curnutt, Howard, Hutchinson, Jennings, Johnston, MacDonald, Memminger, Nichols, Paul, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 23.

Nays: Chamberlin, Coppock, Nance. Total, 3.

Not Voting: Briggs, Carlile, Dixon, Fischl, Gar-

vin, Lester, Pugh, Ray, Sowards, Stewart, Taylor.  
Total, 11.

Absent: Daugherty, Liggett, Logan, Moon, Morrison, Powers. Total, 6.

Excused: Fidler. Total, 1.

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 Commons, the emergency section to House Bill No. 319 was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 319, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

COMMONS.

House Bill No. 319, as amended, was ordered referred for engrossment.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 121—By DANIEL and MALLORY, entitled:

An Act creating a textbook commission for the State of Oklahoma; providing for the adoption of school textbooks to be used in the common schools and other schools in the State of Oklahoma; fixing the number of members of said commission, prescribing the qualifications of said members; fixing the compensations of the members of such commission; prescribing the length of term



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of such adoptions; making other and further provisions with reference to such commission, the members thereof and the duties of such commission; repealing Articles 6694 to 6730 of the Compiled Oklahoma Statutes 1931 and all other 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 121 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and returned to the Honorable House.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 255—By WILLIAMS, entitled:

An Act amending Section 5586 and 5594, Oklahoma Statutes 1931, relating to the leasing for oil and gas mining purposes any or all of state-owned lands set apart and designated for the use, benefit, and occupancy of state educational institutions,

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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 255 was read at length 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,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE JOINT RESOLUTION  
NO. 57—By BLOCKER of the House and STEWART,  
of the Senate, entitled:

A Resolution authorizing and empowering the board of county commissioners of McCurtain County, Oklahoma, to include in their estimate of expenses for said county for the year ending June 30th, 1934, the sum of \$419.97, to pay Ben Miller for coal furnished said county for the purpose of heating the court house and jail and for electric light current for lighting same during the months from February 1st to June 30th, 1923, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of  
Engrossed House Joint Resolution No. 57.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 209—By AL-  
BRIGHT and DUKE of the House, entitled:

An Act providing that this Act may be indexed and cited as "The Co-operative Marketing Association Act," authorizing the formation of non-profit, co-operative associations, etc.,  
and to advise you, and, through you, the Honorable Sen-

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ate, that the same has been passed by the House of Representatives and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of Engrossed House Bill No. 209.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 236—By PHILLIPS (Okfuskee), entitled:

An Act amending Section 12656, Oklahoma Statutes 1931, relating to the duties, powers and authority of the State Board of Equalization; providing additional powers and authority as to equalization and adjustment of certain property; authorizing the Oklahoma Tax Commission to make investigations, hold hearings, and make additional findings and recommendations relating to the valuation and equalization of property subject to ad valorem taxation; providing for forms for listing property for ad valorem taxation; requiring information from local officers relating to the assessment of property; providing for hearings of county officials and aggrieved taxpayers; repealing conflicting laws; and declaring an emergency, and asks your Honorable Body for a Conference thereon. The Speaker has appointed Representatives Phillips (Okfuskee), Timmons, and Remund, as Conferees thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

HOUSE CONCURRENT RESOLUTION NO. 35—  
By CAVINS, entitled:

Proposing a Constitutional Amendment providing that the House and Senate shall dwell together in mutual trust, amity and good will, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolution No. 35 was ordered printed and placed upon the calendar.

Senator Paul moved that the request of the Honorable House, for a conference on Engrossed House Bill No. 236, be granted and the Presiding Officer appoint Senate conferees thereunder.

Senator Whitaker, as a substitute, moved that further consideration of House Bill No. 236 be deferred until the next legislative day.

Senator Ballard moved to table the Whitaker motion, which motion failed of adoption.

Senator Whitaker moved that the Senate adjourn, to meet at 10:00 o'clock, a. m., Friday, April 21st, 1933, which motion prevailed.



## EIGHTY-SECOND LEGISLATIVE DAY

Friday, April 21, 1933

Pursuant to adjournment, the Senate met at 10:00 a. m. and was called to order by the President, who announced the Senate recessed to meet at 11:00 a. m.

At 11:00 a. m., the Senate re-assembled and was called to order by the President, who announced the Senate recessed to meet at 11:20 a. m.

At 11:20 a. m., the Senate re-assembled, with the President presiding.

Upon roll call, the following members were present:

Present: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 33.

Absent: Ballard, Carlile, Daugherty, Howard, Liggett, Logan, Morrison, Powers, Ray, Wilbanks. Total, 10.

Excused: Fidler. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### GENERAL ORDER

Upon motion of Senator MacDonald, HOUSE BILL NO. 649, by Leecraft, et al, was advanced to engrossment and third reading.

Senator MacDonald moved that the rules of the Senate be suspended and House Bill No. 649 be considered engrossed and placed upon third reading and final passage, at 1:30 p. m., this day, which motion prevailed.

### RESOLUTIONS AND NOTICES

The following Resolution was introduced:

SENATE CONCURRENT RESOLUTION NO. 26

—By COMMONS of the Senate, and BATSON, of the House.

A RESOLUTION PROVIDING FOR COMPILING, INDEXING AND PUBLISHING THE SESSION LAWS OF THE REGULAR SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF, AS PROVIDED BY LAW.

By unanimous consent, Senate Concurrent Resolution No. 26 was taken up for consideration and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 26—By COMMONS, of the Senate, and BATSON, of the House.

A RESOLUTION PROVIDING FOR COMPILING, INDEXING AND PUBLISHING THE SESSION LAWS OF THE REGULAR SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF, AS PROVIDED BY LAW.

BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the President Pro Tempore of the Senate and the Speaker of the House are hereby authorized and directed to compile, index and publish the Session Laws of the Regular Session of the Fourteenth Legislature of the State of Oklahoma, or cause the same to be compiled, indexed and published, and they are hereby authorized to employ all help, and to incur expenses necessary for the completion of said work. The cost of compiling, indexing and publishing said Session Laws shall be paid out of the appropriation heretofore made for the per

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diem and contingent expenses of the regular session of the Fourteenth Legislature, and said fund is hereby made available for that purpose as provided by law; provided that all claims shall be approved by the President Pro Tempore and the Speaker of the House and paid by the State Treasurer out of said funds on warrants drawn by the State Auditor in accordance with said approved claims.

Upon motion of Senator Commons, Senate Concurrent Resolution No. 26 was adopted and ordered referred for engrossment.

Senator Briggs asked unanimous consent, which was granted, to take up for consideration, SENATE CONCURRENT RESOLUTION NO. 25, which was read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 25—By BRIGGS, STEWART, MacDONALD and NANCE of the SENATE, and HENDERSON and KIGHT of the HOUSE.

A RESOLUTION MEMORIALIZING CONGRESS  
URGING THE PASSAGE BY CONGRESS  
OF AN ACT APPROPRIATING FUNDS  
FOR FEDERAL AID HIGHWAY CON-  
STRUCTION, TO BE DISTRIBUTED  
AMONG THE VARIOUS STATES OF THE  
UNION FOR THE RELIEF AND TO PRO-  
VIDE WORK FOR THE UNEMPLOYED.

WHEREAS, the Congress of the United States now has before it for consideration certain measures designed to and providing for the appropriation of monies to be distributed to the various states for the relief and to provide employment for the unemployed and,

WHEREAS, among other things said acts contemplate the appropriation of a large sum of money for the construction of public improvement including highways and,

WHEREAS, under present existing conditions the greatest number of people in the history of the United States have no employment and are without means of earning and providing support for themselves and families, and,

WHEREAS, the conditions in the State of Oklahoma at the present time are more acute and distressful than ever in the history of said state, in that many thousands of heads of families have been and are without employment or the ability to find employment unless funds are made available to carry on public improvement projects and,

WHEREAS, the earning power of the citizenship of the State of Oklahoma has so depreciated until at the present time and for the past two years owners of taxable property are facing the loss of their property and homes by reason of their inability to pay the taxes and lift the mortgage burdens thereon, and,

WHEREAS, by reason of said conditions, the collection of funds and revenues of the State of Oklahoma have fallen so far short of anticipated receipts that there is now outstanding and unpaid warrant obligations of the State and its various subdivisions aggregate more than Forty Million dollars and by reason thereof the banks of the State and Nation have evidenced their unwillingness to further invest funds in warrants and the state has, therefore, found itself in a condition necessitating and requiring the Legislature to make provision in some manner to relieve the said condition, and,

WHEREAS, in order to meet the demands in the administration of the affairs of the Government the 14th session of the Oklahoma Legislature has been forced to divert a portion of its revenues to the payment of said outstanding unpaid warrant indebtedness, by the passage of House Bill No. 416 of the said 14th Oklahoma Legislature, thereby reducing the amount of available



funds with which to purchase materials and employ labor in the construction of highways, and,

WHEREAS, through the construction of highways under the supervision of the Bureau of Good Roads, Department of Agriculture, of the United States Government, the State of Oklahoma has heretofore greatly profited by reason of the improved type and class of construction necessarily required to meet Federal Aid specifications and establishing standards which has resulted in a higher and better type of highway construction both as to State and Federal Aid highways in this State, and,

WHEREAS, a continuation of said program is greatly desired on the part of the Legislative branch of Government, and in fact is deemed essential and necessary to the future welfare, convenience and prosperity of the citizens of said State, and,

WHEREAS, it is the desire of the Senate and House of Representatives of the 14th Legislature of the State of Oklahoma that highway construction continue under the supervision of the Federal Bureau of Good Roads, and with their cooperation, in order that the high standard of construction may be maintained, and is also essentially necessary to the prosperity of the State and the relief of the unemployed, and,

WHEREAS, although the State of Oklahoma, through the aforesaid Legislative Act has diverted a portion of its highway revenues through apparent necessity, the same was enacted as a temporary measure and will be repealed and the funds thus diverted, replaced at the earliest possible date and,

WHEREAS, it is the desire of the Legislature of the State of Oklahoma that the State fully cooperate with the Congress of the United States and the Department of Agriculture, Bureau of Good Roads, in carrying on an extensive comprehensive program of construction of

highways to relieve the unemployment and distressful financial condition in this State and other States as well, and for said reasons

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Congress of the United States is urgently requested to immediately pass the proposed Federal Aid construction appropriation bills and render available much needed relief in the form of Federal Aid funds to be distributed to the various States in proportion to the needs and conditions and,

BE IT FURTHER RESOLVED, that Congress be urged to continue the policies of Federal supervision of the construction of all highway projects, whether under regular appropriation or emergency relief appropriation in order that the high standard of construction may be maintained and the funds thereby expended result in permanent and lasting improvement, and,

BE IT FURTHER RESOLVED, that the terms and conditions for the distribution of said funds be so provided that the State of Oklahoma and other states which have been forced to temporarily divert a portion of its revenue from highway construction will not result in loss of Federal Aid funds, and that said funds be distributed under agreements equitably providing for future State fund replacements or expenditures in lieu thereof, and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to each Senator and Member of the House of Representatives of United States Congress, from Oklahoma, and that they be requested to cause the same to be exhibited in the permanent records of both branches of the Congress of the United States, and copies hereof be forwarded to the Secretary of Agriculture and to the Chief of the Bureau of Good Roads

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of Washington, D. C., and that the same be brought to the attention of the Honorable Franklin D. Roosevelt, President of the United States, by the forwarding of a copy thereof to the Secretary to the President.

Upon motion of Senator Briggs, Senate Concurrent Resolution No. 25 was adopted and ordered referred for engrossment.

#### SECOND READING

The following Bills and Resolutions were read for the second time, and upon motion of Senator Commons, ordered placed upon the Calendar, without reference to a committee:

ENGROSSED HOUSE BILL NO. 487—By CAVINS.

ENGROSSED HOUSE JOINT RESOLUTION NO. 50—By TODD of the House and THOMAS of the Senate.

ENGROSSED HOUSE BILL NO. 719—By EASON and O'NEILL.

ENGROSSED HOUSE BILL NO. 238 — By BROADDUS and PHILLIPS (Okfuskee).

ENGROSSED HOUSE BILL NO. 239 — By BROADDUS and PHILLIPS (Okfuskee).

ENGROSSED HOUSE BILL NO. 637—By MARSHALL.

ENGROSSED HOUSE BILL NO. 209—By ALBRIGHT and DUKE of the House.

ENGROSSED HOUSE JOINT RESOLUTION NO. 57—By BLOCKER of the House and STEWART of the Senate.

HOUSE CONCURRENT RESOLUTION NO. 35—By CAVINS.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 220—By JUDICIAL REDISTRICTING COMMITTEE, House of Representatives, entitled:

An Act creating twenty-three District Court Judicial Districts in the State of Oklahoma; fixing time for convening court in the various counties of said districts; providing for the nomination and election of judges thereof; repealing Sections 3832 to 3857, inclusive, Oklahoma Statutes 1931, and all other Acts and parts of Acts in conflict therewith; restricting the effective date of certain provisions of this Act; providing that the validity of any part or portion of this Act will not affect other parts or portions thereof, and asks your Honorable Body for a Conference thereon. The Speaker has appointed Representatives Holliman, Haile, Batson, Broaddus, Phillips (Okfuskee), Eason, and Babb, as Conferees thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator MacDonald moved that the request of the Honorable House for a conference on Engrossed House Bill No. 220 be granted.

Senator Curnutt, as a substitute, moved that the request of the Honorable House be granted and Senate Conferees instructed to reduce the number of district judges to thirty-six.

Senator Fischl, in lieu of all pending motions, moved that the request of the Honorable House be granted and Senate Conferees instructed to reduce the number of



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district judges to thirty, which motion was tabled upon motion of Senator Briggs.

Senator Stacey, in lieu of all pending motions, moved that the request of the Honorable House be granted and the Senate Conferees instructed to reduce the number of district judges to thirty-six, "by cutting out the two district judges in Carter county and the one district judge in Osage county," which motion was tabled, upon motion of Senator MacDonald.

Upon motion of Senator MacDonald, the Curnutt motion was tabled.

The vote occurring on the MacDonald motion, it was declared adopted.

Senator Stewart moved that the Senate refuse to grant the request of the Honorable House for a conference on House Bill No. 220, and ask the Honorable House to recede from its request for a conference, which motion was ruled out of order for the reason the Senate had previously voted to grant a conference on the bill.

Senator Chamberlin moved that the Senate appoint nine conferees under Engrossed House Bill No. 220 and the House be requested to appoint two additional conferees thereunder, which motion prevailed.

The President announced the appointment of the Senate Conferees under Engrossed House Bill No. 220 deferred temporarily.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 504 correctly engrossed.

LIGGETT, Chairman.

### THIRD READING

Senator Moon asked unanimous consent, which was granted, to consider under third reading, HOUSE BILL NO. 504, by Cloyd, et al.

HOUSE BILL NO. 504 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Chamberlin, Clark, Commons, Coppock, Garvin, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Pugh, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker. Total, 26.

Nays: Curnutt, Willis. Total, 2.

Not voting: Carmack, Dixon, Fischl, Paul, Reed. Total, 5.

Absent: Ballard, Carlile, Daugherty, Howard, Liggett, Logan, Morrison, Powers, Ray, Wilbanks. Total, 10.

Excused: Fidler. Total, 1.

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 Moon, the emergency section to House Bill No. 504 was ordered stricken.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Moon submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 504, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

MOON.

House Bill No. 504 was ordered referred for re-engrossment.

Upon the request of Senator Waldrep, the Senate considered under third reading, HOUSE BILL NO. 37, by Glen and Smalley.

HOUSE 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:

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Ayes: Briggs, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Pugh, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 28.

Not voting: Carmack, Dixon, Hutchinson, Paul, Reed. Total, 5.

Absent: Ballard, Carlile, Daugherty, Howard, Liggett, Logan, Morrison, Powers, Ray, Wilbanks. Total, 10.

Excused: Fidler. Total, 1.

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 Waldrep, the emergency section was ordered stricken.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Waldrep submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 37, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

WALDREP.

House Bill No. 37, as amended, was referred for re-engrossment.

Upon the request of Senator Rutherford, HOUSE BILL NO. 274, by Chambers, was considered under third reading.

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: Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, MacDonald, Moon, Nance, Nichols, Pugh, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor,

Thomas, Waldrep, Whitaker, Willis. Total, 26.

Nay: Memminger. Total, 1.

Not voting: Briggs, Carmack, Dixon, Paul, Reed, Stewart. Total, 6.

Absent: Ballard, Carlile, Daugherty, Howard, Liggett, Logan, Morrison, Powers, Ray, Wilbanks. Total, 10.

Excused: Fidler. Total, 1.

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 Rutherford, the emergency section was ordered stricken.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Rutherford submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 274, by striking therefrom the words: "AND DECLARING AN EMERGENCY."

RUTHERFORD.

House Bill No. 274, as amended, was ordered referred for re-engrossment.

Upon the request of Senator Nance, HOUSE JOINT RESOLUTION NO. 47, by Munson and Johnson, of the House, and Nance, of the Senate, was considered under third reading.

HOUSE JOINT RESOLUTION NO. 47 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Hutchinson, Johnston, Lester, MacDonald, Moon, Nance, Nichols, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 23.

Nays: Curnutt, Jennings, Memminger. Total, 3.



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Not voting: Briggs, Carmack, Dixon, Paul, Reed, Sowards, Stewart. Total, 7.

Absent: Ballard, Carlile, Daugherty, Howard, Liggett, Logan, Morrison, Powers, Ray, Wilbanks. Total, 10.

Excused: Fidler. Total, 1.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

Senator Nance asked unanimous consent, which was granted, to defer the roll call on the emergency to House Joint Resolution No. 47, until 1:40 p. m.

Upon motion of Senator Commons, the Senate recessed, to meet at 1:30 p. m.

#### AFTERNOON SESSION

The Senate re-assembled at 1:30 p. m., and was called to order by the President.

The following members asked to be recorded "present," which was the order: Senators Ballard, Wilbanks, Howard, Liggett, Ray and Carlile.

#### COMMITTEE REPORT

By unanimous consent, the following committee report was submitted and the bill ordered printed and placed upon the Calendar:

Mr. President: We, your Committee on State and County Affairs, to whom was referred Engrossed House Bill No. 451, by Phillips (Atoka), entitled:

An Act abolishing the office of County Engineer of Atoka County and providing the duties of said office shall be performed by the County Surveyor, 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 COMMITTEE as follows:

"ENGROSSED HOUSE BILL NO. 451—By PHIL-

LIPS (Atoka) of the House, and MEMMINGER of the Senate.

AN ACT ABOLISHING THE OFFICE OF COUNTY SURVEYOR OF ATOKA COUNTY AND PROVIDING THE DUTIES OF SAID OFFICE SHALL BE PERFORMED BY THE COUNTY ENGINEER.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. The office of County Surveyor in Atoka County is hereby abolished.

SECTION 2. From and after the passage of this Act the duties of County Surveyor in Atoka County shall be performed by the County Engineer, who shall receive no additional compensation therefor.

SECTION 3. This Act shall not take effect nor be in force until January 1st., 1935."

WALDREP, Vice-Chairman.

Senator Clark asked unanimous consent, to submit the following petition, which, upon his request, is herewith incorporated in the Journal:

PETITION TO THE GOVERNOR AND TO THE LEGISLATURE OF OKLAHOMA:

Inasmuch as each member of the Oklahoma Legislature has sworn to preserve, protect and defend the constitution of the State of Oklahoma which forbids the manufacture, sale and transportation of intoxicating liquor including wine, beer, and ale, and

INASMUCH as the Oklahoma Legislature has already taken steps to legalize beer in Oklahoma even while the constitution forbids it, Therefore,

1. We assemble this 21st day of April, 1933 and pledge again our allegiance to the constitution and to the union of states.

2. We challenge the right of our state government to consider the manufacture, sale, and transportation of 3.2% beer, which is scientifically proved to be intoxicat-

ing and forbidden by the constitution of the United States as well as by the Oklahoma law.

3. We urgently beseech the Legislature of the State of Oklahoma to *revoke* their action to force upon the people of Oklahoma a referendum on beer. Even if demanded by a vote of the people the manufacture and sale of beer in Oklahoma would be illegal under the 18th amendment which is still the law of the land.

4. We implore the Oklahoma Legislature to refuse to soil the record of this State by even considering the matter of going into the liquor business as a commonwealth, even by listening to well laid schemes of unscrupulous brewers, and organized capitalists. Any system of liquor sale whether by individual, or by state or nation is bootlegging as long as the 18th amendment stands.

5. We protest any effort to place our State among the list of bootleggers, the majority of our congressmen having kept the State's record clean by voting against the beer bill at Washington and also against repeal of the 18th amendment.

6. We beseech the Governor of the State of Oklahoma, the Honorable Wm. H. Murray, to refuse to call a referendum for this unholy cause which is contrary to the wishes, safety, and welfare of women and children, more than two-thirds the people of Oklahoma in whose interest, we, the Oklahoma unit of the Woman's National Committee for Law Enforcement are entitled to speak.

7. We demand that Congress revoke the illegal bill passed to secure intoxicating liquor through unconstitutional methods.

8. We call the attention of the President of the United States, the Honorable Franklin Delano Roosevelt, to the fact that his oath of office to support, protect, and defend the Constitution should be placed above any personal views or party platforms, and we beg him

to reconsider and recall his action to legalize an illegal beverage.

9. We respectfully request careful consideration of the following petition by the Woman's National Committee for Law Enforcement presented to the National Government for redress of grievances, April 14, 1933, at which time the Oklahoma Unit was represented at Washington, D. C.

PETITION TO GOVERNMENT FOR REDRESS OF GRIEVANCES

The first Amendment to the Constitution provides for religious freedom, free speech, a free press and "The Right of the People Peaceably to Assemble and Petition the Government for Redress of Grievance."

Article VI of the Constitution declares "This Constitution and the Laws of the United States which shall be made in pursuance thereof . . . shall be the supreme Law of the Land and the Judges in every state shall be bound thereby, anything in the Constitution or Laws of the State to the contrary notwithstanding."

1. The Eighteenth Amendment to the Constitution prohibits "The Manufacture, Sale or Transportation of Intoxicating Liquor for Beverage Purposes." The action of the 73rd Congress in passing a Beer Bill authorizing manufacture, sale and transportation of Intoxicating Liquor is therefore illegal under the Eighteenth Amendment to the Constitution.

2. No State has power to act against the Supreme Law according to Article VI of the Constitution which declares "Judges in every state shall be bound thereby." Any State allowing this beer bill to become law is in defiance of the Constitution of the United States.

3. Every member of Congress and Official of this Government is solemnly sworn to support and defend the Constitution, "without mental reservation or purpose of evasion," which pledge was broken by those who voted for the Unconstitutional Bill.



4. Intoxicating Liquor is defined as a "Habit-Making Narcotic Drug." One-half of one per cent was the standard adopted by Congress in 1920, since it was the standard of brewers in the contest over soft drinks. The British Legal Standard for Alcoholic Content is 1 per cent. (2% Proof Spirits) Any beverage containing more than 1 per cent alcohol is declared intoxicating.

2.75% Beer, on which tests have been made by the highest scientific authorities in America, is declared intoxicating by Dr. Haven Emerson, college physician and surgeon, Columbia University, New York; Professor Walter Miles of Yale University (tests made with students of eighteen years of age) Prof. E. D. McCollum of John Hopkins; Dr. Benedict of Carnegie Institute; Dr. Howard A. Kelly, John Hopkins; and others. 3.2% beer, 4% by volume is intoxicating, as it was the content of alcohol in beer sold and taxed before prohibition under license as intoxicating liquor.

5. "Who are the people?" Two-thirds of the people of the United States are women and children who suffer most from this evil and are disregarded and unrepresented by Congress. Alcohol leads to vice, crime, and disease. Beer takes from childhood food, clothing, fuel and necessities of life. This government has no right to barter the welfare of the people for revenue (Decision Supreme Court on Louisiana Lottery.)

6. This bill offers no protection against saloons, which both party platforms pledged should not return; no provision against advertising an illegal product by press and radio; no law against locating saloons in close proximity to schools, churches or homes, or advertising in school cafeterias; no limit to the hours or days on which this liquor may be sold; Sundays are included.

7. The lack of coordination shown by scientific tests indicates grave danger on the highway through driving by men and women who have used 3.2% beer. Driving under the influence of liquor leads to murder

and death. Have we no right to protection? Is not this Government liable for these murders?

If railroads, steamships, the navy and transportation agencies prohibit this beer as intoxicating in the interest of safety, we demand that this government also provide such safeguards for communities and highways.

**"IN VIEW OF THESE GRIEVANCES"**

We call upon the people of the United States to demand that Congress revoke this illegal bill passed in collusion with brewers, organized agents and capitalists opposed to the 18th Amendment without regard to the safety and welfare of women and children in whose interest we, the Woman's National Committee for Law Enforcement, are entitled to speak. To secure protection of our rights and safety under the constitution we present this petition to the President of the United States and both houses of Congress as we are authorized to do by the Constitution and beg their attention and immediate action.

In memory of Washington and Jefferson, who wrote the Constitution, and Lincoln who preserved it, we come to this memorial on this anniversary of the passing of the great president at the hands of an assassin who fortified himself with liquor at the old tenth street saloon before committing the crime. On this 14th day of April, 1933, we pledge again our allegiance to the Constitution and the Union. It is the day of betrayal of our Lord through a referendum and the martyrdom of the man who saved the Union. Here in the presence of Almighty God we challenge the right of this government to sanction the betrayal of the nation by the return of the manufacture, sale and transportation of "intoxicating liquor" forbidden by the constitution.

Signed:

**WOMAN'S NATIONAL COMMITTEE FOR LAW ENFORCEMENT.**

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(Representing 10 Great National Organizations of Women Affected by this Illegal Bill.)

Friday, April 14, 1933.

Furthermore, we respectfully request that this petition be printed in full in the record.

OKLAHOMA UNIT WOMAN'S NATIONAL COMMITTEE FOR LAW ENFORCEMENT,

(Representing 135,000 Members in Oklahoma.)

Friday, April 21, 1933.

DR. C. A. WOLFINGER, Associate President,  
Okla., Unit Woman's National Union for Political Action.

SUE O. HOWELL, Secretary,

Okla., Unit Woman's National Union for Political Action.

The President announced the following as Senate Conferees under House Bill No. 220, Senators Wilbanks, Dixon, Rutherford, Chamberlin, Briggs, Lester, Clark, Fischl and Garvin.

Senator Willis submitted the following Committee report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 37 and 319, and Senate Concurrent Resolution No. 26, correctly engrossed, and Senate Resolution No. 26, Senate Concurrent Resolution No. 17, and Senate Bill No. 58, each, correctly enrolled.

WILLIS, Vice-Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 37, as amended, and 319, as amended, and ordered, each, returned to the Honorable House for consideration.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 26, and ordered it transmitted to the Honorable House for consideration.

The President, in open session signed enrolled Senate Resolution No. 26 and ordered it referred to the Secretary of State; signed enrolled Senate Concurrent

Resolution No. 17 and ordered it transmitted to the Honorable House for the signature of the Speaker.

Senate Bill No. 58 was read at length for the fourth time, the enrolled copy signed, in open session by the President, 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,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House of Representatives refuses to adopt Conference Committee Report on:

ENGROSSED HOUSE BILL NO. 625—By COMMITTEE ON APPROPRIATIONS, entitled:

A Bill to be entitled an Act making an Appropriation from the General Revenue Fund and other funds, for the purpose of paying claims against certain State Departments and Institutions hereinafter set out; and declaring an emergency, and asks your Honorable Body for a further Conference, and that three additional Conferees be appointed. The Acting Speaker has reappointed the original Conferees, namely: Representatives MARTIN, NEILL, SINGLETON, GRUNERT, BURNHAM, and RAWLS, and has appointed: Representatives PHILLIPS, of Okfuskee, GRAY, and HAILE, as additional Conferees on said Bill.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator MacDonald moved that the Senate refuse to grant the request of the Honorable House for a further conference on Engrossed House Bill No. 625 and respectfully request the Honorable House to recede from their



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request for a further conference, which motion prevailed.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 682—By ANGLIN, BATSON, DANIEL, LEECRAFT, GARLAND, BABB, PHILLIPS, (Atoka), PHILLIPS (Okfuskee), entitled:

An Act relating to lands acquired by the several counties of the State of Oklahoma by purchase for delinquent taxes; prescribing a limitation for action to set aside resales; providing for acquiring title thereto by entry, improvement, use and payment of accruing taxes; placing said lands under supervision of commissioners of Land Office; for classification and subdivision of said lands, issuing certificates of selection, cancellation of entries, making proof of compliance and right to conveyance of title, execution and delivery of deed conveying title thereto; providing for sale of lands not entered; repealing conflicting laws,

together with Conference Committee Report thereon, and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted and the Bill has been passed AS AMENDED by said Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

The following Conference Committee Report on House Bill No. 682 was read and, upon motion of Senator Stewart, adopted:

To the Honorable Speaker of the House of Representatives,  
and President of the Senate,

Building

SIRS:

We, your Conference Committee, appointed by the respective Houses to confer over Senate amendments to Engrossed House Bill No. 682 entitled:

An Act relating to lands acquired by the several counties of the State of Oklahoma by purchase for delinquent taxes; prescribing a limitation for action to set aside resale; providing for acquiring title thereto by entry, improvement, use and payment of accruing taxes; placing said lands under supervision of Commissioners of Land Office; for classification and subdivision of said lands, issuing certificates of selection, cancellation of entries, making proof of compliance and right to conveyance of title, execution and delivery of deed conveying title thereto; providing for sale of lands not entered; repealing conflicting laws,

beg leave to report that we have had the same under consideration, and return the same with the following recommendations:

1. That the House concur in Senate amendment No. 1.

2. That the Senate recede from Senate amendment No. 2 and your Conference Committee recommends that the following amendment be adopted in lieu thereof.

"By striking after the word "therefrom" all of the remainder of line 28, all of lines 29, 30, 31, and 32, page 2, and by substituting in lieu thereof the following:

"Class "A" lands shall be subdivided into tracts of ten (10) acres each; Class "B" land into tracts of twenty (20) acres each; Class "C" land into tracts of forty (40) acres each; Class "D" in tracts of eighty (80) acres each; Class "E" and Class "F" into tracts of one hundred and sixty (160) acres each; provided, however, at least five (5) acres of the lands to be homesteaded

must be capable of actual cultivation and production, except where such land consists in whole of rocky, prairie land.

3. That the Senate recede from Senate amendment No. 3.

4. That the Senate recede from Senate amendment No. 4 and your Conference Committee recommends that the following amendment be adopted in lieu thereof:

After the word "state" on line 28, page 5, by striking the remainder of said line and all of lines 29 and 30 and insert in lieu thereof the following:

"The said Commissioners of the Land Office shall thereupon certify such fact to the County Clerk of the County in which such land is situated, and after such certification said tract of land shall be offered for sale and sold by the Board of County Commissioners of such county under existing laws, as though this Act had never passed."

Respectfully submitted,

Senate Conferees:	House Conferees:
PAUL STEWART,	J. H. DANIEL,
CLAUD BRIGGS,	R. C. GARLAND,
JOE M. WHITAKER.	FERMAN PHILLIPS.

Engrossed House Bill No. 682, as amended in conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carmack, Chamberlin, Clark, Currutt, Dixon, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 28.

Nays: Ballard, Coppock, Jennings, Rizley, Rutherford. Total, 5.

Not voting: Carlile, Commons, Hutchinson, Pugh, Ray, Whitaker. Total, 6.

Absent: Daugherty, Logan, Morrison, Powers.  
Total, 4.

Excused: Fidler. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate, was declared passed.

Engrossed House Bill No. 682, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 30—By COX, WRIGHT, ARMSTRONG, WINGO, WILLIAMS, WILMOT, ALLEN, O'NEILL, ULMARK and Burnham, entitled:

A Concurrent Resolution declaring that it was not the intention of the Legislature, in enacting House Bill No. 416 of the Fourteenth Legislature of the State of Oklahoma, to repeal by implication the provisions of Chapter 280 Oklahoma Session Laws 1929, same being Section 12545 to 12548, inclusive, Oklahoma Statutes 1931,

and to advise you, and, through you, the Honorable Senate, that the same has been signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled House Concurrent Resolution No. 30 was signed, in open session by the President, and ordered returned to the Honorable House.



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To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 20—By MARTIN, entitled:

An Act making appropriations from the General Revenue Fund of the State of Oklahoma for all State educational, eleemosynary and Penal Institutions, and from the revolving fund of certain institutions; providing for the appropriation and distribution of the new college funds in accordance with Section 5626, Oklahoma Statutes, 1931, to the institutions entitled to the same, and providing for the appropriation and distribution of Section 13 funds as provided in Section 5464, Oklahoma Statutes 1931, to the institutions entitled to the same, and appropriating the Public Building Fund to certain institutions herein specified, 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 in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 20 was read at length for the fourth time, the enrolled copy signed, in open session by the President, and ordered returned to the Honorable House. To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 27—By MacDONALD, 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 30, 1934, and June 30, 1935, by functions of each Department in accordance with the budget classifications adopted by the Governor,

together with Conference Committee Report, and to advise you, and through you, the Honorable Senate, that the same has been adopted by the House of Representatives, and the Bill has been passed AS AMENDED by said Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 27, together with the Conference Committee Report thereon, was ordered referred for enrollment.

Senator Nichols was recognized upon a point of personal privilege.

Senator Stewart presiding.

Senator Nance asked unanimous consent, which was granted, to withdraw HOUSE JOINT RESOLUTION NO. 1, by Cloyd, from the committee on Retrenchment and Reform and place it upon the Calendar.

By unanimous consent, the Senate proceeded to call the roll on the emergency section to HOUSE JOINT RESOLUTION NO. 47, by Munson and Johnson, of the House, and Nance, of the Senate.

The question being, "Shall the Resolution become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Curnutt, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 30.

Not Voting: Carlile, Commons, Coppock, Dixon, Hutchinson, Pugh, Ray, Sowards, Whitaker. Total, 9.

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Absent: Daugherty, Logan, Morrison, Powers.  
Total, 4.

Excused: Fidler. 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. 47, and ordered the same transmitted to the Honorable House.

By unanimous consent, the Senate proceeded to call the roll on HOUSE BILL NO. 649, by Leecraft, et al.

HOUSE BILL NO. 649 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 32.

Nays: Ballard. Total, 1.

Not Voting: Carlile, Coppock, Ray, Sowards, Wal-drep, Whitaker. Total, 6.

Absent: Daugherty, Logan, Morrison, Powers.  
Total, 4.

Excused: Fidler. 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: Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchin-

son, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 32.

Nays: Ballard. Total, 1.

Not Voting: Carlile, Coppock, Ray, Sowards, Waldrep, Whitaker. Total, 6.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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. 649, and ordered the same transmitted to the Honorable House.

By unanimous consent, the Senate proceeded to the consideration of HOUSE JOINT RESOLUTION NO. 40, by Brazell, et al, under third reading.

HOUSE JOINT RESOLUTION NO. 40 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Wilbanks, Willis. Total, 26.

Nays: Curnutt, Howard, Thomas. Total, 3.

Not voting: Carlile, Dixon, Hutchinson, Liggett, Paul, Pugh, Ray, Reed, Waldrep, Whitaker. Total, 10.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. Total, 1.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.



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Upon motion of Senator MacDonald, the emergency section to House Joint Resolution No. 40 was ordered stricken.

The question being "Shall the title of the Bill become the title of the Act?" Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Joint Resolution No. 40, by striking therefrom the words "AND DECLARING AN EMERGENCY."

MacDONALD.

House Joint Resolution No. 40, as amended, was referred for engrossment.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 274 and 504, correctly engrossed, Senate Concurrent Resolution No. 25, correctly engrossed, and Senate Bills Nos. 27, 51, and 197, each, correctly enrolled.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 274, as amended, and 504, as amended, and ordered, each, returned to the Honorable House.

The President Pro Tempore, in open session, signed Engrossed Senate Concurrent Resolution No. 25 and ordered it transmitted to the Honorable House for consideration.

Senate Bills Nos. 27 and 197 were, each, read at length 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.

Senator Pugh presiding.

Senate Bill No. 51 was read at length 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.

President Pro Tempore Stewart presiding.

Senator MacDonald moved that the request of the Honorable House, for a further conference on Engrossed House Bill No. 625, be granted, and three additional Senate Conferees appointed.

The motion prevailed and the Presiding Officer appointed as additional conferees thereunder, Senators Dixon, Nance, and Briggs.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to adopt the Conference Committee Report on:

ENGROSSED HOUSE BILL NO. 65—By MAL-  
LORY, entitled:

An Act amending Section 12040, Oklahoma Statutes, 1931, pertaining to the Confederate pensions, and declaring an emergency,  
and asks your Honorable Body for a further Conference thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Commons, the request of the Honorable House was granted for a conference on House Bill No. 65 and the Senate Conferees heretofore appointed, were re-appointed as the Conferees thereunder.

Senator Commons moved that House Bill No. 730, by Shoemake et al, be considered, which motion prevailed.

Senator Moon asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

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The President: I move to amend House Bill No. 730, by adding at the end of Section 1, the following: "providing further, that when a vacancy shall occur in any office before the beginning of the new term of an officer, who shall have been elected to succeed himself and which vacancy shall be filled by appointment, a vacancy shall be deemed to again occur and be filled by appointment, as above provided at the beginning of such new term for which such officer shall have been elected."

MOON.

Upon motion of Senator Commons, House Bill No. 730, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Commons, House Bill No. 531, by Albright, Daniel and Fitzgerald, was advanced to engrossment and third reading.

### THIRD READING

Senator Willis asked unanimous consent, which was granted, to consider under third reading, House Bill No. 629, by Hankla, of the House, and Willis of the Senate.

House Bill No. 629 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Memminger, Moon, Nance, Nichols, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Carlile, Dixon, Liggett, MacDonald, Paul, Pugh, Ray, Taylor. Total, 8.

Absent: Daugherty, Logan, Morrison, Powers. Total 4.

Excused: Fidler. Total, 1.

The Bill having received the constitutional major-

ity 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: Ballard, Briggs, Carmack, Chamberlin, Clark Commons, Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Memminger, Moon, Nance, Nichols, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Carlile, Dixon, Liggett, MacDonald, Paul, Pugh, Ray, Taylor. Total, 8.

Absent: Daugherty, Logan, Morrison, Powers. Total 4.

Excused: Fidler. 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. 629, and ordered the same transmitted to the Honorable House.

Senator Rizley asked unanimous consent, which was granted, to consider under third reading, HOUSE BILL NO. 527, by Cox.

HOUSE BILL NO. 527 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Memminger. Total, 1.



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Not Voting: Carlile, Clark, Nance, Ray, Thomas.  
Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total  
4.

Excused: Fidler. 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: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Memminger. Total, 1.

Not Voting: Carlile, Clark, Nance, Ray, Thomas.  
Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total,  
4.

Excused: Fidler. 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. 527, and ordered the same transmitted to the Honorable House.

Senator Jennings asked unanimous consent, which was granted, to consider HOUSE BILL NO. 320, by King, Landingham, et al.

Senator Jennings submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 320,

by striking all of said bill and substituting in lieu thereof, the following:

SUBSTITUTE FOR HOUSE BILL NO. 320—By KING, LANDINGHAM and WATSON.

AN ACT DIVIDING CREEK COUNTY, OKLAHOMA INTO THREE LEGISLATIVE FILING DISTRICTS; DEFINING SUCH DISTRICTS; PROVIDING FOR THE FILING BY CANDIDATES FOR THE OFFICE OF REPRESENTATIVE IN THE LEGISLATURE; PROVIDING FOR THE NOMINATION AND ELECTION OF SUCH CANDIDATES FOR THE REMAINDER OF THE DECENNIAL PERIOD ENDING ON THE 15TH DAY AFTER THE GENERAL ELECTION IN 1942.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. That during the decennial period ending the 15th day after the general election in 1942, for the purpose of electing representatives for Creek County, Oklahoma, to the Legislature of the State of Oklahoma, said Creek County, Oklahoma, is to be divided into three legislative filing districts, the same to be numbered and to be co-extensive with, and the same as, the commissioners' districts in said Creek County, Oklahoma, as now established or hereafter altered or changed, and in order to file as a candidate in either of such filing districts the candidate must be a resident of such district and the names of the candidates so filing shall be nominated in the regular and run-off primary elections held in the county as the candidates of their respective parties, and shall be elected to the offices of representatives of said County in the general election held in said County for that purpose. All persons filing as candidates for party nominations and those selected as candidates at primaries to be elected in the gen-

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eral election shall be voted on by the electors of the county at large.

SECTION 2. The provisions of this Act shall in no way interfere with persons desiring to enter the race on independent tickets as the law now provides, except that any such independent candidates must make their filing from the districts and must be residents of such districts.

JENNINGS.

Upon motion of Senator Jennings, House Bill No. 320 was advanced to engrossment and third reading.

By unanimous consent, the following bills were considered under third reading:

HOUSE BILL NO. 670 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Memminger. Total, 1.

Not Voting: Carlile, Clark, Nance, Ray, Thomas. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard,

Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Memminger. Total, 1.

Not Voting: Carlile, Clark, Nance, Ray, Thomas. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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. 670, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 477 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Memminger. Total, 1.

Not Voting: Carlile, Clark, Nance, Ray, Thomas. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Memminger. Total, 1.

Not Voting: Carlile, Clark, Nance, Ray, Thomas. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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. 477, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 663 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. - Total, 33.

Nays: Memminger. Total, 1.

Not Voting: Carlile, Clark, Nance, Ray, Thomas. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Memminger. Total, 1.

Not Voting: Carlile, Clark, Nance, Ray, Thomas. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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. 663, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 677 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Memminger. Total, 1.

Not Voting: Carlile, Clark, Nance, Ray, Thomas.  
Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total,  
4.

Excused: Fidler. 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: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Memminger. Total, 1.

Not Voting: Carlile, Clark, Nance, Ray, Thomas.  
Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total,  
4.

Excused: Fidler. 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. 677, and ordered the same transmitted to the Honorable House.

HOUSE BILL NO. 320 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDon-

ald, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Memminger. Total, 1.

Not Voting: Carlile, Clark, Nance, Ray, Thomas. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDon-ald, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep. Whitaker, Wilbanks, Willis. Total, 33.

Nays: Memminger. Total, 1.

Not Voting: Carlile, Clark, Nance, Ray, Thomas. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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. 320, and ordered the same transmitted to the Honorable House.

#### MESSAGES

The following Messages from the Honorable House were received and read:



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To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has withdrawn their request for a Conference on:

ENGROSSED HOUSE BILL NO. 236—By PHIL-LIPS (Okfuskee), entitled:

An Act amending Section 12625, Oklahoma Statutes 1931, relating to the duties, powers and authority of the State Board of Equalization; providing additional powers and authority as to equalization and adjustment of certain property; authorizing the Oklahoma Tax Commission to make investigations, hold hearings, and make additional findings and recommendations relating to the valuation and equalization of property subject to ad valorem taxation; providing for forms for listing property for ad valorem taxation; requiring information from local officers relating to the assessment of property; providing for hearings of county officials and aggrieved taxpayers; repealing conflicting laws; and declaring an emergency, and the Conferees have been discharged.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 236—By PHIL-LIPS (Okfuskee), entitled:

An Act amending Section 12656, Oklahoma Statutes 1931, relating to the duties, powers and authority of the State Board of Equalization; providing additional powers and authority as to equalization and adjustment of certain

property; authorizing the Oklahoma Tax Commission to make investigations, hold hearings, and make additional findings and recommendations relating to the valuation and equalization of property subject to ad valorem taxation; providing for forms for listing property for ad valorem taxation; requiring information from local officers relating to the assessment of property; providing for hearings of county officials and aggrieved taxpayers; repealing conflicting laws; and declaring an emergency, and the Bill has been passed AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Presiding Officer of the House has named Representative Hill in lieu of Representative Gray as one of the additional Conferees on:

ENGROSSED HOUSE BILL NO. 625—By COMMITTEE ON APPROPRIATIONS, entitled:

A Bill to be entitled an act making an appropriation from the General Revenue Fund and other funds, for the purpose of paying claims against certain State departments and institutions hereinafter set out; and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Liggett submitted the following committee report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Joint Resolution No. 40 and House Bill No. 179, correctly engrossed.

LIGGETT, Chairman.

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The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Joint Resolution No. 40, as amended, and ordered returned to the Honorable House.

Senator Garvin asked unanimous consent, which was granted, to take up for consideration, HOUSE BILL NO. 517, by Daniel, et al.

Section 1 was read.

Senator Garvin submitted the following amendment, which was tabled, upon motion of Senator Nance:

Mr. President: I move to amend House Bill No. 517, pages 1 to 23, by changing the amount of the salaries for State Officers to conform with the amounts appropriated in the Departmental Bill, as follows:

Governor -----	\$6,000.00
Lieutenant Governor -----	1,000.00
Secretary of State -----	3,400.00
State Auditor -----	4,000.00
State Treasurer -----	4,000.00
Attorney General -----	4,800.00
Commissioner of Charities and Correction -----	3,000.00
Chief Mine Inspector ----	3,000.00
President, Board of Agriculture -----	4,000.00
State Examiner and Inspector -----	4,000.00
Commissioner of Labor---	2,880.00
Insurance Commissioner --	4,000.00
Superintendent of Public Instruction -----	4,000.00
Clerk of Supreme Court--	3,360.00
Justice of Supreme Court--	6,000.00
Justice of Criminal Court of Appeals -----	6,000.00
Corporation Commissioners	4,000.00

GARVIN.

Upon motion of Senator Garvin, House Bill No. 517 was advanced to engrossment and third reading.

Upon motion of Senator Garvin, the rules of the Senate were suspended and House Bill No. 517 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 517 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Dixon, Fischl, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Curnutt, Howard, Jennings, Moon, Rutherford, Stewart. Total, 6.

Not Voting: Carlile, Coppock, Hutchinson, Thomas, Waldrep. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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 House Bill No. 517, and ordered the same transmitted to the Honorable House.

#### THIRD READING

Senator Ray asked unanimous consent, which was granted, to consider under third reading, HOUSE BILL NO. 179, by Graham.

HOUSE BILL NO. 179 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:



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Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Dixon, Fischl, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Waldrep, Wilbanks, Willis. Total, 30.

Not Voting: Briggs, Commons, Garvin, Hutchinson, Liggett, Reed, Rutherford, Thomas, Whitaker. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Dixon, Fischl, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Waldrep, Wilbanks, Willis. Total, 30.

Not Voting: Briggs, Commons, Garvin, Hutchinson, Liggett, Reed, Rutherford, Thomas, Whitaker. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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 amendments to and Engrossed House Bill No. 179, as amended, and ordered the same transmitted to the Honorable House.

Senator Ballard asked unanimous consent, which was granted, to take up for consideration, HOUSE JOINT RESOLUTION NO. 32, by Babb, Sturgell, et al.

House Joint Resolution No. 32 was read at length.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend House Joint Resolution No. 32, line 11, page 12, by adding after the word "city" and before the word "at", the following: "In the event there shall be a vacancy, by reason of the death, removal or disqualification of any of the delegates, the remaining delegates at the convention, hereinafter provided for, shall select a successor for such deceased, removed or disqualified delegate, provided, however, such successor shall be from the same congressional district as his predecessor, and shall be of the same belief, with reference to repeal or against repeal, as the belief of the man whom the delegate is selected to succeed."

BALLARD, COMMONS.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend House Joint Resolution No. 32, line 14, page 10, as follows, by adding after the word "conventions", the following: "In the event of the vacancy in either temporary county chairman or temporary congressional chairman, the Secretary of the State Election Board shall have the authority and vested with the authority to re-appoint in case of any vacancy or refusal to act by anyone so appointed.

"In the event the person selected as a candidate for congressional delegate shall die, leave the state or otherwise become disqualified, the vacancy so created shall be filled by a majority vote of the permanent county chairman of the congressional district, provided, that no county chairman favoring repeal shall participate

in the selection of a delegate to fill the vacancy against repeal, and no county chairman against repeal shall participate in selecting a delegate to fill a vacancy for repeal."

BALLARD, COMMONS.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend House Joint Resolution No. 32, by striking the words and figures "18th day of May" in line 2, page 2, and inserting the words and figures "1st day of July"; and by striking the words and figure "first Tuesday in June", line 8, page 2, and substituting in lieu thereof "third Tuesday in July," and by striking the words and figure "first Tuesday in June," line 4, page 4, and substituting the words and figure "third Tuesday in July"; and by striking the word "June" in line 13, page 5, and substituting the word "August"; and by striking the words and figures "16th day of May" in line 10, page 6, and inserting the words and figure "1st day of July;" and by striking the word "June", line 16, page 7, and inserting the word "August"; and by striking the word "June" in line 8, page 8, and inserting the word "August."

BALLARD, COMMONS.

Upon motion of Senator Ballard, House Joint Resolution No. 32 was advanced to engrossment and third reading.

Senator Ballard moved that the Senate work under a call of the House, which motion prevailed.

Upon roll call, the following members were noted "absent": Senators Daugherty, Hutchinson, Liggett, Logan, Morrison, Powers, Sowards, Thomas, Whitaker and Wilbanks.

The Sergeant-at-Arms was instructed to bring all absent members into the Senate Chamber.

**Senators Hutchinson, Whitaker and Wilbanks** asked to be recorded "present", which was the order.

Senator Briggs asked unanimous consent, which was granted, to take up for consideration under third reading, HOUSE BILL NO. 592, by Carmack of the House, and Briggs of the Senate.

Senator Paul asked unanimous consent to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 592, line 10, page 5, by striking the figures "10,000" and inserting the figures "5,000" and amend the title accordingly.

PAUL.

HOUSE BILL NO. 592 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Fischl, Howard, Johnston, Lester, MacDonald, Moon, Nance, Nichols, Paul, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Whitaker, Wilbanks. Total, 24.

Nays: Ballard, Curnutt, Dixon, Jennings, Reed, Willis. Total, 6.

Not Voting: Carmack, Garvin, Hutchinson, Liggett, Memminger, Pugh, Sowards, Thomas, Waldrep. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Chamberlin, Clark,



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Commons, Coppock, Curnutt, Dixon, Fischl, Howard, Jennings, Johnston, Lester, MacDonald, Moon, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Carmack, Garvin, Hutchinson, Liggett, Memminger, Pugh, Sowards, Thomas, Waldrep. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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. 592 was referred for re-engrossment.

Senator Ritzhaupt asked unanimous consent, which was granted, to consider under third reading, HOUSE BILL NO. 686, by Phillips (Okfuskee).

Senator Ritzhaupt asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 686, line 4, page 1, by striking the word "of" and before the word "member" the word and figure "thirteen (13)" and inserting the word and figure "fifteen (15)."

RITZHAUPT.

HOUSE BILL NO. 686 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Rizley. Total, 1.

Not Voting: Briggs, Coppock, Dixon, Hutchinson, Liggett, Sowards, Thomas. Total, 7.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Rizley. Total, 1.

Not Voting: Briggs, Coppock, Dixon, Hutchinson, Liggett, Sowards, Thomas. Total, 7.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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. 686 was referred for re-engrossment.

Upon motion of Senator Commons, HOUSE BILL NO. 582, by Gray, was advanced to engrossment and third reading.

Upon motion of Senator Commons, the rules of the Senate were suspended and House Bill No. 582, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 582 was read for the third time at length.

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The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Garvin, Jennings, Johnston, Lester, Memminger, Moon, Nance, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 27.

Nays: Coppock. Total, 1.

Not Voting: Briggs, Fischl, Howard, Hutchinson, Liggett, MacDonald, Nichols, Rutherford, Sowards, Thomas, Wilbanks. Total, 11.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Memminger. Total, 1.

Not Voting: Carlile, Clark, Nance, Ray, Thomas. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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. 582, and ordered the same transmitted to the Honorable House.

Senator Waldrep asked unanimous consent, which was granted, to take up for consideration, HOUSE BILL NO. 669, by Kight and others, of the House, and Reed and Nance, of the Senate.

Senator Memminger asked unanimous consent, which was granted, to submit the following amendment, which, by unanimous consent, was withdrawn:

Mr. President: I move to amend House Bill No. 669, line 18½, page 2, by adding the following: "Such association or society, organized subsequent to the enactment of this Act, shall deposit the sum of \$100.00 in cash, with the Bank Commissioner to guarantee the payment of any necessary expenses or examination of such association or society, prior to its opening for business."

MEMMINGER.

Senator Whitaker submitted the following amendment:

Mr. President: I move to amend House Bill No. 669, at the end of line 14, page 14 by inserting the following: "provided, however, no loans shall be made on a plan for re-payment that requires the payment by installments on any savings certificate or any other instrument other than the note or other evidence of indebtedness."

WHITAKER.

Senator Reed moved to table the Whitaker amendment, which motion failed of adoption.

Senator Nance, as a substitute, moved that House Bill No. 669 be advanced to engrossment and third reading.

Senator Whitaker moved to table the Nance motion, which motion failed of adoption, the roll call thereon being as follows:



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Ayes: Ballard, Carmack, Curnutt, Liggett, Moon, Ray, Sowards, Stacey, Whitaker. Total, 9.

Nays: Coppock, Howard, Hutchinson, Jennings, Lester, Memminger, Nance, Paul, Pugh, Reed, Ritzhaupt, Rizley, Stewart, Waldrep, Willis. Total, 15.

Not voting: Briggs, Carlile, Chamberlin, Clark, Commons, Dixon, Fischl, Garvin, Johnston, MacDonald, Nichols, Rutherford, Taylor, Thomas, Wilbanks. Total, 15.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. Total, 1.

Senator Nance, as a substitute, moved that further consideration of House Bill No. 669 be deferred until 4:30 p. m. this date, which motion prevailed.

Upon motion of Senator Nance, HOUSE BILL NO. 294, by Hogg and Jones, was advanced to engrossment and third reading.

Senator Hutchinson asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 294, by striking all of the italicised words on pages 8 and 9.

#### HUTCHINSON.

Senator Waldrep asked unanimous consent, which was granted, to take up for consideration, HOUSE BILL NO. 445, by Smalley and Abernathy.

Senator Waldrep submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 445, line 7, page 1, by striking after the word "county" and before the word "be" the word "shall" and inserting the word "may" and by striking all of lines 5, 6, 7, and 8, page 3, and inserting the following: "or

may provide a salary of not to exceed \$200.00 per month."

WALDREP.

Upon motion of Senator Waldrep, House Bill No. 445 was advanced to engrossment and third reading.

Senator Reed asked unanimous consent, which was granted, to consider HOUSE BILL NO. 219, by Collins.

Senator Reed asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 219, as follows: Amendment No. 1. Amend the title of the bill, after the word "seed" and before the word "and", by inserting the following: "and making an appropriation for the fiscal year ending June 30th, 1934, and fiscal year ending June 30th, 1935.

Amendment No. 2. Adding a new Section to be numbered Section 8, and re-numbering Section 8 as Section 9: "Section 8. There is hereby appropriated out of any money in the general revenue fund not otherwise appropriated for the fiscal year ending June 30, 1934, and the fiscal year ending June 30, 1935, for the Board of Agriculture performing the services formerly performed by the State Plant Board, the following sums:

	Fiscal Year Ending June 30, 1934	Fiscal Year Ending June 30, 1935
Seed Analyst	\$1,800.00	\$1,800.00
Laboratory Analyst	1,500.00	1,500.00
Two Traveling Seed Inspectors at \$1,500.00 each	3,000.00	3,000.00
Traveling Expenses	1,000.00	1,000.00
Communication	150.00	150.00
Fees and Laboratory		

Supplies	150.00	150.00
Total	\$7,600.00	\$7,600.00''

REED.

Senator Paul submitted the following amendment which was adopted:

Mr. President: I move to amend the Reed amendment, as follows: by striking the following:

“Seed Analyst                      \$1,800.00      \$1,800.00,”  
and by changing the totals to comply with the same  
and correcting the bill to comply therewith.

PAUL.

The vote occurring on the Reed amendment, as amended, it was declared adopted.

Senator Rizley asked unanimous consent, which was granted, to consider HOUSE CONCURRENT RESOLUTION NO. 22, by Cox, et al, of the House, and Rizley and Taylor of the Senate.

House Concurrent Resolution No. 22 was read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 22.—By COX, WILLIAMS, WRIGHT, ALLEN and WILMOT of the HOUSE, and RIZLEY and TAYLOR of the SENATE.

A CONCURRENT RESOLUTION AUTHORIZING THE APPOINTMENT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE STATE OF OKLAHOMA TO REPRESENT THE STATE OF OKLAHOMA IN AN EFFORT TO SECURE A COMPACT BETWEEN THE STATES OF TEXAS AND OKLAHOMA SETTLING THE CONTROVERSY AS TO THE TRUE LOCATION OF THE BOUNDARY BETWEEN SAID STATES IN THE DISPUTED AREA WHICH HAS BEEN THE SUBJECT OF LITIGATION IN THE

SUPREME COURT OF THE UNITED STATES; AUTHORIZING THE PAYMENT OF NECESSARY EXPENSES OUT OF FUNDS ALREADY APPROPRIATED TO PAY EXPENSES OF THE FOURTEENTH LEGISLATURE TO DEFRAY THE EXPENSES INCIDENT TO NEGOTIATING FOR SAID SETTLEMENT BETWEEN SAID STATES; PROVIDING THAT CERTIFIED COPIES OF THIS RESOLUTION BE FURNISHED THE GOVERNOR AND PRESIDING OFFICERS OF THE STATE LEGISLATURE OF TEXAS.

WHEREAS, The northern boundary line of the Panhandle of Texas, and the southern boundary line of the Panhandle of Oklahoma are in dispute, which results in constant confusion due to the fact that the States of Oklahoma and Texas are each asserting jurisdiction and attempting to exercise sovereignty over the disputed strip, which makes it impossible for the property owners to pay taxes in either State and jeopardizes the title to both real and personal property, and brings about interminable confusion in the enforcement and administration of the laws; and

WHEREAS, There are various other disputes between the State of Texas and the State of Oklahoma as to the true boundary line between said States, which disputes have been pending for many years without adjustment and results in loss of revenue to each State through taxation and jeopardizes the title to property situated in the vicinity of said disputed area; and

WHEREAS, All disputed questions of boundary should be settled by compact between the states with the ratification of the Congress of the United States and thereby save the useless and unnecessary expense and labor incident to adjusting and determining the



true boundary lines by litigation instituted in the Supreme Court of the United States; and

WHEREAS, The State Legislature of the State of Texas on the 17th day of February, 1933, passed a resolution similar to this resolution, carrying the same appropriation and calling for the same number of members of a committee to work out the above disputed question of boundary;

NOW, THEREFORE BE IT RESOLVED, by the House of Representatives the Senate concurring therein, that a committee consisting of four members of the House of Representatives, to be selected by the Speaker, and two members of the Senate, to be selected by the Lieutenant Governor, be appointed to represent the State of Oklahoma, in bringing about the execution of a compact between the two States to settle the controversy as to the true location of the boundary line between the States of Oklahoma and Texas in this disputed area; that such boundary line be by compact definitely established; that such compact between the States be submitted to the Fourteenth Legislature of the State of Oklahoma for ratification, and that said committee use its good offices to bring about the submission of such compact to the Legislature of Texas and to the Congress of the United States, for approval and ratification; and

BE IT FURTHER RESOLVED, That the necessary expenses incident to the execution of the compact not to exceed Five Hundred (\$500.00) Dollars, and such other expenses as may be necessary for surveying and determining the true boundary line if necessary, be paid as follows:

One-half of said expense to be paid out of funds appropriated by the Fourteenth Legislature for the expense of operating the House of Representatives, and one-half of said expense to be paid out of funds appropriated by the Fourteenth Legislature for the

expense of operating the Senate, on vouchers signed by the members of the committee from the respective houses; and

BE IT FURTHER RESOLVED, That a certified copy of this resolution be immediately furnished to the Governor of the State of Texas and to the presiding officers of the Senate and the House of Representatives of Texas, and that they be notified that the presiding officers of the House of Representatives and the Senate of the State of Oklahoma have selected a committee to negotiate with a similar committee appointed by the presiding officers of the Senate and the House of Representatives of the State of Texas, to negotiate a compact between the two states as soon as possible to the end that these matters may be settled, adjusted and confirmed during the present sessions of the Legislature of the States of Texas and Oklahoma.

Upon motion of Senator Rizley, House Concurrent Resolution No. 22 was adopted.

The President Pro Tempore, in open session, signed Engrossed House Concurrent Resolution No. 22 and ordered it returned to the Honorable House.

Upon motion of Senator Commons, HOUSE BILL NO. 260, by Ellis, et al., was advanced to engrossment and third reading.

Senator Coppock moved that House Bill No. 373, by Albright, et al be advanced to engrossment and third reading.

Senator Ray, as a substitute, moved that House Bill No. 373 be stricken from the Calendar, which motion prevailed.

Senator Willis submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 592 and 686 correctly engrossed.

WILLIS, Vice-Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 592 and 686, each as amended, and ordered the bills returned to the Honorable House.

President Burns presiding.

Senator Stacey asked unanimous consent, which was granted, to consider under third reading, HOUSE BILL NO. 681, by Roberts, et al., of the House.

HOUSE BILL NO. 681 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Commons, Coppock, Curnutt, Howard, Hutchinson, Johnston, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Waldrep, Willis. Total, 23.

Nays: Moon. Total, 1.

Not Voting: Briggs, Chamberlin, Clark, Dixon, Fischl, Garvin, Jennings, Lester, Liggett, Rutherford, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 15.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. Total, 1.

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 Stacey, the emergency section was ordered stricken.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Stacey submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 681, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

STACEY.

House Bill No. 681, as amended, was ordered referred for engrossment.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 503 correctly engrossed.

LIGGETT, Chairman.

Senator MacDonald asked unanimous consent, which was granted, to consider HOUSE BILL NO. 503, by Coe. HOUSE BILL NO. 503 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Carlile, Carmack, Commons, Coppock, Currutt, Howard, Hutchinson, Johnston, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Waldrep, Whitaker, Willis. Total, 25.

Nays: Ballard. Total, 1.

Not Voting: Briggs, Chamberlin, Clark, Dixon, Fischl, Garvin, Jennings, Lester, Liggett, Rutherford, Taylor, Thomas, Wilbanks. Total, 13.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 503, as amended and ordered the bill returned to the Honorable House.

Upon the request of Senator Pugh, the roll was ordered called upon House Bill No. 437, by Wingo.

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: Ballard, Carlile, Carmack, Commons, Coppock, Curnutt, Howard, Hutchinson, Johnston, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Stewart, Waldrep, Whitaker, Willis. Total, 24.

Nays: Rizley. Total, 1.

Not Voting: Briggs, Chamberlin, Clark, Dixon, Fischl, Garvin, Jennings, Lester, Liggett, Rutherford, Sowards, Taylor, Thomas, Wilbanks. Total, 14.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. Total, 1.

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 Pugh, the emergency section to House Bill No. 437 was ordered stricken.

The question being "Shall the title of the Bill become the title of the Act?" Senator Pugh submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 437 by striking therefrom the words, "AND DECLARING AN EMERGENCY."

PUGH.

House Bill No. 437, as amended, was referred for re-engrossment.

Senator Morrison asked to be recorded "present," which was the order.

Senator Coppock moved that HOUSE JOINT RESOLUTION NO. 53, by Cox, et al, be advanced to engrossment and third reading.

Senator Ballard, as a substitute, moved that House Joint Resolution No. 53 be stricken from the Calendar, which motion failed of adoption.

The vote occurring on the Coppock motion, it was declared adopted.

Senator Coppock moved that the rules of the Senate be suspended and House Joint Resolution No. 53 be considered engrossed and placed upon third reading and final passage, which motion failed of adoption.

Senator MacDonald presiding.

### SPECIAL COMMITTEE REPORT

Senator Whitaker submitted the following Special Committee Report:

Mr. President: We, your special committee appointed to prepare amendments to Engrossed House Bill No. 132, beg leave to report that we have considered the same and recommend that Section 1 be amended to read as follows:

“SECTION 1. Section 12,678, Oklahoma Statutes, 1931, is hereby amended to read as follows:

“Section 12,678. When the Excise Board shall have ascertained the total assessed valuation of the property taxed ad valorem in the county and in each municipal subdivision thereof, and shall have computed the total of the several items of appropriations for current expense and sinking fund purposes *and each special purpose* for the county and each municipal subdivision thereof, *after first deducting therefrom any cash surplus balance from the previous year or years, the said Excise Board shall add to the remainder a reserve for the delinquent taxes, the amount of which shall be determined by the said Board, after taking into consideration the amount of uncollected ad valorem taxes for the previous year immediately preceding the next preceding taxable year and the percentage of collections from sources other than ad valorem taxes for the two preceding taxable years; provided that the reserve so added shall not exceed 20% or be less than 10% ; Provided further, that the amount of the reserve so determined and added shall not be subject to review. The Excise Board shall there-*

upon make the levies therefor after deducting from the total so computed the amount of any surplus balance *for the preceding year or years, which is represented by ad valorem taxes in the process of collection*, together with the amount of the probable income of each from all sources other than ad valorem taxation; provided, that in no event shall the amount of such estimated income exceed the actual collections from such source for the previous fiscal year. The rates of levy for *current expense, sinking fund and other purposes authorized by law* shall be separately made and stated, and the revenue accruing therefrom *respectively, when collected, shall be credited to separate fund accounts to be designated and known respectively as the general fund, sinking fund and special funds according to the purposes of the levy*. If and when a surplus of cash shall accrue in any fund account the same shall forthwith be transferred to the same fund for the next succeeding year. Said levies when so made shall be certified to the officer whose duty it is to make up the tax rolls. The Secretary of the Excise Board shall immediately certify the appropriation so made by the Excise Board to the Clerk or other issuing officer of the municipality for which the same is made. The several items of the estimate as made and approved by the Excise Board for each fiscal year shall constitute and are hereby declared to be an appropriation of funds for the several and specific purposes named in such estimate, and the appropriations thus made shall not be used for any other fiscal year or purposes whatsoever. Each clerk or other issuing officer shall open and keep an account with the amount of each item of appropriation showing the purpose for which the same is appropriated and the date, number and amount of each warrant drawn thereon. No warrant or certificate of indebtedness in any form, shall be issued, approved, signed, attested or registered on or against any appropriation for a purpose other than for which

the said appropriation was made, or in excess of the amount thereof.

*The financial statement required by Section 12674, Oklahoma Statutes 1931, as amended by House Bill No. 317, enacted by the Fourteenth Legislature, shall be compiled so as to show the condition of every fund separately. Due consideration and effect shall be given therein to the probable collection of delinquent taxes as to which a reserve shall be stated and taken into account in an amount equivalent only to the reserve computed at the beginning of the year on that portion of the total budget that was financed by tax levy."*

Respectfully submitted,

JOE M. WHITAKER, Chairman.

Upon motion of Senator Whitaker, the Special Committee Report was adopted.

Upon motion of Senator Whitaker, HOUSE BILL NO. 132, as amended was advanced to engrossment and third reading.

Upon motion of Senator Whitaker, the rules of the Senate were suspended and House Bill No. 132, as amended, was considered engrossed and placed upon third reading and final passage.

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: Ballard, Carlile, Carmack, Commons, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Whitaker, Willis. Total, 25.

Nays: Coppock, Curnutt. Total, 2.

Not Voting: Briggs, Chamberlin, Clark, Dixon, Fischl, Garvin, Lester, Rutherford, Taylor, Thomas, Waldrep, Wilbanks. Total, 12.



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Absent: Daugherty, Logan, Morrison, Powers.  
Total, 4.

Excused: Fidler. 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. 132, as amended, was referred for re-engrossment.

Senator Nance asked unanimous consent, to which objections were voiced, to take up for consideration, HOUSE BILL NO. 187, by Kight and Batson.

Senator Stewart moved that a committee of three be appointed to re-draft Section 23 of House Bill No. 187.

Senator Nance, as a substitute, moved that the Senate proceed to the consideration of House Bill No. 187.

Senator Ballard, in lieu of all pending motions, moved that House Bill No. 187, together with proposed amendments thereto, be ordered printed and set for Special Order at 10:00 a. m., on the next legislative day, which motion prevailed.

Senator Paul moved that the following proposed amendment be printed in House Bill No. 187: By providing, following Section 23, "The Commission by a majority vote may remove for cause the Secretary or any employee of the School Land Commission."

Senator Ballard asked unanimous consent, which was granted, to take up for consideration HOUSE JOINT RESOLUTION NO. 32, by Babb, et al.

Senator Ballard asked unanimous consent, which was granted, to strike Section 5.

Upon motion of Senator Ballard, the rules of the Senate were suspended and House Joint Resolution No. 32, as amended, was considered engrossed and placed upon third reading and final passage.

HOUSE JOINT RESOLUTION NO. 32 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Commons, Dixon, Fischl, Garvin, Howard, Jennings, Lester, MacDonald, Moon, Morrison, Nichols, Paul, Ray, Ritzhaupt, Rizley, Rutherford, Stewart, Whitaker, Wilbanks. Total, 23.

Nays: Carmack, Clark, Coppock, Curnutt, Johnston, Memminger, Nance, Pugh, Reed, Stacey, Thomas, Willis. Total, 12.

Not Voting: Hutchinson, Liggett, Sowards, Taylor, Waldrep. Total, 5.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. Total, 1.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

House Joint Resolution No. 32, as amended, was ordered referred for re-engrossment.

Upon the request of Senator Commons, HOUSE BILL NO. 191, by Sturgell, was considered under third reading.

HOUSE 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: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Clark, Coppock. Total, 2.

Not Voting: Ballard, Garvin, Liggett, Rutherford, Sowards, Taylor. Total, 6.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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. 191, and ordered the same transmitted to the Honorable House.

Senator Morrison moved that the vote be re-considered by which the Senate failed to pass HOUSE BILL NO. 462, notwithstanding the veto of the Governor, which motion prevailed, on a standing vote, there being more than twenty-three affirmative votes.

Senator Morrison moved that House Bill No. 462 become a law, notwithstanding the veto of the Governor.

The question being, "Shall House Bill No. 462, notwithstanding the veto of the Governor, pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Coppock, Curnutt, Dixon, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis.  
Total, 34.

Nays: Carlile, Commons, Pugh. Total, 3.

Not Voting: Howard, Liggett, Taylor. Total, 3.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. Total, 1.

The Bill 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 House Bill No. 462, notwithstanding the veto of the Governor, become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Coppock, Curnutt, Dixon, Fischl, Garvin, Hutch-

inson, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Carlile, Commons, Pugh. Total, 3.

Not Voting: Howard, Liggett, Taylor. Total, 3.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. Total, 1.

The emergency having received the constitutional three-fourths majority of the votes of all members elected to and constituting the Senate was declared passed.

House Bill No. 462 was ordered returned to the Honorable House.

Senator Waldrep moved that HOUSE BILL NO. 58 become a law, notwithstanding the veto of the Governor.

The question being, "Shall House Bill 58, notwithstanding the veto of the Governor, pass?" the roll was called with the following results:

Ayes: Clark, Coppock, Curnutt, Dixon, Fischl, Garvin, Hutchinson, Johnston, MacDonald, Moon, Morrison, Nance, Paul, Ray, Reed, Ritzhaupt, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 22.

Nays: Ballard, Briggs, Carlile, Carmack, Commons, Howard, Jennings, Lester, Memminger, Nichols, Pugh, Rizley, Rutherford. Total, 13.

Not Voting: Chamberlin, Liggett, Sowards, Taylor, Thomas. Total, 5.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. Total, 1.

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.

House Bill No. 58 was ordered returned to the Honorable House.



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Senator Jennings sent up the following explanation of his vote:

Mr. President: I have voted "no" on the re-consideration of House Bill No. 58. I supported this measure when the same was considered and passed by the Senate. However, this bill has been returned by the Chief Executive with his disapproval, and the re-consideration of the measure, notwithstanding the disapproval or veto of the Governor, under the provisions of Section 11, Article 6, is a passage of the bill within the meaning of Section 33, Article 5 of the Constitution which provides, "No revenue bill shall be passed during the five last days of the Session." The measure in question is a revenue raising measure and the Sine Die adjournment of this Session has been fixed for the 22nd instant.

For these reasons, I have voted "no" on re-consideration.

#### JENNINGS.

Senator Whitaker moved that the rules of the Senate be suspended and HOUSE BILL NO. 260, by Ellis, et al., be considered engrossed and placed upon third reading and final passage, which motion prevailed.

HOUSE BILL NO. 260 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Clark, Curnutt, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Coppock, Dixon, Hutchinson, Rizley, Rutherford, Stewart. Total, 6.

Not voting: Chamberlin, Commons, Liggett, Sowards, Taylor, Thomas. Total, 6.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Clark, Curnutt, Dixon, Fischl, Garvin, Howard, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Coppock, Hutchinson, Rutherford. Total, 3.

Not voting: Chamberlin, Commons, Liggett, Sowards, Taylor, Thomas. Total, 6.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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. 260, as amended, was ordered referred for engrossment.

HOUSE BILL NO. 669 was read for the third time at length.

The question being "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Clark, Commons, Coppock, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Waldrep, Willis. Total, 25.

Nays: Ballard, Curnutt, Dixon, Moon, Stewart, Whitaker. Total, 6.

Liggett, Sowards, Taylor, Thomas, Wilbanks. Total, 9.

Not voting: Chamberlin, Fischl, Garvin, Howard,

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Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Clark, Commons, Coppock, Dixon, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep, Willis. Total, 30.

Nays: Curnutt, Moon, Whitaker. Total, 3.

Not voting: Chamberlin, Howard, Liggett, Sowards, Taylor, Thomas, Wilbanks. Total, 7.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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. 669, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Commons, the Senate recessed, to meet at 8:00 p. m.

#### EVENING SESSION

At 8:00 p. m., the Senate re-assembled with the President presiding.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 25—By BRIGGS, STEWART, MacDONALD and NANCE of the Senate and HENDERSON and KIGHT of the House, entitled:

A Resolution memorializing Congress urging the passage by Congress of an Act appropriating funds for Federal Aid Highway construction, to be distributed among the various States of the Union for the relief and to provide work for the unemployed.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 26—By COMMONS of the Senate, and BATSON of the House, entitled:

A Resolution providing for compiling, indexing and publishing the Session Laws of the Regular Session of the Fourteenth Legislature of the State of Oklahoma, and providing for the payment of the costs thereof, as provided by law,  
and to advise you, and, through you, the Honorable Senate, that the same have been adopted by the House of Representatives and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Concurrent Resolutions Nos. 25 and 26 were, each, ordered referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE JOINT RESOLUTION NO. 21—By MacDONALD, HUTCHINSON, WHITA-



KER, WILBANKS, CURNUTT, MEMMINGER, NANCE, RAY, FISCHL, and PAUL of the Senate; REMUND, EBY (Tulsa), BOYER, JOHNSON (Osage), SULLIVAN, CLOYD, OTTESEN, KIRKPATRICK, TIMMONS, WRIGHT, DANIEL, ARMSTRONG, BATSON, PAXTON, of the House.

A Resolution authorizing the Governor to appoint and commission Charles F. Barrett, the Adjutant General, as Lieutenant General without additional pay or emolument.

ENGROSSED SENATE JOINT RESOLUTION NO. 24—By NICHOLS, PAUL, GARVIN, WHITAKER, SOWARDS, LOGAN, LESTER, NANCE, REED, RAY, FISCHL and CARLILE of the Senate, and CAVINS, ANGLIN, and BATSON of the House.

A Joint Resolution ordering a Special Election to be held on the 15th day of August, 1933, on the proposed amendment of Section 9, Article 10 of the constitution of Oklahoma set forth in Senate Joint Resolution No. 1 of the Fourteenth Legislature of the State of Oklahoma.

ENGROSSED SENATE BILL NO. 30—By MacDONALD and CHAMBERLIN of the Senate; and PHILLIPS of the House.

This is an Act making an appropriation to pay the mileage of the Oklahoma Presidential electors, who convened at the Capitol of the State of Oklahoma on the 4th day of January, 1933, in Oklahoma City, in obedience to the Act of Congress approved May 29, 1928; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Joint Resolutions Nos. 21 and 24, Engrossed Senate Bill No. 30 were, each, ordered referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 177—By CHAMBERLIN, entitled:

An Act providing that one-half of the annual salary paid to one of the attorneys in the State Banking Department shall be paid out of the Building and Loan Fund; repealing all laws and parts of laws in conflict herewith,

ENGROSSED SENATE BILL NO. 339—By JOHNSTON, entitled:

An Act empowering the several counties of the State to assume the obligation of road construction bonds issued by the various townships, and used for paving of the county and state type; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bills Nos. 177 and 339 were, each, ordered referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 324—By WALDREP and SOWARDS and JOHNSTON, entitled:

An Act authorizing municipal corporations owning or operating electric light plants and distribution systems to

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extend their lines or services beyond the corporate limits of the city, and to erect poles, lines, wires, apparatus, substations, and to do other things necessary to provide electric service or to supply current to any other person, firm or corporation to the same extent as may be done within the limits of such corporation, and declaring an emergency,

ENGROSSED SENATE BILL NO. 420—By NICHOLS and FIDLER, entitled:

An Act requiring producers, refiners, processors and purchasers of oil or casinghead gas to prepare and file with the Oklahoma Tax Commission, within sixty days after the passage and approval of this Act, or upon demand of said Commission, amended reports showing the source of such oil or casinghead gas, by wells and leaseholds; requiring producers, refiners, processors and purchasers of oil or casinghead gas to procure permits from the Oklahoma Tax Commission; providing for the disposition of taxes collected where the source of such oil or casinghead gas cannot be determined; authorizing injunctions; prescribing penalties; repealing 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bills Nos. 324 and 420, were each ordered referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED SENATE BILL NO. 340—By WALDREP, entitled:

An Act amending Section 1, Chapter 93, Session Laws

of Oklahoma 1927, the same being Section 6252, Oklahoma Statutes 1931, relating to the refunding of street improvement bonds, making other and further provisions with reference thereto; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 340 was ordered referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 17—By CHAMBERLIN, COMMONS, NICHOLS and NANCE, entitled:

A Concurrent Resolution fixing the day and hour of the sine die adjournment of the Regular Session of the 14th Legislature of the State of Oklahoma, and to advise you, and, through you, the Honorable Senate, that the same has been signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 17 was ordered referred to the Secretary of State.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 51—By PUGH and WILLIS, entitled:



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An Act providing for a state-wide and uniform schedule of salaries and compensation for county judges, county attorneys, sheriffs, county clerks, court clerks, county treasurers, county assessors, county superintendents, county commissioners and county surveyors, based upon area and the federal decennial census of 1930, and providing the payment of a mileage to each sheriff and deputy sheriff of the state in addition to the salaries provided by law, in lieu of actual and necessary expenses incurred on official business, and fixing the compensation that shall be paid each sheriff for keeping, feeding and maintaining prisoners, repealing all Acts and parts of Acts in conflict therewith,

and to advise you, and, through you, the Honorable Senate, that the same has been read for the fourth time, and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 51 was ordered referred to the Governor for consideration.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 197—By NANCE, entitled:

An Act setting out the manner and procedure for a city to become an incorporated town, providing for the election of officers of said incorporated town, providing that the incorporated town shall assume the debts of said city; and declaring an emergency, and,

ENROLLED SENATE BILL NO. 27—By MacDONALD, 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 30, 1934, and June 30, 1935, by functions of each department in accordance with the budget classifications adopted by the Governor,

ENROLLED SENATE BILL NO. 58—By NANCE, CHAMBERLIN, COMMONS, MORRISON, NICHOLS, WHITAKER     MacDONALD of the SENATE, and MOONEY, COLLINS, KIRKPATRICK, LANDINGHAM, BURNHAM, WILLIAMS, HANKLA, TURNER, STURGELL, LEECRAFT of the HOUSE, entitled:

An Act requiring the County Treasurer to collect from the successful bidder at any tax resale held in the State of Oklahoma, in addition to the amount bid upon the property, an amount sufficient to defray all costs of preparing, listing and advertising the lot, parcel, or tract of real estate purchased by said successful bidder at said sale, providing for the distribution of the proceeds from the sale of real estate made by the County Commissioners, after title is acquired by the county at the sale of said property at resale and providing that all real estate acquired by the county at the annual resale, and remaining unsold, may be sold by the County Commissioners at public sale on or after the expiration of a period of one year; providing for the distribution of the proceeds of said sales and providing for the redemption of property by the former owner; providing for the payment of all expenses incurred by the county in the conduct of an annual resale, or any sale of property by the county; providing that this Act shall apply exclusively to real estate situated in incorporated cities and towns and to real estate subdivided for townsite purposes, heretofore acquired by the county; and providing for the management of any real estate acquired by the county, by the Board of County Commissioners; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 27, 58 and 197 were, each, ordered referred to the Governor for consideration.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker has appointed Representatives Cline and Bennett, as additional conferees on:

ENGROSSED HOUSE BILL NO. 220—By JUDICIAL REDISTRICTING COMMITTEE, HOUSE OF REPRESENTATIVES.

An Act creating twenty-three district court judicial districts in the State of Oklahoma; fixing time for convening court in the various counties of said districts; providing for the nomination and election of judges thereof; repealing Sections 3838 to 3857, inclusive, Oklahoma Statutes, 1931, and all other Acts and parts of Acts in conflict therewith; restricting the effective date of certain provisions of this Act; providing that the validity of any part or portion of this Act will not affect other parts or portions thereof, and has appointed Representative Kirkpatrick as Conferee in lieu of Representative Babb.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 517—By DANIEL,

HENDERSON, WHITFORD, CAVINS, O'NEILL and GLEN, entitled:

An Act fixing the salaries of elective officers of the State of Oklahoma, repealing conflicting laws, and

ENROLLED HOUSE BILL NO. 582—By GRAY, entitled:

An Act amending Section 5444, Oklahoma Statutes 1931, relating to the revolving fund of the Oklahoma Agricultural and Mechanical College at Stillwater, Oklahoma, creating a contingent fund for said college, providing for the expenditure thereof, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 517 and 582 were, each, read at length for the fourth time, the enrolled copies signed in open session by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 605—By MOONEY of the HOUSE, and NANCE of the SENATE, entitled:

An Act authorizing a representative of the estate of James E. Powell, deceased, or his surviving widow to bring suit against the State of Oklahoma for the benefit of the said estate or for the benefit of said wife and minor children, for damages resulting from the death of James E. Powell, deceased; providing that if judgment is recovered therefor that the same shall be paid from the general funds in the State Treasury not otherwise appropriated and appropriating \$5,000.00 or so much thereof as may be neces-



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sary for the payment of the judgment rendered, and declaring an emergency, and

ENROLLED HOUSE BILL NO. 415—By McELHANEY and MISENHEIMER, entitled:

An Act amending Section 4806, Oklahoma Statutes, 1931, relating to licenses for hunting and fishing 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 Presiding Officer in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 415 and 605 were, each, read at length for the fourth time, the enrolled copies signed in open session by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 629—By HANKLA of the HOUSE and WILLIS of the SENATE, entitled:

An Act amending Section 6604 Oklahoma Statutes 1931, relating to the nomination and election of city marshals and street commissioners in cities situated in two counties, and declaring an emergency, and

ENROLLED HOUSE JOINT RESOLUTION NO. 47—By MUNSON and JOHNSON of the HOUSE and NANCE of the SENATE, entitled:

A Joint Resolution authorizing a representative of the estate of C. C. Gray, of Cache, Oklahoma, or his surviving wife, to bring suit against the State of Oklahoma, to determine the amount of damages, if any, suffered by the reason of the death of her husband, an employee of the

State Highway Department, incurred in the line of duty, and declaring an emergency, and

ENROLLED HOUSE BILL NO. 649—By LEE-CRAFT, HENDERSON, GRAY, MASSEY, DUKE, TURNER, WORTHINGTON, MALLORY, STURGELL, MOONEY, HANKLA, KING, JONES, entitled:

An Act relating to the expenditure of money by counties for farm demonstration work and home demonstration work including 4-H Club work, in cooperation with the United States Department of Agriculture and the Oklahoma Agricultural and Mechanical College, authorizing the Excise Board to make levy to provide funds in order to cooperate with the Department of Agriculture and the Oklahoma Agricultural and Mechanical College, amending Section 8775, Oklahoma Statutes, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 629 and 649, and Enrolled House Joint Resolution No. 47 were each, read at length for the fourth time, the enrolled copies signed in open session by the President and ordered returned to the Honorable House.

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State,

ENROLLED SENATE BILL NO. 12—By STACEY of the SENATE and ROBERTS of the HOUSE

An Act to protect borrowers from building and loan associations in the event of the insolvency of the associa-

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tion, by providing that the borrower shall receive credit on his indebtedness for the full amount of principal paid on his loan, and accumulated premiums; repealing conflicting Acts; and declaring an emergency, which bill having passed the Senate and House of Representatives was presented to me April 14th and held by me, without action thereon, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this April 21st, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State,

ENROLLED SENATE BILL NO. 265—By JOHN-  
STON

An Act establishing moratorium and providing ways, means and procedure for opening banks in charge of the State Banking Department; and declaring an emergency which bill having passed the Senate and House of Representatives was presented to me April 14th and held by me, without my action thereon, for more than five days, (Sundays excepted) whereby the same became a law.

Witness my hand, this April 21st, 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Willis submitted the following Committee report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 132, 260, and 437 correctly engrossed; Senate Joint Resolutions Nos. 21, 24, Senate Bills Nos. 30, 177, 339 and 420, each, correctly enrolled.

WILLIS, Vice-Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bills Nos. 132, as amended, 260, as amended, and 437, as amended, and ordered, each, returned to the Honorable House.

Senate Joint Resolutions Nos. 21 and 24 and Senate Bills Nos. 30, 177, 339 and 420, were, each, read at length for the fourth time, the enrolled copies signed in open session by the President 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,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 399—By JENNINGS, entitled:

An Act amending Section 5964, Oklahoma Statutes, 1931, relating to liability of Officers of Counties, Townships, Cities, Towns or School Districts, and every person, for the unauthorized, unlawful or fraudulent payment of money or transfer of property belonging to any such municipality, and providing a penalty in such cases, and for recovery thereof at the suit of proper officers or taxpayers; and also amending Section 5965, Oklahoma Statutes, 1931, relating to the right of a resident taxpayer after the proper officers of such municipality have failed or refused to institute and diligently prosecute such suit or suits upon written notice and demand therefor, by the resident taxpayers of such municipality to institute and prosecute in the name of the State of Oklahoma, as plaintiff, action for the recovery of money or property or the value thereof, or penalty on account of the unauthorized, unlawful or fraudulent expendi-



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ture or transfer of money or transfer of property belonging to any County, Township, City, Town or School District, by any officer or officers of any such municipality or any person, and for the payment of one-half of the recovery in any such suit or suits, to such taxpayer as a reward; and 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 passed by the House of Representatives and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 399 was ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House of Representatives has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 274—By CHAMBERS.

An Act authorizing and directing the Board of Public Affairs to execute a release and waiver to school District No. 7, Tulsa County, Oklahoma, of all rights and authority the State of Oklahoma has to explore and develop oil and gas and its right to join in or agree to the execution of a lease for the development and exploration of oil and gas on the Southeast Quarter of the Northeast Quarter, and the Northeast Quarter of the Southeast Quarter of Section Eleven, Township Eighteen North, Range Fourteen East of Indian Base and Meridian, containing eighty acres according to the United States Government survey thereof, and which rights,

authority and privileges were referred to and reserved to the State of Oklahoma, in Senate Joint Resolution No. 23 of the regular session of the Sixth Legislature of the State of Oklahoma; and declaring an emergency, and

ENGROSSED HOUSE BILL NO. 504—By CLOYD, LEECRAFT, GRAHAM, MARTIN, BROADDUS, and SHOEMAKE.

An Act authorizing Leo D. Harman, Sr., formerly a captain in the Oklahoma National Guard to bring suit against the State of Oklahoma for injuries sustained in the line of duty as a soldier, providing that if judgment is entered in his favor, that the same shall be paid from the General Funds of the State appropriation not to exceed \$2500.00 for the purpose of payment of any judgment rendered, and declaring an emergency, and

ENGROSSED HOUSE BILL NO. 37—By GLEN and SMALLEY.

An Act abolishing the Superior Court of Pottawatomie County; providing for the disposition of all cases pending in said Court; providing effective date of Act; and declaring an Emergency, and the same have been passed as amended.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House of Representatives has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 320—By KING, LANDINGHAM and WATSON.

An Act dividing Creek County, Oklahoma, into three legislative nominating districts for the purpose of nominating candidates for the Legislature by the

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various legally constituted political parties, to become candidates in the general election to the House of Representatives of the State of Oklahoma, for the remainder of the decennial period ending on the 15th day after the general election in 1942, and,

ENGROSSED HOUSE BILL NO. 686—By PHILLIPS (Okfuskee).

An Act to provide for the appointment of a board to be known as the "Coordinating Board", such board to be charged with the duty of co-ordinating and unifying the system of higher education in this State; providing the term of office, and the powers and duties of such board; and repealing Sections 6756, 6757, and 6758, of the Oklahoma Statutes of 1931, and,

ENGROSSED HOUSE BILL NO. 503—By COE.

An Act requiring preference to be given to persons, firms and corporations doing business in this State in the purchase of materials and supplies for the State, County and the Municipalities and sub-divisions thereof,

ENGROSSED HOUSE BILL NO. 319—By CLOYD.

An Act creating a Court Fund, providing procedure for the expenditure thereof, and declaring an emergency,

and the same have passed AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the Honorable President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House of Representatives has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 592—By GARLAND of the House, and BRIGGS of the Senate:

An Act authorizing a representative of the estate

of Gordon Stringer, deceased, or his surviving wife, to bring suit against the State of Oklahoma for the benefit of the estate or for the benefit of the said wife and minor children, for damages resulting from the death of Gordon Stringer, deceased; providing that if judgment is recovered thereon that the same shall be paid from the General Funds in the State Treasury not otherwise appropriated and appropriating \$10,000.00 or so much thereof as may be necessary for the payment of the judgment rendered, and declaring an emergency, and

ENGROSSED HOUSE JOINT RESOLUTION NO. 40—By BRAZELL, FRALEY, CLINE and EASON,

A Joint Resolution authorizing E. W. Marland of Ponca City, Oklahoma to bring suit against the State to recover certain income and other taxes alleged to have been illegally collected from him by the State, and declaring an Emergency, and the same has been passed as amended.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Joint Resolution No. 32 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Joint Resolution No. 32, 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,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 309—By MORRISON, entitled:

An Act amending Section 1, Chapter 60, Session Laws of Oklahoma 1927 (Section 7114 Oklahoma Statutes 1931) authorizing military reservations to be attached to Independent School Districts for school purposes, providing procedure therefor, providing for the disposition of taxes for school purposes levied against railroads and other corporations and their franchises and property on said reservation, repealing all the laws 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 AS AMENDED and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 309 were read, as follows, and upon motion of Senator Morrison, concurred in by the Senate:

AMENDMENT NO. 1. Beginning with the word "Amending" in the title of the Bill, strike all of the words and figures down to and including "1931."

AMENDMENT NO. 2. In Section 1, Line 4, Page 1, strike the word "immediately."

AMENDMENT NO. 3. In Section 1, Line 3, Page 1, add the letter "s" to the word "district."

Senate Bill No. 309, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Clark, Commons, Coppock, Howard, Hutchinson, Jennings, Johnston, Les-

ter, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Not Voting: Carlile, Chamberlin, Curnutt, Dixon, Fischl, Garvin, Ray, Rizley, Sowards, Wilbanks. Total, 10.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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: Ballard, Briggs, Carmack, Clark, Commons, Coppock, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Not Voting: Carlile, Chamberlin, Curnutt, Dixon, Fischl, Garvin, Ray, Rizley, Sowards, Wilbanks. Total, 10.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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 Engrossed House Amendments to Engrossed Senate Bill No. 309 and ordered the bill, as amended, referred for enrollment.

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To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 65—By MALLORY, entitled:

An Act amending Section 12040 Oklahoma Statutes 1931 pertaining to the confederate pensions, and declaring an emergency,  
together with Conference Committee Report, and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted and the bill has been passed AS AMENDED by said Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Conference Committee Report on House Bill No. 65 was read as follows, and, upon motion of Senator Briggs, adopted by the Senate:

To the Speaker of the House of Representatives, and  
President of the Senate,  
SIRS:

We, your Conference Committee appointed by the House and Senate to confer over Senate amendments to House Bill 65, by Mallory, being an Act entitled:

"An Act amending Section 12,040, Oklahoma Statutes 1931, pertaining to the confederate pensions, and declaring an emergency,"

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from Senate Amendment No. 1.

2. That the Senate recede from Senate Amendment No. 2.

3. That the Senate recede from Senate Amend-

ment No. 3, and your conference committee recommends in lieu thereof the following proviso, to-wit:

“Provided, that inmates of the Confederate Home at Ardmore, Oklahoma, may deposit any part, or all of the proceeds of their pension with the superintendent of said home and the same shall be subject to withdrawal in whole or part, at any time upon demand of the pensioner, and provided, further, that the said superintendent is hereby authorized to act as trustee for such funds as may be deposited with him under this provision; and in case of death of the pensioner having any funds on deposit or in custody of the said superintendent, the same shall be subject to be expended in defraying the expense of the funeral of such deceased pensioner; if any balance remaining in his hands after payment of funeral expenses, it shall be paid by said superintendent to the next of kin of said deceased entitled thereto, unless the same shall have been disposed of by will.

Respectfully submitted,

Senate Conferees:	House Conferees:
S. W. CARMACK,	J. H. MALLORY,
CLAUD BRIGGS,	HENRY CLAY KING,
PAUL STEWART,	ARTHUR GRUNERT.

House Bill No. 65, as amended in conference, was read at length.

The question being, “Shall the Bill pass?” the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 32.

Nays: Jennings. Total, 1.

Not Voting: Fischl, Howard, Hutchinson, Ray, Rutherford, Sowards, Wilbanks. Total, 7.



Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 32.

Nays: Jennings. Total, 1.

Not Voting: Fischl, Howard, Hutchinson, Ray, Rutherford, Sowards, Wilbanks. Total, 7.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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. 65, together with Conference Committee Report thereon, was ordered returned to the Honorable House.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 372—By MORRISON, NICHOLS, RITZHAUPT, MOON and WALDREP, entitled:

An Act relating to the State Board of Barber Examiners and to the practice of barbering in this State; repealing Section 17, Article 2, Chapter 24, Oklahoma Session Laws, 1931; amending Sections 12, 13, 14, 15, 16,

18, 21, 24 and 25, of said Article, declaring certain Acts to be unlawful and fixing penalties for violation thereof.

ENGROSSED SENATE BILL NO. 363—By CARMACK, entitled:

An Act appropriating \$2,500.00 out of the revolving fund of the Oklahoma State Reformatory, at Granite, Oklahoma, to be used as a cash emergency fund for said institution, providing for the replenishment thereof; and declaring an emergency, and to advise you, and, through you, the Honorable Senate, that the same have been passed AS AMENDED and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 363 were read, as follows, and, upon motion of Senator Carmack concurred in by the Senate:

AMENDMENT NO. 1. Page 1, Section 2, Lines 9, 10 and 11. Beginning with the word "freight" in Line 9 and striking the following: "freight or express charges, postage, rewards for escapes, expenses of guards pursuing such escapes, and in payment of other."

AMENDMENT NO. 2. Page 1, Section 2, Line 11. After the word "bills" and before the word "upon" in Line 11 insert the following: "for livestock, and farm products to be used in the institution."

Senate Bill No. 363, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 35.

Nays: Coppock. Total, 1.

Not Voting: Fischl, Hutchinson, Sowards, Wilbanks. Total, 4.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 35.

Nays: Coppock. Total, 1.

Not Voting: Fischl, Hutchinson, Sowards, Wilbanks. Total, 4.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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 Engrossed House Amendments to Engrossed Senate Bill No. 363 and ordered the bill, as amended, referred for enrollment.

Engrossed House Amendments to Engrossed Senate Bill No. 372 were read as follows, and, upon motion of Senator Nichols concurred in by the Senate:

AMENDMENT NO. 1. Page 1, Section 2, Line 19. By striking the words and figures "Ten (\$10.00) Dollars," and inserting in lieu thereof the words and figures "Five (\$5.00) Dollars."

AMENDMENT NO. 2. Page 1, Section 2, Line 27.  
By striking the words "or County Physician."

AMENDMENT NO. 3. Page 3, Section 4, Line 14.  
By striking the words and figures "Three (\$3.00) Dollars" and inserting in lieu thereof the words and figures "One (\$1.00) Dollar."

AMENDMENT NO. 4. Page 3, Section 5, Lines 31, 32 and 33. By striking all words and figures after the word "Act" in line 31, down to and including the word "apprentice" in line 33.

AMENDMENT NO. 5. Page 3, Section 4, Line 8.  
By striking the words "or County Physician."

AMENDMENT NO. 6. Page 5, between Section 6a and Section 7, Lines 5 and 6. By adding a Section to be known as Section 6b, said Section to read as follows:

"Section 23, Article 2, Chapter 24, Oklahoma Session Laws, 1931, is hereby amended to read as follows:

"Section 23. Each Member of the State Board of Barber Examiners shall be paid the sum of Seven Dollars (\$7.00) per day and actual traveling expenses while in actual discharge of his duties as herein provided. Said per diem salary of each member not to exceed thirteen hundred dollars (\$1,300.00) in any one year, provided the Secretary of said Board may receive a per diem not to exceed eighteen hundred dollars (\$1,800.00) in any one year."

AMENDMENT NO. 7. Page 5, Section 7, Lines 18 and 19. By striking the words and figures "Three (\$3.00) Dollars" and inserting in lieu thereof the words and figures "One (\$1.00) Dollar."

Senate Bill No. 372, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Mem-



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mingers, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Willis. Total, 32.

Nays: Ballard, Coppock, Whitaker. Total, 3.

Not Voting: Carlile, Fischl, Rizley, Sowards, Wilbanks. Total, 5.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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, in open session, signed Engrossed House Amendments to Engrossed Senate Bill No. 372 and ordered the bill, as amended, referred for enrollment.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill Nos. 165, 219 and 681, each, correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 681, as amended and ordered it returned to the Honorable House.

#### COMMITTEE REPORT

By unanimous consent, the following Committee Report was submitted, the bill ordered printed and placed upon the Calendar:

Mr. President: We, your Committee on Roads and Highways to whom was referred Engrossed House Bill No. 126, by Kight, Fraley and Wooten, entitled:

An Act amending Sections 3700 and 3704 of the Oklahoma Statutes of 1931 with reference to motor vehicles, repealing all laws in conflict, and declaring an emergency,

beg leave to report that we had the same under con-

sideration and herewith return the same and recommend the passage of Committee Substitute for Engrossed House Bill No. 126.

BRIGGS, Chairman.

Senator Curnutt presiding.

Upon motion of Senator Commons, HOUSE JOINT RESOLUTION NO. 1, by Cloyd, was advanced to engrossment and third reading.

Upon motion of Senator Commons, 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Morrison, Nance, Nichols, Pugh, Ray, Reed, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas. Total, 30.

Nays: Memminger, Waldrep, Whitaker, Willis. Total, 4.

Not voting: Fischl, Howard, Paul, Ritzhaupt, Sowards, Wilbanks. Total, 6.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon,

Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Moon, Morrison, Nance, Nichols, Pugh, Ray, Reed, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas. Total, 30.

Nays: Memminger, Waldrep, Whitaker, Willis. Total, 4.

Not voting: Fischl, Howard, Paul, Ritzhaupt, Sowards, Wilbanks. Total, 6.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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 Joint Resolution No. 1, and ordered the same transmitted to the Honorable House.

Senator Ballard moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call, the following members were recorded "not present": Senators Daugherty, Fischl, Howard, Logan, Powers, Rizley, Rutherford, Sowards and Wilbanks.

The Sergeant-at-Arms was instructed to notify all members to come into the Senate Chamber.

Senator Rutherford asked to be recorded "present," which was the order.

Senator Ray moved that the Senate proceed to the consideration of HOUSE BILL NO. 532, by Fitzgerald, et al, under third reading.

Senator Carmack, as a substitute, moved that the Senate proceed to the consideration of third reading of HOUSE BILL NO. 573, by Phillips (Okfuskee) and Ottesen, which motion was tabled, upon motion of Senator Paul.

Upon motion of Senator Paul, the previous question was ordered.

The vote occurring on the Ray motion, it was declared adopted.

Senators Fischl and Rizley asked to be recorded "present," which was the order.

Senator Ray asked unanimous consent, which was granted, to submit the following amendment to House Bill No. 532, which was adopted:

Mr. President: I move to amend House Bill No. 532, line 13, page 8, by inserting after the word "day" and before the word "ten" the words "not to exceed" and by inserting after the word "total" in line 13 and before the word "of" the word "take".

RAY.

HOUSE BILL NO. 532 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Commons, Curnutt, Dixon, Fischl, Garvin, Jennings, Johnston, Lester, Memminger, Moon, Morrison, Nichols, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stewart, Thomas. Total, 23.

Nays: Chamberlin, Clark, Coppock, Hutchinson, Liggett, MacDonald, Nance, Paul, Pugh, Sowards, Stacey, Taylor, Waldrep, Whitaker, Willis. Total, 15.

Not voting: Howard, Wilbanks. Total, 2.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

By unanimous consent, the emergency section to House Bill No. 532 was ordered stricken.

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



House Bill No. 532, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

RAY.

House Bill No. 532, as amended, was ordered referred for engrossment.

Senator Wilbanks asked to be recorded "present," which was the order.

Senator Dixon moved that the vote be re-considered by which House Bill No. 532 was passed, which was tabled, upon motion of Senator Commons.

Upon motion of Senator Commons HOUSE BILL NO. 573 was considered under third reading.

HOUSE BILL NO. 573 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Garvin, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 27.

Nays: Clark, Coppock, Dixon, Hutchinson, Jennings, Rizley, Rutherford, Stacey, Wilbanks. Total, 9.

Not voting: Fischl, Howard, Morrison, Sowards. Total, 4.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Dixon, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul,

Pugh, Reed, Ritzhaupt, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total 30.

Nays: Clark, Coppock, Hutchinson, Stacey, Wilbanks. Total, 5.

Not voting: Howard, Ray, Rizley, Rutherford, Sowards. Total, 5.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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. 573, and ordered the same transmitted to the Honorable House.

Senator Chamberlin moved that the vote be reconsidered by which House Bill No. 573 was passed, which motion was tabled, upon motion of Senator Briggs.

Senator Paul moved that the Senate consider HOUSE BILL NO. 165, by Spear, under third reading, which motion prevailed.

HOUSE 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Ray, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Coppock, Thomas. Total, 2.

Not Voting: Dixon, Howard, Pugh, Reed, Rizley, Sowards. Total, 6.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Ray, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Coppock, Thomas. Total, 2.

Not Voting: Dixon, Howard, Pugh, Reed, Rizley, Sowards. Total, 6.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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 amendments to and Engrossed House Bill No. 165, as amended, and ordered the same transmitted to the Honorable House.

Senator Briggs asked unanimous consent, which was granted, to consider under third reading, HOUSE JOINT RESOLUTION NO. 51, by Babb and Stewart.

HOUSE JOINT RESOLUTION NO. 51 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Dixon, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Reed, Ritz-

haupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 31.

Nays: Curnutt, Paul, Waldrep, Willis. Total, 4.

Not Voting: Howard, Nance, Ray, Rutherford, Sowards. Total, 5.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Dixon, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 31.

Nays: Curnutt, Paul, Waldrep, Willis. Total, 4.

Not Voting: Howard, Nance, Ray, Rutherford, Sowards. Total, 5.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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 Joint Resolution No. 51, and ordered the same transmitted to the Honorable House.

Senator Coppock asked unanimous consent, which was granted, to take up under third reading, HOUSE BILL NO. 219, by Collins.

HOUSE BILL NO. 219 was read for the third time at length.



The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Rutherford, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Nance, Waldrep. Total, 2.

Not Voting: Dixon, Howard, Paul, Ray, Rizley, Sowards, Stewart. Total, 7.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Rutherford, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Nance, Waldrep. Total, 2.

Not Voting: Dixon, Howard, Paul, Ray, Rizley, Sowards, Stewart. Total, 7.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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 amendments to and Engrossed House Bill No.

219, as amended, and ordered the same transmitted to the Honorable House.

President Burns presiding.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 422—By BALLARD of the SENATE and GARLAND of the HOUSE, entitled:

An Act ordering a special election to be held in the State of Oklahoma on the 11th day of July, 1933 for the express purpose of referring House Bill No. 647 of the Fourteenth Legislature to a vote of the people; prescribing ballot title; creating a special fund to be used for the purpose of paying the expenses of said election; providing the procedure for disbursing said fund, providing that if any portion of the Act is held invalid such fact shall not affect the remaining provisions, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 422 was ordered referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

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ENGROSSED HOUSE BILL NO. 260—By ELLIS, OTTESEN, FRALEY, BATSON, GRUNERT, COLLINS, SPECK, ALBRIGHT, JOHNSON (Comanche), ABERNATHY (Harmon), WINGO, HANKLA, BENNETT, KIRKPATRICK, LANDINGHAM, MOONEY, MALLORY, GLEN, HINDS, HARP, WILLIAMS, STURGILL, LINDSEY, SPEARS, JONES, LEECRAFT, BILLINGS, HART, COE, JOHNSON (Osage), SULLIVAN, COX, entitled:

An Act relating to the filing of tax protests; and amending Section 12,306, Oklahoma Statutes, 1931, with reference to the time and manner of filing of protests; providing for the time and manner of hearing of protests by the Excise Board and for the filing of bond by the protestant; providing for an appeal from the Excise Board of the Court of Tax Review; amending Sections 12,307 and 12,310, of the Statutes of Oklahoma, 1931; repealing all laws in conflict therewith and declaring an emergency, and asks your Honorable Body for a Conference thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Whitaker moved that the request of the Honorable House for a conference on Engrossed House Bill No. 260 be granted and the presiding officer appoint five Senate Conferees thereunder, which motion prevailed.

The President appointed as Senate Conferees thereunder, Senators Whitaker, Rutherford, Stacey, Ballard and Hutchinson.

Upon motion of Senator Nance, Senators Paul and Commons were added as additional Senate Conferees under House Bill No. 260.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 236—By PHILLIPS (Okfuskee), entitled:

An Act amending Section 12656, Oklahoma Statutes 1931, relating to the duties, powers and authority of the State Board of Equalization; providing additional powers and authority as to equalization and adjustment of certain property; authorizing the Oklahoma Tax Commission to make investigations, hold hearings and make additional findings and recommendations relating to the valuation and equalization of property subject to ad valorem taxation; providing for forms for listing property for ad valorem taxation; requiring information from local officers relating to the assessment of property; providing for hearings of county officials and aggrieved taxpayers; repealing conflicting laws,  
and to advise you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 236 was read at length for the fourth time, the enrolled copy signed, in open session by the President, and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 670—By WILLIAMS, entitled:

An Act authorizing the Board of Trustees and the president of said Board of the Town of Texhoma, Texas County, Oklahoma, to remit and refund all penalties or interest on delinquent paving taxes and assessments in paving districts numbers 1 and 2, of said town, providing conditions therefor and authorizing and directing the



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County Treasurer of Texas County to collect said paving taxes and assessments without collecting said interest and penalties, and declaring an emergency,

ENROLLED HOUSE BILL NO. 663—By CAVINS and GRUNERT, entitled:

An Act authorizing the County Commissioners of Carter County, Oklahoma, to pay the sum of three hundred fifty-eight dollars, to the Hardy Sanitarium of Ardmore, for professional services rendered Mr. Vernon Cason, a deputy sheriff of Carter County, Oklahoma, as a result of an accident incurred by him in line of duty, and declaring an emergency.

ENROLLED HOUSE BILL NO. 477—By WHITFORD, entitled:

An Act repealing Sections 8159 to 8168, inclusive, Oklahoma Statutes 1931; same being special salary act relating to Nowata County only 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 477, 663 and 670 were, each, read at length for the fourth time, the enrolled copies signed, in open session by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 677—By WILLIAMS, entitled:

An Act authorizing the mayor and the city council of the city of Hooker, Texas County, Oklahoma, to remit and refund all penalties or interest on delinquent

paving taxes and assessments in paving districts number 1, 2, 3, 4, 5, 6, 7, and 8 of said city; providing conditions therefor and authorizing and directing the County Treasurer of Texas County to collect said paving taxes and assessments without collecting said interest and penalties, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 677 was read at length for the fourth time, the enrolled copy signed, in open session by the President, and ordered returned to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 369 and 532, correctly engrossed and Senate Concurrent Resolutions Nos. 25, and 26, Senate Bills Nos. 309, 324, 340, 363, 372 and 399, each, correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 532, as amended, and ordered the bill returned to the Honorable House.

The President, in open session, signed enrolled Senate Concurrent Resolutions Nos. 25 and 26 and ordered, each, transmitted to the Honorable House, for the signature of the Speaker.

Senate Bills Nos. 309, 324, 340, 363, 372, and 399, were, each, read for the fourth time, the enrolled copies signed, in open session, by the President, and ordered transmitted to the Honorable House, for the signature of the Speaker.

Senator Nance presiding.

Senator Briggs moved that HOUSE BILL NO. 489, by Babb, be considered under third reading.

Senator Coppock, as a substitute, moved that further consideration of House Bill No. 489 be indefinitely postponed, which motion was tabled, upon motion of Senator Briggs.

The vote occurring on the Briggs motion, it was declared adopted.

HOUSE BILL NO. 489 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Jennings, Johnston, Lester, MacDonald, Memminger, Moon, Morrison, Nance, Paul, Ray, Reed, Ritzhaupt, Rutherford, Stewart, Thomas. Total, 23.

Nays: Clark, Coppock, Curnutt, Hutchinson, Liggett, Pugh, Stacey, Taylor, Waldrep, Whitaker, Willis. Total, 11.

Not Voting: Dixon, Howard, Nichols, Rizley, Sowards, Wilbanks. Total, 6.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. Total, 1.

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 Moon, the emergency section was ordered stricken.

The question being, "Shall the title of the Bill become the title of the Act?" Senator Moon submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 489, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

MOON.

House Bill No. 489, as amended, was referred for re-engrossment.

Upon the request of Senator Memminger, HOUSE BILL NO. 734, by Martin, was considered under third reading.

HOUSE BILL NO. 734 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 35.

Not voting: Dixon, Howard, Rizley, Sowards, Wilbanks. Total, 5.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 35.

Not voting: Dixon, Howard, Hizley, Sowards, Wilbanks. Total, 5.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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 Engrossed House Bill No. 734 and ordered the bill returned to the Honorable House.

Senator Johnston asked unanimous consent, which was granted, to consider under third reading, HOUSE BILL NO. 294, by Hogg and Jones.

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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Fischl, Hutchinson, Jennings, Johnston, Lester, MacDonald, Memminger, Morrison Nance, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Curnutt, Garvin, Liggett, Moon, Nichols, Rutherford, Stewart. Total, 7.

Not Voting: Dixon, Howard, Rizley, Sowards. Total, 4.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Fischl, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Curnutt, Garvin, Moon, Nichols, Rutherford, Stewart. Total, 6.

Not Voting: Dixon, Howard, Rizley, Sowards. Total, 4.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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. 294 was referred for re-engrossment.

Upon the request of Senator Commons, HOUSE BILL NO. 369, by Gibson, et al, was considered under third reading.

Senator Chamberlin asked unanimous consent, which was granted, to withdraw his amendment adopted on a previous legislative day, to line 1, page 5, by adding after the word "insurance" the words "bonding and surety."

HOUSE BILL NO. 369 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks. Total, 30.

Nays: Ritzhaupt, Willis. Total, 2.

Not Voting: Briggs, Dixon, Howard, MacDonald, Rizley, Rutherford, Sowards, Taylor. Total, 8.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks. Total, 30.

Nays: Ritzhaupt, Willis. Total, 2.

Not Voting: Briggs, Dixon, Howard, MacDonald, Rizley, Rutherford, Sowards, Taylor. Total, 8.

Absent: Daugherty, Logan, Powers. Total, 3.

Excused: Fidler. 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 Engrossed House Bill No. 369 and ordered it transmitted to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bills Nos. 197, and 489 correctly engrossed and Senate Bill No. 422 correctly enrolled.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 489, as amended, and ordered the bill returned to the Honorable House.

Senate Bill No. 422 was read for the fourth time, the enrolled copy signed in open session by the Presiding Officer and transmitted to the Honorable House for the signature of the Speaker.

Senator Stewart asked unanimous consent, which

was granted, to take up for consideration under third reading, HOUSE BILL NO. 197, by Massey.

Senator Paul moved that further consideration of House Bill No. 197 be set for Special Order at 10:30 a. m. on the next legislative day.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker has appointed Representatives Ellis, Ottesen, Rawls, Sturgell, Cavins, Fitzgerald, as Conferees on:

ENGROSSED HOUSE BILL NO. 260—By ELLIS, OTTESEN, FRALEY, BATSON, GRUNERT, COLLINS, SPECK, ALBRIGHT, JOHNSON (Comanche), ABERNETHY (Harmon), WINGO, HANKLA, BENNETT, KIRKPATRICK, LANDINGHAM, MOONEY, MALLORY, GLEN, HINDS, HARP, WILLIAMS, STURGELL, LINDSEY, SPEARS, JONES, LEECRAFT, BILLINGS, HART, COE, JOHNSON (Osage), SULLIVAN, COX.

An Act relating to the filing of tax protests; and amending Section 12,306 Oklahoma Statutes 1931, with reference to the time and manner of filing of protests; providing for the time and manner of hearing of protests by the Excise Board and for the filing of bond by the protestant; providing for an appeal from the Excise Board of the Court of Tax Review; amending Sections 12,307 and 12,310 of the Statutes of Oklahoma, 1931; repealing all laws in conflict therewith and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.



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To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 275—By TAYLOR and RITZHAUPT, entitled:

An Act amending Sections 5039 and 5040 Oklahoma Statutes 1931, relating to the sterilization of certain inmates of certain institutions; making the provisions of Chapter 26, Article 2, Oklahoma Statutes 1931 applicable to idiocy, imbecility, feeble-mindedness, insanity, habitual criminals; 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 AS AMENDED and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 275 were read, as follows:

AMENDMENT NO. 1. Page 2, Section 2, Lines 21 to 31, inclusive. By striking said lines and inserting in lieu thereof the following:

“superintendent shall apply to the District Court of the County wherein his institution is located, for the appointment of a guardian ad litem for said patient, which court, by a proper order, shall appoint some suitable person to act as said guardian ad litem for said patient during and for the purpose of the proceedings under this Act, to defend the rights and interests of said patient or inmate, and the said guardian ad litem shall be paid by the said institution a fee not exceeding twenty-five (\$25.00) dollars, as may be determined by the judge of said court, for his services under said appointment, and said guardian ad

litem shall be served likewise with a copy of the aforesaid petition and notice."

AMENDMENT NO. 2. Page 3, Section 2, Line 7. By inserting after the word "guardian" and before the word "or," a comma and the words "guardian ad litem."

AMENDMENT NO. 3. Page 3, at the end of line 2. By adding a new section to be numbered Section 3, as follows:

"Section 3. That Section 5041, Oklahoma Statutes, 1931, be, and it is hereby amended to read as follows:

"Section 5041. From any order so entered by the said board the said superintendent or the said patient or his guardian, guardian ad litem, parent or next friend, shall, within ten days after the date of such order, have an appeal of right to the district court of the county wherein said institution, of which he is a patient or inmate, is located, which appeal may be given by giving notice in writing to any member of said board and to all other parties to the said proceedings, whereupon the said superintendent shall forthwith cause a copy of the petition, evidence, and orders of the said board, certified by the chairman, or in his absence by any other member thereof, to be sent to the court clerk of said county, who shall file the same and docket the appeal to be heard and determined by said court.

The said district court, in determining such appeal, may consider the record of said proceedings before the Board of Affairs, including the evidence, together with such other legal evidence, as the court may consider pertinent and proper.

Upon such appeal the said district court may affirm, revise, or reverse the orders of said board appealed from, and may enter such order as it deems just and right and which it shall certify to the Board of Affairs.

The pendency of such appeal shall stay proceedings under the order of the Board of Affairs until the appeal is determined."

And that the emergency section be renumbered Section 4.

Upon motion of Senator Ritzhaupt, the Senate refused to concur in Engrossed House Amendments to Engrossed Senate Bill No. 275 and requested the Honorable House to grant a conference thereon.

Upon motion of Senator Moon, the call of the House was ordered lifted.

Upon motion of Senator Stewart, HOUSE BILL NO. 67, by Burnham, Wingo, et al, was ordered stricken from the Calendar.

Upon motion of Senator Ballard, HOUSE BILL NO. 161, by Sullivan, et al, was ordered stricken from the Calendar.

Senator Carmack asked unanimous consent, to which objections were voiced, to advance to engrossment and third reading, HOUSE JOINT RESOLUTION NO. 37, by Paxton, of the House, and Carmack of the Senate.

The Presiding Officer announced the appointment of the following as Senate Conferees, under Engrossed Senate Bill No. 275, by Taylor and Ritzhaupt: Senators Ritzhaupt, Chamberlin, Taylor, Waldrep and Liggett.

Senator Willis submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 294 correctly engrossed.

WILLIS, Vice-Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 294, as amended, and ordered the bill returned to the Honorable House.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 181—By CARMACK and REED of the Senate; WATSON, MARTIN and LEECRAFT of the House.

An Act repealing Section 8753, Oklahoma Statutes, 1931, relating to the State Market Commission; creating the State Market Commission as a department in the State Board of Agriculture; etc., and to advise you, and, through you, the Honorable Senate, that the same has been passed by the House of Representatives AS AMENDED and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 181 was read, as follows, and, upon motion of Senator Carmack, concurred in by the Senate:

AMENDMENT NO. 1. Page 4, Section 11, Line 17. By adding at the end of the section the following:

“Provided, however, that any unexpended funds appropriated for the fiscal year 1932-1933 for the State Market Commission may be used in payment of the expenses and salaries of employees of the State Market Commission hereby created, from the effective date of this Act until July 1, 1933.”

By unanimous consent, further consideration of Engrossed Senate Bill No. 181, as amended, was deferred until the next legislative day.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:



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ENGROSSED SENATE BILL NO. 221 — By CHAMBERLIN, entitled:

An Act providing, fixing and describing the legislative enactments that shall be printed and published in the Session Laws of each Legislature; repealing all laws and parts of laws in conflict herewith and declaring an emergency.

ENGROSSED SENATE BILL NO. 266 — By JOHNSTON, TAYLOR, BRIGGS, REED and CARMACK of the Senate and JONES, BABB and HENDERSON of the House, entitled:

An Act repealing Sections 10,298, 10,299 and 10,300 Oklahoma Statutes, 1931, and amending Sections 10,308, and 10,309, Oklahoma Statutes, 1931, relating to certificates of title for motor vehicles; providing for the disposition of fees collected and appropriating the same to the auto theft fund; authorizing the employment of necessary clerical and other help and fixing their compensation; providing that the same shall be paid out of the Auto Theft Fund; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bills Nos. 221 and 266, were, each, ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 371—By MacDONALD, HUTCHINSON, WILBANKS, and WHITAKER of the Senate; CLOYD, REMUND and SULLIVAN of the House. .

An Act creating certain awards and decorations to be bestowed upon members of the federally recognized National Guard, including an Oklahoma distinguished service cross; an Oklahoma distinguished service medal; Spanish War service medal; Mexican border service medal; World War service medal; certain long service medals; and providing for other medals to be awarded for any war or campaign or mobilization which the Federal government shall recognize by awarding service medals; providing for a board to be selected by order of the Governor to select designs, ribbons, and symbols for medals; providing for the publication of general orders necessary to carry out provisions of this Act; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 371 was ordered referred for enrollment.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE JOINT RESOLUTION  
NO. 21—By MacDONALD, HUTCHINSON, WHIT-  
NANCE, RAY, FISCHL, and PAUL of the Senate;  
REMUND, EBY (Tulsa), BOYER, JOHNSON of  
Osage, SULLIVAN, CLOYD, OTTESEN, KIRKPAT-  
RICK, TIMMONS, WRIGHT, DANIEL, ARM-  
STRONG, BATSON, PAXTON of the House.

A Resolution authorizing Governor to appoint and commission Charles F. Barrett as the Adjutant General,

as Lieutenant General, without additional pay or emoluments.

ENROLLED SENATE JOINT RESOLUTION  
NUMBER 24 — By NICHOLS, PAUL, GARVIN,  
WHITAKER, SOWARDS, LOGAN, LESTER,  
AKER, WILBANKS, CURNUTT, MORRISON,  
Senate, and CAVINS, ANGLIN, and BATSON of the  
House.

A Joint Resolution ordering a special election to be held on the 15th day of August, 1933 on the proposed amendment of Section 9, Article 10, of the Constitution of Oklahoma set forth in Senate Joint Resolution Number 1 of the Fourteenth Legislature of the State of Oklahoma.

ENROLLED SENATE BILL NO. 177—By CHAMBERLIN.

An Act providing that one half of the annual salary paid to one of the attorneys in the State Banking Department shall be paid out of the Building and Loan Fund; repealing all laws and parts of laws in conflict herewith.

ENROLLED SENATE BILL NO. 339—By JOHNSTON.

An Act empowering the several counties of the State to assume the obligations of road construction bonds issued by the various townships and used for paving of the county and State type and declaring an emergency.

ENROLLED SENATE BILL NO. 30—By MacDONALD and CHAMBERLIN of the Senate and PHILLIPS of the House.

This is an Act making an appropriation to pay the mileage of the Oklahoma Presidential electors who convened at the Capitol of the State of Oklahoma on the 8th day of January, 1933, in Oklahoma City in obedience to the Act of Congress approved May 29, 1928, and declaring an emergency.

ENROLLED SENATE BILL NO. 420—By NICHOLS and FIDLER.

An Act requiring producers, refiners, processers and purchasers of oil or casing head gas to prepare and file with the Oklahoma Tax Commission within sixty days after the passage and approval of this Act, or upon demand of such Commission, amended reports showing the source of such oil or casing head gas, by wells and lease holds, requiring producers, refiners, processers, and purchasers of oil or casing head gas to procure permits from the Oklahoma Tax Commission; providing for the disposition of taxes collected where the source of such oil or casing head gas cannot be determined; authorizing injunctions; prescribing penalties; repealing conflicting laws; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Joint Resolutions Nos. 21 and 24, and Enrolled Senate Bills Nos. 30, 177, 339 and 420 were, each, ordered referred to the Governor for consideration.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 a. m., on Saturday, April 22, 1933.



## EIGHTY-THIRD LEGISLATIVE DAY

Saturday, April 22, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President, who announced the Senate recessed to meet at 10:30 a. m.

At 10:30 a. m., the Senate reassembled, with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 39.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 221, 266 and 371, each, correctly enrolled.

HOWARD, Vice Chairman.

Senate Bills Nos. 221, 266 and 371 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the President and ordered transmitted to the Honorable House for the signature of the Speaker.

### THIRD READING

Upon the request of Senator MacDonald, HOUSE BILL NO. 735, by Lowrance, of the House, and Fischl, of the Senate, was considered under third reading.

HOUSE BILL NO. 735 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Willis. Total, 29.

Nays: Curnutt. Total, 1.

Not Voting: Carlile, Dixon, Paul, Rutherford, Sowards, Thomas, Waldrep, Whitaker, Wilbanks. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Willis. Total, 30.

Not Voting: Carlile, Dixon, Paul, Rutherford, Sowards, Thomas, Waldrep, Whitaker, Wilbanks. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers.  
Total, 4.

Excused: Fidler. 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 copy of House Bill No. 735, and ordered the same transmitted to the Honorable House.

Senator Moon asked unanimous consent, which was granted, to consider, under Third Reading, HOUSE BILL NO. 730, by Shoemake, Hart, et al.

HOUSE BILL NO. 730 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Jennings, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Paul, Ray, Reed, Rutherford, Stacey, Stewart, Taylor, Waldrep. Total, 26.

Nays: Coppock, Hutchinson, Johnston, Pugh, Ritzhaupt, Rizley, Sowards, Willis. Total, 8.

Not Voting: Dixon, Nance, Thomas, Whitaker, Wilbanks. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers.  
Total, 4.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Howard, Hutchinson, Jennings, Lester, Liggett, MacDonald,

Memminger, Moon, Nance, Nichols, Paul, Ray, Reed, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Willis. Total, 30.

Nays: Johnston, Pugh, Ritzhaupt. Total, 3.

Not Voting: Dixon, Fischl, Garvin, Thomas, Whitaker, Wilbanks. Total, 6.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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 copy of House Bill No. 730, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Ritzhaupt, the Senate reconsidered the vote by which it refused to concur in Engrossed House Amendments to Engrossed SENATE BILL NO. 275, by Ritzhaupt and Taylor, and requested a conference.

Upon motion of Senator Ritzhaupt, the Senate concurred in Engrossed House Amendments to Engrossed Senate Bill No. 275.

SENATE BILL NO. 275 was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Waldrep, Willis. Total, 31.

Nays: Dixon, Rutherford, Sowards. Total, 3.

Not Voting: Garvin, Moon, Thomas, Whitaker, Wilbanks. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.



Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Waldrep, Willis. Total, 31.

Nays: Dixon, Rutherford, Sowards. Total, 3.

Not Voting: Garvin, Moon, Thomas, Whitaker, Wilbanks. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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 Engrossed House Amendments to Engrossed Senate Bill No. 275 and ordered the bill, as amended, referred for enrollment.

### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker has appointed Representatives Graham and Williams, as additional Conferees on—

ENGROSSED HOUSE BILL NO. 260— By ELLIS, OTTESEN, FRALEY, BATSON, GRUNERT, COLLINS, SPECK, ALBRIGHT, JOHNSON (Comanche), ABERNATHY (Harmon), WINGO, HANKLA, BENNETT, KIRKPATRICK, LANDINGHAM, MOONEY, MALLORY, GLEN, HINDS, HARP, WILLIAMS, STURGELL, LINDSEY, SPEARS, JONES, LEECRAFT, BILLINGS, HART, COE, JOHNSON (Osage), SULLIVAN, COX.

An Act relating to the filing of tax protests; and amending Section 12,306 Oklahoma Statutes 1931, with reference to the time and manner of filing of protests; providing for the time and manner of hearing of protests by the Excise Board and for the filing of bond by the protestant; providing for an appeal from the Excise Board of the court of tax review; amending Sections 12,307 and 13,310 of the statutes of Oklahoma, 1931; repealing all laws in conflict therewith and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature.

ENROLLED HOUSE JOINT RESOLUTION NO. 40—By BRAZELL, FRALEY, CLINE, and EASON.

A Joint Resolution authorizing E. W. Marland of Ponca City, Oklahoma; to bring suit against the State to recover certain income and other taxes alleged to have been illegally collected from him by the State.

ENROLLED HOUSE BILL NO. 319 — By CLOYD.

An Act creating a court fund, providing procedure for the expenditure thereof.

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ENROLLED HOUSE BILL NO. 37—By GLEN and SMALLEY.

An Act abolishing the Superior Court of Pottawatomie County; providing for the disposition of all cases pending in said court; providing effective date of Act.

ENROLLED HOUSE BILL NO. 274—By CHAMBERS.

An Act authorizing and directing the Board of Public Affairs to execute a release and waiver to School District No. 7, Tulsa County, Oklahoma, of all rights and authority the State of Oklahoma has to explore and develop oil and gas and its rights to join in or agree to the execution of a lease for the development and exploration of oil and gas on the Southeast quarter of the Northeast quarter, and the Northeast quarter of the Southeast quarter of Section eleven (11), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, containing eighty (80) acres according to the United States Government Survey thereof, and which rights, authority and privileges were referred to and reserved to the State of Oklahoma in Senate Joint Resolution No. 23 of the Regular Session of the Sixth Legislature of the State of Oklahoma.

ENROLLED HOUSE BILL NO. 527—By COX.

An Act abolishing all County High Schools in counties having a population of less than 25,000, according to the United States census of 1930; providing for the disposition of the property used therein and appropriating proceeds to general fund of such counties 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 Presiding Officer in open session.

Respectfully,

R. M. McCOOL, Chief Clerk. W

House Joint Resolution No. 40, House Bills Nos. 37, 274, 319 and 527 were, each, read at length for the fourth time, the enrolled copies signed, in open session, and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 22—By FISCHL, entitled:

A Concurrent Resolution memorializing Congress to provide relief for the oil industry, the farmers, the unemployed, business and the people generally by providing an adequate tariff or tax on oil that will place the domestic oil industry on a competitive basis with imported oil as shown by the reports of the tariff commission,

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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 22 was ordered referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 427—By



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BRIGGS and COPPOCK of the Senate, and COLLINS of the House, entitled:

An Act authorizing the County Treasurers of the various counties of Oklahoma to deposit with the State Treasurer, for safe keeping, securities received by them to secure county deposits in county depositories; providing that such authority shall be cumulative to the provisions of Senate Bill No. 105 of the Fourteenth Legislature of the State of Oklahoma, relating to the deposits for safe keeping of securities received by County Treasurers to secure County deposits; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 427 was ordered referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 25—By BRIGGS, STEWART, MacDONALD and NANCE of the Senate and HENDERSON and KIGHT of the House.

A Resolution memorializing Congress urging the passage by Congress of an Act appropriating funds for federal aid highway construction, to be distributed among the various states of the Union for the relief and to provide work for the unemployed.

ENROLLED SENATE CONCURRENT RESOLUTION NO. 26—By COMMONS of the Senate and BATSON of the House.

A Resolution providing for compiling, indexing and publishing the Session Laws of the Regular Session of the Fourteenth Legislature of the State of Oklahoma and providing for the payment of the costs thereof, as provided by law, and to advise you, and, through you, the Honorable Senate, that the same have been signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Concurrent Resolutions Nos. 25 and 26 were, each, ordered referred to the Secretary of State.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 309—By MORRISON, entitled:

An Act authorizing military reservations to be attached to independent School Districts for school purposes, providing procedure therefor, providing for the disposition of taxes for school purposes levied against railroads and other corporations and their franchises and to property on said reservations, repealing all the laws in conflict therewith; and declaring an emergency.

ENROLLED SENATE BILL NO. 340—By WALDREP, entitled:

An Act amending Section 1, Chapter 93, Session Laws of Oklahoma, 1927, the same being Section 6252, Oklahoma Statutes 1931, relating to the refunding of Street Improvement bonds, making other and further provisions with reference thereto; and declaring an emergency.

ENROLLED SENATE BILL NO. 372—By MORRISON, NICHOLS, RITZHAUPT, MOON and WALDREP, entitled:

An Act relating to the State Board of Barber examiners and to the practice of barbering in this State; repealing Section 17, Article 2, Chapter 24, Oklahoma Session Laws 1931, amending Sections 12, 13, 14, 15, 16, 18, 21, 24, and 25, of said article, declaring certain acts to be unlawful and fixing penalties for violation thereof.

ENROLLED SENATE BILL NO. 399—By JENNINGS, entitled:

An Act amending Section 5964, Oklahoma Statutes, 1931, relating to liability of officers of counties, townships, cities, towns or school districts, and every person, for the unauthorized, unlawful or fraudulent payment of money or transfer of property belonging to any such municipality and providing a penalty in such cases, and for recovery thereof at the suit of proper officers of taxpayers; and also amending Section 5965 Oklahoma Statutes 1931, relating to the right of a resident taxpayer after the proper officers of such municipality have failed or refused to institute and diligently prosecute such suit or suits upon written notice and demand therefor, by ten resident taxpayers of such municipality to institute and prosecute in the name of the State of Oklahoma, as plaintiff, action for the recovery of money or property or the value thereof, or penalty on account of the unauthorized, unlawful or fraudulent expenditure of transfer of money or transfer of property belonging to any county, township, city, town or school district, by any officer or officers of any such municipality or any person and for the payment of one half of the recovery in any such suit or suits to such taxpayer as a reward, and repealing all Acts and parts of Acts in conflict therewith 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 309, 340, 372 and 399 were, each, ordered referred to the Governor, for consideration.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 324—By WALDREP and SOWARDS and JOHNSTON, entitled:

An Act authorizing municipal corporations owning or operating electric light plants and distribution systems to extend their lines or service beyond the corporate limits of the city, and to erect poles, lines, wire, apparatus, substations, and to do other things necessary to provide electric service or to supply current to any other person, firm or corporation to the same extent as may be done within the limits of such corporation and declaring an emergency.

ENROLLED SENATE BILL NO. 363—By CARMACK, entitled:

An Act appropriating \$2,500.00 out of the revolving fund of the Oklahoma State Reformatory, at Granite, Oklahoma, to be used as a cash emergency fund for said institution, providing for the replenishment thereof; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.



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Enrolled Senate Bills Nos. 324 and 363 were, each, ordered referred to the Governor, for consideration.

Senator Chamberlin presiding.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith:

ENROLLED SENATE BILL NO. 422—By BALLARD of the Senate and GARLAND of the House, entitled:

An Act ordering a special election to be held in the State of Oklahoma on the 11th day of July, 1933, for the express purpose of referring House Bill No. 647 of the Fourteenth Legislature to a vote of the people; prescribing ballot title; creating a special fund to be used for the purpose of paying the expenses of said election; providing the procedure for disbursing said fund, providing that if any portion of the Act is held invalid such fact shall not affect the remaining provisions, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 422 was ordered referred to the Governor, for consideration.

Senator Willis submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills, begs leave to report House Bill No. 366 correctly engrossed and Senate Bill No. 427 correctly enrolled.

WILLIS, Vice Chairman.

Senate Bill No. 427 was read at length 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.

Upon the request of Senator Commons, the following bills were considered, under third reading:

HOUSE BILL NO. 366 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Rutherford, Stacey, Stewart, Taylor, Waldrep, Willis. Total, 30.

Not Voting: Carlile, Garvin, MacDonald, Ritzhaupt, Rizley, Sowards, Thomas, Whitaker, Wilbanks. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Rutherford, Stacey, Stewart, Taylor, Waldrep, Willis. Total, 30.

Not Voting: Carlile, Garvin, MacDonald, Ritzhaupt, Rizley, Sowards, Thomas, Whitaker, Wilbanks. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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 Engrossed Senate Amendments to and Engrossed House Bill No. 366, as amended, and ordered the bill returned to the Honorable House.

HOUSE BILL NO. 531 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 34.

Not Voting: Reed, Rutherford, Sowards, Thomas, Wilbanks. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 34.

Not Voting: Reed, Rutherford, Sowards, Thomas, Wilbanks. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers.  
Total, 4.

Excused: Fidler. 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. 531, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Commons, HOUSE BILL NO. 487, by Cavins, was advanced to engrossment and third reading.

Upon motion of Senator Commons, the rules of the Senate were suspended and House Bill No. 487 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 487 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Chamberlin, Commons, Coppock, Fischl, Jennings, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Rizley, Sowards, Stacey, Waldrep, Whitaker. Total, 23.

Nays: Ballard, Carmack, Clark, Curnutt, Garvin, Hutchinson, Johnston, Ritzhaupt, Stewart, Taylor. Total, 10.

Not Voting: Dixon, Howard, Rutherford, Thomas, Wilbanks, Willis. Total, 6.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker. Total, 32.

Nays: Carmack, Johnston, Taylor. Total, 3.

Not Voting: Rizley, Rutherford, Wilbanks, Willis. Total, 4.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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. 489, 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,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 57—By PAUL, CARLILE, STACEY, REED, SOWARDS, TAYLOR and NANCE, entitled:

An Act providing for the transfer of children from one school district to another, providing for the transfer of a pro rata part of all local school revenues, providing for the payment by the State of a part of the transfer fees

when necessary, repealing all laws in conflict herewith, and declaring an emergency,

ENGROSSED SENATE BILL NO. 142—By STEWART, MEMMINGER, NANCE, CHAMBERLIN, RITZHAUPT, CURNUTT, BRIGGS, TAYLOR, PUGH, HOWARD, LESTER and COMMONS of the SENATE, and CHILDERS, BLOCKER and MASSEY of the HOUSE, entitled:

An Act relating to statewide primary and general elections and certain special elections; providing that the expense of such elections shall be paid by the State; except certain items which shall be paid by the counties; prohibiting the creation of any precincts without the approval of the State Election Board; fixing per diem of precinct election Boards; prescribing the method of paying the State's share of the expense of such election; making an appropriation therefor; and repealing all laws and parts of laws in conflict therewith,

and to advise you, and, through you, the Honorable Senate, that the same have been passed by the House of Representatives AS AMENDED and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 57 were read, as follows:

AMENDMENT NO. 1. Making Palmer, Sullivan, Williams, Worthington, Beaver, Allen, Landingham, Cline, Armstrong, Fraley, Munson, Johnson (Comanche), Gray, Spear, and Cox of the House, joint authors of the bill.

AMENDMENT NO. 2. "Provided, that a transfer of High School pupils may be made to a school district in another state when the school to which it is desired that such transfer be made is nearer by commonly traveled road than the nearest school in the State of Oklahoma which such transferred child is eligible to attend; and provided fur-

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ther that all actions relating to the transfer of High School pupils out of the State of Oklahoma shall be the same as those which are necessary to the transfer of any High School pupil to a district within the State."

AMENDMENT NO. 3. By striking the emergency in the title and the bill.

Upon motion of Senator Paul, the Senate concurred in Engrossed House Amendments to Engrossed Senate Bill No. 57.

SENATE BILL NO. 57 was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 34.

Nays: Briggs, Stewart. Total, 2.

Not Voting: Lester, Reed, Wilbanks. Total, 3.  
Total, 4.

Excused: Fidler. 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 Engrossed House Amendments to Engrossed Senate Bill No. 57 and ordered the bill, as amended, referred for enrollment.

Engrossed House Amendments to Engrossed Senate Bill No. 142 were read, as follows:

AMENDMENT NO. 1. By amending the title to read as follows:

"AN ACT RELATING TO STATEWIDE PRIMARY AND GENERAL ELECTIONS AND CERTAIN SPECIAL ELECTIONS; PROVIDING THAT THE EXPENSE OF

SUCH ELECTIONS SHALL BE PAID BY THE STATE; EXCEPT CERTAIN ITEMS WHICH SHALL BE PAID BY THE COUNTIES; FIXING PER DIEM OF PRECINCT ELECTION BOARDS; PRESCRIBING THE METHOD OF PAYING THE STATE'S SHARE OF THE EXPENSE OF SUCH ELECTION; MAKING AN APPROPRIATION THEREFOR; PROVIDING FOR THE DISPENSING OF COUNTERS; PROVIDING FOR THE APPOINTMENT OF WATCHERS IN SPECIAL ELECTIONS; AND REPEALING ALL LAWS AND PARTS OF LAWS IN CONFLICT THEREWITH."

AMENDMENT NO. 2. Page 1, Section 1, Line 3. By striking the word "member" in line 3 and inserting the following words: "state officer."

AMENDMENT NO. 3. Page 1, Section 2. By striking Section 2.

AMENDMENT NO. 4. Page 2, Lines 32 and 33. By inserting after the word "state" in line 32 and before the word "Section" in line 33, the following:

SECTION 5. The provisions of this Act shall apply with equal force to all Special Elections called either by the Governor or the Legislature, except Special Elections pertaining to the change of county seats or county boundaries. The State Election Board shall have the authority to dispense with counters in the special elections above referred to, either in all of the voting precincts or in such except on unanimous vote of the entire membership of the State Election Board. Further, watchers in each precinct may be appointed in writing by each opposing side in the special elections herein referred to. Such appointment in writing shall be submitted to the Inspector of the Precinct before 10:00 A. M. of the morning of the election. Such watchers shall take the oath and perform such duties as are now provided by law in other elections."

And renumbering succeeding sections.

AMENDMENT NO. 4. Page 3, Section 5, Lines 2 and



3. By striking the word "and" in line 2 and all of line 3 in the new Section 5, up to and including the word "trip," and inserting the following: "not to exceed three days."

AMENDMENT NO. 5. Page 3, Section 6, Line 15. By striking the figures "\$25,000.00" and inserting the figures "\$10,000.00," in the new Section 6, in lieu thereof.

AMENDMENT NO. 6. By adding a new Section to be known as Section 8, as follows:

"SECTION 8. 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 Briggs, the Senate concurred in Engrossed House Amendments to Engrossed Senate Bill No. 142.

SENATE BILL NO. 142 was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 34.

Nays: Coppock, Waldrep. Total, 2.

Not Voting: Howard, Hutchinson, Wilbanks. Total,  
3.

Absent: Daugherty, Logan, Morrison, Powers. Total,  
4.

Excused: Fidler. 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-

agency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 34.

Nays: Coppock, Waldrep. Total, 2.

Not Voting: Howard, Hutchinson, Wilbanks. Total,

3.

Absent: Daugherty, Logan, Morrison, Powers. Total,

4.

Excused: Fidler. 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 Engrossed House amendments to Engrossed Senate Bill No. 142 and ordered the bill, as amended, referred for enrollment.

Upon motion of Senator Commons, HOUSE BILL NO. 719, by Eason and O'Neill, was advanced to engrossment and third reading.

Upon motion of Senator Commons, the rules of the Senate were suspended and House Bill No. 719 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 719 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Paul, Pugh,

Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 35.

Not Voting: Carmack, Nichols, Sowards, Wilbanks. Total, 4.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 35.

Not Voting: Carmack, Nichols, Sowards, Wilbanks. Total, 4.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. 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. 719, and ordered the same transmitted to the Honorable House.

Upon request of Senator Stewart, the Senate considered, under Third Reading, the following:

HOUSE BILL NO. 197 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Clark, Commons, Dixon, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Ray, Sowards, Stewart, Thomas, Whitaker, Willis. Total, 24.

Nays: Chamberlin, Coppock, Curnutt, Hutchinson, Jennings, Liggett, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Waldrep, Wilbanks. Total, 14.

Not Voting: Reed. Total, 1.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Excused: Fidler. Total, 1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

Upon the request of Senator Curnutt, the roll call on House Bill No. 197, was sounded, following which the Presiding Officer announced the result of the roll call unchanged.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 197, as amended, and ordered the bill returned to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 275 correctly enrolled.

LIGGETT, Chairman.

Senate Bill No. 275 was read at length for the fourth time, the enrolled copy signed, in open session, and ordered transmitted to the Honorable House for the signature of the Speaker.



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### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 489—By BABB, entitled:

An Act abolishing the laws creating the offices of township trustee, township clerk and township treasurer of each township in Oklahoma and transferring the duties of said offices upon certain persons and declaring an emergency,

and the same has been passed AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 161—By JENNINGS and BRIGGS, entitled:

An Act amending Sections 13365, 13367 and 13372, Oklahoma Statutes, 1931, relating to awards made under Workmen's Compensation Act; providing for procedure thereunder; amount and tenure of compensation in certain cases; enforcement of awards made; for survival of awards in case of death of claimant; limiting time for awards upon applications based upon change of condition; and declaring an emergency, and to advise you, and, through you, the Honorable Senate, that the same has been passed by the House of Rep-

representatives and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 161 was ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 163 — By MOON.

An Act providing for the appointment of a marshal for the Corporation Commission of the State of Oklahoma, defining his powers and duties, fixing his compensation, and declaring an emergency.

ENGROSSED SENATE BILL NO. 206—By WALDREP.

An Act providing for annual and special county audits by the State Examiner and Inspector of books and records of any officer or custodian of the various funds of the county; providing and authorizing special tax levy to be made for the purpose of paying the cost of such audits, and regulating the use and expenditure of such funds, and 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 AS AMENDED and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 163 were read as follows, and, by unanimous consent, consideration thereof deferred:

ENGROSSED HOUSE AMENDMENT NO. 1.

That the following section be added:

“There is hereby appropriated out of any moneys

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in the State Treasury, not otherwise appropriated, to pay the salary of said Marshal for the fiscal year ending June 30, 1934, the sum of Twelve Hundred (\$1,200.00) Dollars; and to pay the salary of said Marshal for the fiscal year ending June 30, 1935, the sum of Twelve Hundred (\$1,200.00) Dollars.”

ENGROSSED HOUSE AMENDMENT NO. 2.  
That the title of said bill be amended to read as follows: “AN ACT PROVIDING FOR THE APPOINTMENT OF A MARSHAL FOR THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA, DEFINING HIS POWERS AND DUTIES, FIXING HIS COMPENSATION AND MAKING AN APPROPRIATION THEREFOR, AND DECLARING AN EMERGENCY.”

ENGROSSED HOUSE AMENDMENT NO. 3. By adding a new section, which shall be known as section 2, (immediately following Section one, of said bill), and which section shall be as follows:

“Section 2. There is hereby re-appropriated out of any moneys in the Twelve Hundred (\$1,200.00) Dollar item of appropriation, appropriated by Senate Bill No. 63, of the Thirteenth Legislature of Oklahoma to pay the salary of the marshal of the Corporation Commission for the fiscal year ending June 30, 1933, the sum of Four Hundred (\$400.00) Dollars, or so much thereof as may be necessary to pay the salary of the Marshal appointed under the provisions of this Act for the remainder of said fiscal year.

Engrossed House Amendments to Engrossed Senate Bill No. 206 were read as follows, and, by unanimous consent, consideration thereof deferred:

AMENDMENT NO. 1. In line 1 of the Title by changing the word “annual” to read “bi-ennial.”

AMENDMENT NO. 2. Page 1, Section 1, Line 1. By striking the words “each year” and substituting therefor the words “every two years.”

AMENDMENT NO. 3. Page 1, Section 1, Line 15.  
By striking the word "annual" and substituting there-  
for the word "bi-ennial," and lines 15 and 16 by striking  
the words "cover a fiscal year" and substituting there-  
for the words "cover the two preceding fiscal years."

AMENDMENT NO. 4. Page 2, Section 5, Line 17.  
By changing the word "one-fifth" to read "one-tenth."

AMENDMENT NO. 5. Page 2, Section 5, Line 20.  
By striking the word "annual" and substituting the  
word "bi-ennial" and in Line 25, by striking the  
word "annual" and substituting the word "bi-ennial."  
To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to  
return herewith:

ENGROSSED SENATE BILL NO. 123—By WAL-  
DREP, entitled:

An Act authorizing and empowering the school  
boards and county excise boards to make a transfer of  
certain school funds in independent school districts of  
this State, provided that such proposal is approved by  
a majority of the electors of the school district making  
other provisions with reference thereto and declaring  
an emergency,

and to advise you, and, through you, the Honorable Sen-  
ate, that the same has been passed by the House of Rep-  
resentatives and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 123 was ordered referred  
for enrollment.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to  
return herewith:



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ENGROSSED SENATE BILL NO. 348—By WALDREP, entitled:

An Act entitled "An Act amending Chapter 46, Article 8, Oklahoma Statutes, 1931, relating to building and loan associations, providing for the merger of building and loan associations, for the payment of withdrawals, and for the reorganization of building and loan associations and the fixing of losses in such associations and repealing sections of the Statute 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 348 was ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 150 — By BRIGGS, entitled:

An Act amending Section 5913, Oklahoma Statutes 1931, relating to levy of taxes for the sinking fund of municipalities,

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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 150 was ordered referred for enrollment.

Senator Briggs presented Senator MacDonald, who, on behalf of the Senate, presented a token of esteem and friendship to President Pro Tempore Stewart.

Senator Briggs presented Senator Rizley, who presented to Senator Commons, on behalf of the Senate, a token of appreciation.

Senator Briggs presented Senator Nichols, who, on behalf of the Senate, presented a token to Senator Rizley.

Upon motion of Senator Commons, the Senate recessed for a period of one hour.

The Senate reassembled, with the President presiding.

Senator Fidler asked to be recorded, "present," which was the order.

Senator Paul moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll being called, the following members were noted "absent":

Senators Carlile, Coppock, Curnutt, Daugherty, Dixon, Fischl, Garvin, Hutchinson, Logan, Moon, Morrison, Powers, Ray, Rizley, Sowards, Waldrep and Whitaker.

The Sergeant-at-Arms was instructed to notify all absent members of the Senate's proceedings.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 625—By COMMITTEE ON APPROPRIATIONS, entitled:

A Bill to be entitled an Act making an appropriation from the General Revenue Fund and other funds, for the purpose of paying claims against certain state departments and institutions hereinafter set out; and declaring an emergency,

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together with Conference Committee Report, and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report, has been adopted and the Bill has been passed AS AMENDED by such Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

#### CONFERENCE COMMITTEE REPORT

Conference Committee Report on Engrossed House Bill No. 625 was read, as follows, and, upon motion of Senator MacDonald, adopted:

To the Senate and the House of Representatives of the State of Oklahoma:

We, your Conference Committee, to whom was referred Engrossed Senate Amendments to House Bill No. 625, By Committee on Appropriations, entitled:

A Bill to be entitled an Act making an appropriation from the General Revenue Fund and other funds, for the purpose of paying claims against certain state departments and institutions hereinafter set out; and declaring an emergency, have had under consideration the said amendments to the said measure and after due consideration make the following report and recommendations:

1. The House concurs in Senate Amendments Nos. 1 and 2.

2. The House concurs in Senate Amendment No. 3 with the following exceptions:

- (a) Page 2, strike lines 3, 4, 5 and 6, and insert in lieu thereof the following:

#### "SUPREME COURT

For salary and expenses to pay special justices appointed by the Governor to fill vacancies caused by disqualification of justices up to July 1, 1933, which shall be used only in paying the actual traveling expenses and com-

pensation while in the Capitol in Oklahoma

City in actual service upon the cases -----\$3,000.00”

(b) Page 3, by striking from the Engrossed Senate Amendments, the item:

“INSTITUTION FOR FEEBLE MINDED—ENID

Mrs. Myrtle Andruss, Salary for 23 months at

\$75.00 per month -----\$1,725.00”

(c) Page 7 of the Engrossed Senate Amendments, strike the following under the item

STATE PENITENTIARY—McALESTER

Ferguson Orlando Company -----\$ 578.00

Layton, Hicks & Forsyth ----- 12,000.00

-----  
\$12,578.00

Change the total of the item “State Penitentiary McAlester” to read -----\$508.16

(d) Page 8, strike lines 20 to 33 inclusive and insert in lieu thereof the following:

“STATE ELECTION BOARD

For the payment of all valid claims covering expenses and purchase of election supplies in the various counties of the state which have not been paid and for which funds are not available in the funds of the respective counties and for which the state would be

legally liable -----\$7,044.82”

3. That the following items be added to the bill at the end of Section 1.

“STATE BOARD OF AFFAIRS

Lights, water and ice for the months of March

April, May and June, 1933, for Capitol Build-

ing -----\$2,200.00”

“UNIVERSITY PREPARATORY SCHOOL,

TONKAWA

George Hunter, for hauling oil for fuel during

the winter 1919-20 ----- 28.00”



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“SUPERIOR COURT

	Fiscal Year ending June 30, 1934	Fiscal Year ending June 30, 1935
Superior Judge, Seminole County -----	\$ 4,000.00	\$ 4,000.00
Court Reporter, Seminole County -----	1,500.00	1,500.00
Superior Judge, Potta- watomie County -----	4,000.00	4,000.00
Court Reporter, Potta- watomie County -----	1,500.00	1,500.00
Superior Judge, Creek County	4,000.00	4,000.00
Court Reporter, Creek County	1,500.00	1,500.00
Superior Judge, Okmulgee County -----	4,000.00	4,000.00
Court Reporter, Okmulgee County -----	1,500.00	1,500.00
Superior Judge, Garfield County -----	4,000.00	4,000.00
Court Reporter, Garfield County -----	1,500.00	1,500.00
	<hr/> \$27,500.00	<hr/> \$27,500.00”

4. The House concurs in Senate Amendments Nos.  
4 to 9, inclusive.

Respectfully submitted,

Senate Conferees	House Conferees
JOHN A. MacDONALD	BENJ. MARTIN
LOUIS A. FISCHL	TOM G. HAILE
A. L. COMMONS	S. H. SINGLETON
HOMER PAUL	SAM E. NEILL
AL NICHOLS	C. L. HILL
J. C. NANCE	FRED M. BURNHAM
CLAUD BRIGGS	LEON C. PHILLIPS
PAUL STEWART	ARTHUR GRUNERT
	CLARENCE RAWLS

By unanimous consent, further consideration of Engrossed House Bill No. 625, as amended in conference, was deferred temporarily.

Senators Carlile, Coppock, Curnutt, Hutchinson and Rizley asked to be recorded, "present," which was the order.

Upon the request of Senator Nance, HOUSE BILL NO. 187, by Kight and Batson, was taken up for consideration.

Senator Nance moved that Senate amendments, proposed on a previous legislative day, be adopted, which motion prevailed, the same being as follows:

Mr. President: I move to amend Sub Section (a), Section 9 by adding after the word "family" the following: "Provided that loans heretofore made in excess of \$4,000.00 become due or may hereafter become due, the Commissioners of the Land Office may extend such loans on the same terms upon which said loans were made."

Mr. President: I move to amend House Bill No. 187, Line 11, Page 2, as follows: By striking after the word the proviso at the end of Section 4 and inserting in lieu thereof the following: "Provided however, that no permanent common school or educational funds shall be invested in any bonds or securities until all applications for first mortgage loans have been considered by the Commissioners of the Land Office and all persons accommodated who are able to meet the requirements of the provisions of this Act," and by striking subsection (b) of Section 9 and re-lettering the sub-sections.

NANCE.

Mr. President: I move to amend House Bill No. 187 as follows:

By striking Section 8 and inserting in lieu thereof Section 5527 Oklahoma Statutes 1931, is hereby amended to read as follows: Section 5527, The Commissioners of the School Land Department shall by formal resolution

adopted by a majority vote of the members of said Board shall fix a schedule of fees to be charged for services rendered by the Land Office and except as herein provided for Land Office revolving fund shall be transferred to the general fund of the State of Oklahoma. Transfer of fees earned and collected each month shall be made on or before the 10th day of the succeeding months.

NANCE.

Mr. President: I move to amend House Bill No. 187 as follows:

By striking all of Section 23 of said bill and inserting in lieu thereof the following:

"Section 23. The Land Office shall be administered under the supervision of the Commissioners of the Land Office by the Secretary of the Commission who shall be appointed by the Governor subject to approval by a majority of the commission.

Until otherwise provided by law the Secretary to the Commission of the Land Office shall, subject to the approval of a majority of the Commission, select such employees as he may deem necessary properly to operate the Land Office under the rules and regulations herein provided, and, shall fix the salaries, or compensation of said employees, of the commission subject to the approval of the Commission by a majority vote in accordance with the nature of the employment; the qualifications required and responsibilities to be assumed by each of said employees; provided that the total salaries to be paid shall not exceed an average of six thousand (\$6,000.00) dollars per month in any one year, by inserting an itemized list of all the employees with the salary of each set out; and provided further that the Commissioners of the Land Office shall appoint not exceeding seven (7) appraisers to make appraisements for loans provided herein, and assist in the collection of loans and interest thereon and the rentals from agricul-

tural and grazing lands belonging to the Department and such other duties as may be assigned to them by the Secretary of the Commission who shall direct in each case their service.

The employees of the Land Office whose duties require them to handle funds, or securities, of the Department, shall be required to give a bond in an amount sufficient to protect the Department against loss by reason of their negligence or wilful misappropriation of such funds and securities.

NANCE.

Mr. President: I move to amend House Bill No. 187, Line 10, Page 11, as follows: By adding after the word "thereunder" at the end of Section 11 the following: "Provided the Commissioners of the Land Office may sell subject to the laws governing the sale under this act, any improved land (meaning land in cultivation or/and having other improvements thereon).

Mr. President: I move to amend House Bill No. 187 by adding following Section 23 the following: The Commission by a majority vote may remove for cause the Secretary or any employee of the School Land Department.

PAUL.

Senator Nance submitted the following amendment:

Mr. President: I move to amend House Bill No. 187, line 16, page 17, by adding at the end of line 16 the following: "two-thirds of"

NANCE.

Senator Rizley, as a substitute, submitted the following amendment:

Mr. President: I move to amend House Bill No. 187, line 16, page 17, by adding at the beginning of line 16 the following: "one-half of"

RIZLEY.

Senators Dixon, Fischl, Garvin and Waldrep asked to be recorded "present," which was the order.



Senator MacDonald presiding.

Senator Rizley asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 187, commencing with line 9, page 17, by striking all of Section 11 and inserting the following: "Section 11. If and when the Commissioners of the Land Office shall offer for sale, as hereinafter provided, any of the land heretofore purchased by the State, under sale by mortgage foreclosure or otherwise, the State shall reserve and retain one-half of all mineral rights therein, and the exclusive right to control and lease saidland for oil, gas and other minerals thereunder, together with the right in itself or its lessees, to explore, take and remove therefrom oil, gas or other minerals which may be found therein or thereunder; to collect and receive all bonuses, rentals and royalties accruing therefrom; provided further that the State or, if said land be leased, its lessees shall reimburse the purchaser of said land, his heirs or grantees. All damage accrued by reason of drilling, mining or producing oil, gas or other minerals therefrom; provided further the State shall pay to the purchaser of said land, his heirs or grantees, one-half of all bonuses, rentals and royalties received therefrom, such payment to be made as follows: One-half of all bonuses, rentals and royalties shall be applied as a credit to any balance owing by the purchaser until such balance is fully extinguished, thereafter one-half of said sums shall be paid to the purchaser, his heirs or grantees, not later than the 10th day of each month. Provided the Commissioners of the Land Office may sell, subject to the lease governing the sale under this Act, any improved land (meaning land in cultivation or and having other improvements thereon.)

RIZLEY.

Senator Nance, as a substitute, submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 187, by striking Sections 11, 12, 13, 14 15, 16, 17, 18, 19 and 20, and by properly re-numbering the succeeding sections.

NANCE.

Senator Reed submitted the following amendment, which was tabled, upon motion of Senator Nichols:

Mr. President: I move to amend House Bill No. 187, page 15, by striking lines 11, 12, 13 and 14 and by striking the words, "an elective office," in line 15.

REED.

Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 187, line 7, page 30, by striking the words, "for cause"

PAUL.

Senator Stewart submitted the following amendment:

Mr. President: I move to amend House Bill No. 187, by striking lines 9, 10, 11, 12 and 13, page 28, and the words, "the Secretary to" line 14, and by adding the letters "ers," to the word, "Commission," in line 15; and by striking the words, "subject to the," in line 15; and by striking line 16, down to the word, "select," and by striking the word, "be," in line 17, and inserting the word, "they," and by striking the words, "subject to the approval of the Commission," in lines 2 and 3, page 29, and by striking the last sentence in Section 23, commencing with line 6, page 30.

STEWART.

Senator Nichols moved to table the Stewart amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Ritzhaupt, Taylor, Thomas, Whitaker, Willis. Total, 19.

Nays: Ballard, Briggs, Clark, Coppock, Curnutt, Dix-

on, Fidler, Jennings, Paul, Reed, Rutherford, Stacey, Stewart, Wilbanks. Total, 14.

Not Voting: Hutchinson, Moon, Pugh, Ray, Rizley, Sowards, Waldrep. Total, 7.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 187, line 3, page 8, by striking the word, "resides," and inserting the words, "owns, operates or manages."

PAUL.

Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 187, line 3, page 8, by striking the word, "upon," following the word, "Oklahoma."

PAUL.

Senator Nance submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 187, line 11, page 29, by adding between the word, "appoint," and the word, "not," the following, "the Attorneys and"

NANCE.

Senator Stewart submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 187, line 11, page 29, by adding between the word, "appoint," and the word, "not," the following, "the attorneys and"

STEWART.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 187, by striking lines 14, 15 and 16, page 28, and before the word, "necessary," in line 17, page 28, insert the words, "By and with the consent and approval of a majority of

the Commissioners, the Secretary shall select such employees as may be deemed"

BRIGGS.

Senator Paul submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 187, page 13, by striking sub-section "j," and by renumbering succeeding sub-sections.

PAUL.

Senators Ray and Whitaker asked to be recorded "present," which was the order.

Senator Ballard submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 187, line 4, page 8, by striking the words, "and holds as his homestead"

BALLARD.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 187, line 14, page 12, by striking the word, "shall," and inserting the word, "may"

BRIGGS.

Senator Nance submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 187, lines 1 and 2, page 29, Section 23, by inserting after the word, "compensation," a comma (,).

NANCE.

Senator Paul submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 187, line 16½, page 12, by adding a new sub-section, as follows: "Provided further that the provisions of this Act shall not



apply to the renewals of any loans that the Department now holds."

PAUL.

Senator Sowards asked to be recorded "present," which was the order.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 187, line 14, page 12, by striking after the word, "interest," the word, "until," and inserting the words, "for periods of," and strike from line 12, the words, "within four years from," and insert the word, "after"

BRIGGS.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 187, by adding as sub-section "j", the following: "Nothing contained in this Act shall operate to prevent or prohibit the School Land Commission from renewing any loan heretofore made by the Commission."

NANCE.

Senator Paul submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 187, by striking Section 24 and inserting in lieu thereof the following: "All Acts and parts of Acts in conflict herewith are hereby repealed."

PAUL.

Upon motion of Senator Nance, House Bill No. 187, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Nance, the rules of the Senate were suspended and House Bill No. 187, as amended, was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 187 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Coppock, Dixon, Jennings, Rutherford. Total, 4.

Not Voting: Fidler, Moon, Sowards, Stewart, Waldrep. Total, 5.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

By unanimous consent, the emergency Section to House Bill No. 187, as amended, was ordered stricken.

The question being, "Shall the title of the bill become the title of the Act?" Senator Nance moved that title to House Bill No. 187 be amended to conform with the bill, as amended, and sections and subsections properly renumbered, which motion prevailed.

NANCE.

House Bill No. 187, as amended, was ordered referred for engrossment.

A Committee from the Honorable House was received, who advised the Senate the House of Representatives had completed its work and was ready to adjourn sine die.

Upon motion of Senator Commons, a Special Committee, composed of Senators Ray, Dixon, and Rizley, was appointed to advise the Honorable House, that the Senate's work is not completed and will not be for at least three

hours, and to request that that Body remain in session until the Senate has completed its work.

Referring further to HOUSE BILL NO. 625, as amended in Conference:

HOUSE BILL NO. 625 was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Carlile, Carmack, Chamberlin, Clark, Commons, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 25.

Nays: Ballard, Coppock, Curnutt, Garvin, Hutchinson, Pugh, Wilbanks. Total, 7.

Not Voting: Briggs, Dixon, Fidler, Fischl, Moon, Ray, Rizley, Stewart. Total, 8.

Absent: Daugherty, Logan, Morrison, Powers. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Curnutt, Garvin. Total, 3.

Not Voting: Briggs, Dixon, Fidler, Fischl, Moon, Ray, Rizley. Total, 7.

Absent: Daugherty, Logan, Morrison, Powers. 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.

Engrossed House Bill No. 625, together with Conference Committee Report thereon, was ordered returned to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Concurrent Resolution No. 22, Senate Bills Nos. 57, 123, 142, 150, 161 and 348, each, correctly enrolled.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Enrolled Senate Concurrent Resolution No. 22 and ordered it transmitted to the Honorable House for the signature of the Speaker.

Senate Bills Nos. 57, 123, 142, 150, 161 and 348 were, each, read at length 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,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and through you the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 532—By FITZGERALD, ABERNETHY, (Harmon), ALBRIGHT, ARMSTRONG, BABB, BEARD, BENNETT, MARSHALL, BOYER, BRAZELL, CHAMBERS, COE, DOUTHAT, GLENN, GRAHAM, GRAY, HART, HILL, JOHNSON, (Osage), KENAN, KIRKPATRICK, LANDINGHAM, LINDSEY, LOGSDON, LOWRANCE,



MASSEY, MISENHEIMER, PARKS, PAXTON, PHILLIPS (Atoka), RAWLS, STRICKLAND (Marshall), STURGELL, TIMMONS, TURNER, WOOTEN and WORTHINGTON, GARLAND, KING (Creek), REMUND, SMALLEY and CONNER

An Act to provide for the regulation, control and licensing of Horse Racing within the State of Oklahoma, to create an Oklahoma Racing Commission, and to prescribe its powers and duties, to provide for the license fees to be charged for the conduct of Horse Racing within the State of Oklahoma, to provide for the pari mutuel or certificate system of wagering, providing exemptions and penalties, repealing all acts or parts of acts in conflict herewith, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 165—By SPEAR

An Act providing for transportation of pupils in the State of Oklahoma, and declaring an emergency,

ENGROSSED HOUSE BILL NO. 179—By GRAMHAM

An Act amending sections 12019, 12020, 12021, 12022, and 12024, and repealing section 12027, Oklahoma Statutes 1931; providing for inmates of the Oklahoma State Soldiers' Home to pay certain fee to the home where they receive income and declaring an emergency.

ENGROSSED HOUSE BILL NO. 219—By COLLINS:

An Act repealing Section 8873, Oklahoma Statutes 1931, abolishing the State Plant Board, providing that the duties now performed by said board shall hereafter be performed by the State Board of Agriculture, defining the duties of said board relating to seed, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 294—By HOGG and JONES:

An Act amending section 13797, Oklahoma Statutes 1931, relating to unlawful discriminations in the purchase or sale of commodities of general use and in the

rendering of service to the public; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 437—By WINGO.

An Act changing the method of changing the boundary or the name of wards in cities and towns, repealing Sections 6123, and 6124 of the Oklahoma Compiled Statutes 1931, being the same as Sections 4458 and 4459, respectively, C. O. S. 1921, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 132—By LEE-CRAFT, HAILE, BUSHYHEAD, BABB, McELHANEY, LINDSEY and EBey (Pontotoc)

An Act amending Section 12678 Oklahoma Statutes 1931, and relating to taxes levied by the County Excise Boards.

ENGROSSED HOUSE JOINT RESOLUTION NO. 32—By BABB, STURGELL, PAXTON, MISENHEIMER, WHITFORD, BROADDUS and CHAMBERS.

A Joint Resolution providing for the method and manner of nominating delegates to a state convention to ratify or reject the proposed Twenty First Article of amendment to the Constitution of the United States providing for the call of county Conventions and prescribing qualifications of delegates of county conventions; providing for the time, place and manner of holding same; providing for the holding of congressional district conventions and prescribing qualifications of delegates and manner, time and place of holding same; providing for the manner in which delegates shall be elected and manner in which convention of delegates shall meet; providing for payment of expenses; providing manner of certifying results of the election and results of the ballot delegates.

ENGROSSED HOUSE BILL NO. 681—By ROBERTS, LOWRANCE, ABERNATHY, HART and PHILLIPS (Okfuskee).

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An Act amending Section 7783, Compiled Oklahoma Statutes 1931, relating to the duties of County Weighers; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 366—By DANIEL, CHAMBERS, CONNER and LEECRAFT.

An Act to amend Sections 4900, 4901, 4903, 4904, and 4907, Chapter 24, Article 23, Oklahoma Statutes 1931; relating to the sale of securities, and declaring an emergency.

ENGROSSED HOUSE BILL NO. 197—By MASSEY.

An Act to provide for the control and destruction of predatory animals; making an appropriation therefor and prescribing the manner of its expenditure in cooperation with the Fish and Game Commission, repealing sections 4865, to 4868, inclusive, Oklahoma Statutes 1931, and the bills have been passed by the House, as amended.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 220—By JUDICIAL REDISTRICTING COMMITTEE, HOUSE OF REPRESENTATIVES, entitled:

An Act creating twenty-three district court judicial districts in the State of Oklahoma; fixing time for convening court in the various counties of said districts; providing for the nomination and election of judges thereof; repealing Sections 3852 to 3857, inclusive, Oklahoma Statutes 1931, and all other Acts and parts of Acts in conflict therewith; restricting the effective date of certain provisions of this Act; providing that the validity of any part

or portion of this Act will not affect other parts or portions thereof,

together with Conference Committee Report, and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted and the Bill has been passed AS AMENDED by such Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on Engrossed House Bill No. 220 was read, as follows:

TO THE HONORABLE PRESIDENT OF THE SENATE AND THE HONORABLE SPEAKER OF THE HOUSE OF REPRESENTATIVES:  
OKLAHOMA

We, your Conference Committee, appointed to consider Engrossed House Bill No. 220, have had the same under consideration and beg leave to submit the following report and recommendations:

1. That the Senate recede from the following Senate Amendments: Nos. 1, 2, 6, 8, 9, 10, 11, 12, 16, 18, 19, and 21.

2. That the House of Representatives concur in the following Senate Amendments: Nos. 3, 4, 5, 7, 13, 14, 15, 17, 20 and 22.

3. That the following amendment be substituted for Senate Amendment No. 1: Conference Committee Substitute No. 1. To strike the title to said bill and substitute in lieu thereof the following:

An Act creating Twenty-three District Court Judicial Districts in the State of Oklahoma; fixing the time for convening Court in the various counties in said districts; providing for the nomination and election of judges thereof; repealing sections 3832 to 3857, inclusive, Oklahoma Statutes, 1931, and all acts and parts of acts in conflict therewith;



repealing sections 3852 to 3854, inclusive. Oklahoma Statutes, 1931; consolidating certain judicial districts, restricting the effective date of certain provisions of this Act and providing that the invalidity of any part or portion of this Act will not affect other parts or portions thereof."

4. That the following amendment be substituted for Senate Amendment No. 10; Conference Committee Substitute No. 2: To amend the Engrossed Typewritten Copy of said bill at Line 18, page 2, as follows: By striking after the word "judges," the remainder of Line 18 and all of Line 19, and adding the following: "One judge to be nominated from Carter County, the other judge to be nominated from Murray, Johnston, Marshall and Love Counties, both of said judges to be elected at large within the district."

5. That the following amendment be substituted for Senate Amendment No. 21; Conference Committee Amendment No. 3:

"Section 5. Within ninety days after the passage and approval of this Act, Sections 3852, 3853, 3854, Oklahoma Statutes, 1931, same being Chapter 161, Sections 1, 2, and 3 of the Session Laws of 1923, relating to former Judicial District No. 27 and creating a new judgeship therein are hereby repealed."

Respectfully submitted,

Senate Conferees:

DON WILBANKS  
W. T. CLARK  
LOUIS A. FISCHL  
CLAUD BRIGGS  
PRES S. LESTER  
S. M. RUTHERFORD

House Conferees

JOHN M. HOLLIMAN  
BEN O. KIRKPATRICK  
J. L. BATSON  
WILLIAM H. CLINE  
LEON C. PHILLIPS  
TOM G. HAILE  
BOWER BROADBUSH  
T. H. EASON

Senator Wilbanks moved that the Conference Committee Report on Engrossed House Bill No. 220 be adopted.

Senator Dixon, as a substitute, moved that the Senate reject the Conference Committee Report on Engrossed House Bill No. 220 and request a further conference.

Upon motion of Senator Wilbanks, the Dixon motion was tabled.

Senator Paul, as a substitute, moved that the Senate reject the Conference Committee Report on Engrossed House Bill No. 220, that Senate conferees be appointed and instructed to strike from the report the provision for one Judge from Oklahoma County, one Judge from Muskogee County and one Judge from Tulsa County.

Upon motion of Senator Chamberlin, the previous question was ordered.

The vote occurring on the Paul motion, it was declared failed of adoption.

Senator Johnston, as a substitute, moved that the Conference Committee Report on Engrossed House Bill No. 220 be rejected and Senate conferees instructed to attach Noble County to the Judicial District, in which Logan and Payne Counties are placed, such provision to become effective on the approval of House Bill No. 220, which motion was tabled, upon motion of Senator Wilbanks.

Senator Dixon, as a substitute, moved that the Conference Committee Report on Engrossed House Bill No. 220 be rejected as to that part thereof which relates to district court judicial District No. 19, composed of Love, Marshall, Johnston and Carter Counties, which motion was tabled, upon motion of Senator Wilbanks.

Senator Paul, as a substitute, moved that the Conference Committee Report on Engrossed House Bill No. 220 be rejected, that a further conference be requested, and that the Senate conferees be instructed to lessen the number of District Judges in Tulsa County by one and the number

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of District Judges in Oklahoma County by one, which motion failed of adoption.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 197—By MASSEY, entitled:

An Act to provide for the control and destruction of predatory animals; making an appropriation therefor, and prescribing the manner of its expenditure in co-operation with the Fish and Game Commission, repealing Sections 4865 to 4868 inclusive, Oklahoma Statutes 1931

ENROLLED HOUSE BILL NO. 219—by COLLINS, entitled:

An Act repealing Section 8873 Oklahoma Statutes 1931; abolishing the State Plant Board, providing that the duties now performed by said Board shall hereafter be performed by the State Board of Agriculture, defining the duties of said Board relating to seed, and declaring an emergency

ENROLLED HOUSE BILL NO. 294—By HOGG and JONES, entitled:

An Act amending Section 12797, Oklahoma Statutes 1931, relating to unlawful discriminations in the purchase or sale of commodities of general use and in the rendering of service to the public; and declaring an emergency

ENROLLED HOUSE BILL NO. 366—By DANIEL, CHAMBERS, CONNER and LEECRAFT, entitled:

An Act to amend Sections 4900, 4901, 4903, 4904, and 4907, Chapter 24, Article 23, Oklahoma Statutes 1931, relating to the sale of securities 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 197, 219, 294 and 366 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the Presiding Officer, and ordered returned to the Honorable House.

President Burns presiding.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 22—By COX, WILLIAMS, WRIGHT, ALLEN and WILMOT of the House, and RIZLEY and TAYLOR of the Senate, entitled:

A Concurrent Resolution authorizing the appointment of members of the House of Representatives and Senate of the State of Oklahoma to represent the State of Oklahoma, in an effort to secure a compact between the States of Texas and Oklahoma settling the controversy as to the true location of the boundary lines between said States in the disputed area which has been the subject of litigation in the Supreme Court of the United States; authorizing the payment of necessary expenses out of funds already appropriated to pay expenses of the Fourteenth Legislature to defray the expenses incident to negotiating for said settlement between said States; providing that certified copies of this Resolution be furnished the Governor and Presiding Officers of the State Legislature of Texas,

and to advise you, and, through you, the Honorable



Senate, that the same has been signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolution No. 22 and ordered it returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE JOINT RESOLUTION NO. 32—By BABB, STURGELL, PAXTON, MISENHEIMER, WHITFORD, BROADDUS and CHAMBERS, entitled:

A Joint Resolution providing for the method and manner of nominating delegates to a State Convention to ratify or reject the proposed twenty-first Article of amendment to the Constitution of the United States; providing for the call of county conventions and prescribing qualifications of delegates to County Conventions; prescribing for the time, place and manner of holding same; providing for the holding of Congressional District Conventions and prescribing qualifications of delegates and manner, time and place of holding same; providing for the manner in which delegates shall be elected and manner in which convention of delegates shall meet; providing for payment of expenses; providing manner of certifying results of the election and result of the ballot of delegates.

ENROLLED HOUSE BILL NO. 681—By ROBERTS, LOWRANCE, ABERNATHY, HART and PHILLIPS (Okfuskee), entitled:

An Act amending Section 7783, Compiled Oklahoma Statutes 1931, relating to the duties of County Weighers; and declaring an emergency.

ENROLLED HOUSE BILL NO. 735—By LOWRANCE of the House and FISCHL of the Senate, entitled:

An Act authorizing the Board of Affairs to transfer an appropriation made by the 13th Legislature for the Oklahoma School for Deaf at Sulphur, for the purpose of remodeling old Industrial Building for a Hospital to a fund for the purpose of remodeling and repairing present Hospital building, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Joint Resolution No. 32 and House Bills Nos. 681 and 735 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE JOINT RESOLUTION NO. 51—By BABB and STEWART, entitled:

A Joint Resolution authorizing Herbert Z. Ward, of Heavener, Oklahoma, to bring suit against the State of Oklahoma to recover certain gross production and other taxes alleged to have been illegally collected from him by the State of Oklahoma, and declaring an emergency,

and to advise you, and, through you, the Honorable Senate, that the same has been read for the fourth

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time and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Joint Resolution No. 51 was read at length for the fourth time, the enrolled copy signed, in open session, by the President, and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 65—By MAL-  
LORY, entitled:

An Act amending Section 12,040, Oklahoma Stat-  
utes 1931, pertaining to the Confederate pensions, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 65 was read at length for the fourth  
time, the enrolled copy signed, in open session, by the  
President, and ordered returned to the Honorable  
House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to  
transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 165—By SPEAR,  
entitled:

An Act providing for transportation of pupils in  
the State of Oklahoma, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 165 was read at length for the fourth time, the enrolled copy signed, in open session, by the President, and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 179—By GRAHAM, entitled:

An Act amending Sections 12019, 12020, 12021, 12022, and 12024, and repealing Section 12027, Oklahoma Statutes 1931; providing for inmates of the Oklahoma State Soldiers' Home to pay certain fee to the Home where they receive income and declaring an emergency.

ENROLLED HOUSE BILL NO. 132—By LEE-CRAFT, HAILE, BUSHYHEAD, BABB, McELHANEY, LINDSEY and EBEY (Pontotoc), entitled:

An Act amending Section 12678, Oklahoma Statutes 1931, and relating to taxes levied by the County Excise Board,

and to advise you, and, through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 132 and 179 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the President and ordered returned to the Honorable House.



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To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 369—By GIBSON, FITZGERALD, EBEY (Pontotoc), COPELAND, entitled:

An Act authorizing the Insurance Commissioner for certain causes to request the appointment of a receiver for the operation or liquidation of insurance companies authorized to do business in this State; setting out the manner of the operation of said companies by the Insurance Commissioners; providing that no other person other than the Insurance Commissioner may ask for the appointment of a receiver 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 369 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 487—By CAVINS, entitled:

An Act making it unlawful for the County Superintendent of Public Instruction to approve contracts for a term which extend beyond the term of offices of said County Superintendent; providing penalty for violation

thereof; repealing all Acts in conflict therewith, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 487 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 489—By BABB, entitled:

An Act abolishing the laws creating the offices of township trustee, township clerk and township treasurer of each township in Oklahoma and transferring the duties of said offices upon certain persons.

ENROLLED HOUSE BILL NO. 503—By COLE, entitled:

An Act requiring preference to be given to persons, firms and corporations doing business in this State in the purchase of materials and supplies for the State, County and municipalities and subdivisions thereof.

ENROLLED HOUSE JOINT RESOLUTION NO. 1—By CLOYD, entitled:

A Resolution authorizing an extension of the time for payment of the first half of the 1932 ad valorem taxes in Oklahoma until June 15, 1933, and authorizing an extension of time for the payment of the last half of the 1932 ad valorem taxes until September 1st, 1933; relieving the taxpayer of all penalties on

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such taxes if paid as prescribed therein; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Joint Resolution No. 1 and House Bills Nos. 489 and 503 were, each, read at length for the fourth time, the enrolled copies signed, in open session by the President, and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 531—By ALBRIGHT, DANIEL, and FITZGERALD, entitled:

An Act amending Sections 11589, 11590, 11592, 11593, 11599, 11601, 11612, Oklahoma Statutes 1931 relating to petroleum and its by products, prescribing the duties of the State Oil Inspector and the Corporation Commission relative to petroleum and its by products, prescribing a penalty for violation of this Act and repealing certain laws of the State of Oklahoma concerning same 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 531 was read at length for the fourth time, the enrolled copy signed, in open session, by the President, and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 532—By FITZGERALD, ABERNETHY (Harmon), ALBRIGHT, ARMSTRONG, BABB, BEARD, BENNETT, MARSHALL, BOYER, BRAZELL, CHAMBERS, COE, DOUTHAT, GLEN, GRAHAM, GRAY, HART, HILL, JOHNSON (Osage), KENAN, KIRKPATRICK, LANDINGHAM, LINDSEY, LOGSDON, LOWRANCE, MASSEY, MISENHEIMER, PARKS, PAXTON, PHILLIPS (Atoka), RAWLS, STRICKLAND, (Marshall), STURGELL, TIMMONS, TURNER, WOOTEN, and WORTHINGTON, GARLAND, KING (Creek), REMUND, SMALLEY, and CONNER.

An Act to provide for the regulation, control and licensing of horse racing within the State of Oklahoma, to create an Oklahoma Racing Commission, and to prescribe its powers and duties, to provide for the license fees to be charged for the conduct of Horse Racing within the State of Oklahoma, to provide for the pari-mutuel or certificate system of wagering, providing exemptions and penalties, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

ENROLLED HOUSE BILL NO. 686—By PHILLIPS (Okfuskee).

An Act to provide for the appointment of a Board, to be known as the "Co-ordinating Board," such board to be charged with the duty of co-ordinating and unifying the system of higher education in this State; providing the terms of office and the powers and duties of such Board; and repealing Sections 6756, 6757, and 6758 of the Oklahoma Statutes of 1931.



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ENROLLED HOUSE BILL NO. 191—By STUR-  
GELL.

An Act to establish a holiday to be known as  
“Jefferson Day” and to provide for executive proc-  
lamation thereof,

and to advise you, and, through you, the Honorable  
Senate, that the same have been read for the fourth  
time and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 191, 532 and 686 were, each,  
read at length for the fourth time, the enrolled copies  
signed, in open session, by the President and ordered  
returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to  
transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 592—By GAR-  
LAND of the House and BRIGGS of the Senate, en-  
titled:

An Act authorizing a representative of the estate  
of Gordon Stringer, deceased, or his surviving wife,  
to bring suit against the State of Oklahoma for the  
benefit of the estate or for the benefit of said wife  
and minor children, for damages resulting from the  
death of Gordon Stringer, deceased; providing that  
if judgment is recovered thereon that the same shall  
be paid from the general funds in the State treasury  
not otherwise appropriated and appropriating \$10,000.00  
or so much thereof as may be necessary for the pay-  
ment of the judgment rendered, and declaring an  
emergency.

ENROLLED HOUSE BILL NO. 320—By KING,  
LANDINGHAM and WATSON, entitled:

An Act dividing Creek County, Oklahoma into three

legislative nominating districts for the purpose of nominating candidates for the Legislature by the various legally constituted political parties, to become candidates in the General election to the House of Representatives of the State of Oklahoma, for the remainder of the decennial period ending on the 15th day after the General Election in 1942.

ENROLLED HOUSE BILL NO. 437—By WINGO, entitled:

An Act changing the method of changing the boundary or the name of wards in cities and towns, repealing Sections 6123 and 6124 of the Oklahoma Compiled Statutes 1931, being the same as Sections 4458 and 4459, respectively, C. O. S. 1921 and declaring an emergency.

ENROLLED HOUSE BILL NO. 504—By CLOYD; LEECRAFT, GRAHAM, MARTIN, BROADDUS and SHOEMAKE, entitled:

An Act authorizing Leo. D. Harman, Sr., formerly a Captain in the Oklahoma National Guard to bring suit against the State of Oklahoma for injuries sustained in the line of duty as a soldier, providing that if judgment is entered in his favor that the same shall be paid from the General Funds of the State appropriating not to exceed \$2500.00 for the purpose of payment of any judgment rendered, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 320, 437, 504 and 592 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the President and ordered returned to the Honorable House.

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To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 669—By KIGHT, TODD, LEECRAFT, MALLORY, PALMER, ABERNETHY (Harmon), and GRISSO of the House and REED and NANCE of the Senate, entitled:

An Act to provide for the organization, operation and supervision of cooperative savings and credit associations to be termed "Credit Unions" and to define their powers,

and to advise you, and, through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 669 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 682—By ANGLIN, BATSON, DANIEL, LEECRAFT, GARLAND, BABB, PHILLIPS (Atoka), PHILLIPS (Okfuskee) of the House and STEWART of the Senate, entitled:

An Act relating to lands acquired by the several counties of the State of Oklahoma by purchase for delinquent taxes; prescribing a limitation for action to set aside resale; providing for acquiring title there-to by entry, improvement, use and payment of accruing taxes; placing said lands under supervision of

commissioners of land office; for classification and subdivision of said lands, issuing certificates of selection, cancellation of entries, making proof of compliance and right of conveyance of titles, execution and delivery of deed conveying title thereto; providing for sale of lands not entered; repealing conflicting laws, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 682 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 719—By EASON and O'NEILL.

An Act prohibiting storing, selling, offering for sale of petroleum products under deceptive trade name or brands, substitution of the same for products bearing the distinguishing trade-mark, name or brand, imitating or copying designs, symbols, trade-marks or brands, defining substitution, declaring same a misdemeanor, providing penalties for same, 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 719 was read at length for the



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fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 730—By SHOE-MAKE, HART, BLOCKER, BILLINGS, WOOTEN, BOYER and DARKS, entitled:

An Act amending Section 3410, Oklahoma Statutes, 1931, relating to appointments to fill vacancies in elective offices; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 730 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 734—By MARTIN, entitled:

An Act amending Section 4515, Oklahoma Statutes 1931, relating to vital statistics; providing for registration districts and registrars of births, deaths and marriages; prescribing the duties of registrars and health officers; providing for fees and compensation of registrars, authorizing and directing payment thereof out of the General Revenue Fund of the State; pro-

viding penalties for violation thereof, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 734 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

Senator MacDonald presiding.

Referring further to HOUSE BILL NO. 220, as amended in Conference:

Senator Paul asked unanimous consent, to which objections were voiced, that the Conference Committee Report on House Bill No. 220 be rejected and Senate conferees instructed to lessen the number of District Judges in Oklahoma County by one and the number in Tulsa County by one.

Senator Paul moved that the Senate conferees, under House Bill No. 220, be instructed to lessen the number of District Judges in Oklahoma County by one and the number in Tulsa County by one, which motion was tabled, upon motion of Senator Wilbanks.

Upon motion of Senator Wilbanks, the previous question was ordered.

The vote occurring on the Wilbanks motion, the Conference Committee Report on Engrossed House Bill No. 220 was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Clark, Commons, Curnutt, Howard, Hutchinson, Jennings, Lester, MacDonald, Memminger, Nichols, Pugh, Ray, Ritzhaupt, Rutherford, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 23.

Nays: Carmack, Chamberlin, Coppock, Dixon,

Fischl, Garvin, Johnston, Liggett, Paul, Rizley, Sowards. Total, 11.

Not Voting: Fidler, Moon, Nance, Reed, Stewart, Taylor. Total, 6.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Senator Paul moved that the Conference Committee Report on Engrossed House Bill No. 220 be rejected, that new Senate conferees be appointed thereunder and that said conferees be instructed to lessen the number of District Judges in Senator Johnston's Judicial District by one, the number of District Judges in Oklahoma County by one and the number of District Judges in Tulsa County by one.

Senator Commons raised a point of order against the Paul motion, which was sustained, stating the Conference Committee Report on Engrossed House Bill No. 220 had been adopted.

Senator Paul moved that the vote be reconsidered by which the Conference Committee Report on Engrossed House Bill No. 220 was adopted, which motion failed of adoption.

President Burns presiding.

HOUSE BILL NO. 220, as amended in Conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Clark, Commons, Curnutt, Howard, Hutchinson, Jennings, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Carmack, Chamberlin, Coppock, Dixon, Fischl, Garvin, Johnston, Liggett. Total, 8.

Not Voting: Fidler, Moon, Sowards, Taylor. Total, 4.

Absent: Daugherty, Logan, Morrison, Powers.  
Total, 4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

Engrossed House Bill No. 220, together with Conference Committee Report thereon, was ordered returned to the Honorable House.

Senator Wilbanks moved that the vote be reconsidered by which House Bill No. 220, as amended in Conference, was passed, which motion was tabled, upon motion of Senator Ballard.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 275—By TAYLOR and RITZHAUPT, entitled:

An Act amending Sections 5039 and 5040 Oklahoma Statutes 1931, relating to the sterilization of certain inmates of certain institutions; making the provisions of Chapter 26, Article 2, Oklahoma Statutes 1931 applicable to idiocy, imbecility, feeble mindedness, insanity, habitual criminals, 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 275 was ordered referred to the Governor, for consideration.



To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 371—By MacDONALD, HUTCHINSON, WILBANKS, and WHITAKER of the Senate; CLOYD, REMUND and SULIVAN of the House.

An Act creating certain awards and decorations to be bestowed upon members of the federally recognized National Guard including an Oklahoma distinguished service cross; an Oklahoma distinguished service medal; Spanish War service medal; Mexican border service medal; World War service medals; certain long service medals; and providing for any war or campaign or mobilization which the Federal government shall recognize by awarding service medals; providing for a board to be selected by order of the Governor to select designs, ribbons, and symbols for medals; providing for the publication of general orders necessary to carry out provisions of this Act; and declaring an emergency.

ENROLLED SENATE BILL NO. 221—By CHAMBERLIN.

An Act providing, fixing and describing the legislative enactments that shall be printed and published in the Session Laws of each Legislature; repealing all laws and parts of laws in conflict herewith and declaring an emergency.

ENROLLED SENATE BILL NO. 266—By JOHNSTON, TAYLOR, BRIGGS, REED and CARMACK of the Senate, and JONES, BABB and HENDERSON of the House.

An Act repealing Sections 10,298 and 10,300 Oklahoma Statutes 1931, and amending Sections 10,308 and 10,309 Oklahoma Statutes 1931, relating to certificates

of title for motor vehicles; providing for the disposition of fees collected and appropriating the same to the auto theft fund; authorizing the employment of necessary clerical and other help and fixing their compensation; providing that the same shall be paid out of the auto theft fund; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 221, 266 and 371 were, each, ordered referred to the Governor, for consideration.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 427 — By BRIGGS and COPPOCK of the Senate, and COLLINS of the House, entitled:

An Act authorizing the county treasurers of the various counties of Oklahoma to deposit with the State Treasurer, for safe keeping, securities by them to secure county deposits in county depositories; providing that such authority shall be cumulative to the provisions of Senate Bill No. 105 of the Fourteenth Legislature of the State of Oklahoma, relating to the deposits for safe keeping of securities received by county treasurers to secure county deposits; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

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Enrolled Senate Bill No. 427 was ordered referred to the Governor, for consideration.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 149 — By BRIGGS, entitled:

An Act to enable and authorize counties, cities, towns, townships, board of education, school districts and all other municipalities in Oklahoma to refund their outstanding bonded indebtedness; 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 AS AMENDED and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 149 were read, as follows, and, upon motion of Senator Briggs, adopted:

ENGROSSED HOUSE AMENDMENT NO. 1. By inserting a section, to be known as section "2-A," to read as follows: "The governing board of the municipality issuing such refunding bonds, at the time of the passage of the resolution or ordinance as provided in section 2 of this Act, shall cause to be published once a week for two successive weeks, in a newspaper in general circulation in such municipality, a notice to the public of the intention of the governing body of such municipality, to refund certain of its bonded indebtedness, describing the same, and stating the date, time and place that the governing body of such municipality shall meet to hear and determine any protests, if any there be, against the issuance of such refunding bonds. The date of such hearing

shall not be less than fifteen (15) days from the first publication of such notice."

ENGROSSED HOUSE AMENDMENT NO. 2. By inserting a section, to be known as section "5-A," to read as follows: "If any section, paragraph, sentence or phrase of this Act shall be declared unconstitutional, or void for any other reason by any Court of final jurisdiction, such fact shall not in any manner invalidate or affect any other section, paragraph, sentence or phrase of this Act, but the same shall continue in full force and effect."

SENATE BILL NO. 149, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Commons, Dixon, Fidler, Fischl, MacDonald, Moon, Sowards, Stewart, Taylor. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.



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Not Voting: Commons, Dixon, Fidler, Fischl, MacDonald, Moon, Sowards, Stewart, Taylor. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. 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, in open session, signed Engrossed House Amendments to Engrossed Senate Bill No. 149 and ordered the bill, as amended, referred for enrollment.

Senator Reed moved that the Senate proceed to call the roll on SENATE BILL NO. 181, as amended by the Honorable House, which motion prevailed.

SENATE BILL NO. 181, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not Voting: Clark, Commons, Dixon, Fidler, Hutchinson, Moon, Stewart, Taylor. Total, 8.

Absent: Daugherty, Logan, Morrison, Powers. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Mem-

mingier, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Not Voting: Clark, Commons, Dixon, Fidler, Hutchinson, Moon, Stewart, Taylor. Total, 8.

Absent: Daugherty, Logan, Morrison, Powers. 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, in open session, signed Engrossed House Amendments to Engrossed Senate Bill No. 181 and ordered the bill, as amended, referred for enrollment.

Senator Waldrep asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 206, by Waldrep, as amended by the Honorable House.

Upon motion of Senator Waldrep, the Senate concurred in Engrossed House Amendments to Senate Bill No. 206.

SENATE BILL NO. 206, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Menminger, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Carlile, Clark, Fidler, Garvin, Moon, Reed, Rizley, Rutherford, Taylor. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. 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: Ballard, Briggs, Carmack, Chamberlin, Commons, Coppock, Curnutt, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Carlile, Clark, Fidler, Garvin, Moon, Reed, Rizley, Rutherford, Taylor. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. 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, in open session, signed Engrossed House Amendments to Engrossed Senate Bill No. 206 and referred the bill, as amended, for enrollment.

Upon motion of Senator Memminger, HOUSE BILL NO. 451, by Phillips (Atoka), was advanced to engrossment and third reading.

Upon motion of Senator Memminger, the rules of the Senate were suspended and House Bill No. 451 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 451 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Sowards,

Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Pugh. Total, 1.

Not Voting: Clark, Commons, Fidler, Jennings, Liggett, Moon, Rizley, Rutherford, Taylor. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. 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. 451 was ordered referred for engrossment.

Upon motion of Senator Stewart, HOUSE JOINT RESOLUTION NO. 57, by Blocker, of the House, and Stewart, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Stewart, the rules of the Senate were suspended and House Joint Resolution No. 57 was considered engrossed and placed upon third reading and final passage.

HOUSE JOINT RESOLUTION NO. 57 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Pugh. Total, 1.

Not Voting: Clark, Commons, Fidler, Jennings, Liggett, Moon, Rizley, Rutherford, Taylor. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Pugh. Total, 1.

Not Voting: Clark, Commons, Fidler, Jennings, Liggett, Moon, Rizley, Rutherford, Taylor. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. 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, in open session, signed the engrossed copy of House Joint Resolution No. 57, 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,

Building

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 260—By ELLIS, OTTESEN, FRALEY, BATSON, GRUNERT, COLLINS, SPECK, ALBRIGHT, JOHNSON (Comanche), ABERNETHY (Harmon), WINGO, HANKLA, BENNETT, KIRKPATRICK, LANDINGHAM, MOONEY, MALLORY, GLEN, HINDS, HARP, WILLIAMS,

STURGELL, LINDSEY, SPEARS, JONES, LEE-CRAFT, BILLINGS, HART, COE, JOHNSON (Osage), SULLIVAN, COX.

An Act relating to the filing of tax protests; and amending Section 12,306 Oklahoma Statutes 1931, with reference to the time and manner of filing of protests; providing for the time and manner of hearing protests by the excise board and for the filing of bond by the protestant; providing for an appeal from the excise board of the Court of Tax Review; amending Sections 12,307 and 12,310 of the Statutes of Oklahoma, 1931; repealing all laws in conflict therewith and declaring an emergency,

together with Conference Committee Report thereon, and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted and the bill passed AS AMENDED by said Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on Engrossed House Bill No. 260 was read, as follows, and, upon motion of Senator Whitaker, adopted:

To the Honorable Senate and to the Honorable House of Representatives:

We, your Conference Committee, appointed to confer on Engrossed House Bill No. 260 by Ellis, Ottesen and Fraley, have had under consideration the Senate Amendments to said bill, and, after due consideration thereof, beg leave to report as follows:

First: That the House concurs in Senate Amendments Nos. 1, 2, 3, and 4.

Second: That the Senate recede from Senate Amendment No. 5; and that in lieu thereof the following amendment be made to such bill: Line 3, Section 1, page 2, by striking after the word "barred," the remain-

der of line 3 and all of the remainder of said Section; and by inserting in lieu thereof the following: "The protest so filed with the County Clerk as herein provided shall not later than forty-five (45) days from the date of the filing of said budget and levies be presented to the Excise Board of the county affected thereby for consideration, and said Excise Board shall immediately proceed to hear and consider the said protest. Upon said hearing the Excise Board may correct the levy and budgets as to any illegality therein. The County Clerk shall immediately certify to the State Auditor, in triplicate, a statement of the correction or reduction made as to any item of said budget. Any party aggrieved because of the action of said Excise Board with respect to said protest may appeal from the said Excise Board to the Court of Tax Review. Said appeal shall be perfected by filing in said court within ten (10) days from the date of final action of the Excise Board, if both parties interested therein are present at the time of such final action or within ten (10) days from the receipt of notice of final action by registered mail in the event the protestant is not present in person or by counsel at the time of such final action, a copy of the protest filed with the County Clerk and presented to said Excise Board together with a petition setting forth in particular the errors and matters desired to be reviewed or considered by said Court of Tax Review on appeal. Upon the filing of the same in said Court of Tax Review, the same shall be heard by the Court of Tax Review immediately as provided by law, and upon such hearing such evidence may be presented as is necessary to a proper determination of the questions presented. Upon said hearing the Court of Tax Review may upon request of any party interested file a written opinion upon any question presented to it for consideration; that a copy of said opinion shall be sent to the County Attorney and to the County Clerk of the County affected by said protest."

Third: That the Senate recede from Senate Amendment No. 6 and that in lieu thereof Section 2 of said bill be amended in the following particulars:

“Line 4, page 3, after the word “within” and before the word “days” by striking the word “five” and insert in lieu thereof the word “ten.”

Line 10, page 3, after the word “it,” by striking the remainder of line 10 and all of lines 11, 12, and the first three words on line 13.”

Fourth: That the House concur in Senate Amendment No. 7.

Fifth: That the Senate recede from Senate Amendment No. 8; and that in lieu thereof the following amendment be adopted: Line 20, Section 4, page 5, by changing the period, after the word “provided,” to a comma and adding the following: “and, for the purposes hereinbefore provided, no warrant shall be issued or debt contracted against any contested portion of any fund in excess of fifty (50) per cent thereof.”

Respectfully submitted,

Senate Conferees

WHITAKER,

COMMONS,

BALLARD,

STACEY.

House Conferees

OTTESEN,

ELLIS,

STURGELL,

CAVINS.

ENGROSSED HOUSE BILL NO. 260, as amended in Conference, was read at length.

The question being, “Shall the Bill pass?” the roll was called with the following results:

Ayes: Carlile, Carmack, Chamberlin, Commons, Howard, Liggett, Nance, Paul, Pugh, Stacey, Thomas, Waldrep, Whitaker, Willis. Total, 14.

Nays: Ballard, Briggs, Coppock, Curnutt, Dixon.



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Fischl, Jennings, Johnston, MacDonald, Memminger, Ray, Ritzhaupt, Rizley, Rutherford. Total, 14.

Not Voting: Clark, Fidler, Garvin, Hutchinson, Lester, Moon, Nichols, Reed, Sowards, Stewart, Taylor, Wilbanks. Total, 12.

Absent: Daugherty, Logan, Morrison, Powers. 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.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED SENATE JOINT RESOLUTION NO. 10—By COMMONS of the Senate, and DOUTHAT and HARP of the House, entitled:

A Joint Resolution authorizing Jessie Graham and Mrs. James Vice to bring suit against the State of Oklahoma for damages sustained by them by reason of the negligence of the State Highway Department in failing to place lights and properly warn persons using the highway on August 26, 1930, of the condition of a road and bridge near Grove, Delaware County, Oklahoma; 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 AS AMENDED and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Joint Resolution No. 10 was read as follows, and, upon motion of Senator Dixon, concurred in by the Senate:

ENGROSSED HOUSE SUBSTITUTE FOR ENGROSSED

SENATE JOINT RESOLUTION NO. 10.—By COM-  
MONS of the SENATE, and HARP and DOUTHAT of  
the HOUSE.

A JOINT RESOLUTION AUTHORIZING JESSIE  
GRAHAM AND MRS. JAMES VICE TO BRING  
SUIT AGAINST THE STATE OF OKLAHOMA  
FOR DAMAGES SUSTAINED BY THEM BY  
REASON OF THE NEGLIGENCE OF THE  
STATE HIGHWAY DEPARTMENT IN FAIL-  
ING TO PLACE LIGHTS AND PROPERLY  
WARN PERSONS USING THE HIGHWAY ON  
AUGUST 26, 1930, OF THE CONDITION OF  
A ROAD AND BRIDGE NEAR GROVE, DEL-  
AWARE COUNTY, OKLAHOMA AND AU-  
THORIZING ONE McKINLEY MILLS TO IN-  
STITUTE SUIT AGAINST THE STATE OF  
OKLAHOMA TO DETERMINE THE AMOUNT  
OF DAMAGES, IF ANY, SUSTAINED BY HIM  
BY REASON OF HIS BEING RUN DOWN BY  
A HIGHWAY DEPARTMENT TRUCK DRIVEN  
BY ONE McBurnett, WORKING OUT OF  
THE ARDMORE DIVISION OF THE STATE  
HIGHWAY DEPARTMENT, AND DECLAR-  
ING AN EMERGENCY.

WHEREAS, on August 26, 1930, Jessie Graham and  
Mrs. James Vice were driving an automobile upon and  
along Highway No. 10 and near the town of Grove, Del-  
aware County, Oklahoma, in the night time of said date.  
That at said time there was being constructed a culvert  
across said highway and that said work on said culvert was  
known as "Force Account Project M-243"; that the same  
was under the supervision of an employee of the State  
Highway Department, that no insurance was carried to  
protect the State or persons who were likely to be injured,  
and that no proper danger signals to warn the public of  
the dangers thereof was kept and maintained; that at said

time the framework for the concrete had been placed across said highway, was open at top, was about four feet wide and three feet deep and it was about 25 ft. to 30 ft. from the bottom of said framework to the north edge of said gulch or ravine in which said culvert was being placed. The ground on the north side was from five to ten feet higher than the ground on the south side so that persons driving south could not see the condition so existing until they drove over said incline on the north side of the said framework. That while the said Jessie Graham and Mrs. James Vice were proceeding along said highway at a moderate rate of speed not exceeding twenty miles per hour; and by reason of the fact that no danger signals were along said works, drove over said incline on the north side and plunged into the framework on said culvert, dangerously and seriously injuring each of them; that there were no watchmen on the same, no lights thereon and no detour signs of any kind to warn the public; that as a result of said negligence on the part of the state, the said Jessie Graham injured her left eye which necessitated the same being removed and that the right eye has also been injured; that she has been out considerable expense for doctor bills and medical treatment and as a result of the same accident Mrs. James Vice, was seriously cut, injured and bruised; and that there is attached hereto, and made a part hereof, an application by the parties herein named, supported by an affidavit from doctors and physicians relative to the condition of the said Mrs. James Vice and Jessie Graham.

WHEREAS, said resultant injuries was due to the negligence of the then State Highway Department in its failure to have proper signs, watchmen or warning signals on or about said construction work.

WHEREAS, under the provisions of law in this state, suit cannot be maintained against the State of Oklahoma except by the consent of the Legislature.

WHEREAS, on July 2, 1932, about two miles north

of Marietta, Oklahoma, on Highway 77, one McKinley Mills, sustained injuries by reason of his being run down by a Highway Department truck driven by one McBurnett, working out of the Ardmore division of the State Highway Department, and

WHEREAS, By reason of such injuries said McKinley Mills should be permitted to bring suit against the State of Oklahoma to determine the liability thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF OKLAHOMA:

SECTION 1. That the said Mrs. James Vice and Jessie Graham be, and they are hereby authorized, to bring suit against the State of Oklahoma to determine liability and to recover the amount of loss and damages, if any, sustained by them by reason of the failure and neglect of the then State Highway Department by failing to place proper warning signs or signals on or about said construction work.

SECTION 2. The aforesaid McKinley Mills is hereby authorized to bring suit against the State of Oklahoma to determine liability and recover the amount of loss and damages, if any, sustained by him by reason of an accident in which he was run down by a State Highway Department truck, driven by one McBurnett, working out of the Ardmore division of the State Highway Department. Summons in such case shall be served upon the Governor, and the action shall be brought in the county in which said process is served.

SECTION 3. That such claimants, or any of them be, and they are hereby authorized to bring suit against the State of Oklahoma as provided in Sections 1 and 2 hereof.

Summons in such cases shall be served upon the Governor.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an



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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.

ENGROSSED SENATE JOINT RESOLUTION NO. 10, as amended, was read at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Ballard, Curnutt. Total, 2.

Not Voting: Clark, Fidler, Moon, Nance, Paul, Rizley, Rutherford, Taylor. Total, 8.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Coppock, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Curnutt. Total, 1.

Not Voting: Clark, Fidler, Moon, Nance, Paul, Rizley, Rutherford, Taylor. Total, 8.

Absent: Daugherty, Logan, Morrison, Powers. 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, in open session, signed Engrossed House Amendment to Engrossed Senate Joint Resolution No. 10 and ordered the resolution, as amended, referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE JOINT RESOLUTION NO.  
15—By MOON, entitled:

A Joint Resolution authorizing the submission of a proposed amendment to the Constitution of the State of Oklahoma, amending Section eight of Article nine of said Constitution,

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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Joint Resolution No. 15 was ordered referred for enrollment.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 451 correctly engrossed and Senate Joint Resolution No. 15, Senate Bills Nos. 149, 181 and 206, each, correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 451, as amended, and ordered the bill returned to the Honorable House.

Senate Joint Resolution No. 15, Senate Bills Nos. 149,

181 and 206 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the President and ordered transmitted to the Honorable House, for the signature of the Speaker.

Senator Commons moved that the vote be reconsidered by which HOUSE BILL NO. 260, as amended in Conference, failed of passage, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Commons, Curnutt, Garvin, Jennings, Johnston, Lester, Liggett, Nance, Paul, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Clark, Coppock, Dixon, Fischl, Rizley, Rutherford. Total, 6.

Not Voting: Carlile, Fidler, Howard, Hutchinson, MacDonald, Memminger, Moon, Nichols, Ray. Total, 9.

Absent: Daugherty, Logan, Morrison, Powers. Total, 4.

Upon motion of Senator Briggs, the vote was reconsidered by which the Conference Committee Report on Engrossed House Bill No. 260 was adopted.

Senator Briggs moved that the Senate refuse to adopt the Conference Committee Report on Engrossed House Bill No. 260 and request the Honorable House to adopt the Senate amendments, thereto, which motion prevailed.

Upon motion of Senator Carmack, HOUSE BILL NO. 209, by Albright and Duke, was advanced to engrossment and third reading.

Senator Whitaker presiding.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 57—By PAUL, CARLILE, STACEY, REED, SOWARDS, TAYLOR and NANCE of the Senate, PALMER, SULLIVAN, WILLIAMS, WORTHINGTON, BEAVER, ALLEN, LANDINGHAM, CLINE, ARMSTRONG, FRALEY, MUNSON, JOHNSON (Comanche), GRAY, SPEAR and COX of the House.

An Act providing for the transfer of children from one school district to another, providing for the transfer of a pro rata part of all local school revenues, providing for the payment by the State of a part of the transfer fees when necessary, repealing all Laws in conflict.

ENROLLED SENATE BILL NO. 123—By WALDREP.

An Act authorizing and empowering the school boards and county excise boards to make a transfer of certain school funds in independent school districts of this State provided that such proposal is approved by a majority of the electors of the school district making other provisions with reference thereto; and declaring an emergency.

ENROLLED SENATE BILL NO. 142—By STEWART, MEMMINGER, NANCE, CHAMBERLIN, RITZHAUPT, CURNUTT, BRIGGS, TAYLOR, PUGH, HOWARD, LESTER and COMMONS of the Senate and CHILDERS, BLOCKER and MASSEY of the House.

An Act relating to statewide primary and general elections and certain special elections; providing that the expense of such elections shall be paid by the



State, except certain items which shall be paid by the counties, fixing per diem of precinct election boards; prescribing the method of paying the State's share of the expense of such election; making an appropriation therefor; providing for the dispensing of counters; providing for the appointment of watchers in special elections; and repealing all laws and parts of laws in conflict therewith and declaring an emergency.

ENROLLED SENATE BILL NO. 150—By BRIGGS.

An Act amending Section 5913 Oklahoma Statutes 1931, relating to levy of taxes for the sinking fund municipalities.

ENROLLED SENATE BILL NO. 161—By JENNINGS and BRIGGS.

An Act amending Sections 13365, 13367 and 13372, Oklahoma Statutes 1931, relating to awards made under Workmen's Compensation Act; providing for procedure thereunder; amount and tenure of compensation in certain cases; enforcement of awards made; for survival of awards in case of death of claimant; limiting time for awards upon applications based upon change of conditions, and declaring an emergency.

ENROLLED SENATE BILL NO. 348—By WALDREP.

An Act entitled an Act amending Chapter 46, Article 8, Oklahoma Statutes 1931, relating to Building and Loan Associations providing for the merger of Building and Loan Associations for the payment of withdrawals, and for the reorganization of Building and Loan Associations and the fixing of losses in such associations and repealing Sections of the Statute in conflict therewith, 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 Presiding Officer in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 57, 123, 142, 150, 161 and 348 were, each, ordered referred to the Governor, for consideration.

Senator Liggett 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.

LIGGETT, Chairman.

Senate Joint Resolution No. 10 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered transmitted to the Honorable House for the signature of the Speaker.

President Burns presiding.

Upon motion of Senator Commons, the Senate recessed for forty-five minutes.

The Senate reassembled, with Senator Nance presiding.

Senator Commons moved that no bills or resolutions be considered, further, by the Senate, except those in conference between the Honorable House and the Senate.

Senator Briggs moved to amend the Commons motion, by "excepting also HOUSE BILL NO. 209 by Albright and Duke, of the House."

Senator Paul, in lieu of all pending motions moved that the rules of the Senate be suspended and House Bill No. 209 be considered engrossed and placed upon third reading and final passage.

Senator Curnutt moved to amend the Paul motion, by including all House bills on the calendar, which motion failed of adoption.

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The vote occurring on the Paul motion, it was declared adopted.

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: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Garvin, Johnston, Lester, MacDonald, Memminger, Nance, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford Stacey, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Ballard, Curnutt, Nichols, Stewart. Total, 4.

Not voting: Carlile, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Liggett, Moon, Ray, Sowards. Total, 11.

Absent: Daugherty, Logan, Morrison, Powers. 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 Presiding Officer in open session, signed the engrossed copy of House Bill No. 209 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,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 95—By BRIGGS of the Senate; and GARLAND of the House, entitled:

An Act authorizing and empowering county treasurers, treasurers of cities, towns, townships and boards

of education to enforce obligations evidenced by bonds, warrants or other evidence of indebtedness held by such treasurer as sinking fund investment, authorizing said treasurer to bring and maintain suits thereon, validating judgments heretofore rendered 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 95 was ordered referred for enrollment.

To The President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 306—BY SOWARDS of the Senate and GIBSON of the House, entitled:

An Act amending Section 5916, Oklahoma Statutes, 1931, and providing that the county treasurer shall prorate the interest received by him on sinking fund investments pro rata to the county sinking fund, road bond sinking and sinking fund of the school districts of which he is treasurer by law, according to the amount of funds of each invested by him on which the interest is received, and declared the legislative intent of said section; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.



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Engrossed Senate Bill No. 306 was ordered referred for enrollment.

To The President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 390—By COMMONS of the Senate and BATSON of the House, entitled:

An Act relating to elections; providing form of notification and declaration for candidate for state and county office; fixing time of filing notification and declaration and time of withdrawals; repealing Section 5755 and Section 5756, O. S. 1931, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 390 was ordered referred for enrollment.

To The President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 403—By FIDLER and RAY, entitled:

An Act to prevent fraud and deception in the sale and offering for sale of rebuilt electric storage batteries; prescribing penalties 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 of

Representatives and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 403 was ordered referred for enrollment.

To The President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 22—By FISCHL, entitled:

A Concurrent Resolution memorializing Congress to provide relief for the oil industry, the farmers, the unemployed, business and the people generally by providing an adequate tariff or tax on oil that will place the domestic oil industry on a competitive basis, with imported oil as shown by the reports of the Tariff Commission,  
and to advise you, and through you, the Honorable Senate, that the same has been signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 22 was ordered referred to the Secretary of State.

To The President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE JOINT RESOLUTION NO. 15—By MOON.

A Joint Resolution authorizing the submission of a proposed amendment to the Constitution of the State

of Oklahoma, amending Section Eight of Article Nine of said Constitution.

ENROLLED SENATE BILL NO. 206—By WALDREP.

An Act providing for biennial and special county audits by the State Examiner and inspector of books and records of any officer or custodian of the various funds of the county; providing and authorizing special tax levy to be made for the purpose of paying the cost of such audits, and regulating the use and expenditure of such funds, and repealing all Acts or parts of Acts in conflict therewith, and declaring an emergency.

ENROLLED SENATE BILL NO. 149—By BRIGGS.

An Act to enable and authorize counties, cities, towns, townships, boards of education, school districts and all other municipalities in Oklahoma, to refund their outstanding bonded indebtedness; and declaring an emergency.

ENROLLED SENATE BILL NO. 181—By CARMACK and REED of the Senate, WATSON, MARTIN, and LEECRAFT of the House.

An Act repealing Section 8753, Oklahoma Statutes 1931, relating to the State Market Commission; creating the State Market Commission as a department in the State Board of Agriculture; providing that said department shall perform all the duties theretofore performed by the State Market Commission; authorizing the promulgation of official standards for fruits, vegetables, hay or any other agricultural products; providing for the promulgation of rules and regulations for the carrying out of the provisions of this Act; authorizing the State Board of Agriculture to cooperate with the United States Department of Agriculture in prescribing rules and regulations and provisions for inspection service, and fixing fees for such service; providing qualifications for certain em-

ployees in the State Market Commission, department of the State Board of Agriculture; creating certain positions in said department; fixing the salaries of such employees; making an appropriation to carry out the provisions of this Act; 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 have been read for the fourth time and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Joint Resolution No. 15, and Enrolled Senate Bills Nos. 149, 181 and 206 were, each, ordered referred to the Governor, for consideration.

To The President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 220—By JUDICIAL REDISTRICTING COMMITTEE, House of Representatives.

An Act creating twenty-three District Court Judicial Districts in the State of Oklahoma; fixing time for convening court in the various counties of said districts; providing for the nomination and election of Judges thereof; repealing sections 3832 to 3857 inclusive Oklahoma Statutes 1931 and all other Acts and parts of Acts in conflict therewith; restricting the effective date of certain provisions of this Act; providing that the validity of any part or portion of this Act will not affect other parts or portions thereof, and to advise you, and, through you, the Honorable



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Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 220 was read at length 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,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 625—By COMMITTEE ON APPROPRIATIONS.

A Bill to be entitled an Act making an appropriation from the General Revenue Fund and other funds, for the purpose of paying claims against certain State Departments and Institutions hereinafter set out; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 625 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report House Bill No. 187 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House

Bill No. 187, as amended, and ordered the bill returned to the Honorable House.

Senator Willis submitted the following Committee report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 95 correctly enrolled.

WILLIS, Vice Chairman.

Senate Bill No. 95 was read at length 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,  
Building.  
SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 285—By GARVIN, entitled:

An Act authorizing the State Highway Commission to use funds in the State Highway Construction and Maintenance Fund to purchase the bridge property known as the Meridian Bridge located two miles west of Ryan, Oklahoma, on the Red River between Jefferson County, Oklahoma, and Clay County, Texas, and to advise you, and, through you, the Honorable Senate, that the same has been passed by the House of Representatives AS AMENDED and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 285 was read, as follows, and, upon motion of Senator Garvin, concurred in by the Senate:

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ENGROSSED HOUSE AMENDMENT NO. 1: Said bill to be amended by striking "the replacement value, which value shall be determined by some disinterested engineer and the state Bridge Engineer of the State of Oklahoma," and substituting therefor the following "Twenty-Five Thousand Dollars (\$25,000.00)."

SENATE BILL NO. 285, as amended, was read at length. ✓

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Garvin, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Curnutt. Total, 1.

Not Voting: Carlile, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Liggett, Moon, Ray. Total, 10.

Absent: Daugherty, Logan, Morrison, Powers. 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 Presiding Officer, in open session, signed Engrossed House Amendment to Engrossed Senate Bill No. 285 and ordered the bill, as amended, referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 413—By CHAMBERLIN and MEMMINGER, entitled:

An Act relating to Building and Loan Associations, designating employees and fixing salaries, fixing the fees

for examinations, amending Sections 9844 and 9847, Oklahoma Statutes 1931, and providing that this Act remain in effect for two years,

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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 413 was ordered referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 416—By FIDLER, entitled:

An Act authorizing Jewel Rubrecht to institute and prosecute an action against Oklahoma County, Oklahoma, for the use and benefit of herself and her minor children for the alleged wrongful death of her said husband R. L. Rubrecht; and declaring an emergency, and to advise you, and through you, the Honorable Senate, that the same has been passed and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 416 was ordered referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE JOINT RESOLUTION  
NO. 10—By COMMONS of the Senate and HARP and  
DOUTHAT of the House, entitled:



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A Joint Resolution authorizing Jessie Graham and Mrs. James Vice to bring suit against the State of Oklahoma for damages sustained by them by reason of the negligence of the State Highway Department in failing to place lights and properly warn persons using the highway on August 26, 1930, on the condition of a road and bridge near Grove, Delaware County, Oklahoma and authorizing one McKinley Mills to institute suit against the State of Oklahoma to determine the amount of damages, if any sustained by him by reason of his being run down by a Highway Department truck, driven by one McBurnett, working out of the Ardmore division, of the State Highway Department, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Joint Resolution No. 10 was ordered referred to the Governor, for consideration.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE JOINT RESOLUTION NO. 57, By BLOCKER of the House and STEWART of the Senate.

A Resolution authorizing and empowering the Board of County Commissioners of McCurtain County, Oklahoma, to include in their estimate of expenses for said County for the year ending June 30th, 1934, the sum of \$419.97, to pay Ben Miller for coal furnished said county for the purpose of heating the Court House and Jail and for electric light current for lighting same during

the months from February 1st to June 30th, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Joint Resolution No. 57 was read at length 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,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 4—By DANIELS, MARSHALL, BUSHYHEAD, and Others, entitled:

An Act creating a Commissioner to be known as the "Commission for Old Age Security"; prescribing its powers and duties, etc.,

together with Conference Committee Report, and to advise you, and through you, the Honorable Senate, that the Conference Committee Report has been adopted and the Bill has been passed AS AMENDED by such report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on Engrossed House Bill No. 4 was read, as follows, and, upon motion of Senator Commons, adopted:

We, the Conference Committee, to whom was referred Engrossed House Bill No. 4, together with Engrossed Senate Amendments to said bill, beg leave to report that we have had same under consideration and

herewith return the same with the following recommendations:

That the Senate recede from Amendments 1 and 2 and that the following amendments be adopted in lieu thereof:

First: Section 11 of the bill shall be stricken and the following inserted in lieu thereof: "There is hereby appropriated from any monies in the State Treasury not otherwise appropriated, the sum of Fifty Thousand Dollars (\$50,000.00) for the fiscal year ending June 30, 1934, and Fifty Thousand Dollars (\$50,000.00) for the fiscal year ending June 30, 1935, for the purpose of paying the salary and expenses of the employees authorized by this Act and to pay pensions authorized by this Act."

Second: The title of said Act shall be corrected to read as follows: "An Act creating a Commission to be known as the 'Commission for Old Age Security,' prescribing its powers and duties, fixing the salaries of the officers and employees thereof, providing a pension for persons seventy years of age or more, the adult blind over twenty-one years of age who do not have property, real or personal, over a value in excess of \$1,000.00, or a yearly income of more than \$250.00, providing penalties for violation thereof, making appropriations therefor and declaring an emergency."

Respectfully submitted,

W. J. MARSHALL

J. C. NANCE

HOGG

PAUL STEWART

McELHANEY

KNOX GARVIN

OTTO STRICKLAND

HENRY S. JOHNSTON

House Conferees

Senate Conferees

HOUSE BILL NO. 4, as amended in Conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carmack, Chamberlin, Curnutt,

Garvin, Johnston, Lester, Nance, Paul, Pugh, Reed, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks. Total, 19.

Nays: Ballard, Clark, Commons, Coppock, Ritzhaupt, Rizley, Rutherford, Willis. Total, 8.

Not voting: Carlile, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Liggett, MacDonald, Memminger, Moon, Nichols, Ray. Total, 13.

Absent: Daugherty, Logan, Morrison, Powers. 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.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 260—By ELLIS, OTTESEN, FRALEY, BATSON, GRUNERT, COLLINS, SPECK, ALBRIGHT, JOHNSON (Comanche), ABERNETHY (Harmon), WINGO, HANKLA, BENNETT, KIRKPATRICK, LANDINGHAM, MOONEY, MALLORY, GLEN, HINDS, HARP, WILLIAMS, STURGELL, LINDSEY, SPEARS, JONES, LEE-CRAFT, BILLINGS, HART, COE, JOHNSON (Osage), SULLIVAN, COX, entitled:

An Act relating to the filing of tax protests; and amending Section 12306 Oklahoma Statutes 1931, with reference to the time and manner of filing of protests; providing for the time and manner of hearing of protests by the excise board and for the filing of bond by the protestant; providing for an appeal from the excise board of the court of tax review; amending



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Sections 12307 and 12310 of the Statutes of Oklahoma 1931, repealing all laws in conflict therewith and declaring an emergency, and respectfully renews their request for a Conference on same.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Waldrep, the request of the Honorable House for a conference on Engrossed House Bill No. 260 was granted, the Presiding Officer appointing as Senate Conferees, thereunder, Senators Commons, Briggs and Paul.

Senator Garvin moved that the Honorable House be requested to return ENGROSSED HOUSE BILL NO. 187, by Kight and Batson, for correction, which motion prevailed.

Senator Willis submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Joint Resolution No. 20 and House Bill No. 395, each, correctly engrossed and Senate Bills Nos. 285, 306 and 403, each, correctly enrolled.

WILLIS, Vice Chairman.

Senate Bills Nos. 285, 306 and 403 were, each, read at length 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.

Upon the request of Senator Briggs, the Senate considered, under Third Reading, HOUSE JOINT RESOLUTION NO. 20, by Morse (Pottawatomie), et al.

Senator Morrison asked to be recorded "present," which was the order.

SENATE JOINT RESOLUTION NO. 20 was read for the third time at length, as follows:

ENGROSSED HOUSE JOINT RESOLUTION NO. 20

— By MORSE, ABERNATHY (Pottawatomie), BEAMAN, BENNETT, BILLINGS, BROADDUS, BUSHYHEAD, BRAZELL, CAVINS, CAVITT, CHAMBERS, CLINE, CLOYD, COE, DARKS, EASON, EBEEY (Pontotoc), FRALEY, GARLAND, GIBSON, GLEN, GRISSO, GRUNERT, HOLLI-MAN, HUTCHINGS, JONES, JOHNSON (Co-manche), JOHNSON (Osage), KENAN, KIGHT, KING (Coal), LANDINGHAM, LEECRAFT, LOGSDON, MALLORY, MOONEY, OTTESEN, PHIL-LIPS (Okfuskee), PALMER, PARKS, RAWLS, SHOEMAKE, SINGLETON, STURGELL, SULLI-VAN, WHITFORD of the House and LOGAN, NANCE, STACEY and LESTER of the Senate—

A RESOLUTION AUTHORIZING THE SUB-MISSION 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 6 OF ARTICLE 10 THEREOF BY ADDING AN ADDITIONAL SECTION TO BE KNOWN AS SECTION 6-a, TO PROVIDE FOR THE CLASSIFICATION OF HOME-STEADS FOR THE PURPOSE OF TAX-ATION, LIMITING THE AMOUNT OF TAXES TO BE LEVIED AGAINST THE SAME TO FIFTEEN (15) MILLS ON THE DOLLAR VALUATION, TO BE IN LIEU OF ALL OTHER TAXES EXCEPT SPE-CIAL IMPROVEMENT TAXES; AND PRO-VIDING THE MANNER AND FORM OF SUBMITTING THE SAID PROPOSED AMENDMENT.

NOW, THEREFORE, BE IT RESOLVED BY THE

SENATE AND THE HOUSE OF REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. That the following amendment to Section 6 of Article 10 of the Constitution of the State of Oklahoma by adding thereto an additional section to be known as Section 6-a, 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 10, Section 6-a:

“All lands classified as homesteads under the provisions of Section 1, Article 12, of the Constitution of the State of Oklahoma, are hereby classified for the purpose of taxation, and a tax of more than fifteen (15) mills on the dollar valuation may never be levied upon the said lands and same shall be in lieu of all other taxes except special improvement taxes. Provided, however, that where the assessed valuation is in excess of \$5,000.00 all that portion of the assessed valuation in excess of Five Thousand Dollars (\$5,000.00) shall be and is hereby declared to be subject to taxation in the same manner as lands otherwise classified. All lands other than homesteads shall continue to be taxed in the same manner as heretofore or as may be hereafter provided by law. The taxes hereby levied upon real estate classified as homesteads is hereby declared to be in the nature of a commutation of taxes upon said class of property. The valuation of such property for the purpose of taxation and the manner of assessing the same, shall be and continue as now fixed for the assessment and valuation of other real property unless and until otherwise provided by law.

It shall be the duty of the Legislature to pass appropriate laws placing into effect this Article, but the same shall be self-executory prior to the enactment of such laws."

SECTION 2. This amendment shall be submitted to the people of the State of Oklahoma for their approval or rejection at the next general election to be held throughout the State, or at a special election to be called by the Governor of the State of Oklahoma as provided by law. The amendment shall be submitted in the following form:

"Shall Section 6, Article 10 of the Constitution of the State of Oklahoma be amended by adding thereto an additional Section to be known as Section 6-a, providing for the classification of homesteads for the purpose of taxation to an extent of a value of five thousand dollars (\$5,000.00) and limiting the tax to be imposed on or against the same, to be in lieu of all other taxes except special improvement taxes.

☐

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 for their approval or rejection.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Garvin, Johnston, Lester, MacDonald,



Morrison, Nance, Paul, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Wilbanks, Willis. Total, 26.

Nays: Ballard, Whitaker. Total, 2.

Not voting: Carlile, Curnutt, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Liggett, Memminger, Moon, Nichols, Ray. Total, 13.

Absent: Daugherty, Logan, Powers. Total, 3.

The Resolution 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 Engrossed Senate Amendments to and Engrossed House Joint Resolution No. 20, as amended, and ordered the same returned to the Honorable House.

By unanimous consent, HOUSE BILL NO. 637, by Marshall, was advanced to engrossment and Third Reading.

By unanimous consent, House Bill No. 637 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 637 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 28.

Not Voting: Carlile, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Liggett, Moon, Ray, Reed, Sowards. Total, 13.

Absent: Daugherty, Logan, Powers. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Garvin, Hutchinson, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Carlile, Dixon, Fidler, Fischl, Howard, Jennings, Liggett, Moon, Ray, Reed, Sowards. Total, 11.

Absent: Daugherty, Logan, Powers. 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. 637, and ordered the same transmitted to the Honorable House.

By unanimous consent, HOUSE BILL NO. 395, by Whitford, was taken up for consideration under Third Reading.

HOUSE BILL NO. 395 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Garvin, Hutchinson, Johnston, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Carlile, Dixon, Fidler, Fischl, Howard, Jennings, Lester, Liggett, Moon, Ray, Rutherford. Total, 11.

Absent: Daugherty, Logan, Powers. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Garvin, Hutchinson, Johnston, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Carlile, Dixon, Fidler, Fischl, Howard, Jennings, Lester, Liggett, Moon, Ray, Rutherford. Total, 11.

Absent: Daugherty, Logan, Powers. 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. 395, and ordered the same transmitted to the Honorable House.

Upon motion of Senator Commons, all House Bills, except those in conference and House Joint Resolution No. 37, by Paxton, of the House, and Carmack, of the Senate, were ordered stricken from the Calendar.

Senator Willis submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 390 correctly enrolled.

WILLIS, Vice-Chairman.

Senate Bill No. 390 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

Upon motion of Senator Carmack, HOUSE JOINT RESOLUTION NO. 37, by Paxton, of the House, and Carmack, of the Senate, was advanced to engrossment and third reading.

Upon motion of Senator Carmack, the rules of the Senate were suspended and House Joint Resolution No. 37 was considered engrossed and placed upon third reading and final passage.

HOUSE JOINT RESOLUTION NO. 37 was read for the third time at length.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Garvin, Hutchinson, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Ballard. Total, 1.

Not Voting: Carlile, Curnutt, Dixon, Fidler, Fischl, Howard, Jennings, Liggett, Moon, Ray, Reed. Total, 11.

Absent: Daugherty, Logan, Powers. Total, 3.

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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Coppock, Garvin, Hutchinson, Johnston, Lester, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Carlile, Curnutt, Dixon, Fidler, Fischl, Howard, Jennings, Liggett, Moon, Ray, Reed. Total, 11.



Absent: Daugherty, Logan, Powers. 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 Joint Resolution No. 37, and ordered the same transmitted to the Honorable House.

Senator Willis submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 413 and 416, each, correctly enrolled.

WILLIS, Vice-Chairman.

Senate Bills Nos. 413 and 416, were, each, read at length for the fourth time, the enrolled copies signed, in open session, and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Stewart moved that the Senate withdraw its request for the return from the Honorable House of HOUSE BILL NO. 187, by Kight and Batson, which motion prevailed.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building.

SIR:

I am, directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 209—By ALBRIGHT and DUKE of the HOUSE, entitled:

An Act providing that this Act may be indexed and cited as the Cooperative Marketing Association Act authorizing the formation of non-profit cooperative associations, with or without capital stock, for the purpose of encouraging the orderly marketing of agricultural products through

cooperative marketing associations; defining the various terms used therein; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 209 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

Senator Chamberlin moved that a vote of appreciation be extended the Secretary, Journal Clerk and employees of the Senate for the services rendered during the 14th Legislature, which motion prevailed.

Senator Chamberlin moved that a vote of appreciation be extended Lieutenant Governor Robert Burns, for his fair and courteous services during this session of the Legislature, which motion prevailed.

President Burns presiding.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker has re-appointed the original Conferees, namely:

Representatives    Ellis, Ottesen, Rawls, Sturgell, Cavins, Fitzgerald, Graham, Williams, as Conferees on—

ENGROSSED HOUSE BILL NO. 260—By ELLIS, OTTESEN, FRALEY, BATSON, GRUNERT, COLLINS, SPECK, ALBRIGHT, JOHNSON (Comanche), ABERNETHY (Harmon), WINGO, HANKLA, BENNETT,

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KIRKPATRICK, LANDINGHAM, MOONEY, MALLORY, GLEN, HINDS, HARP, WILLIAMS, STURGELL, LINDSEY, SPEARS, JONES, LEECRAFT, BILLINGS, HART, COE, JOHNSON (Osage), SULLIVAN, COX, entitled:

An Act relating to the filing of tax protests; and amending Section 12,366 Oklahoma Statutes 1931, with reference to the time and manner of filing of protests; providing for the time and manner of hearing of protests by the Excise Board and for the filing of bond by the protestant; providing for an appeal from the Excise Board of the Court of Tax Review; Amending Sections 12,307 and 12,310 of the Statutes of Oklahoma 1931; repealing all laws in conflict therewith and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and through you the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 395—By WHITFORD:

An Act providing for optional road work by prisoners serving jail sentence; allowing a credit of two days time for each day's work providing for supervision of such work; repealing all laws in conflict and declaring an emergency,

and the bill has been passed by the House, as amended.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 451—By PHILIPS (Atoka), of the HOUSE and MEMMINGER of the SENATE, entitled:

An Act abolishing the office of County Surveyor of Atoka County and providing the duties of said office shall be performed by the County Engineer, and to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments to said Bill and asks your Honorable Body to recede therefrom.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Commons, the Senate concurred in Engrossed House Amendments to SENATE BILL NO. 163.

SENATE BILL NO. 163, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fischl, Garvin, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Briggs, Carlile, Dixon, Fidler, Howard, Hutchinson, Liggett, Moon, Morrison, Ritzhaupt. Total, 10.

Absent: Daugherty, Logan, Powers. 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: Ballard, Carmack, Chamberlin, Clark, Com-



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mons, Coppock, Curnutt, Fischl, Garvin, Jennings, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: Briggs, Carlile, Dixon, Fidler, Howard, Hutchinson, Liggett, Moon, Morrison, Ritzhaupt. Total, 10.

Absent: Daugherty, Logan, Powers. 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, in open session, signed Engrossed House Amendments to Engrossed Senate Bill No. 163 and ordered the Bill, as amended, referred for enrollment.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am, directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 637—By MARSHALL, entitled:

An Act amending Section 6130, Oklahoma Statutes 1931, which provides for annexation to any city or territory adjacent to the city limits, and provides the procedure therefor; by providing that where the territory sought to be annexed to any city is separated from another city or town by a distance of twenty (20) rods or less, such intervening territory may be annexed by either of the cities or towns adjacent thereto, and declaring an emergency,

ENROLLED HOUSE JOINT RESOLUTION NO. 37  
—By PAXTON of the HOUSE and CARMACK of the SENATE, entitled:

A Joint Resolution appropriating \$210.50 for the pur-

pose of paying hospital bill and medical bill and for loss of time of Homa Yarbrough for injuries received at the hands of escaped convicts from the State Reformatory at Granite, Oklahoma; and declaring an emergency.

ENROLLED HOUSE BILL NO. 395—By WHITFORD, entitled:

An Act providing for optional road work by prisoners serving jail sentence; allowing a credit of two days time for each day's work providing for supervision of such work; repealing all laws in conflict 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Joint Resolution No. 37, House Bills Nos. 395 and 637 were, each, read at length for the fourth time, the enrolled copies signed, in open session, and ordered returned to the Honorable House.

Senator Willis submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 163 correctly enrolled.

WILLIS, Vice-Chairman.

Senate Bill No. 163 was read at length 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:

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To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 187—By KIGHT and BATSON, entitled:

An Act relating to the State School Land Department and to the duties and powers of the Commissioners of the Land Office, of the Secretary to the Commissioners, fixing the salary of the Secretary, providing for the sale of certain lands of the State, amending sections 5455, 5458, 5495, 5508, 5522, 5527, 5630 and 5642, Oklahoma Statutes, 1931, repealing Sections 5497, 5498, 5499, 5504, 5505, 5506, 5507, 5508, 5512, 5520, 5521, 5530, 5531, 5532, 5534 to 5549 inclusive, 5551 to 5556 inclusive, 5561, 5562, 5565, 5566, 5567, 5572, 5573, 5574, 5576, 5577, 5580 to 5585 inclusive, 5593, 5597 to 5602 inclusive, 5605, 5629, and 5631 to 5641 inclusive, Oklahoma Statutes, 1931, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Paul requested that fourth reading of Enrolled House Bill No. 187 be deferred, pending receipt of a Message from the Honorable House, that Engrossed Senate Amendments to said bill had been concurred.

Senator MacDonald moved that the Honorable House be respectfully requested to advise the Senate as to action taken on Engrossed Senate Amendments to Engrossed House Bill No. 187.

Senator Nance voiced his objection to the MacDonald motion.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 306—By SOWARDS of the SENATE and GIBSON of the HOUSE, entitled:

An Act amending Section 5916, Oklahoma Statutes 1931, and providing that the County Treasurer shall prorate the interest received by him on sinking fund investments pro rata to the County Sinking Fund, Road Bond Sinking Fund of the school districts of which he is treasurer by law, according to the amount of funds of each invested by him on which the interest is received, and declaring an emergency.

ENROLLED SENATE BILL NO. 403—By FIDLER and RAY, entitled:

An Act to prevent fraud and deception in the sale and offering for sale of rebuilt electric storage batteries; prescribing penalties for violation thereof, and declaring an emergency.

ENROLLED SENATE BILL NO. 285—By GARVIN, entitled:

An Act authorizing the State Highway Commission to use funds in the State Highway Construction and Maintenance fund to purchase the bridge property known as the Meridian Bridge located two miles west of Ryan, Oklahoma, on the Red River between Jefferson County, Oklahoma, and Clay County, Texas, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 285, 306 and 403 were, each, ordered referred to the Governor for consideration.



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Senator MacDonald asked unanimous consent, which was granted, to withdraw his motion, relative to Enrolled House Bill No. 187.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and through you the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 187—By KIGHT and BATSON:

An Act relating to the State School Land Department and to the duties and powers of the commissioners of the land office, of the secretary to the commissioners, fixing the salary of the secretary, providing for the sale of certain lands of the state, amending sections 5455, 5458, 5495, 5508, 5522, 5527, 5630 and 5642, Oklahoma Statutes, 1931, repealing sections 5497, 5498, 5499, 5504, 5505, 5506, 5507, 5508, 5512, 5520, 5521, 5503, 5531, 5532, 5534, to 5549 inclusive, 5551 to 5556 inclusive, 5561, 5562, 5565, 5566, 5567, 5572, 5573, 5574, 5576, 5577, 5580 and 5585 inclusive, 5593, 5597 to 5602 inclusive, 5605, 5629 and 5631 to 5641 inclusive, Oklahoma Statutes, 1931, and declaring an emergency,  
and the bill has been passed by the House, as amended.

Respectfully,

R. M. CcCOOL, Chief Clerk.

House Bill No. 187 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 260—By ELLIS,

OTTESSEN, FRALEY, BATSON, GRUNERT, COLLINS, SPECK, ALBRIGHT, JOHNSON (Comanche), ABERNATHY (Harmon), WINGO, HANKLA, BENNETT, KIRKPATRICK, LANDINGHAM, MOONEY, MALLORY, GLEN, HINDS, HARP, WILLIAMS, STURGILL, LINDSEY, SPEARS, JONES, LEECRAFT, BILLINGS, HART, COE, JOHNSON (Osage), SULLIVAN, COX, entitled:

An Act relating to the filing of tax protests; and amending Section 12306, Oklahoma Statutes, 1931, with reference to the time and manner of filing of protests; providing for the time and manner of hearing of protests by the Excise Board and for the filing of bond by the protestant; providing for an appeal from the Excise Board of the Court of Tax Review; amending Sections 12307 and 12310 of the Statutes of Oklahoma, 1931; repealing all laws in conflict therewith and declaring an emergency, together with Conference Committee Report, and to advise you, and, through you, the Honorable Senate, that the House withdraws its request for further Conference on same and respectfully requests your Honorable Body to adopt the original Conference Committee Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Paul, the vote was reconsidered by which the Senate refused to adopt the Conference Committee Report on Engrossed House Bill No. 260 and requested the Honorable House to grant a further conference.

Upon motion of Senator Paul, the Conference Committee Report on Engrossed House Bill No. 260 was adopted

HOUSE BILL NO. 260, as amended in Conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Carmack, Chamberlin, Commons, Howard, Jennings, Johnston, Lester, Liggett, Memminger, Nance,

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Nichols, Paul, Pugh, Sowards, Stacey, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 20.

Nays: Ballard, Coppock, Curnutt, Fischl, Garvin, Hutchinson, MacDonald, Ray, Ritzhaupt, Rizley, Rutherford, Stewart, Wilbanks. Total, 13.

Not Voting: Briggs, Carlile, Clark, Dixon, Fidler, Moon, Morrison, Reed. Total, 8.

Absent: Daugherty, Logan, Powers. 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.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 95—By BRIGGS of the SENATE, and GARLAND of the HOUSE, entitled:

An Act authorizing and empowering county treasurers, treasurers of cities, towns, townships and boards of education to enforce obligations evidenced by bonds, warrants or other evidence of indebtedness held by such treasurer as sinking fund investment, authorizing said treasurer to bring suits thereon, validating judgments heretofore rendered, 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 95 was ordered referred to the Governor for consideration.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 163—By MOON, entitled:

An Act providing for the appointment of a marshal for the Corporation Commission of the State of Oklahoma, defining his powers and duties, fixing his compensation and making an appropriation therefor; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 163 was ordered referred to the Governor, for consideration.

President Pro Tempore Stewart presiding.

Upon motion of Senator MacDonald, ENROLLED SENATE BILL NO. 6, by Stewart, was ordered referred to the Governor, for consideration.

President Burns presiding.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 390—By COMMONS of the SENATE and BATSON of the HOUSE, entitled:

An Act relating to elections; providing form of notifi-



*Eighty-third Day, Saturday, Apr. 22, 1933* 2707

cation and declaration for candidate for State and County office, fixing time of filing notification and declaration and time of withdrawals; repealing Section 5755 and Section 5756, O. S. 1931.

ENROLLED SENATE BILL NO. 413—By CHAMBERLIN and MEMMINGER, entitled:

An Act relating to building and loan associations, designating employees and fixing salaries, fixing the fees for examination, amending Sections 9844 and 9847, Oklahoma Statutes 1931, and providing that this Act remain in effect for two years.

ENROLLED SENATE BILL NO. 416—By FIDLER, entitled:

An Act authorizing Jewel Rubrecht to institute and prosecute an action against Oklahoma County, Oklahoma, for the use and benefit of herself and her minor children for the alleged wrongful death of her said husband R. L. Rubrecht, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bills Nos. 390, 413 and 416 were, each, ordered referred to the Governor, for consideration.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE JOINT RESOLUTION NO. 20—By MORSE, ABERNATHY (Pottawatomie), BEAMAN, BENNETT, BILLINGS, BROADDUS, BUSHY-HEAD, BRAZELL, CAVINS, CAVITT, CHAMBERS, CLINE, CLOYD, COE, DARKS, EASON, EBEEY (Pontotoc), FRALEY, GARLAND, GIBSON, GLEN, GRISSO,

GRUNERT, HOLLIMAN, HUTCHINGS, JONES, JOHNSON (Comanche), JOHNSON (Osage), KENAN, KIGHT, KING (Cole), LANDINGHAM, LEECRAFT, LOGSDON, MALLORY, MOONEY, OTTESEN, PHILLIPS (Okfuskee), PALMER, PARKS, RAWLS, SHOEMAKE, SINGLETON, STURGELL, SULLIVAN, WHITFORD, of the HOUSE, and LOGAN, NANCE and LESTER 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 6 of Article 10 thereof by adding an additional section to be known as Section 6-a, to provide for the exemption from certain ad valorem taxation of homesteads to the extent of two thousand dollars (\$2,000.00) and giving to the Legislature the power to raise or lower said exemption, and to advise you, and, through you, the Honorable Senate, that the House refuses to concur in Senate Amendments thereto, and asks your Honorable Body to recede therefrom.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 573--By PHILLIPS (Okfuskee), and OTTESEN, entitled:

An Act authorizing the appointment by the State Highway Commission and the Oklahoma Tax Commission of a certain number of enforcement officers for the enforcement of the laws, rules and regulations relating to the public highways of the State of Oklahoma and the

operation of motor vehicles thereon; defining their duties, fixing their compensation 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 573 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

The President advised the Senate of the death of John H. Cotteral, Judge of the Tenth District United States Circuit Court of Appeals, at Wichita, Kansas.

Senator Ritzhaupt moved that the President appoint a Committee, to draw and present to the Senate proper resolutions, relative to Judge John H. Cotteral.

The Ritzhaupt motion prevailed and the President appointed, as such Special Committee, Senators Ritzhaupt, Rizley and Chamberlin.

The Senate was declared at ease.

The Senate reassembled, with the President presiding.

Senator Ritzhaupt submitted the following Resolution, which was unanimously adopted by the Senate:

SENATE RESOLUTION NO. 27—By RITZHAUPT, RIZLEY and CHAMBERLIN.

A RESOLUTION OF SYMPATHY EXPRESSING A REGRET AND SYMPATHY OF THE STATE SENATE OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA FOR AND ON ACCOUNT OF THE DEATH OF THE HONORABLE JOHN H. COTTERAL.

WHEREAS, The State Senate of the 14th Legislature of the State of Oklahoma has just been advised of the death of the Honorable John H. Cotteral, and

WHEREAS, the State Senate is conscious of the great service rendered by the Honorable John H. Cotteral as

one of the distinguished jurists and citizens of the entire Southwest.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, THAT:

In the passing of the Honorable John H. Cotteral the State and Nation has lost a famous and fearless public spirited official and beloved citizen, and that the gratitude of his fellow citizens for his unselfish public and private achievements be expressed upon the records of this State by this resolution.

Be it further resolved that a copy of this resolution, duly authenticated, be presented to the bereaved members of the family of our former distinguished citizen.

Senate Resolution No. 27 was referred for engrossment.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 27 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Resolution No. 27 and ordered it referred for enrollment.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 27 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Enrolled Senate Resolution No. 27 and ordered the same referred to the Secretary of State.

Upon motion of Senator Ritzhaupt, a page in the permanent Journal of the Senate was ordered set aside in memory of Judge John H. Cotteral.



Senator Chamberlin moved that a Committee of 3 be appointed, to notify the Honorable House that the Senate has finished its work and awaits the pleasure of the House, as to sine die adjournment.

The Chamberlin motion prevailed and the President appointed as such Special Committee, Senators Chamberlin, Commons and Rizley.

The Senate was declared at ease, pending the report of the Special Committee on sine die adjournment.

The Senate was called to order by the President.

Senator Chamberlin, on behalf of the Special Committee, appointed to notify the Honorable House that the Senate is ready to adjourn, sine die, reported the duty performed, stating the House would be ready to adjourn in five or ten minutes.

A Committee from the Honorable House was received, who advised the Senate the House of Representatives was ready to adjourn, sine die.

The hour of 12:00 o'clock, noon, having arrived, it was upon motion of Senator Commons that the Senate of the 14th Legislature adjourned sine die.

## INDEX



# Part I

## SENATE BILLS

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SENATE BILL NO. 1.—By CARLILE.—An Act, amending Section 10072, Oklahoma Statutes, 1931, relating to the State Highway Commission, its offices, the appointment of its members by the Governor, and their confirmation, their tenure of office; and repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

1st Reading .....	6
2nd Reading .....	47
Committee Report .....	313

SENATE BILL NO. 2.—By NICHOLS.—An Act providing for the waiving of penalties on delinquent ad valorem taxes in the State of Oklahoma, and declaring an emergency.

1st Reading .....	7
2nd Reading .....	47
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SENATE BILL NO. 3.—By FIDLER.—An Act relating to legislative corrupt practices; providing penalties for violation thereof, and declaring an emergency.

1st Reading .....	7
2nd Reading .....	57



SENATE BILL NO. 4—By FIDLER.—An Act relating to corrupt practices by candidates for office and other persons interested in the success of such candidates; providing penalties for the violations of this Act and declaring an emergency.

1st Reading .....	7
2nd Reading .....	47

SENATE BILL NO. 5—By LOGAN.—An Act making an appropriation from the general revenue fund to supplement the special common school equalization fund, and providing for the distribution of same, and declaring an emergency.

1st Reading .....	7
2nd Reading .....	47
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SENATE BILL NO. 6—By STEWART.—An Act repealing Chapter 161, Session Laws, 1923; and declaring an emergency.

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SENATE BILL NO. 7—By BALLARD.—An Act vitalizing Section 6, Article 10 of the Constitution, providing what property shall be subject to taxation and enumerating certain exemptions; providing that all property not herein exempted shall be placed on tax rolls and assessed for the year 1933; repealing all of Section 9574, all of Section 9575, and all of Section 9580, of the Compiled Oklahoma Statutes of 1921, together with all laws or parts of laws in conflict herewith, and other purposes, and declaring an emergency.

1st Reading .....	7
2nd Reading .....	47
Committee Report .....	354-356

SENATE BILL NO. 8—By CURNUTT.—An Act providing that if the principal amounts of delinquent ad valorem taxes in this State are paid on or before May 1, 1933, all penalties which have accrued thereon shall be cancelled; authorizing and directing county treasurers to accept said principal amounts without penalty and to cancel and strike said penalties from the tax rolls, providing that said act will not affect existing tax sale certificates and declaring an emergency.

1st Reading .....	7
2nd Reading .....	47
Committee Report .....	583

SENATE BILL NO. 9—By STACEY.—An Act relating to the distribution of an excise tax of four (4c) cents per gallon on gasoline consumed in Oklahoma, amending Sections 2 and 3, Chapter 278, Oklahoma Session Laws, 1929, and repealing inconsistent statutes.

1st Reading .....	8
2nd Reading .....	47
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SENATE BILL NO. 10—By CHAMBERLIN, COMMONS, RAY, PAUL and SOWARDS.—An Act providing that if the principal amounts of delinquent ad valorem taxes in this State are paid on or before May 1, 1933, all penalties which have accrued thereon shall be cancelled, providing that said act will not affect existing tax sale certificates, and declaring an emergency.

1st Reading .....	8
2nd Reading .....	49
Committee Report .....	583

SENATE BILL NO. 11—By NICHOLS, CLARK and CURNUTT.—An Act amending paragraph (a), Section 10090, Oklahoma Statutes 1931, providing that the streets around and about the State Capitol Building and Lincoln Boulevard from Twenty-third to Sixteenth street, Oklahoma City, Oklahoma, and which were laid out pursuant to the George E. Kessler plans, shall be a part of the State Highway system, and declaring an emergency.

1st Reading .....	8
2nd Reading .....	48
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Advanced .....	1530
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SENATE BILL NO. 12—By STACEY.—An Act to protect borrowers from building and loan associations in the event of the insolvency of the association, by providing that the borrower shall receive credit

on his indebtedness for the full amount of principal paid on his loan, repealing conflicting acts and declaring an emergency,

1st Reading .....	8
2nd Reading .....	48
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SENATE BILL NO. 13—By STACEY.—An Act fixing the license fees for the registration of automobiles, motorcycles, and motor trucks not exceeding two thousand pounds carrying capacity, that have been in service and paid license fees for four years or more, repealing conflicting statutes, and declaring an emergency.

1st Reading .....	8
2nd Reading .....	48
Withdrawn and to calendar .....	1189

SENATE BILL NO. 14—By LOGAN.—An Act repealing Sections 12081 to 12083, inclusive, Oklahoma Statutes, 1931, relating to the Soldiers' Memorial Commission and declaring an emergency.

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2nd Reading .....	60
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SENATE BILL NO. 15—By LOGAN.—An Act repealing Chapter 315, Oklahoma Session Laws, 1919, relating to the Oklahoma Americanization Commission, and declaring an emergency.

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2nd Reading .....	60
Committee Report .....	557
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Engrossed .....	847
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SENATE BILL NO. 16—By LOGAN.—An Act amending Section 10872, Compiled Oklahoma Statutes, 1921, providing that six hours shall constitute a day's work for persons employed by and on behalf of the State of Oklahoma or by counties, cities, townships and other municipalities of Oklahoma, except in cases of extraordinary emergency as defined in Act, and declaring an emergency.

1st Reading .....	44
2nd Reading .....	60
Committee Report .....	584

SENATE BILL NO. 17—By LOGAN.—An Act repealing Sections 8690 to 8697, inclusive, Oklahoma Statutes, 1931, relating to the Free Oklahoma State Fair at Muskogee, and declaring an emergency.

1st Reading .....	44
2nd Reading .....	60
Committee Report .....	213

SENATE BILL NO. 18—By LOGAN.—An Act repealing Sections 5147 to 5153, Oklahoma Statutes, 1931, relating to a State board of managers for certain eleemosynary institutions, and declaring an emergency.

1st Reading .....	44
2nd Reading .....	60
Committee Report .....	584
Considered and advanced .....	741
Engrossed .....	750
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SENATE BILL NO. 19—By LOGAN.—An Act repealing Sections 6756 to 6758, inclusive, Oklahoma Statutes, 1931, relating to the State Coordinating Board for State Schools and declaring an emergency.

1st Reading .....	45
2nd Reading .....	60
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Engrossed .....	376
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Engrossed and To House .....	457

SENATE BILL NO. 20—By LOGAN.—An Act repealing Sections 4731 to 4748, inclusive, Oklahoma Statutes, 1931, abolishing the Bureau of Criminal Identification and Investigation, providing for the transfer of its property and records, and declaring an emergency.

1st Reading .....	45
2nd Reading .....	60
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SENATE BILL NO. 21—By LOGAN.—An Act repealing Sections 7169 to 7183, inclusive, Oklahoma Statutes, 1931, relating to the Oklahoma State Teachers Retirement and Disability Fund and declaring an emergency.

1st Reading .....	45
2nd Reading .....	61
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SENATE BILL NO. 22—By LOGAN.—An Act repealing Chapter 129, Oklahoma Session Laws, 1925, relating to the Real Estate Commission, and declaring an emergency.

1st Reading .....	45
2nd Reading .....	60
Committee Report .....	214
Considered and advanced .....	311
Engrossed .....	373
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SENATE BILL NO. 23—By LOGAN.—An Act amending Section 7643, C. O. S. 1931, relating to the nomination and election of County Commissioners, and declaring an emergency.

1st Reading .....	45
2nd Reading .....	60
Committee Report .....	584

SENATE BILL NO. 24—By STACEY.—An Act declaring that the practice of law shall include certain defined activities and providing additional remedies for the prevention of law, without license and authority.

1st Reading .....	45
2nd Reading .....	60

SENATE BILL NO. 25—By STACEY.—An Act amending Sections 5 and 25 of Chapter 173, Oklahoma Session Laws of 1923, relating to the adoption of the resolution of necessity for paving by the governing body of any city or town, and relating to the payment of assessments levied for such paving and declaring an emergency.

1st Reading .....	45
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2nd Reading .....	60
Committee Report .....	155
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Engrossed .....	847
3rd Reading and To House .....	850-851
Referred for enrollment .....	2250
Enrolled and 4th Reading .....	2315
To Governor .....	2363

SENATE BILL NO. 26—By STACEY.—An Act making it a felony for any officer or employee of the State, or of any county, township, school district, city or town, or of any publicly operated institution to embezzle, steal or misappropriate any of the moneys, funds, credits, securities or other property thereof, fixing the punishment therefor, providing the time in which prosecution must be commenced, repealing conflicting Acts, and declaring an emergency.

1st Reading .....	46
2nd Reading .....	60
Committee Report .....	267
Considered and advanced .....	481-482
Engrossed .....	525
3rd Reading and To House .....	530-531

SENATE BILL NO. 27—By LIGGETT.—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 year ending June 30, 1934, and June 30, 1935, by functions of each department in accordance with the budget classifications adopted by the Governor.

1st Reading .....	46
2nd Reading .....	60
Committee Report .....	254
Special Order .....	302
Considered .....	329-335
Considered, advanced, 3rd Reading and referred for engrossment .....	339-347
Engrossed and To House .....	382
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Additional Senate conferee appointed .....	1335

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Passed, as amended in conference, and To House .....	2390-2391
Referred for enrollment .....	2484
Enrolled and 4th Reading .....	2487
To Governor .....	2537

SENATE BILL NO. 28—By NICHOLS, WILLIS, RAY, WHITAKER and RIZLEY.—An Act to provide for relief of the people who are unable to work and have not the means of supporting themselves, by furnishing them free garden seed, food, clothing, and fuel; making an appropriation in the aggregate sum of six hundred thousand (\$600,000.00) dollars; providing for the method of distribution of the seed, food supplies, or cash to such persons in need; fixing criminal penalty for wrongful use of such seed and supplies; determining the method of distribution, and declaring an emergency.

1st Reading .....	46
2nd Reading and to calendar .....	61
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Committee Report .....	124-125
Considered, advanced, 3rd Reading and referred for engrossment .....	135-138
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House amendments rejected and conference requested .....	376
House conferees appointed .....	396
Senate conferees appointed .....	396
Conference Committee Report submitted and adopted. ....	635
Consideration deferred .....	635
Passed, as amended in conference, and To House .....	715-716
Passed by House, as amended in conference, and referred for enrollment .....	769
Enrolled and 4th Reading .....	807
To Governor .....	808
Governor's action .....	866

SENATE BILL NO. 29—By JENNINGS.—An Act amending Section 6, Compiled Oklahoma Statutes, 1921, relating to the employment of counsel by the Governor to protect the rights or interests of the State in any action or proceedings, civil or criminal, which has been or is about to be commenced where the Attorney General shall refuse to appear and represent the State or be disqualified so to act.

1st Reading .....	46
2nd Reading .....	61
Committee Report .....	314
Consideration deferred .....	483, 676, 739, 890, 1189, 1258

SENATE BILL NO. 30—By CHAMBERLIN, (Senate), and PHILLIPS, (House).—This is an Act making an appropriation to pay the mileage of the Oklahoma Presidential electors, who convened at the capitol of the State of Oklahoma on the 4th day of January, 1933, in Oklahoma City, in obedience to the Act of Congress approved May 29, 1928; and declaring an emergency.

1st Reading .....	56
2nd Reading .....	79
Committee Report .....	239
Considered, advanced, 3rd Reading and referred for engrossment .....	382-383
Engrossed and To House .....	434
Referred for enrollment .....	2532
Enrolled and 4th Reading .....	2541-2542
To Governor .....	2582

SENATE BILL NO. 31—By MacDONALD.—An Act amending Sections 5423 and 5424, Oklahoma Statutes, 1931, relating to funds in the official depository of the State of Oklahoma, repealing all laws in conflict therewith, and declaring an emergency.

1st Reading .....	56
2nd Reading .....	79
Committee Report .....	585
Considered and advanced .....	1356-1357
Engrossed .....	1371
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SENATE BILL NO. 32—By BALLARD.—An Act requiring the State Highway Commission of Oklahoma to construct a free bridge over the South Canadian River at a point between Lexington, Oklahoma, and Purcell, Oklahoma; making an appropriation of three hundred and fifty thousand (\$350,000.00) dollars out of any funds in the State Highway Department Construction and Maintenance Funds for the purpose of paying for the same; preventing the State Highway Commission from purchasing the present toll bridge at said point; provid-



ing for the institution of a suit to remove the members of the Highway Commission for failure to construct said bridge; and for other purposes, and declaring an emergency.

1st Reading .....	56
2nd Reading .....	79
Committee Report .....	1025
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Vote reconsidered by which postponed .....	1322

SENATE BILL NO. 33—By PUGH.—A Bill entitled an Act consolidating the offices of Court Clerk and County Assessor with the office of County Clerk in certain counties within this State and imposing upon the County Clerk, in addition to the powers and duties now imposed upon the said County Clerk by law, the powers and duties now imposed upon the Court Clerk and County Assessor, and repealing all laws and parts of laws in conflict therewith.

1st Reading .....	53
2nd Reading .....	79
Committee Report .....	214
Consideration deferred .....	312
Considered and referred .....	385-386
Consideration deferred .....	741
Considered and advanced .....	755-758
Engrossed .....	847
3rd Reading and vote reconsidered by which advanced .....	856

SENATE BILL NO. 34—By RITZHAUPT.—An Act relating to the purchase of field and garden seed by the State Board of Agriculture, the distribution thereof to farmers and private gardeners who are financially unable to purchase the same; making an appropriation of one hundred thousand (\$100,000.00) dollars for the fiscal year ending June 30, 1933, and one hundred thousand (\$100,000.00) dollars for the fiscal year beginning July 1, 1933, to purchase field and garden seed; providing penalties for violation of the provision hereof and declaring an emergency.

1st Reading .....	57
2nd Reading .....	79
Committee Report .....	1293

SENATE BILL NO. 35—By RITZHAUPT and RIZLEY.—An Act making an appropriation to pay the salary and expenses of, and the office supplies for the State Dairy Commissioner from January 1, 1933, to June 30, 1933, and declaring an emergency.

1st Reading .....	57
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2nd Reading .....	79
Committee Report .....	471
Considered, advanced, 3rd Reading and referred for engrossment .....	688-690
Engrossed and To House .....	695

SENATE BILL NO. 36—By MORRISON, LOGAN and HUTCHINSON—An Act repealing Section 4752, Oklahoma Statutes, 1931, and Section 13241, Oklahoma Statutes, 1931, and imposing upon and delegating to the State Game and Fish Commission certain powers and duties, and declaring an emergency.

1st Reading .....	57
2nd Reading .....	79

SENATE BILL NO. 37—By LOGAN.—An Act repealing Sections 12019 to 12031, Oklahoma Statutes, 1931, abolishing the Union Soldiers' Home, providing for the establishment of an Orphans' Home thereat, placing the management and control thereof under the State Board of Public Affairs, and fixing effective date of Act.

1st Reading .....	57
2nd Reading .....	80
Committee Report .....	214
Consideration deferred .....	312
Considered and indefinitely postponed .....	456-457

SENATE BILL NO. 38—By LOGAN.—An Act repealing Sections 12032 to 12039, Oklahoma Statutes, 1931, abolishing the Oklahoma Confederate Home at Ardmore, Oklahoma, providing for the establishment of an Orphans' Home thereat, placing the management and control thereof under the State Board of Public Affairs, and fixing effective date of Act.

1st Reading .....	57
2nd Reading .....	80
Committee Report .....	215
Consideration deferred .....	312
Considered and indefinitely postponed .....	456

SENATE BILL NO. 39—By LOGAN.—An Act amending Section 12040, Oklahoma Statutes, 1931, relating to the granting of pensions to Confederate Veterans and their widows, and declaring an emergency.

1st Reading .....	58
2nd Reading .....	80
Committee Report and referred .....	737

SENATE BILL NO. 40—By LOGAN.—An Act abolishing the East Central State Teachers' College at Ada, Oklahoma, providing for the disposition of the property belonging to or used by said institution, and repealing all laws relating thereto.

1st Reading .....	58
2nd Reading .....	80
Committee Report .....	620

SENATE BILL NO. 41—By LOGAN.—An Act abolishing the Central State Teachers' College at Edmond, Oklahoma, providing for the disposition of the property belonging to or used by said institution, and repealing all laws relating thereto.

1st Reading .....	58
2nd Reading .....	80
Committee Report .....	620

SENATE BILL NO. 42—By LOGAN.—An Act abolishing the Eastern Oklahoma College at Wilburton, Cameron State School of Agriculture at Lawton, Connors State Agricultural College at Warner, the Murray State School of Agriculture at Tishomingo, the Northeastern Oklahoma Junior College at Miami, the Oklahoma Military Academy at Claremore, and the University Preparatory School and Junior College at Tonkawa, providing for the disposition of the property belonging to or used by said institutions, and repealing all laws relating thereto.

1st Reading .....	58
2nd Reading .....	80
Committee Report .....	673
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Engrossed .....	1816
Stricken .....	1818
Notice lodged .....	1829

SENATE BILL NO. 43—By WALDREP.—An Act amending Section 8733 of the Compiled Oklahoma Statutes of 1921 relating to the qualifications of a registered pharmacist, making other provisions with reference thereto, and declaring an emergency.

1st Reading .....	58
2nd Reading .....	80

SENATE BILL NO. 44—By WALDREP.—An Act providing that any holder of a certified municipal or commercial accounting certificate as authorized by Article I of Chapter 24, Oklahoma Statutes, 1931, shall be entitled to a certificate as a public accountant, and

providing other and further details with reference to certification, and declaring an emergency.

1st Reading .....	58
2nd Reading .....	80
Committee Report .....	629
Advanced .....	1909
Engrossed .....	2425
Stricken .....	2433

SENATE BILL NO. 45—By TAYLOR.—An Act repealing Sections 4659 to 4672, inclusive, Oklahoma Statutes, 1931, relating to the State Board of Optometry, and declaring an emergency.

1st Reading .....	59
2nd Reading .....	80
Committee Report .....	156

SENATE BILL NO. 46—By NANCE, LESTER and LOGAN.—An Act classifying homestead property for the purpose of taxation, prescribing and levying a tax upon homestead property, providing for the collection and distribution of said tax, defining homesteads, and repealing all laws in conflict therewith.

1st Reading .....	59
2nd Reading .....	80

SENATE BILL NO. 47—By MORRISON, CHAMBERLIN, S' WARDS and LOGAN.—An Act setting aside to the State Game and Fish Commission certain property in Canadian County owned by the State for use by said Commission as a propagating farm, and declaring an emergency.

1st Reading .....	77
2nd Reading and to calendar .....	90
Considered and advanced .....	113
3rd Reading and referred for engrossment .....	125-126
Engrossed and To House .....	144
Returned by House, as amended .....	249
House amendments accepted and referred for enrollment .....	249
Enrolled and 4th Reading .....	303
To Governor .....	324
Governor's action .....	335

SENATE BILL NO. 48—By PAUL.—An Act amending Section 28, Chapter 173 of the Session Laws, 1923, relating to the collection of paving assessments of cities and towns, and declaring an emergency.

1st Reading .....	77
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2nd Reading .....	91
Withdrawn and referred .....	109
Committee Report .....	156
Consideration deferred .....	183
Considered, advanced, 3rd Reading and referred for engrossment .....	184-185
Engrossed and To House .....	189
Returned by House, as amended, and House amendments accepted .....	734
Passed, as amended, and referred for enrollment .....	734-735
Enrolled and 4th Reading .....	750
To Governor .....	771
Governor's action .....	884

SENATE BILL NO. 49—By NICHOLS.—An Act providing for a cash deposit by any party to a civil action before a trial court where the court fund may become exhausted or depleted, and making it the duty of the judge of such court to cause such jury to be drawn and impanelled, and fixing the number of such jurors and their per diem; providing such expenditures shall be added to the costs of the action, and declaring an emergency.

1st Reading .....	77
2nd Reading .....	91
Committee Report .....	254
Considered, advanced, 3rd Reading and referred for engrossment .....	438-443
Engrossed and To House .....	503
Returned by House, as amended .....	2139
House amendments accepted and consideration deferred .....	2139
Passed, as amended in conference .....	2297-2298
Roll call on emergency deferred .....	2298
Emergency roll call and referred for enrollment .....	2326
Enrolled and 4th Reading .....	2335
To Governor .....	2362

SENATE BILL NO. 50—By NICHOLS.—An Act amending Section 1, Chapter 39 of the Session Laws of 1927, the same being Section 1424 of the Oklahoma Statutes, 1931, providing for the qualifications of guardians as to residence, and declaring an emergency.

1st Reading .....	78
2nd Reading .....	91
Committee Report .....	255
Consideration deferred .....	438, 456, 480, 655
House Bill No. 74 substituted for .....	675

SENATE BILL NO. 51—By PUGH.—An Act fixing the salaries of all county officers on a population basis according to the Federal Census of 1930.

1st Reading .....	78
2nd Reading .....	91
Withdrawn and referred .....	126
Committee Report .....	215
Consideration deferred .....	312
Made Special Order .....	457
Consideration deferred .....	541
Considered .....	553-555
Considered and referred .....	619-620
Special Committee Report .....	688
Considered, advanced, 3rd Reading and referred for engrossment .....	704-715
Engrossed and To House .....	738
Returned by House, as amended and consideration deferred	1661-1669
House amendments rejected, conference requested and Senate conferees appointed .....	1724
House grants conference and appoints conferees .....	1767
Senate conferees appointed .....	1767
Conference Committee report submitted and consideration deferred .....	1894-1896
Conference Committee report rejected, further conference requested and Senate conferees appointed .....	1981
House grants further conference and appoints conferees .....	2006
Senate conferees appointed .....	2006
Conference Committee Report submitted and consideration deferred .....	2097-2099
Considered and Conference Committee Report withdrawn .....	2189
Governor's message concerning .....	2224
Conference Committee Report submitted and adopted .....	2265-2267
Consideration deferred .....	2287
Passed, as amended in conference, and To House .....	2322-2323
Referred for enrollment .....	2360
Enrolled and 4th Reading .....	2487
To Governor .....	2535

SENATE BILL NO. 52—By JENNINGS.—An Act repealing Sections 10172, 10174, 10175, 10176, 10177, 10178, 10179, 10180, 10181, 10182, 10183, 10184, and 10185 of the Oklahoma Statutes, 1931, relating to

the performance of road duties by male citizens of the State of Oklahoma, and declaring an emergency.

1st Reading .....	78
2nd Reading .....	91

SENATE BILL NO. 53—By STACEY.—An Act to prohibit Boards of County Commissioners, governing bodies of cities and towns, and townships, from entering into any contract of employment or for any other purpose requiring the expenditure of money before an appropriation for the purpose is made by the County Excise Board, creating a cause of action against officers entering into illegal contracts, repealing conflicting laws, and declaring an emergency.

1st Reading .....	78
2nd Reading .....	91
Committee Report .....	585
Considered and indefinitely postponed .....	743

SENATE BILL NO. 54—By MORRISON, BRIGGS and RIZLEY (Senate), and GRAY, STRICKLAND (Pontotoc), BABB, MARSHALL and GRISSO (House).—An Act amending Section 4697, Oklahoma Statutes, 1931, relating to the Board of Pharmacy and the licensing of drug stores; declaring certain acts to be unlawful, and fixing penalties therefor; and declaring an emergency.

1st Reading .....	78
2nd Reading .....	91
Committee Report and referred .....	314-315

SENATE BILL NO. 55—By BRIGGS and CARMACK.—An Act creating a department of highways under supervision and control of a commission to be known and designated as the State Highway Commission of the State of Oklahoma, to be composed of five members; prescribing the manner and method of appointment, fixing tenure of office and salary of each member thereof; prescribing powers and duties of said commission and members thereof; providing for and authorizing employment by said Commission and certain members thereof, of assistants, clerical help, laborers and other employees and for the payment of salaries and wages therefor and method and manner of payment of same; repealing Sections 10072, 10073, 10074, 10075, 10076, 10077, 10078 and 10079, Oklahoma Statutes, 1931, and all other Acts or parts of Acts in conflict therewith, and declaring an emergency.

1st Reading .....	88
2nd Reading .....	113
Majority and Minority and Minority Committee Reports .....	215-216

Special Order .....	261-262
Considered .....	263-268
Considered .....	272-291
3rd Reading and referred for engrossment .....	300-301
Motion to reconsider tabled .....	301
Engrossed and To House .....	303
Referred for enrollment .....	500
Enrolled and 4th Reading .....	515
To Governor .....	541
Governor's action .....	680

SENATE BILL NO. 56—By FIDLER.—An act making it unlawful for State officials to solicit or request, directly or indirectly, the contribution of money, labor or anything of value from other officials or employees of the State, for any purpose whatsoever; providing a penalty for violation thereof, and declaring an emergency.

1st Reading .....	88
2nd Reading .....	113
Committee Report .....	315
Consideration deferred .....	483
Considered and advanced .....	676
Engrossed .....	695
3rd Reading and referred for engrossment .....	698-699
Engrossed and signing deferred .....	738

SENATE BILL NO. 57—By PAUL.—An Act providing for the transfer of children from one school district to another, providing for the transfer of a pro rata part of all local school revenues, providing for the payment by the State of a part of the transfer fees when necessary, repealing all laws in conflict herewith, and declaring an emergency.

1st Reading .....	88
2nd Reading .....	113
Committee Report .....	239
Considered, advanced, 3rd Reading and referred for engrossment .....	462-464
Engrossed and To House .....	503
Returned by House, as amended .....	2599
House amendments accepted .....	2600-2601
Passed, as amended, and referred for enrollment .....	2601
Enrolled and 4th Reading .....	2626
To Governor .....	2672



SENATE BILL NO. 58—By NANCE (Senate), and MOONEY (House).—An Act requiring the County Treasurer to collect from the successful bidder at any tax resale held in the State of Oklahoma, in addition to the amount bid upon the property, an amount sufficient to defray all costs of preparing, listing and advertising the lot, parcel or tract of real estate purchased by said successful bidder at said sale and providing for the distribution of the proceeds of said tax resale; providing for the distribution of the proceeds from the sale of real estate made by the County Commissioners, after title is acquired by the county at the sale of said property at resale and providing that all real estate acquired by the county at the annual resale, and remaining unsold, shall be sold by the County Commissioners at public sale on or before the expiration of a period of one year; providing for the distribution of the proceeds of said sales and providing for the redemption of property by the former owner; providing for the payment of all expenses incurred by the county in the conduct of an annual resale, or any sale of property by the county; and providing for the management of any real estate acquired by the county, by the Board of County Commissioners.

1st Reading .....	88
2nd Reading .....	113
Committee Report .....	773
Considered .....	897
Considered and advanced .....	898-899
Engrossed .....	992
Vote reconsidered by which advanced .....	1008
Considered, advanced, 3rd Reading and referred for engrossment .....	1008-1011
Engrossed and To House .....	1079-1080
Returned by House, as amended .....	2259-2260
House amendments rejected, conference requested and Senate conferees appointed .....	2260-2261
Conference granted and House conferees appointed .....	2288-2289
Conference Committee Report submitted and adopted .....	2298-2300
Passed as amended in conference, and To House .....	2300-2301
Referred for enrollment .....	2361
Enrolled and 4th Reading .....	2477-2478
To Governor .....	2537

SENATE BILL NO. 59—By RIZLEY (Senate), and COX (House).—An Act authorizing and directing the State Board of Medical Examiners to issue a license to Mrs. E. E. Bundy, of Boise City, Oklahoma, to practice medicine, and declaring an emergency.

1st Reading .....	89
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2nd Reading .....	113
Committee Report .....	240
Consideration deferred .....	676
Stricken and referred .....	738-739
Committee Report .....	1078

SENATE BILL NO. 60.—By CURNUTT and WALDREP.—An Act making an appropriation to pay the salary of the Supreme Court Referees provided for by Section 3792, Oklahoma Statutes, 1931, for the fiscal year ending June 30, 1933, and declaring an emergency.

1st Reading .....	89
2nd Reading .....	113
Committee Report .....	472
Considered and advanced .....	507
Consideration deferred .....	536, 551
Engrossed .....	557
3rd Reading and To House .....	560-561
Returned by House, as amended .....	969
House amendments accepted .....	970
Passed, as amended, and referred for enrollment .....	970-971
Enrolled and 4th Reading .....	980
To Governor .....	1042
Governor's action .....	1128

SENATE BILL NO 61—By CURNUTT (Senate), and JOHN-SON (House).—An Act amending Section 1, Chapter 278, Session Laws, 1929, or Section 12527, Oklahoma Statutes, 1931, relating to the levy ing of an excise tax on gasoline, reducing said levy; and amending Section 3, Chapter 278, Session Laws, 1929, or Section 12536, Okla-homa Statutes, 1931, relating to distribution of said excise tax, repeal- ing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

1st Reading .....	89
2nd Reading .....	113
Committee Report and stricken .....	774

SENATE BILL NO. 62—By CURNUTT.—An Act relating to the assistants furnished the Attorney General, the salaries to be paid the same; also the clerks, secretaries and stenographers to be furnished said department, and the salaries to be paid to said clerks, secretaries and stenographers; providing certain qualifications of the assistants to the Attorney General, establishing the office of Attorney to the Governor, and fixing his salary; prohibiting the employment of attor- neys by any commission, bureau or department of the State, except by

the Governor of the State of Oklahoma, providing for the impeachment and removal of any person violating the provisions of this Act; repealing all Acts which provide for special attorneys to any department, commission or bureau of the State Government of Oklahoma, providing that the Governor may appoint special attorneys, repealing all laws in conflict therewith.

1st Reading .....	90
2nd Reading .....	113
Committee Report .....	585

SENATE BILL NO. 63—By MacDONALD.—An Act making appropriation to pay claims against deficiency certificates, numbers 24 to 30, inclusive, for fiscal year ending June 30, 1931; numbers 1 to 6, inclusive, for fiscal year ending June 30, 1932; numbers 1 to 4, inclusive, for fiscal year ending June 30, 1933; as approved and certified to by the Governor under authority of Chapter 231 of Session Laws of Oklahoma, 1915, as amended by Chapter 229 of the Session Laws of Oklahoma, 1919.

1st Reading .....	90
2nd Reading .....	113

SENATE BILL NO. 64—By REED (Senate), and GRAY (House).—An Act providing for uniform regulations for all common carriers for the protection of Oklahoma agriculture, horticulture, live stock and poultry; defining all common carriers as same relate to the transportation of agricultural and horticultural commodities, live stock, and poultry; providing punishment for violation of established quarantines and declaring an emergency.

1st Reading .....	111
2nd Reading .....	134

SENATE BILL NO. 65—By LESTER, DIXON and NANCE—An Act authorizing the State Highway Commission of Oklahoma to take over, improve, maintain and construct any street in any city of the first class for highway purposes where state highways are located thereon, and declaring an emergency.

1st Reading .....	111
2nd Reading .....	134
Committee Report .....	1710

SENATE BILL NO. 66—By BALLARD.—An Act requiring assistants and employees of the Secretary of State to pay fees received as

service agents for foreign corporations to the State of Oklahoma; providing for the allocation thereof, and declaring an emergency.

1st Reading .....	111
2nd Reading .....	134
Committee Report .....	198
Considered and referred .....	228
Committee Report .....	579-580
Consideration deferred .....	741-894

SENATE BILL NO. 67—By BALLARD.—An Act repealing all of Chapter 43, Session Laws of 1925, Sections 10294, 10295, 10296, 10297, 10298, 10299, 10300, 10301, 10302, 10303, 10304, 10305, 10306, 10307, 10308, 10309, 10310, 10311, and 10312, of the Compiled Oklahoma Statutes of 1931, and other purposes, and declaring an emergency.

1st Reading .....	112
2nd Reading .....	134

SENATE BILL NO. 68—By MORRISON (Senate), and BOYER and BEARD (House).—An Act making an appropriation of thirty-seven hundred dollars out of any moneys in the State Treasury not otherwise appropriated, for the fiscal year ending June 30, 1933, for the construction of a program clock and bell system at and for the C. A. & N. University at Langston, Oklahoma, and declaring an emergency.

1st Reading .....	112
2nd Reading .....	134
Committee Report .....	472

SENATE BILL NO. 69—By WALDREP.—An Act amending Section 6239, Oklahoma Statutes, 1931, providing that the general ad valorem taxes may be paid without the payment of special or paying taxes requiring the County Treasurer to accept the general taxes without the special taxes, and declaring an emergency.

1st Reading .....	112
2nd Reading .....	134
Committee Report .....	775

SENATE BILL NO. 70—By BRIGGS.—An Act giving the United States Forest Service authority to establish game refuges in the United States forests.

1st Reading .....	112
2nd Reading .....	134
Committee Report .....	911



Considered, advanced, 3rd Reading and referred

for engrossment -----	1018-1019
Engrossed and To House -----	1079-1080
Referred for enrollment -----	1636
Enrolled and 4th Reading -----	1705
To Governor -----	1714
Governor's action -----	1994

SENATE BILL NO. 71—By STEWART.—An Act regulating procedure relating to the foreclosure of mortgages and other liens upon real estate, designating the time for filing answer in foreclosure suits, and for the hearing and determination of such actions, and declaring an emergency.

1st Reading -----	132
2nd Reading -----	161
Committee Report -----	580

SENATE BILL NO. 72—By STEWART.—An Act amending Section 2, Chapter 282, Oklahoma Session Laws, 1929, relating to the homesteading of certain farm lands acquired by counties of Oklahoma at tax resales; providing the procedure therefor, and declaring an emergency.

1st Reading -----	132
2nd Reading -----	161
Withdrawn and to calendar -----	651
Considered and referred -----	896-897
Committee Report -----	1077
Considered, advanced, 3rd Reading and referred	
for engrossment -----	1231-1233
Engrossed and To House -----	1243

SENATE BILL NO. 73—By Ray.—An Act authorizing the County Excise Board of a county, at the request of the Board of County Commissioners, to transfer and re-appropriate, in whole or in part, any unexpended portion of the county's share of the motor vehicle license tax and the county's share of the gasoline excise tax to one or more items of appropriation for the current expenses of the county, and declaring an emergency.

1st Reading -----	132
2nd Reading -----	161

SENATE BILL NO. 74—By BALLARD and WILBANKS.—An Act repealing Sections 3672, 3673 and 11602, relating to the appointment of gasoline inspectors, their duty, fees, etc., of the Compiled Oklahoma

Statutes of 1931, and all other Acts and parts of Acts in conflict herewith and their purposes, and declaring an emergency.

1st Reading .....	132
2nd Reading .....	161

SENATE BILL NO. 75—By FIDLER.—An Act amending Section 5, Chapter 173 of the Session Laws of 1923, providing for actual notice to property owners by registered mail for a proposed improvement district in cities and towns, and declaring an emergency.

1st Reading .....	132
2nd Reading .....	161
Committee Report .....	874

SENATE BILL NO. 76—By NICHOLS, NANCE and LESTER.—An Act regulating procedure relating to the foreclosure of mortgages and other liens upon real estate; designating the time for filing answer in foreclosure suits; and for the hearing and determination of such actions; and declaring an emergency.

1st Reading .....	133
2nd Reading .....	161
Committee Report .....	586
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Referred to Special Committee .....	736
Consideration deferred .....	743
Withdrawn and to calendar .....	759
Considered .....	759-761
Considered and advanced .....	788-794
Engrossed .....	829
Vote reconsidered by which advanced .....	833
Considered, advanced, 3rd Reading and referred for engrossment .....	834-839
Engrossed and To House .....	847
Returned by House, as amended .....	1037
House amendments rejected and conference requested .....	1041
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House conferees appointed .....	1083
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Consideration deferred .....	1111
Passed, as amended in conference, and To House .....	1121-1122
Referred for enrollment .....	1146
Enrolled and 4th Reading .....	1147

To Governor .....	1151
Governor's action .....	1177

SENATE BILL NO. 77—By APPROPRIATIONS COMMITTEE.—

A Bill to be entitled an Act making appropriations from the public building fund for additional buildings at the State Hospital for Negro Insane at Taft, and for repairs and equipment of certain other institutions; and directing the State Board of Public Affairs to proceed immediately to let contract for such building and equipment where the institution comes under their jurisdiction; and declaring an emergency.

1st Reading .....	133
2nd Reading .....	161
Committee Report .....	1294

SENATE BILL NO. 78—By CHAMBERLIN, MEMMINGER, PUGH, MacDONALD and RIZLEY, (Senate), and ABERNATHY (Harmon), (House).—An Act amending Sections 8 and 9 of Chapter 28 of Session Laws 1925, authorizing building and loan associations of this State to borrow money; to become members of any corporation or agency established by the United States Government or by the State of Oklahoma; to buy and own shares of stock and or the bonds of and deposit money in and borrow money from such agencies; also to pledge their assets to secure the payment of any money so borrowed; and declaring an emergency.

1st Reading .....	133
2nd Reading .....	161
Committee Report .....	198
Consideration deferred .....	228, 261
Considered, advanced, 3rd Reading and referred for engrossment .....	303-305
Engrossed and To House .....	352
Referred for enrollment .....	733
Enrolled and 4th Reading .....	779
To Governor .....	795
Governor's action .....	885

SENATE BILL NO. 79—By CLARK (Senate), and BRAZELL (House).—An Act repealing Chapter 155 of the Session Laws of the State of Oklahoma, 1927, the same being paragraph 8023 of the Oklahoma Statutes of 1931, relating to the office of County Attorney of Grant County, Oklahoma, and declaring an emergency.

1st Reading .....	133
2nd Reading .....	162

Committee Report .....	170
Considered, advanced, 3rd Reading and referred for engross-	
ment .....	222-223
Engrossed and To House .....	238
Referred for enrollment .....	323
Enrolled and 4th Reading .....	336
To Governor .....	361-362
Governor's action .....	519-520

SENATE BILL NO. 80—By CARLILE, MacDONALD and PUGH, (Senate), and HENDERSON, SPEAR and BUSHYHEAD (House).—An Act creating a landlord's lien for supplies and money furnished tenants and employees, providing for the enforcement of such lien, and declaring an emergency.

1st Reading .....	134
2nd Reading .....	162
Committee Report .....	630

SENATE BILL NO. 81—By FISCHL.—An Act repealing Sections 3676, 3677, 3678, 3679, 3681, 3682, Oklahoma Statutes, 1931, being those sections of said Statutes declaring gins to be public utilities and placing them under the jurisdiction of the Corporation Commission, and declaring an emergency.

1st Reading .....	134
2nd Reading .....	162
Committee Report .....	1657

SENATE BILL NO. 82—By JOHNSTON.—An Act providing pensions for aged persons; constituting commissions for the administration of due benefits thereof; establishing procedure; defining violations thereof and prescribing penalties.

By unanimous consent, the following named were added as joint authors of Senate Bill No. 82: Senators Nance, Logan, Daugherty and Taylor.

1st Reading .....	157
2nd Reading .....	178

SENATE BILL NO. 83—By JOHNSTON.—An Act providing for the repeal of all laws pertaining to the holding of county court outside of the county seat of each county and especially repealing Sections 3981 to 4130, inclusive, of the Oklahoma Statutes of 1931.

1st Reading .....	157
2nd Reading .....	178
Committee Report .....	580
Consideration deferred .....	741-894



SENATE BILL NO. 84—By JOHNSTON.—An Act constituting and defining exemptions to heads of families.

1st Reading .....	157
2nd Reading .....	178
Committee Report .....	911
Considered and advanced .....	937-939
Engrossed .....	902
3rd Reading and To House .....	1012-1013

SENATE BILL NO. 85—By JOHNSTON (Senate) and CAVITT (House).—A Bill providing for assumption by the State of Oklahoma, of obligations incurred in holding special elections to fill vacancy caused by death of a member of the House of Representatives of the Fourteenth Legislature of the State of Oklahoma, and declaring an emergency.

1st Reading .....	157
2nd Reading .....	178
Committee Report .....	199
Considered, advanced, 3rd Reading and referred for engrossment .....	228-231
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Returned by House, as amended .....	1396
Considered deferred .....	1397
House amendments rejected, conference requested and Senate Conferees appointed .....	1410
Conference and appoints conferees .....	1411-1412
Vote reconsidered by which House amendment rejected .....	1943
House amendments accepted .....	1943
Passed, as amended in conference, and referred for enrollment .....	1943-1944
Enrolled and 4th Reading .....	1870-1871
To Governor .....	2007
Governor's action .....	2088

SENATE BILL NO. 86—By BRIGGS and RIZLEY.—An Act authorizing and empowering governing bodies of counties, cities, towns and school districts to contract for the employment of attorneys for special purposes, and making provision for the payment for services rendered, repealing all Acts or parts of Acts in conflict therewith, and declaring an emergency.

1st Reading .....	157
2nd Reading .....	178
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SENATE BILL NO. 87.—By RUTHERFORD (Senate), and KIRKPATRICK and ELLIS (House).—An Act abolishing the office or employment of Tag Agents; providing that motor vehicle license tags shall be issued and sold in the various counties of the State by the County Treasurer, his regular salaried deputies and special deputies appointed under provisions of this Act; fixing the fees for the services thereof, including acknowledgment of applications at ten cents for each license issued; providing for the payment of all motor vehicle license fees collected by the County Treasurer to the Oklahoma Tax Commission, and declaring an emergency.

1st Reading .....	155
2nd Reading .....	178
Committee Report .....	1097

SENATE BILL NO. 88.—By BALLARD.—An Act relating to public livestock yards; the marketing of livestock thereon, and all business, operations, and employments carried on by persons dealing on said markets including the issuance of permits to transact business and carry on operations on the said livestock yards, providing for the regulation thereof, and fixing of reasonable charges for such services to the public, providing penalties for the enforcement of this Act; repealing all Acts or parts of Acts in conflict herewith, and other purposes, and declaring an emergency.

1st Reading .....	158
2nd Reading .....	178

SENATE BILL NO. 89.—By COPPOCK and FISCHL (Senate), and STEWART and MASSEY (House).—An Act amending Section 2, Chapter 45, Session Laws of Oklahoma of 1925, and amending Section 2, Chapter 27, Session Laws of Oklahoma of 1929, relating to Fish and Game Commission, fixing salaries of Commissioners and providing for no salaries for Commissioners, and declaring an emergency.

1st Reading .....	158
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SENATE BILL NO. 90.—By FISCHL and RAY.—An Act amending Sections 10072, 10073 and 10074, Oklahoma Statutes, 1931, relating to the State Highway Commission; its membership, tenure and salaries; and declaring an emergency.

1st Reading .....	158
2nd Reading .....	178
Committee Report .....	315

SENATE BILL NO. 91.—By FISCHL.—An Act creating a Department of Government of the State of Oklahoma to be known as "The Department of Higher Education of the State of Oklahoma;" placing under said department the management and control of all State schools; providing the number, qualifications and manner of appointment, tenure and removal of members of said department; prescribing the duties and powers of the members of said department; providing for the levying of a tuition fee; repealing all laws in conflict and declaring an emergency.

1st Reading .....	159
2nd Reading .....	178
Committee Report .....	513
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SENATE BILL NO. 92.—By HUTCHINSON, RIZLEY, PAUL, JENNINGS, BALLARD and WILBANKS (Senate), and WRIGHT, WILMOT and WILLIAMS (House).—An Act amending Sections 10268, 10269, and 10288, Oklahoma Statutes, 1931, relating to motor vehicle registration, and providing that County Treasurers shall register all motor vehicles in their respective counties, providing for distribution of all funds collected, and repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

1st Reading .....	159
2nd Reading .....	178
Committee Report .....	1098-1099

SENATE BILL NO. 93.—By JENNINGS.—An Act repealing Section 3769, Oklahoma Statutes, 1931, same being Section 3030, Compiled Oklahoma Statutes, 1921, prohibiting a Justice of the Supreme Court, during the term for which he may be elected or appointed from becoming a candidate for office other than for a judicial position.

1st Reading .....	159
2nd Reading .....	178
Committee Report .....	1116

SENATE BILL NO. 94—By BALLARD.—An Act providing that the county court shall have exclusive jurisdiction of all appeals hereinafter taken from the justice court or from the police court; repealing all Acts or parts of Acts in conflict herewith and other purposes, and declaring an emergency.

1st Reading .....	175
2nd Reading .....	193
Committee Report .....	315
Committee Report withdrawn .....	337
Committee Report .....	443
Considered and advanced .....	681-682
Engrossed .....	695
3rd Reading and referred for engrossment .....	699-700
Engrossed and To House .....	738

SENATE BILL NO. 95—By BRIGGS (Senate), and GARLAND (House).—An Act authorizing and empowering county treasurers, treasurers of cities, towns, townships and boards of education to enforce obligations evidenced by bonds, warrants or other evidence of indebtedness held by such treasurer as sinking fund investment, authorizing said treasurer to bring and maintain suits thereon, validating judgments heretofore rendered, and declaring an emergency

1st Reading .....	175
2nd Reading .....	193
Committee Report .....	270
Committee Report withdrawn .....	291
Substitute report .....	291-292
Considered and advanced .....	451-452
Engrossed, 3rd Reading and To House .....	525-526
Referred for enrollment .....	2674
Enrolled and 4th Reading .....	2683
To Governor .....	2705

SENATE BILL NO. 96—By NANCE, REED and CHAMBERLIN (Senate), and JONES, PATTON and DUKE (House).—An Act limiting the amount that can be expended on highways, with certain exceptions; providing penalties for the violation of this Act; repealing all Acts in conflict therewith, and declaring an emergency.

1st Reading .....	175
2nd Reading .....	193

SENATE BILL NO. 97—By REED and RAY.—An Act relating to the practice of law, repealing Sections 4210 to 4258, inclusive, Oklahoma Statutes, 1931, and declaring an emergency



1st Reading -----	175
2nd Reading -----	193

SENATE BILL NO. 98.—By CURNUTT.—An Act providing for the funding of the outstanding warrant indebtedness of the State of Oklahoma and the issuance and sale of bonds therefor; setting out the form and maturity of said bonds; providing that said bonds shall be exempt from taxation; authorizing the investment in said bonds by the Commissioner of the Land Office; authorizing the interest coupons to be receivable in payment of taxes due the State; providing the type of warrants that shall be paid; setting out the manner in which the principal and interest shall be paid; repealing all Acts or parts of Acts in conflict therewith, and declaring an emergency.

1st Reading -----	175
2nd Reading -----	193
Committee Report -----	1676
Stricken -----	2057

SENATE BILL NO. 99.—By PAUL.—An Act amending Section 3481, Oklahoma Statutes, 1931, fixing the salaries of elective State Officers of the State of Oklahoma, and declaring an emergency.

1st Reading -----	176
2nd Reading -----	194

SENATE BILL NO. 100.—By HUTCHINSON and RIZLEY.—An Act providing for the issuance of Oklahoma relief certificates and relief certificate stamps by the State Treasurer for the relief of the unemployed and of certain aged, infirm and poverty-stricken citizens of this State; prescribing the method of distribution and sale of same; providing for the maturity and redemption of said certificates; making county clerks the agents of the State Treasurer in selling stamps and providing for sub-agents; making an appropriation to be placed in a separate fund designated "The Relief Certificate Redemption Fund"; providing that a portion of such fund shall be deposited in one or more banks in each county of the State; providing such banks shall redeem matured certificates under certain conditions; providing for the payment of the cost of issuance and deposit of said certificates and stamps; providing for the allocation by the Governor of said relief certificates to the several counties and for the distribution of such certificates by the County Commissioners; fixing a time limit for the redemption of matured certificates; providing for the transfer of surplus funds from the Relief Certificate Redemption Fund to the General Fund, and for final transfer of all such funds to the General Fund, and for barring all claims against the State after a certain date; fix

ing penalties for the wrongful diversion of such Oklahoma relief certificates and relief certificate stamps, or for counterfeiting, conspiring, or attempting to counterfeit such certificates and stamps, or to negotiate counterfeit certificates or stamps; and declaring an emergency.

1st Reading .....	176
2nd Reading .....	194
Committee reports progress .....	255
Committee Report .....	1099

SENATE BILL NO. 101—By WHITAKER.—An Act amending Section 12719, Oklahoma Statutes of 1931, relating to the payment and delinquency of ad valorem taxes.

1st Reading .....	177
2nd Reading .....	194
Committee Report .....	775

SENATE BILL NO. 102—By RITZHAUPT.—An Act prohibiting the payment to constables and justices of the peace of fees resulting in cases involving violation of traffic and highway laws of the State of Oklahoma, and declaring an emergency.

1st Reading .....	177
2nd Reading .....	194
Committee Report .....	199
Special Order .....	261
Considered and referred .....	305-306
Committee Report .....	356
Considered, advanced, 3rd Reading and referred for engrossment .....	466-469
Engrossed and To House .....	515
Referred for enrollment .....	736
Enrolled and 4th Reading .....	750
To Governor .....	771
Governor's action .....	886

SENATE BILL NO. 103—By WHITAKER.—An Act amending Section 12678, Oklahoma Statutes, 1931, relating to county and municipal subdivision budgets, computation of appropriation, deduction of surplus balances of revenue or levy and probable income from sources other than tax, making levies, requiring addition to appropriations of a per cent thereof to be determined for delinquent tax, certification of budgets and levies, inhibiting use of appropriations for any year or purpose other than for which made, forbidding issuance of warrants or indebtedness in excess of appropriation, requiring any sur-

plus to be used in reducing appropriations and levies for succeeding year, and declaring an emergency.

1st Reading .....	177
2nd Reading .....	191
Committee Report .....	255
Consideration deferred .....	481
Withdrawn from calendar and referred .....	503

SENATE BILL NO. 104—By PAUL.—An Act prohibiting court clerks of the State of Oklahoma from assessing costs against the State of Oklahoma on relation of the Commissioners of the Land Office in actions filed by or to be filed by the State of Oklahoma on relation of the Commissioners of the Land Office, except for sheriff's mileage fees and publishers' publication fees; and fixing the penalty for failure to conform with the provisions of this Act at the forfeiture of the office; and declaring an emergency.

1st Reading .....	177
2nd Reading .....	194
Committee Report .....	199
Considered .....	261
Considered, advanced, 3rd Reading and referred for engrossment .....	306-308
Engrossed and To House .....	352

SENATE BILL NO. 105—By RAY.—An Act amending Section 5727, C. O. S. 1921, as amended by Section 1, Chapter 327, Session Laws of Oklahoma, 1929, as further amended by Section 1, Article 4, Chapter 35, Session Laws, 1931, relating to the depositing of county funds in banks and giving security therefor, repealing all Acts in conflict therewith, and declaring an emergency.

1st Reading .....	190
2nd Reading .....	210
Withdrawn and to calendar .....	308
Consideration deferred .....	483
Considered, advanced, 3rd Reading and referred for engrossment .....	563-569
Engrossed and To House .....	582-583
Referred for enrollment .....	1395
Enrolled and 4th Reading .....	1404
To Governor .....	1412
Governor's action .....	1526

SENATE BILL NO. 106—By GARVIN and WILBANKS.—An Act amending Section 11568, Oklahoma Statutes, 1931, being Section 7957,

Compiled Oklahoma Statutes, 1921, being Section 4 of Chapter 25, Session Laws, 1915, relating to prevention of waste of crude oil or petroleum; authorizing and empowering the Corporation Commission to make certain rules and regulations relating to petroleum production in the State of Oklahoma; repealing Acts in conflict, and declaring an emergency.

1st Reading .....	190
2nd Reading .....	210
Committee Report .....	316

SENATE BILL NO. 107—By STEWART.—An Act to provide for the control and destruction of predatory animals; making an appropriation therefor, and prescribing the manner of its expenditure in co-operation with the Fish and Game Commission; repealing Sections 4865 to 4868, inclusive, Oklahoma Statutes, 1931, and declaring an emergency.

1st Reading .....	190
2nd Reading .....	210
Committee Report and referred .....	256
Committee Report .....	1294
Considered and advanced .....	1409
Engrossed .....	1482
3rd Reading and substituted for H. B. 197 .....	1488-1489

SENATE BILL NO. 108—By COPPOCK.—An Act amending Section 8775, Oklahoma Statutes, 1931, relating to appropriations by County Commissioners for the purpose of co-operating with the United States Department of Agriculture in farmers' demonstration work and home economics in their respective counties, and declaring an emergency.

1st Reading .....	191
2nd Reading .....	210
Committee Report .....	1100
Considered and advanced .....	1279
Engrossed .....	1299
3rd Reading and Notice lodged .....	1311

SENATE BILL NO. 109—By NICHOLS.—An Act amending Section 1443, Compiled Oklahoma Statutes, 1921, relating to guardian bond, providing that in all guardianship cases where the amount involved is more than \$750.00 that no guardian shall be appointed unless he can make and furnish a surety bond in some surety company authorized to do business in Oklahoma; providing that any County



Judge permitting a guardian to serve without a surety bond in such cases shall be removed from office and declaring an emergency.

1st Reading .....	191
2nd Reading .....	211

SENATE BILL NO. 110—By NICHOLS.—An Act amending Section 1773, Compiled Oklahoma Statutes, 1921, relating to the punishment for maiming, and declaring an emergency.

1st Reading .....	191
2nd Reading .....	211
Committee Report .....	270
Consideration deferred .....	483
Considered advanced, 3rd Reading and referred for engross- ment .....	658-659
Engrossed and To House .....	668

SENATE BILL NO. 111—By NICHOLS.—An Act amending Section 1798, Compiled Oklahoma Statutes, 1921, relating to the crime of kidnapping, fixing the punishment therefor and declaring an emergency.

1st Reading .....	191
2nd Reading .....	211
Committee Report .....	270
Consideration deferred .....	483
Considered advanced, 3rd Reading and referred for engross- ment .....	660-661
Engrossed and To House .....	668

SENATE BILL NO. 112—By FIDLER (Senate), and CONNOR (House).—An Act amending Section 10967, Oklahoma Statutes, 1931, being Section 8796 Compiled Oklahoma Statutes, 1921, giving apartment house owners liens on baggage and property, repealing all conflicting laws, and declaring an emergency.

1st Reading .....	205
2nd Reading .....	220
Committee Report .....	471
Consideration deferred .....	739, 894
Considered and indefinitely postponed .....	1268

SENATE BILL NO. 113—By RUTHERFORD.—An Act amending Section 2 of Chapter 79 of Session Laws, 1927, and Section 4 of Chapter 79 of Session Laws of 1927; making provision for the number of members of Boards of Education of independent districts; providing for the time and manner of their election; providing for the

length of their term of office; and providing for the number, time and manner of electing, and the length of the term of office of members of Boards of Education in independent districts having within them a charter city; and declaring an emergency.

1st Reading .....	205
2nd Reading .....	220
Committee Report .....	240
Considered and advanced .....	465-466
Consideration deferred .....	505
Engrossed .....	525
Vote reconsidered by which advanced .....	526
Considered advanced, 3rd Reading and referred for engross- ment .....	527-528
Engrossed and To House .....	545
Returned by House, as amended, and consideration deferred --	770
House amendments accepted, bill passed, as amended and re- ferred for enrollment .....	786-787
Enrolled and 4th Reading .....	803
To Governor .....	824
Governor's action .....	940
Notice lodged .....	944

SENATE BILL NO. 114.—By WALDREP.—An Act defining and prohibiting waste of crude oil or petroleum and providing for equitable taking of the same from the ground and conferring authority on the Corporation Commission for the regulation of the same, including control of pipe lines and common carriers of the same; providing a tax on oil produced to defray expenses; repealing Chapter 25, House Bill 168, approved February 11, 1915, now consisting of Section 7954 to 7963, inclusive, of the Compiled Statutes of Oklahoma, 1921; prescribing the penalties for violation of Corporation Commission orders, and declaring an emergency.

1st Reading .....	206
2nd Reading .....	220

SENATE BILL NO. 115.—By NANCE, PAUL, REED and NICHOLS.—An Act repealing Section 8873, Oklahoma Statutes, 1931, abolishing the State Plant Board, providing that the duties now performed by said Board shall hereafter be performed by the State Board of Agriculture, and declaring an emergency.

1st Reading .....	206
2nd Reading .....	220

SENATE BILL NO. 116.—By NANCE, PAUL, REED and NICHOLS.—An Act repealing Section 8753, Oklahoma Statutes, 1931, abolish-

ing the State Market Commission, providing that the duties now performed by said Commission shall hereafter be performed by the State Board of Agriculture, and declaring an emergency.

1st Reading .....	206
2nd Reading .....	220

SENATE BILL NO. 117—By CHAMBERLIN (Senate), and WORTHINGTON, SPECK and SUTHERLAND (House).—An Act requiring certain State boards now authorized by law to collect application fees, examination fees and annual license or membership fees to pay 10 per cent of gross collections into the general revenue funds of the State Treasury; fixing the time and manner of such payment; providing that the authority of such boards to issue certificates license may be revoked for non-payment; and declaring an emergency.

1st Reading .....	206-207
2nd Reading .....	220
Committee Report .....	256
Considered and advanced .....	480-481
Engrossed .....	525
3rd Reading and To House .....	528-529

SENATE BILL NO. 118.—By COMMONS.—An Act amending Section 10519, Oklahoma Statutes, 1931 (Section 6728, C. O. S. 1921), and declaring an emergency.

1st Reading .....	207
2nd Reading .....	220
Committee Report .....	1019
Considered, advanced, 3rd Reading and referred for engross- ment .....	1071-1073
Engrossed and To House .....	1087

SENATE BILL NO. 119—By CARMACK and CHAMBERLIN.—An Act providing that this Act may be indexed and cited as "The Co-operative Marketing Association Act," authorizing the formation of non-profit, co-operative associations, with or without capital stock, for the purpose of encouraging the orderly marketing of agricultural products through co-operation; defining the various terms used therein; stating who may organize such an association; enumerating the purposes and powers of such an association; providing for articles of incorporation, declaring what they shall contain, manner of executing and filing, method of amending same; providing fees for filing same and amendments thereto; providing for by-laws and what they may contain; prescribing the rights and privileges of membership; providing for the issuance of membership certificates and stock, both

common and preferred and interest payments thereon and the establishment of reserves and surpluses and the payment of patronage dividends; providing the method of calling general and special meetings; providing for removal of officers and directors; providing for a contract between the association and its members; and prescribing remedies for breach of contract, including liquidated damages, fees and all costs; authorizing injunction and general equitable remedies in the event of breach of contract; providing for the filing of contracts and the effects thereof, and the termination of contract; providing for annual reports; providing that associations heretofore organized may adopt the provisions of this Act; limiting the use of the word co-operative, making it a misdemeanor to induce a member to breach his contract with the association, or spread false reports about it and prescribing a fine for each offense, making such offender liable to the association for a prescribed penalty therefor in civil suit; providing liability to the association in a penal sum in certain cases for any person, firm or corporation who knowingly encourages or permits delivery of products in violation of contracts; authorizing an injunction against such person, firm or corporation; and providing for payment of all fees and costs; and setting out the reasons for such provisions, providing that no such association shall be deemed a conspiracy or an illegal combination or monopoly or in violation of any law of this State, and providing that marketing contracts shall not be considered illegal; providing for the acquiring, exchanging, interpreting and disseminating of certain information and the giving to members of advice regarding current and prospective production of agricultural commodities; providing that the general corporation laws of this State shall apply to such associations, except where inconsistent with express provisions hereof; providing that if any part of this Act shall be held unconstitutional the remainder shall be not affected thereby; providing for quo warranto to test validity of incorporation; providing the terms and conditions under which foreign associations shall be allowed to carry on business in this State, providing for a license authorizing the transaction of business in this State, providing repeal of Acts and parts of Acts in conflict with provisions of this Act but that all rights and remedies given in this Act shall be in addition to those already existing; and declaring an emergency to exist.

1st Reading .....	207
2nd Reading .....	220
Committee Report .....	1100

SENATE BILL NO. 120—By WILBANKS.—An Act repealing Section 4898, Oklahoma Statutes, 1931, abolishing the Oklahoma Seecuri-



ties Commission, providing that the duties now performed by said Commission shall be hereafter performed by the State Bank Commissioner, and declaring an emergency.

1st Reading .....	209
2nd Reading .....	221
Withdrawn from committee and referred .....	221

SENATE BILL NO. 121—By MacDONALD.—An Act amending Sections 10091 and 10095, Oklahoma Statutes, 1931, relating to the construction and maintenance of the State Highway System and to contracts let for the construction hereof; and declaring an emergency.

1st Reading .....	203
2nd Reading .....	221
Committee Report .....	316
Considered, advanced, 3rd Reading and referred for engrossment .....	386-389
Engrossed and To House .....	455
Referred for enrollment .....	1767
Enrolled and 4th Reading .....	1803
To Governor .....	1885
Governor requested to return bill .....	1980
Returned by Governor .....	1985
House requested to reconsider vote by which bill passed .....	1985
House reconsiders vote and amends bill .....	2008-2010
House amendments accepted by Senate and consideration deferred .....	2010
Vote reconsidered by Senate .....	2012
Passed, as amended, and referred for enrollment .....	2012-2013
Enrolled and 4th Reading .....	2027
To Governor .....	2052
Governor's action .....	2089

SENATE BILL NO. 122—By MacDONALD, MEMMINGER, STEWART, COMMONS, CHAMBERLIN, GARVIN, CARLILE, NICHOLS, PUGH, RAY, REED, TAYLOR, FISCHL and CLARK.—An Act authorizing and directing the State Board of Public Affairs to establish, construct, equip and maintain and operate a substation of the Oklahoma State Penitentiary in Atoka County, Oklahoma, the initial structure thereof to be on lands near Stringtown, Oklahoma, owned by the State of Oklahoma and validating the purchase of the said lands and the payment therefor out of the twine plant revolving fund of the Oklahoma State Penitentiary, such substation to be used for prisoners sentenced to the Oklahoma State Penitentiary at McAlester before the coming into effect of this Act and prisoners sentenced to the said Penitentiary

after the coming into effect of this Act whom the said Board shall believe should not be confined in the said Penitentiary at McAlester because of their respective types or because of their respective general conditions especially those in the tubercular conditions or having other contagious diseases, and such other prisoners as the said Board shall deem it expedient to have cared for in the said substation; especially authorizing said Board to use the labor of the prisoners in constructing and equipping and in maintaining and operating the said substation; appropriating money from the Oklahoma State Penitentiary revolving fund and from said Penitentiary twine plant revolving fund for use in establishing, constructing, equipping and in maintaining and operating said substation; repealing the parts of House Bill No. 240 enacted by the Thirteenth Legislature which appropriated \$115,000.00 out of the general revolving fund and \$115,000.00 out of the twine plant revolving fund of the Oklahoma State Penitentiary for use for construction of additional cell houses or additions to cell houses or for the establishing of substations and camps wherever prisoners may be most profitably used; and declaring an emergency.

1st Reading .....	209
2nd Reading .....	221
Committee Report and referred .....	356
Committee Report .....	1295

SENATE BILL NO. 123—By WALDREP.—An Act amending Sections 2384 and 2385, Oklahoma Statutes, 1931, relating to nepotism, making other and further provisions with reference thereto, and prescribing a penalty therefor; and declaring an emergency.

1st Reading .....	210
2nd Reading .....	221
Committee Report .....	2196
Considered, advanced, 3rd Reading and referred for engross- ment .....	2267-2269
Engrossed and To House .....	2275
Referred for enrollment .....	2610
Enrolled and 4th Reading .....	2626
To Governor .....	2672

SENATE BILL NO. 124—By STACEY.—An Act limiting the attorney fees that may be taxed as costs in cases of foreclosure of mortgages, deeds of trusts, or liens, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

1st Reading .....	218
2nd Reading .....	248

Committee Report .....	475
Notice lodged as to committee report .....	483

SENATE BILL NO. 125—By THOMAS.—An Act providing that it shall be unlawful for any state department or employee thereof to purchase or trade for any new or second hand automobile for use of said state for a period of two years; fixing penalty for violation of this said Act and declaring an emergency.

1st Reading .....	248
2nd Reading .....	248

SENATE BILL NO. 126—By DAUGHERTY, FISCHL and JOHN-STON.—A Bill to be entitled: An Act relating to the State School Land Department and to the duties and powers of the Commissioners of the Land Office, of the Secretary to the Commissioners, fixing the salary of the Secretary, providing for the sale of certain lands of the state, amending Sections 5455, 5448, 5495, 5508, 5522, 5527, 5630 and 5642, Oklahoma Statutes, 1931, repealing Sections 5497, 5498, 5499, 5504, 5505, 5506, 5507, 5508, 5512, 5520, 5521, 5530, 5531, 5532, 5534, to 5549 inclusive, 5551 to 5556, inclusive, 5561, 5562, 5565, 5566, 5567, 5572, 5573, 5574, 5576, 5577, 5580, to 5586 inclusive, 5593, 5597, to 5602 inclusive, 5605, 5629, and 5631 to 5641 inclusive, Oklahoma Statutes, 1931, and declaring an emergency.

1st Reading .....	218
2nd Reading .....	248

SENATE BILL NO. 127—By BRIGGS.—An Act amending Section 1 of Article 6, Chapter 35, Session Laws 1931, being Section 7735, Oklahoma Statutes, 1931, repealing all Acts in conflict herewith and declaring an emergency.

1st Reading .....	219
2nd Reading .....	248
Withdrawn and to calendar .....	303
Special Order .....	309
Considered and referred .....	347-352
Committee Report .....	357
Considered, advanced, 3rd Reading and referred for engrossment .....	364-366
Engrossed and To House .....	434
Returned by House, as amended .....	2087
Consideration deferred .....	2088
House amendments accepted .....	2154
Passed, as amended, and referred for enrollment .....	2154-2155

Enrolled and 4th Reading .....	2196
To Governor .....	2255

SENATE BILL NO. 128—By THOMAS.—An Act providing that the salary of the President or Principal of each of the six State Teachers Colleges of Oklahoma and Oklahoma College for Women, Chickasha, shall not exceed the sum of three thousand (\$3,000.00) dollars per annum, in addition to the usual and customary home; limiting the salary of all other instructors, teachers and employees of said colleges and declaring an emergency.

1st Reading .....	219
2nd Reading .....	248
Committee Report .....	1295

SENATE BILL NO. 129—By JENNINGS.—An Act providing a method of contesting alleged illegal ad valorem tax levies; requiring the County Excise Board to file all appropriations and levies made with the County Clerk; fixing the time and method of filing a protest; conferring jurisdiction upon the District Court of the respective counties of the State to hear and determine such protest; providing a method of appeal therefrom to the Supreme Court; providing for refund of illegal taxes that may be collected; eliminating the contracting of debts and issuing of warrants pending the determination of legality of tax levies; repealing Sections 12,305, 12,307, 12,308, 12,309, 12,310, 12,311, 12,312, 12,313, 12,314, and 12,315 Oklahoma Statutes 1931; and all Acts and parts of Acts in conflict herewith; providing for the transfer of cases pending before the Court of Tax Review to the District Court of the county involved in such protest; and declaring an emergency.

1st Reading .....	219
2nd Reading .....	248
Committee Report .....	1100
Withdrawn and referred .....	1390

SENATE BILL NO. 130—By BALLARD and FIDLER.—An Act amending Section 10983, Oklahoma Statutes, 1931, relating to bonds to be taken on public works, and declaring an emergency.

1st Reading .....	247
2nd Reading .....	260
Committee Report .....	391
Considered and advanced .....	507
Engrossed .....	525
3rd Reading and To House .....	536-537



SENATE BILL NO. 131—By MORRISON.—An Act amending Section 1, Chapter 129, Session Laws, 1923-1924, relating to the assessment of real estate for taxes; and declaring an emergency.

1st Reading .....	247
2nd Reading .....	260
Committee Report and consideration deferred .....	776
Committee Report withdrawn and bill referred .....	973
Committee Report .....	1231

SENATE BILL NO. 132—By JOHNSTON.—An Act providing exemptions for persons not the head of a family.

1st Reading .....	247
2nd Reading .....	260
Committee Report .....	1020

SENATE BILL NO. 133—By NICHOLS.—An Act regulating expenditures by candidates in Primary Elections, providing for filing reports of expenditures, prescribing penalties, both civil and criminal, for violations of the Act, and repealing all Acts and parts of Acts in conflict herewith.

1st Reading .....	247
2nd Reading .....	260
Committee Report .....	776
Considered .....	921-924, 925-928
Considered and advanced .....	930-931
Engrossed .....	992
3rd Reading and To House .....	1013

SENATE BILL NO. 134—By THOMAS.—An Act providing that the salary of the President of each of the eleven secondary schools of Oklahoma shall not exceed the sum of Two Thousand (\$2,000.00) Dollars per annum and the usual residence; limiting the salary of any other instructors, teachers or employees of said Colleges and declaring an emergency.

1st Reading .....	248
2nd Reading .....	260
Committee Report and referred .....	513

SENATE BILL NO. 135—By THOMAS.—An Act amending Section 7250, Oklahoma Statutes, 1931, fixing the President's salary of the Oklahoma Agricultural and Mechanical College; limiting the salary of any and all instructors, teachers and employees thereof, and declaring an emergency.

1st Reading .....	248
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2nd Reading -----	260
Committee Report and referred -----	514

SENATE BILL NO. 136—By GARVIN and CHAMBERLIN.—An Act amending Section 10474, Compiled Oklahoma Statutes, 1931, requiring certain deposits to be made by foreign casualty companies doing business in Oklahoma; and declaring an emergency.

1st Reading -----	258
2nd Reading -----	294
Committee Report -----	391
Considered and advanced -----	456
3rd Reading and referred for engrossment -----	464-465
Engrossed and To House -----	503

SENATE BILL NO. 137—By CHAMBERLIN, RAY, CARMACK and COMMONS.—An Act repealing Sections 4830 to 4833 inclusive, Oklahoma Statutes, 1931, amending Section 4835, Oklahoma Statutes 1931, abolishing the State Game and Fish Commission, providing for appointment of a State Game Warden who shall hereafter perform the duties of the State Game and Fish Commissioner, fixing his compensation, providing for additional employees and their compensation, and declaring an emergency.

1st Reading -----	259
2nd Reading -----	294
Withdrawn from committee -----	1580
Advanced -----	1967
Engrossed -----	2013
3rd Reading and failed -----	2372-2373
Motion to reconsider fails -----	2448

SENATE BILL NO. 138—By RITZHAUPT.—An Act making it unlawful to plant, cultivate, protect, harvest, cure, prepare, barter, sell, give away or use, or offer to sell, furnish or give away, or to have possession of marihuana, or any drug or preparation made from any species or variety of the botanical genus cannabis, or any compound derivative or preparation thereof; providing penalties for violation of this Act; and declaring an emergency.

1st Reading -----	259
2nd Reading -----	294
Committee Report -----	500
Considered and advanced -----	739
Engrossed -----	847
3rd Reading and To House -----	853-854
Returned by House, as amended -----	1791-1792

House amendments accepted .....	1792
Passed, as amended, and referred for enrollment .....	1792-1793
Enrolled and 4th Reading .....	1816
To Governor .....	1885
Vote reconsidered by which passed .....	1979
House requested to reconsider vote and amend bill .....	1979
House amendments submitted and consideration deferred ..	2010-2011
House amendments adopted and bill passed .....	2027-2028
Referred for re-enrollment .....	2028
Enrolled and 4th Reading .....	2047
To Governor .....	2052
Governor's action .....	2089

SENATE BILL NO. 139—By MORRISON and RIZLEY of the Senate and GRAY, OTTO STRICKLAND and MARSHALL of the House.—An Act authorizing the issuance of certificates of registration as registered pharmacists under certain conditions, to persons having certain qualifications; providing for examinations and the fee therefor; limiting the time during which such certificates may be issued; and declaring an emergency.

1st Reading .....	259
2nd Reading .....	294
Committee Report .....	317
Consideration deferred .....	483
Considered and advanced .....	581, 664-667
Engrossed .....	695
3rd Reading and To House .....	696-697
Referred for enrollment .....	2026
Enrolled and 4th Reading .....	2047
To Governor .....	2053
Governor's action .....	2060

SENATE BILL NO. 140—By CARMACK.—An Act amending Section 8525 Oklahoma Statutes, 1931, providing that members of the Board of Agriculture other than the President thereof, shall receive six dollars per diem for the time actually engaged in the performance of their duties, and in addition thereto, their actual traveling expenses, and declaring an emergency.

1st Reading .....	259
2nd Reading .....	294
Committee Report .....	1101

SENATE BILL NO. 141—By MEMMINGER.—An Act relating to the conduct of the regular and run-off state-wide primary elections

and the regular state wide general election, providing that the state shall pay for the printing of all ballots except county ballots and shall pay all other expenses of conducting said elections, restricting the number of voting precincts of the state and providing that a list thereof shall be given to the State Election Board, and declaring an emergency.

1st Reading .....	292
2nd Reading .....	298
Committee Report .....	392

SENATE BILL NO. 142—By STEWART and NANCE, CHAMBERLIN, RITZHAUPT, CURNUTT, BRIGGS, TAYLOR, PUGH, HOWARD, LESTER, COMMONS of the Senate and CHILDERS, BLOCKER and MASSEY of the House.—An Act relating to the conduct of the regular and run off state-wide primary elections and the regular state wide general election, providing that the state shall pay for the printing of all ballots except county ballots and shall pay all other expenses of conducting said elections, making appropriations therefor, and declaring an emergency.

1st Reading .....	292
2nd Reading .....	298
Committee report and referred .....	392
Committee Report .....	1296
Considered and advanced .....	1469-1472
Engrossed .....	1482
3rd Reading and vote reconsidered by which advanced .....	1499-1501
Considered, advanced, 3rd Reading and referred for engrossment .....	1517-1518
Engrossed and To House .....	1525
Returned by House, as amended .....	2603
House amendments accepted .....	2601-2603
Passed, as amended, and referred for enrollment .....	2603-2604
Enrolled and 4th Reading .....	2626
To Governor .....	2672

SENATE BILL NO. 143—By CURNUTT of the Senate and STURGILL and JOHNSON of the House.—An Act creating the office of delinquent personal tax collector in all counties of the State of Oklahoma, providing the terms, duties and compensation, providing for the discovery of omitted property and the placing of same on the tax rolls, the compensation for the collection of the taxes on said omitted property; amending Sections 12727, 12730, and 12731, Compiled Oklahoma Statutes of 1931; providing for the collection of delinquent taxes on personal property; repealing Section 12729 Compiled Oklahoma



Statutes of 1931; and all other Acts in conflict herewith and declaring an emergency.

1st Reading .....	292
2nd Reading .....	298
Committee Report .....	630
Considered .....	829-830
Considered and indefinitely postponed .....	832
Notice lodged .....	832
Vote reconsidered by which postponed .....	1482
Considered and advanced .....	1782-1783
Engrossed .....	2372
3rd Reading and referred for engrossment .....	2395-2396
Engrossed and To House .....	2409-2410

SENATE BILL NO. 144—By FISCHL.—An Act amending Section 456 Oklahoma Statutes 1931 relating to the confirmation of sale of real property under mortgage foreclosure, repealing all Acts in conflict and declaring an emergency.

1st Reading .....	293
2nd Reading .....	298
Committee Report .....	444
Considered and advanced .....	505-507
Engrossed .....	525
3rd Reading and To House .....	529-530

SENATE BILL NO. 145—By LOGAN.—An Act amending Section 7846, Oklahoma Statutes 1931, providing for the boarding of prisoners in county jails by the sheriff at actual cost and at not to exceed stipulated amounts; and declaring an emergency.

1st Reading .....	293
2nd Reading .....	298
Committee Report .....	583

SENATE BILL NO. 146—By WHITAKER (By Request).—An Act to amend Section 2578 of 1931 Statutes of Oklahoma relating to trespass and unlawful intrusion upon land.

1st Reading .....	293
2nd Reading .....	298
Committee Report .....	393
Considered .....	483
Considered, advanced, 3rd Reading and referred for engrossment .....	488-493
Engrossed and To House .....	525

SENATE BILL NO. 147—By WHITAKER, WILBANKS and CHAMBERLIN.—An Act relating to the payment of ad valorem taxes and redemption of tax sale certificates; providing that partial payments may be made to apply thereon and declaring an emergency.

1st Reading .....	293
2nd Reading .....	293
Committee Report .....	357
Special Order .....	366
Considered, advanced, 3rd Reading and referred for engrossment .....	434-436
Engrossed and To House .....	453

SENATE BILL NO. 148—By WHITAKER.—An Act relating to a State Printing Plant at the State Penitentiary at McAlester; providing an appropriation therefor; creating a special revolving fund to be used in connection therewith and declaring an emergency.

1st Reading .....	293
2nd Reading .....	290
Committee Report and referred .....	357
Committee Report .....	501-502

SENATE BILL NO. 149—By BRIGGS.—An Act to enable and authorize counties, cities, towns, townships, boards of education, school districts and all other municipalities in Oklahoma to refund their outstanding bonded indebtedness, and declaring an emergency.

1st Reading .....	293
2nd Reading .....	299
Committee Report .....	888
Considered and advanced .....	1153
Engrossed .....	1158
3rd Reading and To House .....	1168-1169
Returned by House, as amended .....	2653
House amendments accepted .....	2653-2654
Passed, as amended, and referred for enrollment .....	2654-2655
Enrolled and 4th Reading .....	2668
To Governor .....	2678

SENATE BILL NO. 150—By BRIGGS.—An Act amending Section 8571, Compiled Oklahoma Statutes, 1921, relating to levy of taxes for the sinking fund of municipalities.

1st Reading .....	294
2nd Reading .....	299
Committee Report .....	888
Considered and advanced .....	1153-1154

Engrossed .....	1158
3rd Reading and consideration deferred .....	1170
Considered and referred for engrossment .....	1279
Engrossed .....	1299
3rd Reading and vote reconsidered by which advanced .....	1302
Considered, advanced and referred for engrossment .....	1302-1303
Engrossed .....	1317
3rd Reading and Notice lodged .....	1373-1374
Motion to reconsider tabled and To House .....	1425-1426
Referred for enrollment .....	2611
Enrolled and 4th Reading .....	2626
To Governor .....	2672

SENATE BILL NO. 151—By DAUGHERTY and FISCHL.—An Act to supplement Chapter 72 Oklahoma Statutes 1931, known as the "Workmen's Compensation Law," by the enactment of supplemental Article 2 to said Chapter 72 containing Sections 1 to 23 inclusive, creating a fund to be known as "The State Insurance Fund" to be used for the payment of losses sustained on account of insurance and for assuring to the persons entitled thereto compensation as provided by said Chapter 72, and providing for the manner of raising said fund. its custody, and disbursement, necessary employees, making an appropriation therefor, and providing for the repayment of the same to the state.

1st Reading .....	296
2nd Reading .....	328
Committee Report .....	694
Special Order .....	1224
Considered and advanced .....	1323-1326
Engrossed .....	1337
Vote reconsidered by which advanced .....	1340
Considered and advanced .....	1340-1343
Engrossed .....	1371
Consideration deferred .....	1375
3rd Reading and To House .....	1379
Referred for enrollment .....	1733
Enrolled and 4th Reading .....	1803
To Governor .....	1885
Governor's action .....	1994

SENATE BILL NO. 152—By HOWARD of the Senate and WAGNER of the House.—An Act amending Section 9038 Oklahoma Stat-

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utes, 1931, relating to restraining domestic animals, and declaring an emergency.

1st Reading .....	296
2nd Reading and to calendar .....	329
Considered, advanced, 3rd Reading and referred for engrossment .....	383-385
Engrossed and To House .....	450
Returned by House, as amended, and consideration deferred .....	770
House amendments accepted, bill passed, as amended, and referred for enrollment .....	785-786
Enrolled and 4th Reading .....	803
To Governor .....	824
Governor's action .....	940
Consideration deferred .....	943-944

SENATE BILL NO. 153—By COPPOCK and FISCHL of the Senate and STEWART and MASSEY of the House.—An Act establishing a system of civil service for all officers and employees of the State Game and Fish Department, except the Commissioners, and providing for classification of such officers and employees, for the conducting of examinations, the making of appointments and promotions, and method for discharge of officers and employees, authorizing the State Fish and Game Commission to carry out the terms of the Act, and to make necessary and proper rules and regulations therefor, prohibiting political and religious activities, making violations of the provisions of the Act misdemeanors, repealing conflicting Laws, and declaring an emergency.

1st Reading .....	296
2nd Reading .....	329

SENATE BILL NO. 154—By FISCHL.—An Act prohibiting the use of certain kinds of firearms in hunting quail, dove and duck in the State of Oklahoma; providing a penalty for the violation hereof; providing for the payment of one-half of the fine assessed upon conviction of any violator to the informer.

1st Reading .....	297
2nd Reading .....	329
Committee Report .....	1213

SENATE BILL NO. 155—By RAY.—An Act providing that the County Treasurer shall receive county warrants the same as cash in payment of ad valorem taxes except the warrants must not exceed the amount of taxes and penalties to be paid; and declaring an emergency.

1st Reading .....	297
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2nd Reading .....	329
Committee Report .....	773

SENATE BILL NO. 156—By STACEY.—An Act amending Section Four (4) of Article Eleven (11) of Chapter Sixty-six (66) of the Session Laws of 1931, being Section 12650 of the Compiled Laws of 1931 relating to the number of days in which Boards of Equalization and Excise Boards may receive pay in any one year, and declaring an emergency.

1st Reading .....	324
2nd Reading .....	338
Committee Report .....	737
Considered and advanced .....	831
Engrossed .....	847
3rd Reading and To House .....	860-861

SENATE BILL NO. 157—By LESTER and CHAMBERLIN, NANCE, and NICHOLS.—An Act repealing Sections 3684, 3685, 3686, 3687, 3688, 3689, 3690 and 3691 Oklahoma Statutes, 1931, relating to the manufacture and distribution of ice; and declaring an emergency.

1st Reading .....	324
2nd Reading .....	338
Committee Report and referred .....	888
Withdrawn and to calendar .....	898
Considered and advanced .....	1030
Engrossed .....	1137
3rd Reading and To House .....	1140-1141

SENATE BILL NO. 158—By RITZHAUPT.—An Act extending time of payment of all rentals and penalties due and owing for land leased from the Commissioners of the Land Office of the State of Oklahoma; cancelling all penalties thereon; and declaring an emergency.

1st Reading .....	325
2nd Reading .....	338
Committee Report .....	1134
Considered and advanced .....	1277
Engrossed .....	1299
3rd Reading and To House .....	1307-1308

SENATE BILL NO. 159—By RITZHAUPT.—An Act combining the officers of Commissioner of Charity and Corrections and Commissioner of Health: providing that said officers shall be a duly licensed physician and surgeon; providing that such officers shall perform all the duties now enjoined upon the Commissioner of Charity and Cor-

rections and the State Commissioner of Health; repealing all Acts and parts of Acts in conflict therewith and declaring an emergency.

1st Reading .....	325
2nd Reading .....	338

SENATE BILL NO. 160—By JENNINGS.—An Act repealing Sections 12,428, 12,429, 12,430, 12,431, 12,432, 12,433, 12,434, 12,435, 12,436, 12,437, 12,438, 12,439, 12,440, 12,441, 12,442, 12,443, 12,444, 12,445, 12,446, 12,447, 12,448 and 12,449, Oklahoma Statutes, 1931, providing for the levy and collection of gross production taxes on petroleum, natural gas or casing head gas; and providing that the provisions of this Act shall not become effective until the thirty-first day of December, 1933.

1st Reading .....	325
2nd Reading .....	338
Committee Report .....	777

SENATE BILL NO. 161—By JENNINGS.—An Act amending Section 13,372, Oklahoma Statutes 1931 relating to exemption of claims under Workmen's Compensation Law from levy or other remedy for collection of debt; and providing that such claims shall not abate by the death of either employer or employee or both of them; providing for the revival thereof; and declaring an emergency.

1st Reading .....	325
2nd Reading .....	338
Committee Report .....	630
Considered and advanced .....	1275-1276, 1344-1348
Engrossed .....	1371
3rd Reading and To House .....	1376-1377
Referred for enrollment .....	2608
Enrolled and 4th Reading .....	2626
To Governor .....	2672

SENATE BILL NO. 162—By JENNINGS.—An Act amending Section 13,354 Oklahoma Statutes 1931, relating to the furnishing of medical treatment and hospitalization to injured persons under the Workmen's Compensation Act; repealing all laws in conflict therewith; and declaring an emergency.

1st Reading .....	326
2nd Reading .....	333
Committee Report .....	557
Consideration deferred .....	741, 894

SENATE BILL NO. 163—By MOON.—An Act providing for the appointment of a marshal for the Corporation Commission of the State

of Oklahoma, defining his powers and duties, fixing his compensation, and declaring an emergency.

1st Reading .....	326
2nd Reading .....	338
Committee Report .....	777
Considered, advanced, 3rd Reading and referred for engrossment .....	827-829
Notice lodged .....	829
Notice withdrawn .....	894
Engrossed and To House .....	917
Returned by House, as amended, and consideration deferred.....	2608
House amendments accepted .....	2698
Passed, as amended, and referred for enrollment .....	2698-2699
Enrolled and 4th Reading .....	2700
To Governor .....	2706

SENATE BILL NO. 164—By CHAMBERLIN (By Request).—An Act creating a judicial council for the study of defects in the administration of justice; prescribing the qualifications of its members and the manner of their selection; conferring on said judicial council full power over all trial and appellate rules of pleading, practice and procedure, in all courts, civil and criminal, whether of record or not, subject to approval and adoption by the Supreme Court and conferring upon the Supreme Court the power to approve and adopt all actions of the judicial council in such matters; requiring reports by said council to the Governor; requiring court clerks to furnish information to said council; giving the council authority to employ an executive secretary and other clerical help and to fix their compensation; providing the compensation and expenses of members of the council; reserving to the Legislature the right to change, amend or abrogate any rule adopted by the council and the Supreme Court hereunder; and declaring an emergency.

1st Reading .....	326
2nd Reading .....	338
Committee Report .....	1369

SENATE BILL NO. 165—By GARVIN, NANCE and RAY.—An Act repealing Section 10,323, Oklahoma Statutes, 1931, relating to the maximum speed which motor vehicles may be driven in the State of Oklahoma; and declaring an emergency.

1st Reading .....	326
2nd Reading .....	338

SENATE BILL NO. 166—By THOMAS (By Request).—An Act amending Section 455, Oklahoma Statutes, 1931, providing that the sale of lands and tenements sold under foreclosure proceedings shall be advertised at least two years before the date of sale, and declaring an emergency.

1st Reading .....	327
2nd Reading .....	338

SENATE BILL NO. 167—By Taylor of the Senate and HART and PALMER of the House.—An Act relating to the licensing and operation of commercial teachers agencies, fixing the penalties for violation thereof, and declaring an emergency.

1st Reading .....	327
2nd Reading .....	338
Committee Report .....	514

SENATE BILL NO. 168—By WILBANKS and NANCE.—An Act to redistrict the state for District Judges and courts by making the same co-extensive with the present nine Supreme Court Judicial Districts for nine District Court Judicial Districts; providing for the number of judges in each of said Districts; fixing their salaries and compensation; providing for the abolition of the District Judgeship in Judicial Districts numbers 2, 7 and one of the Judgeships in each of the present Judicial Districts for District Courts Nos. 21 and 27, and the present Judgeship in District No. 27; providing for the abolition of the Superior Court in Pottawatomie, Okmulgee and Garfield counties, and two of the Courts of Common Pleas in Tulsa County; providing for change of venue by the state, or prosecution; providing for the change of venue on the direction of the Governor by the Chief Justice in cases involving the prosecution of certain officials, and the interest of aliens; fixing the compensation of the Judges, and their reporters, or clerks; and making an appropriation for the present forty-three Judges remaining and not abolished by this Act until 1934; providing for rotation of the Judges in new Districts to hold court in all the counties of such Districts, and other purposes; and declaring an emergency.

1st Reading .....	327
2nd Reading .....	339

SENATE BILL NO. 169—By TAYLOR.—An Act providing for merchandise and store keepers' license and prescribing the fee therefor; procedure for collecting, and penalty for violating the provisions thereof.

1st Reading .....	328
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2nd Reading .....	339
Committee Report .....	777
Stricken .....	1531

SENATE BILL NO. 170—By NANCE of the Senate and JOHN-SON of the House.—An Act making an appropriation of five thousand dollars to pay Mrs. C. C. Gray, of Cache, Oklahoma, for damages suffered by her by reason of the death of her husband, incurred in line of duty while in the employ of the State Highway Department, and declaring an emergency.

1st Reading .....	328
2nd Reading .....	339
Committee Report .....	473
Consideration deferred .....	688, 739, 894

SENATE BILL NO. 171—By NANCE.—An Act amending Sections 5458 and 5630 Oklahoma Statutes, 1931, fixing the maximum rate of interest on farm loans made from the permanent school fund at three per cent per annum, relating to the investment of said fund in state, county and school district bonds and the method in which preference shall be given in making such investments, providing rules and regulations for the investment of public funds by the Commissioners of the Land Office in farm loans and declaring an emergency.

1st Reading .....	328
2nd Reading .....	339
Substituted for H. B. 187 .....	2401

SENATE BILL NO. 172—By REED, NANCE, NICHOLS, and PAUL of the Senate, and REX STRICKLAND of the House.—An Act repealing Section 8873, Oklahoma Statutes 1931, abolishing the State Plant Board, providing that the duties now performed by said Board shall hereafter be performed by the State Board of Agriculture, and declaring an emergency.

1st Reading .....	328
2nd Reading .....	339
Committee Report .....	669
Consideration deferred .....	894
Considered, advanced, 3rd Reading and referred for engrossment .....	1189-1193
Engrossed and To House .....	1243

SENATE BILL NO. 173—By JENNINGS.—An Act legalizing the use of voting machines in the State of Oklahoma; authorizing their

purchase and installation at the option of voting units; and prescribing rules and regulations for their operation.

1st Reading .....	337
2nd Reading .....	360
Committee Report .....	1589

SENATE BILL NO. 174—By JOHNSTON.—An Act, providing for submission to the courts claims for damages, also upon contract as to claims and damages resulting from the administration of the Highway Department and the building of roads and highway improvements in the State.

1st Reading .....	337
2nd Reading .....	360
Committee Report .....	916
Considered and indefinitely postponed .....	994

SENATE BILL NO. 175—By NICHOLS.—An Act amending Section 530, Oklahoma Statutes, 1931, providing that it shall not be necessary to save an exception in the trial court to the action or ruling of the court in the trial of any cause or proceedings in this State, or the overruling or granting of a motion for new trial, and that it shall not be necessary to incorporate such exception in the record or case-made, in order that the Supreme Court of the State may consider and pass on the errors of law occurring at the trial of such cause or proceeding; and declaring an emergency.

1st Reading .....	337
2nd Reading .....	360
Committee Report .....	393
Consideration deferred .....	681
Considered, advanced, 3rd Reading and referred for engrossment .....	682-683
Engrossed and To House .....	695

SENATE BILL NO. 176—By CHAMBERLIN.—An Act amending Section 1419, Oklahoma Statutes, 1931, regarding the appointment of guardians for minors; providing the notice to be given and declaring an emergency.

1st Reading .....	337
2nd Reading .....	360
Committee Report .....	393
Considered and advanced .....	483
Engrossed .....	525
3rd Reading and To House .....	531-532

SENATE BILL NO. 177—By CHAMBERLIN.—An Act amending Section 3, Chapter 28, Session Laws of Oklahoma, 1925, being Section 9844, Oklahoma Statutes 1931, relating to building and loan associations.

1st Reading .....	337
2nd Reading .....	360
Committee Report .....	621
Considered, advanced, 3rd Reading and referred for engrossment .....	644-645
Engrossed and To House .....	655
Referred for enrollment .....	2532
Enrolled and 4th Reading .....	2541-2542
To Governor .....	2582

SENATE BILL NO. 178—By JOHNSTON.—An Act providing for settlement of deficiency judgments, the setting apart of exemptions, the application of non-exempt property, the marshalling of assets and fixing limitations on the right to issue executions and providing for discharge of debtor; declaring an emergency.

1st Reading .....	337
2nd Reading .....	360
Withdrawn and Referred to Calendar .....	1158
Considered and Advanced .....	1225-1226
Engrossed .....	1290
3rd Reading and Consideration Deferred .....	1303, 1374
3rd Reading Indefinitely Postponed and Notice Lodged .....	1459

SENATE BILL NO. 179—By JOHNSTON.—An Act amending Section 1, Chapter 39, of the Session Laws of 1927, the same being embodied in Section 1424, of the Oklahoma Compiled Statutes of 1931, providing for qualifications of guardians and declaring an emergency.

1st Reading .....	358
2nd Reading .....	378
Committee Report .....	1657

SENATE BILL NO. 180—By COMMONS.—An Act amending Section 4499, Oklahoma Statutes, 1931 (Section 8986, C. O. S. 1921) relating to the principle of local registrars of vital statistics for agent registration district in the State defining their duties and providing that the County Clerk of each county in the State of Oklahoma shall be the registrar of vital statistics.

1st Reading .....	358
2nd Reading .....	378

SENATE BILL NO. 181—By REED and CARMACK of the Senate and WATSON, MARTIN, LEECRAFT of the House.—An Act repealing Section 8753, Oklahoma Statutes, 1931, relating to the State Market Commission; creating the State Market Commission as a department in the State Board of Agriculture; providing that said department shall perform all the duties heretofore performed by the State Market Commission; authorizing the promulgation of official standards for fruits, vegetables, hay, or any other agricultural product; providing for the promulgation of rules and regulations for the carrying out of the provisions of this Act; authorizing the State Board of Agriculture to co-operate with the United States Department of Agriculture in prescribing rules, regulations and provisions for inspection service, and fixing fees for such service; providing qualifications for certain employees in the State Market Commission, Department of the State Board of Agriculture; creating certain positions in said department; fixing the salaries of such employees; making an appropriation to carry out the provisions of this Act; repealing all Acts or parts of Acts in conflict therewith; and declaring an emergency.

1st Reading .....	358
2nd Reading .....	378
Committee Report .....	669
Considered, Advanced, 3rd Reading and Notice lodged .....	891-894
Motion To Reconsider Vote .....	998-999
Motion To reconsider Vote .....	1006
Vote Reconsidered by Which failed of Passage, Passed and Referred for Engrossment .....	1015-1016
Engrossed and to House .....	1087
Returned by House, As amended .....	2578
House Amendments accepted and consideration deferred .....	2578
Passed as amended and referred for enrollment .....	2655-2356
Enrolled and 4th Reading .....	2668-69
To Governor .....	2678

SENATE BILL NO. 182—By NANCE.—An Act amending Section 2381 Oklahoma Statutes 1931, relating to nepotism, and declaring an emergency.

1st Reading .....	359
2nd Reading .....	378
Committee Report .....	587

SENATE BILL NO. 183—By COPPOCK.—An Act repealing Articles Eight and Nine, Chapter 50, Oklahoma Statutes, 1931, and Article 25, Chapter 35, Oklahoma Statutes 1931, Section 10148, Oklahoma Statutes, 1931, and Sections 7810, 7811, 7812, 7813, and 7814, Okla-



homa Statutes, 1931, and amending Sections 7815 and subdivisions (C) of Section 10,090, Oklahoma Statutes, 1931, relating to county roads and highways; repealing all laws in conflict therewith; and declaring an emergency.

1st Reading .....	359
2nd Reading .....	378

SENATE BILL NO. 184—By COMMONS.—An Act amending Section 11151, Oklahoma Statutes 1931, (Section 21, Chapter 42, Session Laws 1929), relating to the traveling way and filling of cans or tubs and repealing all Acts or parts of Acts in conflict therewith.

1st Reading .....	376
2nd Reading .....	433
Committee Report .....	763
Considered and Advanced .....	830-831
Engrossed .....	847
3rd Reading and To House .....	859
Referred for Enrollment .....	2261
Enrolled and 4th Reading .....	2302
To Governor .....	2325
Governor's Action .....	2414

SENATE BILL NO. 185—By COMMONS.—An Act amending Section 11146, Oklahoma Statutes 1931, (Section 16, Chapter 42, Session Laws 1929), relating to the duties of mine foremen.

1st Reading .....	376
2nd Reading .....	433
Committee Report .....	763
Considered and Advanced .....	831
Engrossed .....	847
3rd Reading and To House .....	859-860
Referred for Enrollment .....	2261
Enrolled and 4th Reading .....	2302
To Governor .....	2325
Governor's Action .....	2414

SENATE BILL NO. 186—By COMMONS.—An Act amending Section 2596, C. O. S. 1931, (Section 6982 C. O. S. 1921) relating to the sale of pure grain alcohol, rules and regulations governing the same, repealing all Acts or parts of Acts that conflict therewith and declaring an emergency.

1st Reading .....	376
2nd Reading .....	433
Withdrawn and Referred to Calendar .....	1536

Advanced .....	1818
Engrossed .....	2425
3rd Reading and To House .....	2426-27

SENATE BILL NO. 187—By BALLARD.—An Act fixing the annual membership fee of active and inactive members of the State Bar; repealing Sections 4251 and 4253 of the Compiled Oklahoma Statutes of 1931, and other purposes; and declaring an emergency.

1st Reading .....	376
2nd Reading .....	433
Committee Report .....	631
Considered and Advanced .....	1352
Engrossed .....	1371
3rd Reading and Referred for Engrossment .....	1377-1379
Engrossed and Notice Lodged .....	1382
Motion to Reconsider failed .....	1417
To House .....	1418

SENATE BILL NO. 188—By NICHOLS.—An Act authorizing the superintendents or wardens of state penal, reformatory and eleemosynary institutions and of state institutions for the benefit of the insane, blind, deaf, mute and tubercular, to locate burial grounds on lands of said institutions and to bury therein the bodies of deceased inmates or patients of said institutions that are not claimed for private burial by friends or relatives thereof, providing that the expenses of such burials, which shall not exceed \$25.00, shall be paid from the support or maintenance appropriation or any other appropriation made for operating expenses of the institution, and declaring an emergency.

1st Reading .....	377
2nd Reading .....	433
Committee Report .....	1194
Advanced .....	1536
Engrossed .....	1571
3rd Reading and To House .....	1578-1579
Referred For Enrollment .....	1637
Enrolled and 4th Reading .....	1661
To Governor .....	1714
Governor's Action .....	1727

SENATE BILL NO. 189—By GARVIN, FISCHL and CHAMBER LIN.—An Act fixing the salaries of elective and appointive state officers of the State of Oklahoma, and repealing conflicting laws.

1st Reading .....	377
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2nd Reading .....	433
Committee Report .....	1135

SENATE BILL NO. 190—By CHAMBERLIN, COMMONS, MORRISON and NICHOLS.—An Act relating to civil procedure; providing that a party to a suit may call the opposite party as a witness or the manager, superintendent, agent or other party in control, if such opposite party be a corporation; prescribing and defining the conditions and effect thereof; repealing all Acts and parts of Acts that conflict herewith and declaring an emergency.

1st Reading .....	377
2nd Reading .....	433
Committee Report .....	631
Considered and Advanced .....	720
Engrossed .....	847
3rd Reading and To House .....	851-852

SENATE BILL NO. 191—By LOGAN (By Request).—An Act amending Sections 726 and 2300, Oklahoma Statutes, 1931, relating to privileged communications, and declaring an emergency.

1st Reading .....	377
2nd Reading .....	433
Committee Report .....	632

SENATE BILL NO. 192—By LOGAN (By Request).—An Act amending Section 80, Oklahoma Statutes, 1931, relating to the withdrawal of pleadings and papers filed with the Court Clerk, and declaring an emergency.

1st Reading .....	377
2nd Reading .....	433
Committee Report .....	633

SENATE BILL NO. 193—By CURNUTT.—An Act making an appropriation of five thousand dollars to pay Mrs. J. H. Tackett, of Fairfax, Oklahoma, for damages suffered by her by reason of the death of her husband, incurred in line of duty while in the employ of the State Highway Department, and declaring an emergency.

1st Reading .....	378
2nd Reading .....	433
Committee Report .....	1296

SENATE BILL NO. 194—By MacDONALD and GARVIN.—An Act making it a felony for any person, firm or corporation to purchase, handle or dispose of in any way any oil produced in violation of any

proration law, rule or regulation in the State of Oklahoma; prescribing the punishment therefor; and declaring an emergency.

1st Reading .....	431
2nd Reading and to Calendar .....	448-449
Considered, Advanced, 3rd Reading and Referred for Engrossment .....	485-488
Engrossed and To House .....	525

SENATE BILL NO. 195—By BALLARD.—An Act creating the various positions under the State Highway Department and providing the annual salary to be paid therefor; providing that said salaries shall be paid out of any funds in the State Highway Construction and Maintenance Fund; and other purposes; and declaring an emergency.

1st Reading .....	431
2nd Reading .....	449

SENATE BILL NO. 196—By CHAMBERLIN.—A Bill to be entitled an Act amending Section 1, Chapter 227, Session Laws, 1929, and repealing all Acts in conflict herewith, and declaring an emergency.

1st Reading .....	431
2nd Reading .....	449
Committee Report .....	1101
Considered and Advanced .....	1358-1359
Engrossed .....	1371
3rd Reading and Referred for Engrossing .....	1385-1387
Engrossed and to House .....	1404

SENATE BILL NO. 197—By NANCE.—An Act setting out the manner and procedure for a city to become an incorporated town, providing for the election of officers of said incorporated town, providing that the incorporated town shall assume the debts of said city and declaring an emergency.

1st Reading .....	431
2nd Reading .....	449
Committee Report .....	875
Considered and Advanced .....	988-990
Consideration Deferred .....	1030
Engrossed, 3rd Reading and To House .....	1075-1076
Referred for Enrollment .....	2402
Enrolled and 4th Reading .....	2487
To Governor .....	2537

SENATE BILL NO. 198—By WHITAKER.—An Act redistricting the State of Oklahoma into ten (10) District Court Judicial Districts.



providing for the number of Judges in each of such Districts; providing for the time of taking effect of such Act and repealing all Laws or parts of Laws in conflict therewith.

1st Reading .....	431
2nd Reading .....	449

SENATE BILL NO. 199—By COMMITTEE ON APPROPRIATIONS.  
—A Bill to be entitled an Act making appropriation from the General Revenue Fund to pay claims against State Departments and Institutions herein named; and from the Highway Construction and Maintenance Fund to pay judgments against the State and for outstanding claims and warrant of the Highway Department; and from the Public Building Fund to pay for repairs and improvements for institutions herein named; and from revolving funds of certain institutions to pay warrant and voucher outstanding; and from the Fish and Game Fund to pay outstanding warrant; and declaring an emergency.

1st Reading .....	431
2nd Reading .....	449

SENATE BILL NO. 200—By RITZHAUPT, BALLARD, PAUL and TAYLOR.—An Act amending Sections 5039 and 5040 Oklahoma Statutes, 1931, relating to the sexual sterilization of certain patients in state institutions for the insane; and declaring an emergency.

1st Reading .....	432
2nd Reading .....	449

SENATE BILL NO. 201—By THOMAS of the Senate and TODD of the House.—An Act repealing Chapter 188, Session Laws, 1927, relating to the salary and mileage of the Board of County Commissioners of Washita County, and declaring an emergency.

1st Reading .....	432
2nd Reading and To Calendar .....	449
Considered and Advanced .....	491-492
Engrossed .....	525
3rd Reading and To House .....	534-535
Referred for Enrollment .....	576
Enrolled and 4th Reading .....	582-3
To Governor .....	627
Governor's Action .....	796

SENATE BILL NO. 202—By MacDONALD and RITZHAUPT.—An Act providing for uniform tuition in certain state supported educational institutions for resident and non-resident students; providing for the collection of tuition, laboratory and other fees; providing for the ex-

penditure of funds collected; repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

1st Reading .....	432
2nd Reading .....	449
Committee Report .....	545
Withdrawn from Calendar and referred .....	561
Committee Report .....	673
Considered .....	1193
Advanced .....	1531
Engrossed .....	1571
3rd Reading and Indefinitely Postponed .....	1573-1574

SENATE BILL NO. 203—By JOHNSTON.—An Act amending Sections 5677, and 6019, Oklahoma Statutes, 1931, relating to compensation of members of County Election Boards, to provide that members of said Boards shall receive five cents per mile in going to and from Board meetings; and declaring an emergency.

1st Reading .....	432
2nd Reading .....	449

SENATE BILL NO. 204—By NANCE.—An Act abolishing all township levies in the several townships in Cotton County Oklahoma, and declaring an emergency.

1st Reading .....	432
2nd Reading and To Calendar .....	449
Considered and Advanced .....	480
Engrossed .....	525
3rd Reading and To House .....	533-534
Referred for Enrollment .....	576
Enrolled and 4th Reading .....	646-647
To Governor .....	650
Governor's Action .....	796

SENATE BILL NO. 205—By NANCE.—An Act abolishing the County Highway ad valorem tax levy in Cotton County, Oklahoma, and declaring an emergency.

1st Reading .....	433
2nd Reading and to Calendar .....	449-450
Considered and Advanced .....	490
Engrossed .....	525
3rd Reading and To House .....	532-533
Referred for Enrollment .....	576
Enrolled and 4th Reading .....	646-647

To Governor .....	650
Governor's Action .....	797

SENATE BILL NO. 206—By WALDREP.—An Act providing for annual and special county audits by the State Examiner and Inspector of books and records of any officer or custodian of the various funds of the county; providing and authorizing special tax levy to be made for the purpose of paying the cost of such audits, and regulating the use and expenditure of such funds, and repealing all Acts or parts of Acts in conflict therewith.

1st Reading .....	453
2nd Reading .....	476
Committee Report .....	1213
Considered and Advanced .....	1922-23
Engrossed .....	1970
3rd Reading and To House .....	1987-88
Returned by House as amended and Consideration Deferred .....	2608-2609
House Amendments Accepted .....	2656
Passed, as amended, and Referred for Enrollment .....	2656-2657
Enrolled and 4th Reading .....	2668-69
To Governor .....	2678

SENATE BILL NO. 207—By RITZHAUPT.—An Act precluding more than one member of a family from being employed by any state officer, department, commission, bureau, or institution of the State of Oklahoma; providing a penalty for the violation of this Act; and declaring an emergency.

1st Reading .....	454
2nd Reading .....	476
Committee Report .....	669
Considered, Advanced and 3rd Reading .....	2270-71
Referred for Engrossment .....	2271
Engrossed and To House .....	2282

SENATE BILL NO. 208—By MOON, MacDONALD, GARVIN, CURNUTT and RIZLEY.—An Act providing for the compulsory compensation of injured employees in hazardous industries, providing that employees in non-hazardous industries may elect to provide like compensation for their injured employees, placing the supervision of the Act under a commission herein created, fixing a schedule of awards providing penalties for the violation of the provisions of this Act, repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

1st Reading .....	454
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2nd Reading .....	476
Withdrawn and referred .....	1482
Committee Report .....	1590

SENATE BILL NO. 209—By CARLILE and LOGAN.—An Act relating to the investment of money belonging to estates of minors and incompetents, and declaring an emergency.

1st Reading .....	454
2nd Reading .....	476
Committee Report .....	632
Considered and Advanced .....	675-676
Engrossed .....	-
3rd Reading and To House .....	697-698

SENATE BILL NO. 210—By REED.—An Act amending Section 12755 Oklahoma Statutes 1931, providing that bidders at resale are not required to offer a bid equal to or greater in amount than the taxes, interest, penalties and costs due on each tract of land, and declaring an emergency.

1st Reading .....	454
2nd Reading .....	476

SENATE BILL NO. 211—By CURNUTT.—An Act amending Section 10280, Oklahoma Statutes, 1931, relating to the registration by manufacturer or dealer of motor vehicles in the State of Oklahoma, repealing all Laws or parts of Laws in conflict herewith and declaring an emergency.

1st Reading .....	454
2nd Reading .....	477
Committee Report .....	1026

SENATE BILL NO. 212—By CURNUTT.—An Act amending Section 10282, Oklahoma Statutes, 1931, relating to the operation of foreign commercial vehicles upon the Highways of the State of Oklahoma, repealing all Laws or parts of Laws in conflict herewith, and declaring an emergency.

1st Reading .....	455
2nd Reading .....	477
Committee Report .....	1026

SENATE BILL NO. 213—By HUTCHINSON.—An Act amending Section 1237 Oklahoma Statutes, 1931, relating to allowance and rejection of claims by executor or administrator; and providing claim-



ants shall be notified in writing of rejection of any claim; and declaring an emergency.

1st Reading .....	455
2nd Reading .....	477
Committee Report .....	632
Considered and Advanced .....	1968
Engrossed .....	2425
3rd Reading and Referred for Engrossment .....	2432-33
Engrossed and To House .....	2438

SENATE BILL NO. 214—By CHAMBERLIN, COMMONS, MORRISON, NICHOLS, WHITAKER and MacDONALD.—An Act providing for the redemption of real estate sold to the county on account of delinquent ad valorem taxes, where the county still holds the title thereto; providing for the waiving and releasing of interest, penalties and costs of the same if the principal amount thereof is paid on or before December 31, 1933; authorizing and directing county treasurers to accept such amount and to issue redemption certificates therefor; providing the manner and means of issuing said redemption certificates; providing that after such payment said real estate shall be placed on the tax rolls; providing that the amounts paid hereunder shall accrue to the common school fund of the county; suspending all Laws or parts of Laws in conflict herewith for the term of this Act and declaring an emergency.

1st Reading .....	475
2nd Reading .....	505
Committee Report .....	774
Considered and Advanced .....	897
Engrossed .....	992
Vote reconsidered by which advanced .....	1006
Considered, Advanced, 3rd Reading and Referred for Engrossment .....	1006-1008
Engrossed and To House .....	1079-1080
Referred for Enrollment .....	2174
Enrolled and Referred for Re-enrollment .....	2201
Enrolled and 4th Reading .....	2210
To Governor .....	2256
Governor's Action .....	2415

SENATE BILL NO. 215—By BRIGGS.—An Act amending Section 2086, Oklahoma Statutes, 1931, relating to cheats, frauds and bogus checks and declaring an emergency.

1st Reading .....	475
2nd Reading .....	505

Committee Report .....	633
Considered and Advanced .....	994
Consideration deferred .....	1030
Engrossed .....	1137
3rd Reading and To House .....	1138

SENATE BILL NO. 216—By FISCHL.—An Act governing the granting of license to fish in and hunt on lakes owned by municipalities or counties, wherein the fish are supplied in whole or in part by the State Game and Fish Commission designating who may receive license and fee to be charged, and declaring an emergency.

1st Reading .....	475
2nd Reading .....	505
Committee Report .....	1213

SENATE BILL NO. 217—By TAYLOR of the Senate and HOGG of the House.—An Act making an appropriation of five thousand dollars to pay Mrs. Edna Dawkins of Cheyenne, Oklahoma, for damages suffered by her by reason of the death of her husband, incurred in line of duty while in the employ of the State Highway Department, and declaring an emergency.

1st Reading .....	476
2nd Reading .....	505
Committee Report .....	1297

SENATE BILL NO. 218—By MacDONALD.—An Act amending Section 6814, Oklahoma Statutes, 1931, relating to the approval of school teachers contracts and declaring an emergency

1st Reading .....	503
2nd Reading .....	523
Committee Report .....	674
Considered and Advanced .....	894-895
Engrossed .....	992
3rd Reading and Notice Lodged .....	990-1000
Motion to Reconsider Tabled, and To House .....	1074

SENATE BILL NO. 219—By CARLILE.—An Act providing for the acceptance of state, county, municipal and school district warrants at par by the various county treasurers of the State of Oklahoma in payment of ad valorem taxes; repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

1st Reading .....	503
2nd Reading .....	523
Committee Report .....	773

SENATE BILL NO. 220—By PUGH (By Request).—An Act amending Section 10481, Compiled Oklahoma Statutes, 1921, relating to the dissolution and reorganization of consolidated and union graded school districts; repealing all Laws in conflict therewith and declaring an emergency.

1st Reading .....	503
2nd Reading .....	524
Committee Report .....	674
Advanced .....	1591
Engrossed .....	1803
3rd Reading and To House .....	1803-1804

SENATE BILL NO. 221—By CHAMBERLIN —An Act providing, fixing and describing the legislative enactments that shall be printed and published in the Session Laws of each Legislature; repealing all Laws and parts of Laws in conflict herewith and declaring an emergency.

1st Reading .....	504
2nd Reading .....	524
Committee Report .....	846
Considered and Advanced .....	895-896
Engrossed .....	992
3rd Reading and To House .....	1005-1006
Referred for Enrollment .....	2579
Enrolled and 4th Reading .....	2583
To Governor .....	2652

SENATE BILL NO. 222—By COPPOCK and CLARK.—An Act amending Sections 12019, 12020, 12021, 12022, and 12024, and repealing Section 12027, Oklahoma Statutes 1931; providing for inmates of the Oklahoma State Soldiers' Home to pay certain fee to the home where they receive income and declaring an emergency.

Senator Coppock asked unanimous consent, which was granted, to add the name of "Clark," as a joint author of Senate Bill No. 222.

1st Reading .....	504
2nd Reading .....	524

SENATE BILL NO. 223—By MORRISON and BRIGGS —An Act amending Section 1445 Revised Laws of Oklahoma 1910 being Section 5546 Compiled Oklahoma Statutes 1921 and Section 11976 Oklahoma Statutes 1931 relating to grants of right of way to the owners of telegraph and telephone lines over lands and real property and public grounds, streets and alleys in the State of Oklahoma.

1st Reading .....	504
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2nd Reading .....	524
Committee Report .....	749
Considered and Advanced .....	924-925
Engrossed .....	992
3rd Reading and Referred for Engrossment .....	1011-1012
Engrossed and To House .....	1079-1080

SENATE BILL NO. 224—By WHITAKER.—An Act repealing Sections 4496, 4497, 4499, 4513, 4514, 4515, 4516, and 4518, Oklahoma Statutes, 1931, relating to vital statistics, providing that physicians, surgeons and undertakers shall file certificates of birth and death, as provided by law in the office of the County Clerk of each county in the State; repealing all Acts and parts of Acts in conflict herewith: and declaring an emergency.

1st Reading .....	504
2nd Reading .....	524
Committee Report .....	587

SENATE BILL NO. 225—By RITZHAUPT.—An Act repealing Section 4752, Oklahoma Statutes 1931, and providing that the Board of Agriculture of this State shall be ex-officio the Forest Commission of the State of Oklahoma and declaring an emergency.

1st Reading .....	520
2nd Reading .....	549
Committee Report .....	587
Considered and Referred .....	743-744

SENATE BILL NO. 226—By PUGH.—An Act amending Section 4134 of the Statutes of 1931 relative to justices of the peace and constables, and declaring an emergency.

1st Reading .....	520
2nd Reading .....	549
Committee Report .....	583

SENATE BILL NO. 227—By PUGH.—A Bill amending Section Three of Article Three of Chapter Twenty-nine of the Session Laws of 1929, same being Section 5758 of the 1931 Statutes pertaining to run off primaries in as far as it affects certain offices.

1st Reading .....	520
2nd Reading .....	549

SENATE BILL NO. 228—By LOGAN.—An Act to amend Sections 7255, 7256 and 7257 of Article V, of the Compiled Oklahoma Statutes



Annotated, 1921, relating to the protection of labor, and declaring an emergency.

1st Reading .....	520
2nd Reading .....	549

SENATE BILL NO 229—By BALLARD and MOON.—An Act amending Section 12503, Compiled Oklahoma Statutes, 1931, being Section 6, Chapter 66, Session Laws, 1931, relating to deductions from gross income and other purposes; and declaring an emergency.

1st Reading .....	520
2nd Reading .....	549
Committee Report .....	1331

SENATE BILL NO. 230—By BALLARD and MOON.—An Act amending Section 12,505, Compiled Oklahoma Statutes, 1931, being Section 8, Chapter 66, Session Laws of 1931, relating to exemptions from the net income tax, and other purposes, and declaring an emergency.

1st Reading .....	520
2nd Reading .....	549
Committee Report .....	1332

SENATE BILL NO. 231—By BRIGGS of Senate and GARLAND of House.—An Act to authorize and permit a contest of proceedings and bill of review deemed beneficial for minors and incompetents, and to repeal all laws inconsistent herewith.

1st Reading .....	521
Committee Report .....	1135
Advanced .....	1595
Engrossed .....	2027
3rd Reading and To House .....	2035

SENATE BILL NO 232—By BRIGGS of Senate and GARLAND of House.—An Act making it unlawful for a guardian to deposit guardianship funds in bank in which he is an officer or stockholder, or is employed, and providing penalty therefor.

1st Reading .....	521
2nd Reading .....	549
Committee Report .....	633

SENATE BILL NO. 233—By BRIGGS of Senate and GARLAND of House.—An Act to provide for procedure in the county court for the leasing by guardians of lands of estates for oil and gas and other mineral purposes.

1st Reading .....	521
2nd Reading .....	549

SENATE BILL NO. 234—By RIZLEY.—An Act authorizing the transfer of any surplus money in the sinking fund of any city or town to the general fund; prescribing the use of which said transferred funds shall be put; repealing all Acts and parts of Acts in conflict therewith and declaring an emergency

1st Reading .....	521
2nd Reading .....	550
Committee Report .....	875
Considered and Advanced .....	1277-1278
Engrossed .....	1299
3rd Reading, and Referred for Engrossment .....	1308-1309
Engrossed and To House .....	1317
Returned by House, as amended .....	2326
House Amendments Accepted, Passed as amended and Referred for Enrollment .....	2327-2329
Enrolled and 4th Reading .....	2335

SENATE BILL NO. 235—By FIDLER of Senate and CONNER of House.—An Act amending Section 12306 Oklahoma Statutes 1931, providing for an affidavit and bond guaranteeing the interest on tax protests; repealing all conflicting Laws and declaring an emergency.

1st Reading .....	521
2nd Reading .....	550
Committee Report .....	1101
Considered .....	1279
Withdrawn and to Committee .....	1390

SENATE BILL NO. 236—By STEWART, COMMONS, NICHOLS, BRIGGS, NANCE, PAUL, CLARK, PUGH, SOWARDS and JOHNSTON.—An Act amending Sections 4233, 4234, 4239, 4240, and 4242. Oklahoma Statutes 1931 (being Sections 24, 25, 30, 31 and 33 of Chapter 264, Session Laws 1929) relating to the State Bar, providing and prescribing qualifications and conditions for the admission to practise law; for the enforcement of rules of professional conduct of members of the Bar; providing for sections and officers of administrative committees of the various sections; providing for the procedure in the filing of complaints charging violations of the rules of professional conduct and for disbarment, the method and procedure of trials and hearings thereof, and prescribing the method and manner of inflicting penalties; the authority of the Board of Governors in connection therewith and the conferring of power heretofore vested in administrative committees to the chairman and secretary; the fixing of their remuneration and repealing all Laws in conflict and declaring an emergency.

1st Reading -----	521
2nd Reading -----	550

SENATE BILL NO. 237—By RITZHAUPT, BRIGGS, LOGAN, TAYLOR, MacDONALD, CARLILE, GARVIN and WALDREP.—A Bill entitled an Act to establish a law enforcing organization to be known as The Oklahoma State Rangers; providing for the appointment of a colonel by the Governor with the advice and consent of the Senate and requiring him to furnish bond; providing for a headquarters staff and designating the members and numbers thereof; providing for the appointment of other members of the organization to consist of three lieutenants, six sergeants and thirty rangers, and for their removal; specifying the salaries of all members of the said Oklahoma State Rangers; providing for the promulgation, establishment and enforcement of rules and regulations and for the discipline, maintenance and equipment, including radio receivers and for the establishment of offices and headquarters of such organization in the city of Oklahoma City; and for the establishment of sub-stations in the rural portions of the State of Oklahoma; providing for the location, construction and establishment of a radio broadcasting station, at or near the headquarters of such organization; providing for equipment of said headquarters and sub-stations and for the sustenance, quarters, equipment and supplies for all officers and rangers of said organization and for all other expenses necessary in establishing, equipping, maintaining and operating said organization; and providing for investigation of all complaints against members of the organization and for their prosecution for violation of law; and repealing all Laws in conflict herewith and declaring an emergency.

1st Reading -----	522
2nd Reading -----	550
Committee Report -----	588
Special Order -----	742
Consideration Deferred -----	833

SENATE BILL NO. 238—By MOON.—An Act repealing Article Six of Chapter Sixty-six, being Sections 12363 to 12368, inclusive, of the Oklahoma Statutes 1931, relating to taxes on bonds, notes and choses in action; and declaring an emergency.

1st Reading -----	523
2nd Reading -----	550
Committee Report -----	1560

SENATE BILL NO. 239—By MOON.—An Act repealing Article Five of Chapter Sixty-six, consisting of Sections 12351 to 12362, in-

clusive, of the Oklahoma Statutes 1931, relating to the payment of taxes on real estate mortgages; and declaring an emergency.

1st Reading .....	523
2nd Reading .....	550
Committee Report .....	1561

SENATE BILL NO. 240—By RAY.—An Act defining the relation between banks and their depositors with respect to the deposit and collection of checks and other instruments payable in money, repealing all Acts in conflict therewith and declaring an emergency.

1st Reading .....	523
2nd Reading .....	550

SENATE BILL NO. 241—By STACEY.—An Act requiring banks and trust companies to publish a list of dormant accounts; defining dormant accounts; fixing a penalty for violation thereof; and declaring an emergency.

1st Reading .....	546
2nd Reading .....	550
Committee Report and Notice lodged .....	1214
Vote reconsidered by which Report of committee Adopted and Re-referred .....	1257

SENATE BILL NO. 242—By RITZHAUPT.—An Act exempting motor vehicles which have not been in use for a period of one year from taxation or payment of license fee under certain conditions; providing for the issuance of a current license on motor vehicles after non-use for one year, exempting such motor vehicle from penalty and declaring an emergency.

1st Reading .....	546
2nd Reading .....	559
Committee Report .....	1026

SENATE BILL NO. 243—By STEWART.—An Act making an appropriation of two thousand five hundred dollars to be expended in the development, consummation, inauguration and dedication of the Gulf Pacific Highway from Mississippi Sound to Puget Sound, and in the advertising thereof; and declaring an emergency.

1st Reading .....	547
2nd Reading .....	559
Committee Report .....	1297
Considered and Advanced .....	1408
Engrossed .....	1482



Consideration Deferred .....	1481
3rd Reading and Indefinitely Postponed .....	1571

SENATE BILL NO. 244—By BRIGGS and NANCE.—An Act limiting the issuance of warrants by any municipal subdivision of the State to sixty-five per cent (65%) of the amount authorized and approved by the excise board unless and until the moneys collected by such municipality is collected in full; providing that claimants against such municipality may file claims and have the same audited and approved, and prohibiting the governing authorities of said municipalities from issuing warrants until the funds raised by the estimate are collected; and declaring an emergency.

1st Reading .....	547
2nd Reading .....	559

SENATE BILL NO. 245—By MORRISON, BRIGGS, PUGH and CHAMBERLIN.—An Act to regulate long term installment companies and the issuance and sale of bonds, contracts and certificates, or so called 'Thrifty Certificates,' "Installment Bonds," or related securities covering specific guarantees, secured by collateral, to mature at a definite or variable date; providing for reserves to carry such bonds, contracts and certificates to maturity; prescribing additional duties for certain officers and employees; providing for appeal by an interested person from a final order; and fixing penalties for violations of any of the provisions of this Act.

1st Reading .....	547
2nd Reading .....	560
Committee Report .....	1526
Advanced .....	2396
Engrossed .....	2425
3rd Reading and To House .....	2446-47

SENATE BILL NO. 246—By HOWARD, COPPOCK and CLARK.—An Act authorizing the hunting of big game in this State, fixing the license fee therefor; prescribing a penalty for violation thereof; and declaring an emergency.

1st Reading .....	547
2nd Reading .....	560
Committee Report .....	912
Advanced .....	1999
Engrossed .....	2425
3rd Reading and To House .....	2433

SENATE BILL NO. 247—By PUGH.—An Act repealing Article 13, Chapter 35, of the Session Laws of 1931, same being Senate Joint Reso-

lution No. 53, regulating the salaries of the County Commissioners of Caddo County, Oklahoma.

1st Reading .....	548
2nd Reading .....	560
Committee Report .....	621
Considered, Advanced, 3rd Reading and Referred for Engrossment .....	642-643
Engrossed and To House .....	655
Referred for Enrollment .....	756
Enrollment and 4th Reading .....	779
To Governor .....	795
Governor's action .....	886

SENATE BILL NO. 248—By COPPOCK and CLARK.—An Act amending Section 3, Chapter 24, Article 10, Session Laws, 1931, relating to the hunting of deer and wild turkey; and declaring an emergency.

1st Reading .....	548
2nd Reading .....	560
Committee Report .....	912

SENATE BILL NO. 249—By PAUL.—An Act creating a pension for the adult blind of Oklahoma; prescribing the qualifications of those entitled to receive same; providing procedure to be followed in the payment thereof; making an appropriation to assist in the payment of claims therefor; directing the County Commissioners of each county in the State to include an item therefor, and directing the excise board to make an ad valorem levy upon all property in the county to produce funds to assist in paying the same, and declaring such levy not to be current expense, and declaring an emergency.

1st Reading .....	548
2nd Reading .....	560

SENATE BILL NO. 250—By PAUL, WALDREP, and JENNINGS (By Request).—An Act to promote and preserve the health of the citizens of Oklahoma, and providing for decent and proper burial of dead human bodies; creating the Oklahoma State Board of Funeral Directors and Embalmers, and providing for the appointment and qualification of the members of said Board, and fixing their duties and compensation; granting said Board authority and power to prescribe rules and regulations for the embalming and burial of dead human bodies; providing for licensing of persons desiring to engage in the practice of embalming, preserving and burial of dead human bodies and prescribing qualifications therefor; providing for an inspector at

the discretion of said Board; providing for collection of fees and distribution of fees collected; and providing that the State of Oklahoma shall not become in any manner liable for any expenses attached to the operation of said Board; providing for penalties for violation of any provision of this Act and for violation of any prescribed rule or regulation adopted by said Board; repealing Article V, Chapter 79, Compiled Oklahoma Statutes, 1931, and all Laws in conflict with this Act; and declaring an emergency.

1st Reading .....	548
2nd Reading .....	560
Committee Report .....	1102
Special Order .....	1474
Considered and Indefinitely Postponed .....	1518-1519

SENATE BILL NO. 251—By JENNINGS.—An Act providing for the execution of a restitution bond in any action on a contract for the payment of money only, or in an action for injuries to the person where an undertaking to stay execution be given as required by Sections 543 and 546 Oklahoma Statutes 1931, or a deposit be made as required by Section 544 Oklahoma Statutes 1931; providing for the conditions and approval thereof; excepting certain classes of cases from the provisions hereof; and declaring an emergency.

1st Reading .....	558
2nd Reading .....	618

SENATE BILL NO. 252—By STACEY.—An Act making it unlawful for persons, firms and corporations to mail, address or deliver to debtors instruments, purporting to be summons, or other court process, in an effort to collect accounts, making it grounds for disbarment of any lawyer who engages in such practice; prescribing the penalty for violation of this Act; and declaring an emergency.

1st Reading .....	558
2nd Reading .....	618
Committee Report .....	634
Considered and Advanced .....	824-825
Engrossed .....	847
3rd Reading and To House .....	857

SENATE BILL NO. 253—By WILBANKS (By Request).—An Act amending Section 9115 Oklahoma Statutes 1931 relating to banks borrowing money, limiting the amount of assets to be pledged as security for certain deposits and as collateral for bills payable and rediscounts, authorizing the pledging of certain assets of such banks as security for postal savings funds, government funds, Indian funds under the con-

trol of the Federal Government, state funds of the State of Oklahoma, and fraternal organization funds deposited in such banks; fixing penalties for the violation thereof and declaring an emergency.

1st Reading .....	558
2nd Reading .....	618
Committee Report .....	889
Considered and Advanced .....	1357
Engrossed .....	1371
Vote reconsidered by which Advanced .....	1382
Considered, Advanced, 3rd Reading and Referred for Engross- ment .....	1382-1384
Engrossed and To House .....	1404

SENATE BILL NO. 254—By MORRISON and BRIGGS.—An Act amending Section 6865 Oklahoma Statutes 1931, (Section 6A of Article 6, Chapter 219 of the Session Laws of Oklahoma, 1913) relating to the election of members of the Board of Education in school districts having a population exceeding 50,000; providing for the election of members of the Board of Education in such districts; fixing their term of office; providing for the extension of ward lines to include outlying territory; providing for the holding of elections in such districts, and declaring an emergency.

1st Reading .....	559
2nd Reading .....	618

SENATE BILL NO. 255—By MEMMINGER, CHAMBERLIN and GARVIN.—An Act repealing Sections 130 to 135 inclusive Oklahoma Statutes 1931, providing that all foreign corporations doing business in the State of Oklahoma shall designate the Secretary of the State as resident agent for service of process, providing the fees to be charged by the Secretary of the State for such service and declaring an emergency.

1st Reading .....	559
2nd Reading .....	618

SENATE BILL NO. 256—By STACEY of the Senate and ROBERTS of the House.—An Act authorizing and requiring courts in all cases of the foreclosure of mortgages and deeds of trust, to fix the attorney fee that shall be charged as costs against the defendant which fee shall in all cases be determined according to the stage to which the foreclosure has progressed, providing that in no case shall the fee on the completion of the foreclosure be greater than the maximum amount herein provided, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.



1st Reading .....	617
2nd Reading .....	638
Committee Report .....	1197
Advanced .....	1909
Engrossed .....	2425
3rd Reading and Failed .....	2433-2435

SENATE BILL NO. 257—By KENAN of the House and LOGAN of the Senate.—An Act relating to the expenditure and distribution of State highway construction and maintenance funds raised by the three cent gasoline excise tax; amending Section 12536, Oklahoma Statutes, 1931; repealing all Acts and parts of Acts in conflict therewith and declaring an emergency.

1st Reading .....	617
2nd Reading .....	638

SENATE BILL NO. 258—By WHITAKER and NANCE.—An Act amending Section 12755, Oklahoma Statutes, 1931, relating to tax resale by the county treasurer; providing the time, advertisement, and manner of conducting said sale; providing the minimum amount that may be bid at such sale; providing that the bid shall be in the name of the county in certain circumstances; and providing for the management, control, use and sale of such property as may be purchased in the name of the county; and repealing all Acts in conflict therewith and declaring an emergency.

1st Reading .....	617
2nd Reading .....	638
Committee Report .....	778
Considered and Advanced .....	1030
Engrossed .....	1137
3rd Reading and to House .....	1141-1142

SENATE BILL NO. 259—By NICHOLS.—An Act relating to mutual benefit assessment associations and providing that such companies on or before July 1, 1933, shall begin operating on a legal reserve basis; providing for the institution of proceedings for the appointment of a receiver by the insurance commissioner for failure to comply with this Act; providing that no mutual benefit assessment association shall be organized after the passage and approval of this Act; and declaring an emergency.

1st Reading .....	617
2nd Reading .....	638

SENATE BILL NO. 260—By MORRISON.—An Act relating to the use of nicknames, abbreviations and corruptions of names by persons filing as candidates before any election and declaring an emergency.

1st Reading .....	635
2nd Reading .....	652
Committee Report .....	694
Considered .....	1472-1473
Advanced .....	1787
Engrossed .....	2372
3rd Reading and To House .....	2397

SENATE BILL NO. 261—By TAYLOR and PAUL.—An Act amending Sections 3679, Oklahoma Statutes, 1931, relating to rates to be charged for ginning cotton; providing a penalty for violations thereof; repealing all Laws and parts of Laws in conflict therewith; and declaring an emergency.

1st Reading .....	636
2nd Reading and to Calendar .....	652
Stricken .....	1531

SENATE BILL NO. 262—By CHAMBERLIN.—An Act amending Section 7189, Oklahoma Statutes, 1931, transferring the duties and powers of the Board of Vocational Education to the Oklahoma Agricultural and Mechanical College and declaring an emergency.

1st Reading .....	636
2nd Reading .....	652

SENATE BILL NO. 263—By NICHOLS of the Senate and GRISSO of the House.—An Act creating a state aeronautical fund in the State Treasury; providing for the expenditure of the same; prescribing the manner and method of payment of such tax; authorizing the State Highway Commission to expend the same in aid of aviation; and authorizing said Commission to condemn private property for aviation purposes; authorizing the Commission to make rules and regulations in connection therewith; and declaring an emergency.

1st Reading .....	636
2nd Reading .....	652
Committee Report .....	1026
Considered. Advanced. 3rd Reading .....	1257-1258
Referred for Engrossment .....	
Engrossed and To House .....	1264

SENATE BILL NO. 264—By JOHNSTON.—An Act providing for judicial knowledge by the courts of Oklahoma of the "General Commodity Index" as determined by the Department of Labor of the United

States; and providing additional grounds for continuance in actions for foreclosure of mortgages and other liens on homesteads.

1st Reading .....	630
2nd Reading and to Calendar .....	652
Special Order .....	715
Referred to Special Committee .....	730
Consideration Deferred .....	743
Withdrawn and to Calendar .....	759

SENATE BILL NO. 265—By JOHNSTON.—An Act establishing moratorium and providing ways, means, and procedure for opening banks in charge of the State Banking Department; and declaring an emergency.

1st Reading .....	636
2nd Reading .....	652
Committee Report .....	917
Considered .....	1076
Considered and Advanced .....	1783-1787
Enrolled, 3rd Reading, and to House .....	1924-25
Referred for Enrollment .....	2140
Enrolled and 4th Reading .....	2156
To Governor .....	2175
Governor's Action .....	2541

SENATE BILL NO. 266—By JOHNSTON, TAYLOR, BRIGGS, REED and CARMACK of the Senate and JONES, BABB, and HENDERSON of the HOUSE.—An Act providing for and creating an auto-theft fund in the State Treasury from funds collected under the provisions of Chapter 43, Session Laws 1925; making appropriation of and providing for the expenditure of monies from said fund by the State Highway Commission, or under its direction, and declaring an emergency.

1st Reading .....	636
2nd Reading .....	652
Committee Report .....	1027
Considered and Advanced .....	1276-1277
Engrossed .....	1299
3rd Reading and Consideration Deferred .....	1306
3rd Reading and to House .....	1374-1375
Referred for Enrollment .....	2579
Enrolled and 4th Reading .....	2583
To Governor .....	2652

SENATE BILL NO. 267—By FISCHL of the Senate and CAVINS of the House.—An Act providing that tax moneys collected upon any esti-

mate made to pay warrants, which have been merged in funding bonds or judgments, shall be deposited and become a part of the sinking fund of the political subdivision for which the levy was made, and declaring an emergency.

1st Reading .....	637
2nd Reading .....	653
Committee Report .....	1710

SENATE BILL NO. 268.—By CARLILE.—An Act authorizing county excise boards to appropriate for current expenses or general fund purposes of the counties not to exceed seventy-five (75) per cent of the revenues derived from automobile license tax and excise tax on gasoline, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

1st Reading .....	651
2nd Reading .....	675

SENATE BILL NO. 269—By NICHOLS.—An Act providing that expenses paid in preparation and prosecution to judgment and a reasonable attorney's fee in any action prosecuted in the courts of the State to recover or enforce the payment of the penalty or liability upon any surety, fidelity or casualty bond, upon which the premium has been paid to, accepted by, the insurer, shall be recovered and taxed as costs in the case when judgment is recovered, and be enforced as a part of such judgment; repealing all Laws in conflict herewith; and declaring an emergency.

1st Reading .....	651
2nd Reading .....	675
Withdrawn and to Calendar .....	1081
Considered and Advanced .....	1224-1225
Engrossed .....	1299
Consideration Deferred .....	1374, 1458
Withdrawn and Referred .....	1572

SENATE BILL NO. 270—By REED.—An Act for the purpose of carrying out the provisions of Section 3, Article X. of the Constitution of Oklahoma, relating to the payment of current expenses of State Government, when the same shall exceed the income from previous fiscal years; levying taxes for the payment of the outstanding warrant indebtedness of the State representing deficiencies for previous of Article 9 H. Chapter 20, and Article 11, Chapter 50, and Article 16, Chapter 66, Oklahoma Statutes, 1931. and amendments thereto, relating, respectively, to motor carrier taxes, motor vehicle licenses, and to the excise tax on gasoline; and declaring an emergency.



1st Reading -----	652
2nd Reading -----	675

SENATE BILL NO. 271—By LESTER.—An Act providing that the State Board of Public Affairs in purchasing fuel for state institutions shall give preference to fuel produced in the State of Oklahoma where the price paid therefor does not exceed by ten per cent the price of fuel produced outside the State of Oklahoma; and declaring an emergency.

1st Reading -----	674
2nd Reading -----	696
Committee Report -----	846
Advanced -----	898
Vote Reconsidered by which advanced -----	900
Considered -----	1280-1281

SENATE BILL NO. 272—By WILBANKS of the SENATE, and DANKS, of the House.—An Act amending Section 6070 Oklahoma Statutes 1931, relating to the condemnation and holding lots and land in fee simple for municipal waterworks and the protection thereof from contamination and pollution, and prescribing the manner in which such land shall be designated and condemned, and declaring an emergency.

1st Reading -----	695
2nd Reading -----	719
Committee Report -----	875
Stricken -----	1833

SENATE BILL NO. 273—By PAUL.—An Act creating a common school district in each county in the State of Oklahoma; providing for the annexation of independent school districts; for liquidating outstanding indebtedness of each school district now existing; creating a common school board of education, providing for the election thereof and defining their duties; providing for the abolition of the present school district boundary lines; authorizing the creation of attendance districts and the election of a board of trustees for each; abolishing the office of county superintendent of public instruction; maintaining present school districts and officials until June 30, 1934; repealing all Acts or parts of Acts in conflict herewith.

1st Reading -----	695
2nd Reading -----	719
Committee Report -----	1263

SENATE BILL NO. 274—By RAY, RIZLEY, GARVIN, PUGH, LIGGETT, CARMACK, COMMONS, DIXON and WILLIS.—An Act to require all incorporated stock or mutual companies doing a life insurance business within the State of Oklahoma, to invest a part of the

reserve set apart on account and for the final payment of policies of insurance written on the lives of citizens of Oklahoma, in Oklahoma and other securities and Oklahoma property, or in the bonds of the United States or any State of the United States; and to define Oklahoma securities and the property in which such investments may be made; and declaring an emergency.

1st Reading .....	718
2nd Reading .....	752
Committee Report .....	1102
Considered, Advanced, 3rd Reading and Notice Lodged .....	1651-53
Motion to Reconsider Tabled. Referred for Engrossment .....	1728
Engrossed and to House .....	1733

SENATE BILL NO. 275—By TAYLOR and RITZHAUPT.—An Act amending Sections 5039 and 5040 Oklahoma Statutes 1931 relating to the sterilization of certain inmates of certain institutions; making the provisions of Chapter 26, Article 2, Oklahoma Statutes 1931 applicable to idiocy, imbecility, feeble-mindedness, insanity, habitual criminals; and declaring an emergency.

1st Reading .....	718
2nd Reading .....	752
Committee Report .....	846
Considered and Advanced .....	1468
Engrossed .....	1482
3rd Reading and To House .....	1494-1495
Returned by House, As Amended .....	2575
House Amendments rejected and Conference Requested .....	2575-77
Senate Conferees Appointed .....	2577
Vote Reconsidered by which House Amendments rejected .....	2586
House Amendments Accepted .....	2586
Passed, as Amended, and Referred for Enrollment .....	2586-2587
Enrolled and 4th Reading .....	2606
To Governor .....	2650

SENATE BILL NO. 276—By JOHNSTON.—An Act fixing the legal and contract rate of interest in the State of Oklahoma; and declaring an emergency.

1st Reading .....	719
2nd Reading .....	752
Withdrawn and to Calendar .....	1158

SENATE BILL NO. 277—By COMMONS.—An Act relating to the purity of the waters of the State; amending Sections 2 and 9 of Chapter 166 of the 1917 Session Laws of Oklahoma, same being Sections 8974 and 8981, respectively, of the 1931 Compiled Oklahoma Statutes, to pro-

vide for analysis of water supplies, and repealing all Acts and parts of Acts in conflict therewith and declaring an emergency

1st Reading .....	750
2nd Reading .....	781
Committee Report .....	1078
Considered and Advanced .....	1353-1354
Engrossed .....	1482
3rd Reading and To House .....	1487-1488

SENATE BILL NO. 278—By LOGAN and NICHOLS.—An Act providing for notice to property owners before execution of any tax deed, fixing a statute of limitations, repealing Acts in conflict therewith, and declaring an emergency.

1st Reading .....	750
2nd Reading .....	781

SENATE BILL NO. 279—By LOGAN and NICHOLS.—An Act providing an equity of redemption to mortgagors and declaring an emergency.

1st Reading .....	750
2nd Reading .....	781

SENATE BILL NO. 280—By LOGAN.—An Act amending Sections 10133 and 10134, Oklahoma Statutes, 1931, relating to the regulation of aircrafts and pilots; repealing all laws in conflict herewith and declaring an emergency.

1st Reading .....	750
2nd Reading .....	782

SENATE BILL NO. 281—By CHAMBERLIN and COMMONS.—An Act amending Section 6389 of the Oklahoma Statutes, 1931, relating to the authority of the city council to levy and collect occupation and license tax; and declaring an emergency.

1st Reading .....	751
2nd Reading .....	782
Committee Report .....	876
Advanced .....	1807
Engrossed .....	2372
3rd Reading and Referred for Engrossment .....	2397-98
Engrossed and To House .....	2409-10

SENATE BILL NO. 282—By PUGH.—An Act repealing Section 7914, Oklahoma Statutes of 1931 relating to the salaries of county officers, deputies, and assistants of Caddo County, Oklahoma, and declaring an emergency.

1st Reading .....	751
2nd Reading .....	782
Committee Report .....	803
Considered, Advanced and 3rd Reading .....	814-815
Referred for Engrossment .....	815
Engrossed and To House .....	829
Referred for Enrollment .....	972
Enrolled and 4th Reading .....	980
To Governor .....	1042
Governor's Action .....	1272

SENATE BILL NO. 283.—By WILLIS of the Senate and HANKLA of the House.—An Act validating certain warrants issued by counties for county highway purposes during the fiscal year ending June 30th, 1931, providing for the payment thereof, and declaring an emergency.

1st Reading .....	751
2nd Reading .....	782
Committee Report .....	847
Considered .....	986-988
Considered and Advanced .....	1030
Engrossed .....	1137
3rd Reading and To House .....	1139-1140
Returned by House, as amended .....	1546
House amendments rejected and conference requested .....	1547-1548
House grants conference and Appoints Conferees .....	1600
Senate Appoints Conferees .....	1600
Conference Committee Report Submitted and Adopted .....	1638-1639
Passes, as Amended, and To House .....	1639-1640
Referred for Enrollment .....	1670
Enrolled and 4th Reading .....	1705
To Governor .....	1714
Governor's Action .....	1814
Notice Lodged .....	1815

SENATE BILL NO. 284.—By BRIGGS of the Senate and HENDERSON of the House.—An Act validating the appointments of agents, servants, and employees of the State Highway Commission under previous existing statutes regulating the same prior to the effective date of Senate Bill No. 55 of the Fourteenth Legislature, authorizing said persons to perform the duties of their offices under existing laws and empowering the State Highway Commission created by Senate Bill No. 55 to ratify, confirm and approve all Acts of such persons; and declaring an emergency.

1st Reading .....	751
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2nd Reading and to Calendar .....	782
Considered. Advanced and 3rd Reading .....	810-812
Referred for Engrossment .....	812
Engrossed and to House .....	820
Returned by House, as Amended .....	928
House Amendments Accepted .....	928-929
Passed. as Amended. and referred for engrossment .....	929-930
Enrolled and 4th Reading .....	939
To Governor .....	972
Governor's Action .....	992

SENATE BILL NO. 285—By GARVIN.—An Act authorizing the State Highway Commission to use funds in the State Highway Construction and Maintenance Fund to purchase the bridge property known as the Meridian Bridge located two miles west of Ryan, Oklahoma, on the Red River between Jefferson County, Oklahoma, and Clay County, Texas; and declaring an emergency.

1st Reading .....	751
2nd Reading .....	782
Withdrawn and to Calendar .....	1277
Considered, Advanced. 3rd Reading and Referred for Engrossment .....	1321-1322
Engrossed and to House .....	1364-1365
Returned by House, as Amended .....	2680
House Amendments Accepted .....	2680-2681
Passed. as amended. and Referred for Enrollment .....	2681-2682
Enrolled and 4th Reading .....	2687
To Governor .....	2702

SENATE BILL NO. 286—By FIDLER of the Senate and COE of the House.—An Act relating to, contracts by governing boards of counties, cities, towns, townships and school districts for the recovery or discovery of funds belonging to such municipal subdivisions, and declaring an emergency.

1st Reading .....	779
2nd Reading .....	805

SENATE BILL NO. 287—By DAUGHERTY.—An Act regulating procedure relating to the foreclosure of chattel mortgages, conditional sales contracts, or other liens upon personal property, and providing a moratorium.

1st Reading .....	779
2nd Reading .....	805

Committee Report and Indefinitely Postponed .....	1194
Notice Lodged .....	1224

SENATE BILL NO. 288—By CURNUTT.—An Act authorizing cities and towns owning and controlling lands, lots, or parcels of ground used for cemetery purposes to establish a fund to be known as The Cemetery Fund, to be used for the purpose of upkeep, care and beautifying said cemetery and authorizing the county excise board when requested so to do by the governing authorities of said city to make a levy of not to exceed one-half mill in addition to all other levies provided by law and in addition to the six mill levy for general fund purposes for cemetery purposes, repealing all laws or parts of laws in conflict herewith, and declaring an emergency.

1st Reading .....	779
2nd Reading .....	805
Committee Report .....	876
Advanced .....	1526
Engrossed .....	1571
Consideration Deferred .....	1578-1602
3rd Reading and Referred for Engrossment .....	2373-2374
Engrossed and To House .....	2409-10

SENATE BILL NO. 289—By CHAMBERLIN, COMMONS, MacDONALD and BRIGGS.—An Act to regulate the operation of vehicles on highways; defining the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; providing for the enforcement of this Act and for penalties for violations thereof; to make uniform the law relating to the subject matter of this Act and to repeal Section 10323, Oklahoma Statutes, 1931, and all other Acts or parts of Acts in conflict herewith.

1st Reading .....	803
2nd Reading .....	821
Committee Report .....	1027

SENATE BILL NO. 290—By CHAMBERLIN of the Senate and WORTHINGTON of the House.—An Act providing for compensation to be paid to persons selected as temporary county judges or special county attorneys; providing that the board of county commissioners may pay a reasonable compensation therefor; fixing the maximum amount thereof; and declaring an emergency.

1st Reading .....	804
2nd Reading .....	821
Committee Report .....	1135

Considered and Advanced .....	1273
Engrossed .....	1299
3rd Reading and To House .....	1305-1306

SENATE BILL NO. 291—By MOON.—An Act amending Section 9738 of Oklahoma Statutes, 1931, relating to corporations; repealing all laws in conflict therewith and declaring an emergency.

1st Reading .....	804
2nd Reading .....	821
Committee Report .....	1297
Considered and Advanced .....	1357-1358
Engrossed .....	1371
3rd Reading and Referred for Re-engrossment .....	1385
Engrossed and To House .....	1404

SENATE BILL NO. 292—By MOON.—An Act amending Section 9730 of Oklahoma Statutes 1931, relating to articles of incorporation: repealing all laws in conflict therewith and declaring an emergency.

1st Reading .....	804
2nd Reading .....	821
Committee Report .....	1298
Advanced .....	1530
Engrossed .....	1571
Consideration deferred .....	1580, 1602
3rd Reading and Failed .....	2394-95

SENATE BILL NO. 293—By MOON.—An Act amending Section 9725 of Oklahoma Statutes, 1931, relating to corporations.

1st Reading .....	804
2nd Reading .....	821
Committee Report .....	1298
Advanced .....	1533
Engrossed .....	1571
Consideration deferred .....	1580, 1602
Considered .....	1993
Engrossed .....	2027
3rd Reading, Referred for Engrossment and Notice Lodged .....	2044-45
Special Order .....	2122

SENATE BILL NO. 294—By CURNUTT.—An Act reapportioning the Congressional Districts of the State of Oklahoma dividing the State into nine Congressional Districts, numbering said Districts from

one to nine inclusive, designating the counties to be composed in each of said Districts, repealing Section 3376, Oklahoma Statutes, 1931.,

1st Reading .....	804
2nd Reading .....	821

SENATE BILL NO. 295—By PUGH and WILLIS.—An Act fixing the salaries of the County Commissioners in all the counties on a population basis,

1st Reading .....	820
2nd Reading and To Calendar .....	850

SENATE BILL NO. 296—By POWERS.—An Act authorizing the cities and towns to cut weeds or remove trash, garbage, refuse, waste, or rubbish from any lot, piece or parcel of ground within said city or town; and providing for the cost thereof, and assessing the same against the said lot, piece or parcel of ground; and making the cost thereof a lien against the same; and providing for the collection thereof; repealing all laws in conflict herewith, and declaring an emergency.

1st Reading .....	820
2nd Reading .....	850
Committee Report .....	876
Advanced .....	1014
Engrossed .....	2072
Indefinitely Postponed .....	2305

SENATE BILL NO. 297—By CHAMBERLIN.—An Act amending Section 7857, Oklahoma Statutes 1931, relating to the compensation of County Commissioners; repealing all Acts and parts of Acts in conflict herewith; and declaring an emergency.

1st Reading .....	820
2nd Reading and To Calendar .....	850

SENATE BILL NO. 298—By MacDONALD, BALLARD, BRIGGS, CHAMBERLIN, CLARK, COMMONS, DAUGHERTY, GARVIN, HOWARD, JOHNSTON, LESTER, LIGGETT, MEMMINGER, NANCE, NICHOLS, PAUL, PUGH, REED, SOWARDS, STACEY, STEWART, TAYLOR, THOMAS, WHITAKER and WILLIS.—An Act requiring moving picture machines or projectors operating in this state to be provided with equipment to be approved by the Underwriters Laboratories of the National Board of Fire Underwriters to insure the utmost possible means of automatically and instantly preventing fires resulting from the explosion or ignition of motion picture films; providing that such equipment shall be constantly maintained in an



efficient working condition providing penalties for violation of this Act; and declaring an emergency.

1st Reading .....	848
2nd Reading and to Calendar .....	878
Considered, Advanced, 3rd Reading and Referred for Engrossment .....	973-974
Engrossed, and To House .....	980

SENATE BILL NO. 299—By JOHNSTON.—An Act providing for issuing warrants of the counties and other municipal subdivisions of the State of Oklahoma and providing that the same may be exchangeable for taxes and other debts, public and private, in the State of Oklahoma; and declaring an emergency.

1st Reading .....	848
2nd Reading .....	879
Withdrawn and To Calendar .....	1537
Advanced .....	1584
Engrossed .....	2027
Considered .....	2045
Stricken .....	2395

SENATE BILL NO. 300—By JOHNSTON.—An Act safeguarding the public health of the people of the State of Oklahoma, and requiring examination and licensing of superintendents and operators in charge of the water supply and sewage disposal plants of cities, towns and villages; repealing all Acts in conflict therewith, and declaring an emergency.

1st Reading .....	848
2nd Reading .....	879
Committee Report .....	1079

SENATE BILL NO. 301—By JOHNSTON.—An Act entitled an Act giving a two year period from the passage and approval for action for usury and declaring an emergency.

1st Reading .....	849
2nd Reading .....	879

SENATE BILL NO. 302—By JOHNSTON.—An Act forbidding contracts to accelerate future payments upon default in payment of stipulated payments, defining the consequence of making such forbidden contract both in future and past agreements and declaring an emergency.

1st Reading .....	849
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2nd Reading .....	879
Committee Report .....	912

SENATE BILL NO. 303—By MOON.—An Act providing for municipalities, through their several boards of aldermen, councilmen, and commissioners, counties through their boards of commissioners, and the state through its several boards and agencies, all being duly authorized thereunto, to enter into agreements and contracts with or through agencies of the Federal Government stipulating by irrevocable ordinance or resolution as to loans, advancements, or funds procured from such federal agencies, in order to provide for self-liquidation of such loans or advancements without means of and/or supplemental to an ad valorem tax, providing the authority to secure such self-liquidation through other means than ad valorem tax, or as supplement thereto; and declaring an emergency.

1st Reading .....	849
2nd Reading .....	879
Withdrawn and Re-referred .....	909
Committee Report .....	1590
Advanced .....	1820
Engrossed .....	2069
Considered, Vote Reconsidered by which Advanced .....	2074-76

SENATE BILL NO. 304—By MEMMINGER.—An Act amending Section 6731 of the Oklahoma Statutes of 1931 relating to the issuance of school district bonds; providing the manner of submitting the question of issuing the bonds to the voters of the school district; and declaring an emergency.

1st Reading .....	849
2nd Reading .....	879
Committee Report .....	979
Considered and Advanced .....	1277
Engrossed .....	1290
3rd Reading and To House .....	1306-1307

SENATE BILL NO. 305—By RITZHAUPT, JENNINGS, JOHNSTON and REED.—An Act amending Section 7305, Oklahoma Statutes, 1931 and making the State Board of Agriculture the ex-officio Board of Regents of the Colored Agricultural and Mechanical University of Oklahoma vesting the government of said University in said Board of Regents; and declaring an emergency.

1st Reading .....	877
2nd Reading .....	914
Committee Report .....	979

Considered and Advanced .....	1359
Engrossed, 3rd Reading, and to House .....	1390-1391

SENATE BILL NO. 306—By SOWARDS of the Senate and GIBSON of the House.—An Act amending Section 5916, Oklahoma Statutes, 1931, and providing that the County Treasurer shall prorate the interest received by him on sinking fund investments pro rata to the County Sinking Fund, Road Bond Sinking and Sinking Fund of the school districts of which he is treasurer by law, according to the amount of funds of each invested by him on which the interest is received, and declared the legislative intent of said section.

1st Reading .....	877
2nd Reading .....	914
Committee Report .....	979
Advanced .....	1531
Engrossed .....	1571
3rd Reading and Referred for Re-engrossment .....	1577-1578
Engrossed and To House .....	1588
Referred for Enrollment .....	2675
Enrolled and 4th Reading .....	2687
To Governor .....	2702

SENATE BILL NO. 307—By MEMMINGER.—An Act relating to the fiscal agent of the State of Oklahoma.

1st Reading .....	877
2nd Reading .....	914
Committee Report .....	2152
Advanced .....	2401
Engrossed .....	2425
3rd Reading and To House .....	2438-39

SENATE BILL NO. 308—By PAUL.—An Act exempting gasoline used in farm tractors and stationary engines used upon farms from the payment of excise tax on gasoline; providing the method for securing such exemption; and declaring an emergency.

1st Reading .....	877
2nd Reading .....	914
Committee Report .....	1561

SENATE BILL NO. 309—By MORRISON.—An Act amending Section 1, Chapter 60, Session Laws of Oklahoma 1927 (Section 7114 Oklahoma Statutes 1931) authorizing military reservations to be attached to independent school districts for school purposes, providing procedure therefor, providing for the disposition of taxes for school

purposes levied against railroads and other corporations and their franchises and property on said reservation, repealing all the laws in conflict therewith and declaring an emergency.

1st Reading .....	878
2nd Reading .....	914
Committee Report .....	979
Considered, Advanced, 3rd Reading and Referred for Engrossment .....	1355-56
Engrossed, and To House .....	1371
Returned by House, as Amended .....	2547
House Amendments Accepted .....	2547
Passed, as Amended, and Referred for Enrollment .....	2547-2548
Enrolled and 4th Reading .....	2568
To Governor .....	2594

SENATE BILL NO. 310.—By MORRISON, BRIGGS, CHAMBERLIN, CURNUTT, COMMONS and NICHOLS.—An Act Amending Section 543 Oklahoma Statutes 1931, relating to stay of execution pending appeal, and providing that the taking of a written undertaking shall operate to stay execution in certain cases enumerated herein; and further providing that in cases where the judgment or final order directs the payment of money the party appealing may give such undertaking or may deposit with the Clerk of the Court the amount directed to be paid together with interest and costs, and providing for the disbursement of such deposit, and declaring an emergency.

1st Reading .....	878
2nd Reading .....	914
Committee Report .....	1195
Advanced .....	1817
Engrossed .....	2372
3rd Reading and Referred for Engrossment .....	2398-2399
Engrossed and To House .....	2409-10

SENATE BILL NO. 311.—By COMMONS.—An Act amending Section 1360 Oklahoma Statutes, 1931, (Section 1355 C. O. S. 1921) repealing all Acts or parts of Acts in conflict therewith and declaring an emergency.

1st Reading .....	913
2nd Reading .....	919
Committee Report .....	1527
Advanced .....	1787
Engrossed .....	2069
3rd Reading and To House .....	2081-82



SENATE BILL NO. 312—By WILLIS and NANCE.—An Act authorizing public officials, persons, firms or corporations required to execute statutory bonds with surety companies as sureties to deposit state warrants in lieu thereof; repealing all laws in conflict herewith and declaring an emergency.

1st Reading .....	913
2nd Reading .....	919
Withdrawn and to calendar .....	1458
Considered and advanced .....	1529-1530
3rd Reading and Referred for engrossment .....	1535
Engrossed and to House .....	1557

SENATE BILL NO. 313—By MORRISON.—An Act relating to the letting of contracts by school districts for constructing and equipping school buildings, and permitting the contract price to be paid in bonds instead of money; and declaring an emergency.

1st Reading .....	913
2nd Reading .....	919
Committee Report .....	980
Considered and Advanced .....	1410
Engrossed .....	1454
3rd Reading and Notice Lodged .....	1462-1463

SENATE BILL NO. 314—By REED.—An Act relating to the inspection of animals for slaughter and providing for the sanitary inspection of packing plants; providing for the ante-mortem and post mortem inspection of animals slaughtered for human food and meat food products; granting authority to the boards of county commissioners of the several counties of the State of Oklahoma to appoint veterinary inspectors and assistant inspectors, describing their salaries, qualifications and duties, authorizing the payments of salaries, office and traveling expenses; providing for the disposition of animals or portions thereof found unfit for food consumption; authorizing the State Veterinarian to promulgate rules and regulations relating to the production of meats and meat food products and sanitation of premises and appliances used therefor; providing a penalty for failure to comply with the orders of the said veterinary inspectors or assistant inspectors, and declaring an emergency.

1st Reading .....	913
2nd Reading .....	919
Committee Report .....	1103
Withdrawn and Referred .....	1157
Committee Report .....	1183

Considered and Advanced .....	1596-1597
Engrossed .....	2027
3rd Reading and To House .....	2042-43

SENATE BILL NO. 315—By COPPOCK.—An Act amending Section 2, Chapter 66, Article 2, Oklahoma Session Laws, 1931, relating to the collection of license fees and taxes; and declaring an emergency.

1st Reading .....	914
2nd Reading .....	919

SENATE BILL NO. 316—By RITZHAUPT.—An Act providing for bounty on black birds, hawks, crows and predatory animals; making an appropriation for the method of disbursing such appropriation and declaring an emergency.

1st Reading .....	917
2nd Reading .....	982
Committee Report .....	1116

SENATE BILL NO. 317—By RITZHAUPT.—An Act exempting gasoline used in motor vehicles owned and operated by school districts from the payment of excise tax on gasoline; and declaring an emergency.

1st Reading .....	917
2nd Reading .....	982
Committee Report .....	1332

SENATE BILL NO. 318—By RITZHAUPT.—An Act requiring members of district school boards to give fidelity bonds; providing for the removal of such persons for failure to give such bonds; and declaring an emergency.

1st Reading .....	918
2nd Reading .....	982
Committee Report .....	1117

SENATE BILL NO. 319—By RITZHAUPT of the Senate and DAVIS of the House.—An Act authorizing certain persons to bring suit against Logan County for the recovery of moneys due for supplies furnished the poor and needy of said County; making it mandatory upon the District Judge to enter judgment upon proof of the correctness of such accounts; authorizing the levying of a tax to pay said judgment; and declaring an emergency.

1st Reading .....	918
2nd Reading and to Calendar .....	982

Considered, Advanced, 3rd Reading and Referred for Engrossment -----	1147-48
Engrossed and to House -----	1158
Referred for Enrollment -----	1564
Enrolled and 4th Reading -----	1621
To Governor -----	1670
Governor's Action -----	1798
Notice Lodged -----	1800

SENATE BILL NO. 320—By RITZHAUPT.—An Act amending Section 1670 Oklahoma Statutes 1931, relating to the issuance of marriage license and declaring an emergency.

1st Reading -----	918
2nd Reading -----	982
Committee Report -----	1187
Advanced -----	1818
Engrossed -----	2372
3rd Reading and Referred for Engrossment -----	2399-2400
Engrossed and To House -----	2409-10

SENATE BILL NO. 321—By RITZHAUPT.—An Act amending Section 677 Oklahoma Statutes 1931, relating to the marriage of incompetent persons; providing that it shall be the mandatory duty of the Court wherein the guardianship is pending, upon being informed of the marriage of an incompetent over which there is a guardianship pending in this court, to direct the guardian to bring action to cancel and annul such marriage; providing that such marriage shall be void but not to have the effect of rendering the issue of such marriage prior to its cancellation or annulment as illegitimate and declaring an emergency.

1st Reading -----	918
2nd Reading -----	982
Committee Report -----	1187
Advanced -----	1818
Engrossed -----	2372
Stricken -----	2400

SENATE BILL NO. 322—By CARLILE, MORRISON, WALDREP and POWERS of the Senate and SPEAR and GLEN of the House.—An Act making mandatory, estimates, appropriations and levies sufficient to purchase and pay for authorized legal publications and all mandatory accounting and recording books and records for county officers and boards; providing for proper procedure where appropria-

tions for constitutional needs through unforeseen conditions are insufficient and declaring an emergency.

1st Reading .....	918
2nd Reading .....	982
Committee Report .....	2211

SENATE BILL NO. 323—By WALDREP (By request).—An Act authorizing and empowering school boards and county excise boards to make transfer of certain school funds in school districts of this State, making other provisions with reference thereto, and declaring an emergency.

1st Reading .....	981
2nd Reading .....	1029
Committee Report .....	1117
Considered and Advanced .....	1152
Engrossed .....	1154
3rd Reading and To House .....	1167-1168
Referred for Enrollment .....	1723
Enrolled and 4th Reading .....	1750
To Governor .....	1794
Governor's Action .....	1842
Notice Lodged .....	1843
Passed over Veto and To House .....	2079-80
House fails to Pass over Veto .....	2290

SENATE BILL NO. 324—By WALDREP, JOHNSTON and SO-WARDS.—An Act authorizing municipal corporations owning or operating electric light plants and distribution systems to extend their lines or services beyond the corporate limits of the city, and to erect poles, lines, wires, apparatus, sub-stations, and to do other things necessary to provide electric service or to supply current to any other person, firm or corporation to the same extent as may be done within the limits of such corporation.

1st Reading .....	981
2nd Reading .....	1029
Committee Report .....	1103
Considered and Advanced .....	1151
Engrossed .....	1158
3rd Reading and To House .....	1165-1166
Referred for Enrollment .....	2533
Enrolled and 4th Reading .....	2568
To Governor .....	2595



SENATE BILL NO. 325—By WALDREP.—An Act dividing Lincoln County into two nominating and electing districts for the purpose of electing members of the House of Representatives for the Fifteenth, Seventeenth and Eighteenth Sessions of the Legislature; and declaring an emergency.

1st Reading .....	981
2nd Reading .....	1029

SENATE BILL NO. 326—By WALDREP.—An Act providing for the payment of the salaries of judges of the superior courts and for the reporters of said courts, making other and further provisions with reference thereto, repealing all laws or parts of laws in conflict herewith and declaring an emergency.

1st Reading .....	981
2nd Reading .....	1029
Committee Report .....	1136
Indefinitely Postponed and Notice Lodged .....	1594-1595

SENATE BILL NO. 327—By MORRISON.—An Act amending Section 13, Chapter 41 of the Session Laws of 1919, which is Section 8713, of the Compiled Oklahoma Statutes of 1921, or Section 4383 of the Compiled Oklahoma Statutes of 1931, relating to the practice of dentistry in the State of Oklahoma, making it unlawful to engage in certain unprofessional commercial advertising and declaring an emergency.

1st Reading .....	981
2nd Reading .....	1029
Committee Report .....	1187
Considered and Advanced .....	1240
Engrossed .....	1299
3rd Reading and To House .....	1303-1304

SENATE BILL NO. 328—By MORRISON.—An Act Authorizing school districts to make a more economic provision for persons of school age who are unable to attend distant schools, providing for regulation and supervision of the authorized courses by the State Board of Education, providing for the acceptance of grades and credits awarded in such courses, and providing for a tuition charge for such courses.

1st Reading .....	1028
2nd Reading .....	1081
Committee Report .....	1117
Considered and Advanced .....	1258-1261

Engrossed .....	1299
3rd Reading and To House .....	1304-1305

SENATE BILL NO. 329—By JOHNSTON.—An Act amending Section 782 of the Compiled Oklahoma Statutes of 1921, the same being Section 3 of Article 25 of Chapter 3, that is. Section 531 of the Compiled Oklahoma Statutes of 1931, relating to appeals in Courts of record of Oklahoma, and extending the time therefor as to persons under disability and prescribing procedure, and declaring an emergency.

1st Reading .....	1028
2nd Reading .....	1081
Committee Report .....	1104
Considered, advanced, 3rd Reading and referred for engrossment .....	1151-1152
Engrossed and To House .....	1158

SENATE BILL NO. 330—By JOHNSTON.—An Act amending Section 6522 Revised Laws 1910, Compiled Oklahoma Statutes 1921, Section 1431, Oklahoma Statutes 1931, Section 1419, so as to provide for personal service of notice of hearing of petition for appointment of guardian of person or estate of minors upon parents of minor or person having such minor in their care in County and such notice as the Judge of the County Court may deem reasonable to be given to the other relatives of the minor residing in the County and repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

1st Reading .....	1029
2nd Reading .....	1081
Committee Report .....	1057

SENATE BILL NO. 331—By COMMITTEE ON BANKS AND BANKING of the Senate, and COMMITTEE ON BANKS AND BANKING, of the House, entitled:—An Act providing for the protection of banks and trust companies organized under the laws of the State of Oklahoma, and for the protection of the depositors and creditors therein, empowering the Bank Commissioner of the State of Oklahoma, with the approval of the Governor of Oklahoma, to regulate the withdrawals of deposits from banks and trust companies of this State, providing for receiving new deposits, and for the investment of such deposits, repealing any law in conflict herewith, and declaring an emergency.

1st Reading .....	1074
2nd Reading and to calendar .....	1081

Considered, advanced and made Special Order .....	1092-1095
Vote reconsidered by which advanced .....	1106
Considered and referred .....	1107-1108
Committee Report .....	1118-1119
Advanced, 3rd Reading and referred for engrossment .....	1119-1121
Engrossed and To House .....	1121
Returned by House, as amended .....	1161
House amendments rejected, conference requested and Senate conferees appointed .....	1165
House grants conference and appoints conferees .....	1167
Senate conferees discharged .....	1172
House Conferees discharged .....	1173
House amendments accepted, passed as amended, and re- ferred for enrollment .....	1173-1174
Enrolled and 4th Reading .....	1186
To Governor .....	1197
Governor's action .....	1222

SENATE BILL NO. 332—By PAUL.—An Act creating the "Oklahoma Conservation Department" for the purpose of taking over the functions and performing the duties of the State Game and Fish Commission, State Forestry Commission, and State Conservation Commission, of the State of Oklahoma; prescribing the functions of the Oklahoma Conservation Department; providing for the appointment of the officers thereof; defining the duties of such officers and fixing the salaries; repealing all Laws in conflict herewith; and declaring an emergency.

1st Reading .....	1080
2nd Reading .....	1118

SENATE BILL NO. 333—By STACEY.—An Act regulating the adoption of text books in the public schools of the State of Oklahoma; prescribing the manner of adoption thereof; repealing all laws in conflict herewith and declaring an emergency.

1st Reading .....	1118
2nd Reading .....	1137
Committee Report .....	1977

SENATE BILL NO. 334—By PUGH.—An Act relating to the payment of fire, tornado or lightning insurance and declaring an emergency.

1st Reading .....	1118
2nd Reading .....	1137
Committee Report .....	1195

SENATE BILL NO. 335—By CHAMBERLIN, PUGH, RUTHERFORD, WHITAKER and LESTER.—An Act to amend Sections 4900, 4901, 4903, 4904, and 4907, Chapter 24, Article 23, Oklahoma Statutes 1931, relating to the sale of securities, and declaring an emergency.

1st Reading .....	1136
2nd Reading .....	1156

SENATE BILL NO. 336—By LESTER (By request).—An Act relating to the passage of ordinances by cities or counties, and authorizing cities or counties to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects; providing not less than three printed copies of such code or codes in book form have been filed with the clerk.

1st Reading .....	1137
2nd Reading .....	1157
Committee Report .....	1263

SENATE BILL NO. 337—By CHAMBERLIN, NANCE and GARVIN.—An Act providing for an appropriation of ten thousand (\$10,000) Dollars for the remainder of the fiscal year ending June 30th, 1933, and thirty-two thousand, five hundred (\$32,500) dollars for the fiscal year ending June 30th, 1934, and thirty-two thousand five hundred (\$32,500) dollars for the fiscal year ending June 30th, 1935, for maintenance of Oklahoma orphan children who are not in state institutions; providing for the expenditure of the same by the State Board of Public Affairs on a per capita basis; and declaring an emergency.

1st Reading .....	1184
2nd Reading .....	1188
Committee Report .....	1298
Considered and advanced .....	1330-1331
Engrossed .....	1371
3rd Reading and to House .....	1375-1376
House requested to return bill .....	1669
Returned by House and vote reconsidered .....	1712

SENATE BILL NO. 338—By CHAMBERLIN.—An Act amending Section 3196, Oklahoma Statutes, 1931, relating to appeal bonds in criminal cases, and declaring an emergency.

1st Reading .....	1184
2nd Reading .....	1189
Committee Report .....	1370
Considered and advanced .....	1409-1410



Engrossed .....	1482
3rd Reading and To House .....	1491-1492

SENATE BILL NO. 339—By JOHNSTON.—An Act empowering the several counties of the State and the Highway Department, or either, to assume the obligation of road construction bonds issued by the various townships, and used for paving, or for bridge construction of the county and state type, and declaring an emergency.

1st Reading .....	1184
2nd Reading .....	1189
Committee Report .....	1437
Considered and advanced .....	1473, 1533-1534
Engrossed .....	1768
3rd Reading and to House .....	1773-1774
Referred for enrollment .....	2532
Enrolled and 4th Reading .....	2541-2542
To Governor .....	2582

SENATE BILL NO. 340—By WALDREP (By Request).—An Act amending Section 1, Chapter 93, Session Laws of Oklahoma 1927, the same being Section 6252, Oklahoma Statutes 1931, relating to the refunding of street improvement bonds, making other and further provisions with reference thereto, and declaring an emergency.

1st Reading .....	1184
2nd Reading .....	1189
Withdrawn and to calendar .....	1570
Advanced, 3rd Reading and referred for engrossment .....	1859-1860
Engrossed and To House .....	1899
Referred for enrollment .....	2534
Enrolled and 4th Reading .....	2568
To Governor .....	2594

SENATE BILL NO. 341—By LIGGETT.—An Act amending Section 4515, Oklahoma Statutes, 1931, relating to the payment of fees of registrars in counties; and declaring an emergency.

1st Reading .....	1188
2nd Reading .....	1215
Committee Report .....	1437

SENATE BILL NO. 342—By LIGGETT.—An Act amending paragraph "C" Section 10090, Oklahoma Statutes 1931, providing the county commissioners shall not designate more than thirty-five per cent of the public highways in their respective counties as county highways and declaring an emergency.

1st Reading .....	1188
2nd Reading .....	1215

SENATE BILL NO. 343—By COPPOCK.—An Act amending Section 420, Compiled Oklahoma Statutes, 1921, which is also cited as Section 723, Oklahoma Statutes, 1931 providing a remedy by injunction to enjoin enforcement of a void judgment, the illegal levy or collection of a tax, charge or assessment, and the payment of any claim against the state or any municipality or subdivision thereof based on an unconstitutional or repealed Statute, the validity of such Statute to be determined in such suit, and to enjoin a common nuisance, and providing such suit may be brought by any tax payer without bond to obtain such injunction; and declaring an emergency.

1st Reading .....	1188
2nd Reading .....	1215

SENATE BILL NO. 344—By JOHNSTON.—An Act providing for election of city and school officers in cities of the first class where the population is six thousand or less, and declaring an emergency.

1st Reading .....	1214
2nd Reading .....	1255
Committee Report .....	1658
Advanced .....	1822
Engrossed .....	2425
3rd Reading and referred for engrossment .....	2427-2431
Engrossed and To House .....	2438

SENATE BILL NO. 345—By SOWARDS.—An Act appropriating one thousand twenty-one dollars (\$1,021.00) to the Quapaw drainage district, in Lincoln County, Oklahoma, in payment of assessments and taxes due against land belonging to the State School Land Commission; and declaring an emergency.

1st Reading .....	1214
2nd Reading .....	1255
Committee Report .....	1299

SENATE BILL NO. 346—By SOWARDS.—An Act appropriating one hundred seventy-one and 37/100 (\$171.37) Dollars in favor of the Deep Fork drainage district in Lincoln County, Oklahoma, for its portion of maintenance charges for lands owned by the School Land Commission of the State of Oklahoma in said district; and declaring an emergency.

1st Reading .....	1214
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2nd Reading .....	1255
Committee Report .....	1299

SENATE BILL NO. 347—By SOWARDS (By Request).—An Act regulating the sale and price of secondhand text books, providing penalties for the violation of this Act; repealing all Acts conflicting therewith and declaring an emergency.

1st Reading .....	1215
2nd Reading .....	1256
Withdrawn and to calendar .....	1408
Withdrawn and to committee .....	1432
Committee Report .....	1451
Considered .....	1536-1537
Withdrawn and referred .....	1622
Committee Report .....	1660
Advanced .....	1858
Engrossed .....	2027
3rd Reading and To House .....	2028-2029

SENATE BILL NO. 348—By WALDREP.—An Act amending Section 9851, Oklahoma Statutes, 1931, being the same as Section 10, Chapter 28, Session Laws of Oklahoma 1925, providing for the regulation, supervision and control of domestic and foreign building and loan associations doing business in the State of Oklahoma, and providing for the administration of failing or the liquidation of insolvent building and loan associations, repealing all Acts in conflict herewith and declaring an emergency.

1st Reading .....	1264
2nd Reading .....	1301
Committee Report .....	1413
Withdrawn and referred .....	1597
Committee Report .....	1977
Advanced .....	2142
Engrossed .....	2425
3rd Reading and To House .....	2437-2438
Referred for enrollment .....	2611
Enrolled and 4th Reading .....	2626
To Governor .....	2672

SENATE BILL NO. 349—By COPPOCK.—An Act creating a home for aged mothers, prescribing the qualifications of those entitled to enter the same placing the same under the supervision of the State Board of Public Affairs; authorizing said Board to locate the same; making an appropriation of seventy-five thousand (\$75,000.00) Dol-

lars for the erection and construction of the same; providing for the support thereof; and declaring an emergency.

1st Reading .....	1264
2nd Reading .....	1301
Committee Report .....	1370

SENATE BILL NO. 350—By LOGAN.—An Act regulating the conduct of brokers, providing that no branch office or any member of any stock exchange may operate in Oklahoma without procuring a license from and furnishing a bond to the Oklahoma Securities Commission; providing that no person, firm or corporation may loan money to buy stocks or bonds on margin; providing that no broker may accept an order to sell stock in any corporation which stock the seller does not actually own; providing for punishment of those guilty of violating this Act, and declaring an emergency.

1st Reading .....	1264
2nd Reading .....	1301

SENATE BILL NO. 351—By WHITAKER.—An Act amending Section 6778 Oklahoma Statutes, 1931, relating to appeals from County Superintendent providing for the transfer to the District Court of the appeals heretofore taken from the County Superintendent to the County Court; repealing all laws in conflict and declaring an emergency.

1st Reading .....	1265
2nd Reading .....	1301

SENATE BILL NO. 352—By CARMACK.—An Act to amend Chapter 24, Article 4, Session Laws 1931, to prevent discrimination against certain Oklahoma farm products listed herein, to permit the manufacture and sale of oleomargarine therefrom, to provide for the issuance of permits to manufacturers and dealers in lieu of taxes and license fees and authorizing the State Dairy Commissioner to issue permits in accordance with this Act and declaring an emergency.

1st Reading .....	1265
2nd Reading .....	1301
Committee Report .....	1403
Considered and advanced .....	1529
Consideration deferred .....	1602
Engrossed .....	1768
Indefinitely postponed and notice lodged .....	1771-1772

SENATE BILL NO. 353—By SENATE COMMITTEE ON BANKS AND BANKING.—An Act relating to banks and banking; establish-



ing and adopting a code on banks and banking in lieu of all laws of this State on banks and banking; amending Articles 1, 2, 3, 4, 5, 6 and 7, Oklahoma Statutes 1931, relating to banks and banking; repealing all laws in conflict therewith and declaring an emergency.

1st Reading .....	1265
2nd Reading .....	1301
Committee Report .....	1480
Advanced .....	1584
Considered .....	1598
Considered, 3rd Reading and referred for engrossment .....	1648-1651
Engrossed and To House .....	1661

SENATE BILL NO. 354—By NANCE of the Senate and MOONEY of the House.—An Act providing for additional compensation in excess of the annual salary of the County Commissioners of Cotton County; fixing their duties; repealing all Acts in conflict therewith and declaring an emergency.

1st Reading .....	1300
2nd Reading and to calendar .....	1319
Considered, advanced, 3rd Reading and referred for engrossment .....	1354-1355
Engrossed and To House .....	1371
Referred for enrolment .....	1540
Enrolled and 4th Reading .....	1602
To Governor .....	1637
Governor's action .....	1677
Consideration and made Special Order .....	1679
Passed over Governor's veto and To House .....	1720-1721
House fails to pass bill over veto .....	1794
Passed by House over veto and to Secretary of State .....	1841-1842

SENATE BILL NO. 355—By NANCE.—An Act amending Section 10139, Oklahoma Statutes, 1931, providing that highways in the State may be constructed by labor supplied, on order of the County Commissioners of any county in this State, by those serving terms in the county jail of such county or, on order of the County Commissioners approved by the governing board of any city in such county, by those who are serving terms in the city jail of such city in such county; and declaring an emergency.

1st Reading .....	1300
2nd Reading .....	1319
Committee Report .....	1370

SENATE BILL NO. 356—By RITZHAUPT.—An Act requiring certain creditors of all persons who are injured or whose property is damaged by reason of any accident to file their notice of claims with the County Clerk of the county wherein the accident occurs, and providing that any person who pays out money in settlement for said injuries or property damages to notify all persons whose claims are on file of the proposed settlement five days before settlement is consummated, requiring the County Clerk to accept claims for filing, and declaring an emergency.

1st Reading .....	1300
2nd Reading .....	1319
Committee Report .....	1437
Advanced .....	1530
Engrossed .....	1571
3rd Reading and referred for engrossment .....	1574-1575
Notice lodged and motion to reconsider tabled .....	1575
Engrossed and To House .....	1588

SENATE BILL NO. 357—By GARVIN.—An Act abolishing the county highway ad valorem tax levy in Jefferson County, Oklahoma and declaring an emergency.

1st Reading .....	1300
2nd Reading and to calendar .....	1319
Considered and advanced .....	1400
Engrossed .....	1454
3rd Reading and referred for engrossment .....	1460-1461
Engrossed and To House .....	1478

SENATE BILL NO. 358—By NANCE.—An Act making an appropriation for the benefit of the "Union Graded or Consolidated School District Fund," and declaring an emergency.

1st Reading .....	1301
2nd Reading and to calendar .....	1319
Considered and advanced .....	1352
Engrossed .....	1371
Consideration deferred .....	1377
3rd Reading and referred for engrossment .....	1387-1389
Engrossed and To House .....	1404

SENATE BILL NO. 359—By STEWART and MacDONALD.—An Act making a re-appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the permanent Journals and Session Laws, together with other expenses of the regular session of

the Fourteenth Legislature, providing for the closing of the business of the two Houses of said session by the speaker of the House of Representatives and the President Pro Tempore of the Senate, and declaring an emergency.

1st Reading .....	1318
2nd Reading and to calendar .....	1339
Advanced .....	1486
Engrossed .....	1571
3rd Reading and To House .....	1571-1572
Returned by House, as amended .....	2194-2195
House amendments rejected and House requested to recede .....	2197
House refuses to recede and requests conference, naming conferees .....	2250
House amendments accepted, bill passed as amended and referred for enrollment .....	2251
House conferees discharged .....	2290
Enrolled and 4th Reading .....	2315
To Governor .....	2363
Governor's action .....	2443

SENATE BILL NO. 360—By REED of the Senate and JONES of the House.—An Act providing that the council of all cities not operating under a charter shall be composed of one councilman from each ward, providing for their nomination and election, and fixing their terms of office, repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

1st Reading .....	1318
2nd Reading .....	1339
Withdrawn and to calendar .....	1536

SENATE BILL NO. 361—By PUGH.—An Act regulating the salary of county officers in counties having certain populations.

1st Reading .....	1337
2nd Reading and to calendar .....	1372
Considered and advanced .....	1555
Engrossed .....	1970
Considered, 3rd Reading and referred for engrossment .....	1984-1985
Engrossed and To House .....	2011

SENATE BILL NO. 362—By MEMMINGER.—An Act amending Section 12674, Oklahoma Statutes, 1931, with reference to the time and manner of filing and certifying estimates with the County Excise Board; providing a penalty for failure to file said estimates within the time specified; and declaring an emergency.

1st Reading .....	1337
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2nd Reading .....	1372
Committee Report .....	1438
Advanced .....	1533
Engrossed and consideration deferred .....	1571, 1602
Stricken .....	2373

SENATE BILL NO. 363—By CARMACK.—An Act appropriating \$2,500.00 out of the revolving fund of the Oklahoma State Reformatory, at Granite, Oklahoma, to be used as a cash emergency fund for said institution, providing for the replenishment thereof, and declaring an emergency.

1st Reading .....	1338
2nd Reading .....	1372
Committee Report .....	1739
Advanced, 3rd Reading and referred for engrossment .....	2080-2081
Engrossed and To House .....	2120
Returned by House, as amended .....	2551-2552
House amendments accepted, passed as amended, and referred for enrollment .....	2552-2553
Enrolled and 4th Reading .....	2568
To Governor .....	2595

SENATE BILL NO. 364—By BALLARD (By Request).—An Act amending Section 731, Oklahoma Statutes, 1931, relation to the writ of mandamus and the issuance thereof, and declaring an emergency.

1st Reading .....	1338
2nd Reading .....	1372
Committee Report .....	1438
Advanced .....	1584
Engrossed .....	1768
3rd Reading and referred for engrossment .....	1781
Engrossed and To House .....	1795

SENATE BILL NO. 365—By JOHNSTON.—An Act establishing Procedure and extending the remedy as to the right of cities and the inhabitants thereof to bring suit for pollution of water supply and the source thereof, and amending Chapter 38 of the Session Laws of 1927, further appearing as Section 6071 of the Oklahoma Statutes of 1931, and declaring an emergency.

1st Reading .....	1338
2nd Reading .....	1373
Committee Report .....	1389
Advanced .....	1530
Engrossed .....	1571
3rd Reading and to House .....	1582-1583



SENATE BILL NO. 366—By MOON.—An Act relating to the duties and compensation of members of the Board of County Commissioners of all counties in the state having a population between 65,000 and 77,500, according to the last preceding Federal Census, providing compensation in lieu of expenses incurred by county commissioners where township government has been or may be abolished, authorizing the compensation for said duties, and providing the method and means for payment and the fund from which said compensation shall be paid, repealing all Acts in conflict herewith, and declaring an emergency.

1st Reading .....	1338
2nd Reading and to calendar .....	1373
Considered and advanced .....	1408-1409
Engrossed .....	1454
3rd Reading and To House .....	1465-1466
Returned by House, as amended .....	2252
House amendments accepted and bill passed as amended. and referred for enrollment .....	2252-2254
Enrolled and 4th Reading .....	2302
To Governor .....	2325

SENATE BILL NO. 367—By NICHOLS, PAUL, CHAMBERLIN, and WALDREP.—An Act providing for the payment of paving or improvement taxes by the paving or improvement bonds issued therefor by any city or town in the State of Oklahoma, and providing for the discharge of the paving or improvement tax lien on such property, to the extent of such bonds, tendered in payment of the same and providing for the issuance of a receipt therefor by the clerk of such city or town, and the cancellation of such bonds so delivered, and providing that in case such tax is delinquent and in the hands of the County Treasurer for Collection, when such receipt is presented to the County Treasurer he shall enter a satisfaction of such delinquent taxes on his record, providing that if any part of the Act is for any reason declared void, such invalidity shall not affect the validity of the remaining portions of the Act, and repealing all laws or parts of laws in conflict therewith, and declaring an emergency.

1st Reading .....	1338
2nd Reading and to Calendar .....	1373
Considered and advanced .....	1408
Engrossed .....	1455
Vote Reconsidered by which Advanced .....	1455
Considered and Advanced .....	1455-1458
Engrossed .....	1482
3rd Reading and To House .....	1492-1493

Returned by House, as amended .....	1886
House Amendments accepted .....	1886-1891
Passed, as amended, and referred for enrollment .....	1891-1892
Enrolled and 4th Reading .....	1939-1940
To Governor .....	1976

SENATE BILL NO. 368—By BALLARD and MacDONALD.—An Act amending Senate Bill No. 76 Session Laws of 1933 relating to the foreclosure of mortgages and other liens upon real estate; and for other purposes; and declaring an emergency.

1st Reading .....	1339
2nd Reading and to calendar .....	1373
Considered and advanced .....	1468-1469
Engrossed .....	1482
3rd Reading and to House .....	1496-1497

SENATE BILL NO. 369—By RITZHAUPT.—An Act appropriating one thousand (\$1,000.00) for the Oklahoma State Bureau of Criminal Identification and Investigation and authorizing use thereof in purchasing equipment for said department, and declaring an emergency.

1st Reading .....	1339
2nd Reading .....	1373

SENATE BILL NO. 370—By REED and SOWARDS.—An Act authorizing the apportionment and payment of 25% of all future collections of the state gasoline excise tax and the state motor vehicle license tax, and gross production tax to each of the counties of Oklahoma having outstanding county bonds issued to construct county highways, in the proportion that the unpaid principal of its such bonds bears to the total unpaid principal of all such bonds issued by all such counties of Oklahoma: providing that such payments, when received by a county, shall be paid into a special account in the sinking fund of the county and be used in paying, in whole or in part, the interest and principal of said bonds as same fall due; and declaring an emergency.

1st Reading .....	1371
2nd Reading .....	1405

SENATE BILL NO. 371—By MacDONALD, HUTCHINSON, WILBANKS, and WHITAKER of the Senate: and CLOYD, REMUND, and SULLIVAN of the House.—An Act creating certain awards and decorations to be bestowed upon members of the federally recognized National Guard, including an Oklahoma distinguished service cross;

an Oklahoma distinguished service medal; Spanish War service medal; Mexican Border service medal; World War service medal; certain long service medals; and providing for other medals to be awarded for any war or campaign or mobilization which the Federal Government shall recognize by awarding service medals; providing for a board to be selected by order of the Governor to select designs, ribbons, and symbols for medals; providing for the publication of general orders necessary to carry out provisions of this Act and declaring an emergency.

1st Reading .....	1371
2nd reading and to calendar .....	1405
Advanced .....	1477
Engrossed .....	1482
3rd Reading and referred for engrossment .....	1501-1502
Engrossed and to House .....	1520
Referred for enrollment .....	2580
Enrolled and 4th Reading .....	2583
To Governor .....	2652

SENATE BILL NO. 372—By MORRISON, NICHOLS, RITZ-HAUPT, MOON and WALDREP.—An Act relating to the State Board of Barber Examiners and to the practice of barbering in this State; repealing Section 17, Article 2, Chapter 24, Oklahoma Session Laws 1931; amending Sections 12, 13, 14, 15, 16, 18, 21, 24 and 25, of said Article, declaring certain Acts to be unlawful and fixing penalties for violation thereof; and declaring an emergency.

1st Reading .....	1372
2nd Reading and to calendar .....	1405
Considered and advanced .....	1531-1533
Engrossed .....	1571
3rd Reading and referred for engrossment .....	1583
Considered .....	1603
Engrossed and to House .....	1604-1605
Returned by House, as amended .....	2551-2552
House amendments accepted .....	2553-2554
Passed, as amended, and referred for enrollment .....	2554-2555
Enrolled and 4th Reading .....	2568
To Governor .....	2594

SENATE BILL NO. 373—By LOGAN.—An Act providing that no teacher shall loan money to any member of the school board and their family or to any employee of the board or to the County Super-

intendent; setting out the penalty for violation thereof and declaring an emergency.

1st Reading .....	1405
2nd Reading .....	1417
Committee Report .....	1438

SENATE BILL NO. 374—By RITZHAUPT.—An Act amending Section 8432 Oklahoma Statutes 1931, relating to the place of meeting of the township board of directors, and declaring an emergency.

1st Reading .....	1413
2nd Reading .....	1439
Withdrawn and to calendar .....	1571

SENATE BILL NO. 375—By LESTER, STACEY and WILLIS.—An Act extending the time for the payment of 1932 ad valorem taxes without penalty to October 15, 1933, and declaring an emergency.

1st Reading .....	1413
2nd Reading .....	1439

SENATE BILL NO. 376—By WHITAKER.—An Act amending Sections 6842, 12372, 12581, 12582, 12593, 12613, 12615, 12640, 12646, 12660, 12661 and 12674, Oklahoma Statutes, 1931, relating to the listing, assessing and equalizing of property for ad valorem taxation; defining the duties, powers and authority of certain officials in relation thereto and also in relation to levies and appropriations; providing for administrative appeals; making the performance of such duties mandatory; fixing penalty for neglect or delay; repealing Sections 12594, 12612, 12642, 12643, 12647, 12651, 12652, 12655, Oklahoma Statutes, 1931, and all conflicting laws, and declaring an emergency.

1st Reading .....	1413
2nd Reading .....	1439

SENATE BILL NO. 377—By RITZHAUPT.—An Act regulating motor truck terminals, agencies and bureaus which solicit, collect and deliver freight to carriers having certificates or permits as provided by law, and giving the Corporation Commission certain powers and authority and providing for the violation thereof.

1st Reading .....	1414
2nd Reading .....	1439
Committee Report .....	2018

SENATE BILL NO. 378—By RITZHAUPT, FIDLER, WILLIS, CARLILE and STACEY.—An Act making it a felony to break, open and explode, or to abet in the breaking, opening or exploding of any



stink bomb or any stinking, offensive smelling or injurious bomb or substance, with a malicious intent wrongfully to injure, molest or coerce another, or to injure the property or business of another, or to molest another in the use, management, conduct or control of his business or property; and to make it a felony for any person to have in his possession, or to sell or manufacture in this state any stink bomb, or any stinking, offensive smelling or injurious substance which is contained in any bomb or container, and which is so devised as to be designed to be broken or exploded for the purpose of emanating unpleasant or injurious odor or gas for the purpose of injuring or being unpleasant to another, or injuring the property of another; providing exceptions thereto; and fixing penalties for the violation of the Act, and declaring an emergency.

1st Reading ----- 1414  
2nd Reading ----- 1439

SENATE BILL NO. 379—By MacDONALD.—An Act to regulate the construction and operation of moving picture shows and theatres showing moving pictures, to provide for an inspection fee for the operating of same, and to place the supervision of such shows, theatres under the Department of the State Fire Marshal, fixing a penalty for the violation of said Act, and declaring an emergency.

1st Reading ----- 1414  
2nd Reading ----- 1439

SENATE BILL NO. 380—By MacDONALD.—A Bill entitled an Act providing for the creation of a revolving fund of One Hundred Thousand (\$100,000) Dollars, in the nature of a perpetual trust fund, to be known as the public utility rate investigating fund and to be collected from the public utilities doing business within the State of Oklahoma, in proportion to their intrastate gross earnings, said fund to be used by the Corporation Commission in the making of public utility rate investigations; and providing for the replenishing of said revolving fund from time to time by assessing against and collecting from the particular utility or utilities investigated the expenses reasonably attributable to such investigation or investigations; and providing for the further replenishing of such fund by assessing against the several public utilities doing business within the State of Oklahoma, the cost of rate investigations not particularly attributable or allocable to any specific utility or utilities; and providing for reimbursement of the State in the amount specially appropriated for the investigation of the rates of public utilities by the Fourteenth Legislature, by assessment and collection from utilities specifically investigated, pending the effective organization and the proper func-

tioning of the revolving fund set-up; and providing a lien for all assessments and for adequate and proper means of enforcing the lien and the collection of such sum, or sums, and providing that in case any section, or part of a section, clause or sentence of this Act, is for any reason held invalid or unconstitutional, such illegality or unconstitutionality shall not affect the validity of the remaining portions of this Act; and declaring an emergency.

1st Reading .....	1414
2nd Reading .....	1439
Committee Report .....	1503
Re-referred to Committee .....	1528
Committee Report .....	1615

SENATE BILL NO. 381.—By TAYLOR.—An Act authorizing the Board of Agriculture, State of Oklahoma, to execute oil and gas leases on lands on which is located the Agricultural and Mechanical College at Stillwater or connected with or a part of the land of such institution; providing for manner of leasing and disposition of proceeds, and declaring an emergency.

1st Reading .....	1415
2nd Reading .....	1439

SENATE BILL NO. 382.—By FISCHL, DIXON and RAY of the Senate, and BATSON, GRUNERT, CAVINS, RAWLS and STRICKLAND (Marshall) of the House.—An Act authorizing the State Board of Public Affairs to acquire by purchase or condemnation approximately 16,300 acres of land in Township 5 South, Range 2 East and in Township 5 South, Range 3 East in Carter County, Oklahoma, and in Township 6 South, Range 2 East, in Love County, Oklahoma, at an aggregate cost not to exceed \$90,000, for the purpose of having constructed a state lake thereon by the use of federal funds appropriated for made-work, said lake when constructed to be under the supervision and control of the State Game and Fish Commission under rules and regulations promulgated thereby and to be used free of charge by citizens of Oklahoma for fishing, hunting and recreational purposes; authorizing said Commission to lease the shore front and adjacent lands for camp houses or lodges and for other purposes at a minimum cost calculated to cover policing and maintenance expense, and providing for the disposition of monies so received; authorizing the furnishing of temporary free camp sites; making an appropriation of \$90,000 to acquire said lands, and declaring an emergency.

1st Reading .....	1416
2nd Reading .....	1439

Committee Report .....	1711
Advanced .....	1780
Engrossed .....	1858
Considered, 3rd Reading and to House .....	1875-1876
Referred for enrollment .....	2008
Enrolled and 4th Reading .....	2027
To Governor .....	2054
Governor's Action .....	2141

SENATE BILL NO. 383—By REED, NANCE, of the Senate. and MALLORY, KIGHT, TODD, LEECRAFT, and ABERNETHY of the House.—An Act to provide for the organization, operation and supervision of co-operative savings and credit associations to be termed "Credit Unions" and to define their powers.

1st Reading .....	1416
2nd Reading .....	1439
Committee Report .....	1858

SENATE BILL NO. 384—By REED.—An Act fixing the compensation of the Chairman and other members of the Oklahoma Tax Commission and its secretary and attorney; creating certain clerical, stenographic and other positions in the department of said Commission; providing for the appointment of persons to fill said positions and fixing the compensation thereof. and declaring an emergency.

1st Reading .....	1416
2nd Reading .....	1439
Committee report and referred .....	1452
Committee report .....	1481
Withdrawn and referred .....	1505
Committee report .....	1563

SENATE BILL NO. 385—By PUGH (By Request).—An Act amending Sections 3822, 3823 and 3824, Oklahoma Statutes, 1931, by reducing the charges for writing and furnishing district court transcripts, from ten cents to five cents per folio.

1st Reading .....	1417
2nd Reading .....	1439
Committee report .....	1481

SENATE BILL NO. 386—By MEMMINGER, LOGAN and BAL-LARD.—An Act providing for the appointment of a special committee to eliminate duplication in institutions of higher learning, to make rules and regulations therefor; to abolish, reduce or consolidate departments in such institutions; to adjust salaries of members of the

faculties of such institutions to the available funds for the operation of such institutions; suspending all Acts or parts of Acts in conflict herewith for a period of two years; and declaring an emergency.

1st Reading .....	1502
2nd Reading .....	1508
Committee report .....	1977

SENATE BILL NO. 387—By PUGH.—An Act amending Section 1817, Oklahoma Statutes, 1931; providing for the punishment of any person who commits a crime after having theretofore plead guilty or been convicted of one, two, or three offenses which are punishable by imprisonment in the penitentiary, and repealing all Acts or parts of Acts in conflict herewith.

1st Reading .....	1502
2nd Reading .....	1508

SENATE BILL NO. 388—By SOWARDS.—An Act levying a tax on certain real estate occupied exclusively as a residence in this State in lieu of all other taxes; and declaring an emergency.

1st Reading .....	1502
2nd Reading .....	1508
Committee report .....	1612

SENATE BILL NO. 389—By HUTCHINSON of the Senate; and O'NEILL and EASON of the House.—An Act authorizing and directing the county treasurer of Garfield County, Oklahoma, to sell to the highest bidder for cash at tax resales in said county any real property whether vacant or improved that is located in the town of Covington in said county and directing that the amounts so received be paid to the Covington independent school district No. 77 to be used in paying outstanding warrants of said district; providing that resale tax deeds on said real property shall cancel all prior taxes, penalties, and costs and all prior unpaid assessments for special improvements levied or assessed against said real property, directing the county treasurer not to issue resale tax deeds on said property until one year after date of resale and granting legal owners thereof the privilege of having such deeds issued to them upon the payment to the successful bidders of the amount of their bids and six per cent interest thereon; and declaring an emergency.

1st Reading .....	1537
2nd Reading and to calendar .....	1551
Considered, advanced, 3rd Reading and referred for engrossment .....	1580-1582
Engrossed and to House .....	1604-1605



Referred for enrollment .....	1704
Enrolled and 4th Reading .....	1711
To Governor .....	1755
Governor's action .....	1800
Passed over Governor's veto and to House .....	1802-1803

SENATE BILL NO. 390—By COMMONS of the Senate and **BATSON of the House.**—An Act relating to elections; providing form of notification and declaration for candidate for state and county office; fixing time of filing notification and declaration and time of withdrawals; repealing Section 5755 and Section 5756, O. S. 1931; and declaring an emergency.

1st Reading .....	1549
2nd Reading .....	1569
Committee Report .....	1591
Advanced .....	1787
Considered .....	1817
Engrossed, 3rd Reading and to House .....	1965-1966
Referred for enrollment .....	2675
Enrolled and 4th reading .....	2693
To Governor .....	2707

SENATE BILL NO. 391—By **WILBANKS** of the Senate and **DARKS** of the House.—An Act prohibiting the City of Holdenville, Oklahoma, its lessees and assigns, from using any real property now or hereafter acquired by said city for municipal water works in such a manner as to cause contamination and pollution of said water works; authorizing the City Council of said City to make and enforce rules and regulations to preserve said real property from pollution and contamination and to charge fees from owners and occupants of property thereon to cover costs of inspection and sanitation: empowering said City Council to summarily remove the property of persons refusing to obey said rules and regulations; giving said city a lien on property placed on said real property for fees assessed against them and which are not paid within sixty days after due date thereof; and authorizing the City to advertise and sell said property after giving thirty days notice, the proceeds of the sale, after said fees and costs of sale have been paid to be paid to the owners of said property; and declaring an emergency.

1st Reading .....	1550
2nd Reading and to calendar .....	1569
Stricken .....	1640

SENATE BILL NO. 392—By STEWART.—An Act relating to the State Game and Fish Commission, fixing the salary of the State Game and Fish Warden and the number and compensation of office employees of said Commission, fixing the number and compensation of assistant or deputy Game and Fish Wardens and limiting the expenses thereof, providing that the balance to the credit of the State Game and Fish Fund at the end of each fiscal year shall be credited to the General Fund of the State Treasury, and declaring an emergency.

1st Reading .....	1550
2nd Reading .....	1569

SENATE BILL NO. 393—By COMMONS and CHAMBERLIN.—An Act defining conditions which, if shown, shall require a change of venue; specifying proceedings to obtain the change, and declaring an emergency.

1st Reading .....	1567
2nd Reading .....	1593
Committee Report .....	1740
Advanced .....	1919
Engrossed .....	2425
3rd Reading and stricken .....	2431

SENATE BILL NO. 394—By GARLAND of the House and RITZHAUPT of the Senate.—An Act authorizing the County Commissioners of each county in the State to make a special levy for the purpose of taking care of the charity in each county thereof; providing the method of expenditure and designating the kind of people to receive aid; providing that any excess funds remaining in said special fund herein authorized shall be held as an emergency fund, the same to accumulate for a period of five (5) years; designating how the emergency fund may be used, and if not used shall revert to the general fund of the county; providing for the appointment of a county physician-surgeon, county health nurse, a method of creating a county health board; fixing the salaries thereof, designating the tenure of office; providing for expenses thereof, describing duties; prohibiting the operation and forming of charity organizations in the State without the consent and approval of the County Board of Health and the Governor of the State; providing that the violation of this Act shall constitute a misdemeanor; fixing the penalty therefor; repealing conflicting laws; savings clause; and declaring an emergency.

1st Reading .....	1568
2nd Reading .....	1593
Committee Report .....	2060

SENATE BILL NO. 395—By COMMITTEE ON EDUCATION of the Senate and House.—An Act abolishing the Boards of Regents of the Eastern Oklahoma College located at Wilburton, Oklahoma, of the Northeastern Oklahoma Junior College at Miami, Oklahoma, of the Oklahoma College for Women at Chickasha, Oklahoma, and of the University Preparatory School located at Tonkawa, Oklahoma, and making the Board of Regents of the University of Oklahoma the Board of Regents of said institutions; amending Sections 7329, 7347, 7356 and 7265, Oklahoma Statutes 1931; repealing all Acts or parts of Acts in conflict therewith; and declaring an emergency.

1st Reading .....	1568
2nd Reading .....	1593
Committee Report and referred .....	1617-1619
Committee Report .....	1740

SENATE BILL NO. 396—By NICHOLS and FISCHL of the Senate, and BATSON and BLOCKER of the House.—An Act repealing Section 1, Article 7, Chapter 50, Session Laws, 1931, and abolishing all ad valorem tax levies for construction and maintenance of highways in all counties of the State, and declaring an emergency.

1st Reading .....	1569
2nd Reading and to calendar .....	1593

SENATE BILL NO. 397—By NICHOLS and FISCHL of the Senate, and BATSON and BLOCKER of the House.—An Act to repeal Section 2, Article 7, Chapter 50, Session Laws, 1931, which authorizes an ad valorem tax levy of three mills for township road construction and maintenance; repealing Section 1, Article 8, Chapter 50, which authorizes the levy of a two mill ad valorem tax for dragging township roads, and declaring an emergency.

1st Reading .....	1569
2nd Reading and to calendar .....	1593

SENATE BILL NO. 398—By MOON.—An Act amending Section 2609, of the Oklahoma Statutes of 1931, relating to the sale and advertisement for sale of intoxicating liquor, repealing all laws in conflict herewith and declaring an emergency.

1st Reading .....	1593
2nd Reading and to calendar .....	1645

SENATE BILL NO. 399—By JENNINGS.—An Act amending Section 5964, Oklahoma Statutes, 1931, relating to liability of officers of counties, townships, cities, towns, or school districts, and every person, for the unauthorized, unlawful or fraudulent payment of

money or transfer of property belonging to any such municipality, and providing a penalty in such cases, and for recovery thereof at the suit of proper officers or taxpayers; and also amending Section 5965, Oklahoma Statutes, 1931, relating to the right of a resident taxpayer after the proper officers of such municipality have failed or refused to institute and diligently prosecute such suits or suits upon written notice and demand therefor, by ten resident taxpayers of such municipality to institute and prosecute in the name of the State of Oklahoma, as plaintiff, action for the recovery of money or property or the value thereof, or penalty on account of the unauthorized, unlawful or fraudulent expenditure or transfer of money or transfer of property belonging to any county, township, city, town or school district, by any officer or officers of any such municipality or any person, and for the payment of one-half of the recovery in any such suit or suits, to such taxpayer as a reward; and repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

1st Reading .....	1644
2nd Reading .....	1673
Committee Report .....	1706
Advanced .....	1787
Engrossed .....	2069
Considered, 3rd Reading and roll call on emergency deferred ..	2078-79
Roll call on emergency .....	2090-2100
Referred for engrossment .....	2100
Engrossed and To House .....	2120
Referred for enrollment .....	2543
Enrolled and 4th Reading .....	2568
To Governor .....	2594

SENATE BILL NO. 400—By PUGH.—An Act authorizing and empowering the Governor to reduce the expenses of the state government for the years 1934 and 1935, and declaring an emergency.

1st Reading .....	1644
2nd Reading .....	1673-1674
Committee Report .....	2212

SENATE BILL NO. 401—By WALDREP.—An Act providing that the governing board of any municipality of this State may sell bonds heretofore or hereafter authorized to be issued by the vote of the qualified electors in any amount that is deemed necessary and proper; provided said sale shall be in the manner now provided by law and declaring an emergency.

1st Reading .....	1645
2nd Reading and to calendar .....	1674



Advanced .....	1967
Engrossed .....	2027
3rd Reading and To House .....	2043-2044
Referred for enrollment .....	2254
Enrolled and 4th Reading .....	2302
To Governor .....	2325
Governor's Action .....	2415

SENATE BILL NO. 402—By REED.—An Act amending Senate Bill No. 105 of the Acts of the Fourteenth Legislature of the State of Oklahoma relating to the depositing of county funds in banks and giving of security therefor; repealing all Acts in conflict therewith; and declaring an emergency.

1st Reading .....	1645
2nd Reading .....	1674
Committee Report .....	1740 ✓

SENATE BILL NO. 403—By FIDLER and RAY.—An Act to prevent fraud and deception in the sale and offering for sale of rebuilt electric storage batteries; prescribing penalties for violation thereof; and declaring an emergency.

1st Reading .....	1672
2nd Reading .....	1723
Committee Report .....	1741
Advanced .....	2092
Engrossed .....	2425
3rd Reading and To House .....	2435-2436
Referred for enrollment .....	2676
Enrolled and 4th Reading .....	2687
To Governor .....	2702

SENATE BILL NO. 404—By NICHOLS.—An Act fixing the number and salaries of assistants, deputies, stenographers, reporters and employees of county officers in all counties having a population in excess of 70,000 and not to exceed 100,000, according to the 1930 decennial census; repealing all Acts in conflict therewith; and declaring an emergency.

1st Reading .....	1672
2nd Reading and to calendar .....	1723

SENATE BILL NO. 405—By MEMMINGER.—An Act repealing Section 3376, Oklahoma Statutes, 1931, relating to the apportionment of the State of Oklahoma into Congressional Districts; providing that

candidates for election to Congress from the State of Oklahoma shall be elected at large and declaring an emergency.

1st Reading .....	1672
2nd Reading and to calendar .....	1723
Advanced .....	1967-1968
Engrossed .....	2425
3rd Reading and failed .....	2431-2432

SENATE BILL NO. 406—By WILBANKS, of Senate and DARKS, of House.—An Act prohibiting the City of Holdenville, Oklahoma, its lessees and assigns, from using any real property now or hereafter acquired by said City for municipal water works in such a manner as to cause contamination and pollution of said water works, authorizing the City Council of said City to make and enforce rules and regulations to preserve said real property from pollution and contamination and to charge fees from owners and occupants of property thereon to cover costs of inspection and sanitation; empowering said City Council to summarily remove the property of persons refusing to obey said rules and regulations; giving said City a lien on property placed on said real property for fees assessed against them and which are not paid within sixty days after due date thereof; and authorizing the city to advertise and sell said property after giving thirty days notice, the proceeds of the sale, after said fees and costs of sale have been paid, to be paid to the owners of said property; and declaring an emergency.

1st Reading .....	1672
2nd Reading and to calendar .....	1723-1724
Advanced, 3rd Reading and referred for engrossment .....	1775-1776
Engrossed and To House .....	1795
Referred for enrollment .....	2262
Enrolled and 4th Reading .....	2317
To Governor .....	2363

SENATE BILL NO. 407—By RIZLEY of the Senate and WRIGHT of the House.—An Act authorizing the County Treasurer to issue a duplicate tax sale certificate upon the loss or destruction of the original; providing for the acceptance of a bond to indemnify the county against loss; setting out the amount, form and manner of approval of said bond; providing for a record of the issuance of said duplicate tax sale certificate; and declaring an emergency.

1st Reading .....	1673
2nd Reading and to calendar .....	1724

SENATE BILL NO. 408—By MORRISON and FIDLER.—An Act amending Section 4 of Chapter 178, Session Laws of Oklahoma, 1923, and Section 6173, Oklahoma Statutes, 1931, relating to powers of cities, with respect to building sites, areas, and trades and industries; authorizing the creation of zoning districts; amending said Section to provide for an election for the change and creation of a zone or zones, granting permits to drill wells for petroleum oil and/or gas; and declaring an emergency.

1st Reading .....	1673
2nd Reading .....	1724
Committee Report .....	1741
Committee report withdrawn and bill referred .....	1759
Committee Report .....	1945

SENATE BILL NO. 409—By FISCHL.—An Act authorizing the Board of Affairs to purchase a portrait of former Governor Lee Cruce; making an appropriation therefor, and declaring an emergency.

1st Reading .....	1734
2nd Reading and to calendar .....	1742

SENATE BILL NO. 410—By CURNUTT and COMMONS.—An Act making an appropriation of One Hundred and Seventy-five (\$175.00) Dollars out of any monies in the State Treasury not otherwise appropriated, for the fiscal year ending June 30, 1933, for the purpose of purchasing stamps by the clerk of the Supreme Court during the remainder of said fiscal year; and declaring an emergency.

1st Reading .....	1741
2nd Reading and to Calendar .....	1919
Engrossed .....	1970
3rd Reading and To House .....	1990-1991
Referred for enrollment .....	2141
Enrolled and 4th Reading .....	2156
To Governor .....	2175
Governor's action .....	2240

SENATE BILL NO. 411—By JOHNSTON, BRIGGS, WALDREP, WILLIS and CARLILE.—An Act creating a court of claims, defining its jurisdiction, powers and duties; authorizing all persons having claims against the State of Oklahoma for the recovery of money to commence and maintain actions thereon before said Court; prescribing procedure; providing for appeals from judgments to the Supreme Court, and declaring an emergency.

1st Reading .....	1831
2nd Reading .....	1896

Withdrawn, to calendar and advanced .....	2011
Engrossed .....	2425
Stricken .....	2435

SENATE BILL NO. 412—By BRIGGS of the Senate and BABB and STEWART of the HOUSE.—An Act authorizing certain persons to bring suit against the State of Oklahoma for damages sustained by them from flood occasioned by faulty construction of highways in LeFlore County, Oklahoma; making an appropriation to pay judgments in event of recovery; and declaring an emergency.

1st Reading .....	1831
2nd Reading .....	1897
Withdrawn and to calendar .....	1956
Advanced .....	2046
Engrossed .....	2069
3rd Reading and referred for engrossment .....	2083-2084
Engrossed .....	2120

SENATE BILL NO. 413—By CHAMBERLIN and MEMMINGER.—An Act relating to Building and Loan Associations, designating employees and fixing salaries, and amending Section 9344, Oklahoma Statutes 1931, and repealing laws in conflict herewith.

1st Reading .....	1896
2nd Reading and to calendar .....	1953
Considered, advanced, 3rd Reading and referred for engrossment .....	2037-2039
Engrossed and To House .....	2060
Referred for enrollment .....	2682
Enrolled and 4th Reading .....	2695
To Governor .....	2707

SENATE BILL NO. 414—By JOHNSTON.—An Act exempting motor fuel used for the purpose of operating farm tractors, from any excise tax; and declaring an emergency.

1st Reading .....	1896
2nd Reading and to calendar .....	1953

SENATE BILL NO. 415—By BRIGGS, COMMONS, CHAMBERLIN and NICHOLS, of the Senate, and LEECRAFT, of the House.—An Act appropriating funds collected and to be collected and placed to the credit of the State Highway Construction and Maintenance Fund in the State Treasury, to be used and expended by the State Highway Commission of the State of Oklahoma in the payment of salaries, wages and expenses of the State Highway Commission its agents, servants and employees, and other obligations, and for the



construction and maintenance of state highways, and highways constructed under the provisions of Chapter 50, Article 2, Oklahoma Statutes 1931, and Acts amendatory thereof and declaring an emergency.

1st Reading .....	1978
2nd Reading and to calendar .....	2019
Advanced .....	2028
Engrossed .....	2069
3rd Reading and referred for engrossment .....	2069-2071
Engrossed and To House .....	2084-2085

SENATE BILL NO. 416—By FIDLER (By Request)—An Act authorizing Jewel Rubrecht to institute and prosecute an action against Oklahoma County, Oklahoma, for the use and benefit of herself and her minor children for the alleged wrongful death of her said husband, R. L. Rubrecht, and declaring an emergency.

1st Reading .....	2018
2nd Reading and to calendar .....	2063
Advanced .....	2142
Engrossed .....	2425
3rd Reading and To House .....	2436-2437
Referred for enrollment .....	2682
Enrolled and 4th Reading .....	2695
To Governor .....	2707

SENATE BILL NO. 417—By MacDONALD.—An Act authorizing the appointment by the Governor of a tax code revision commission; authorizing the employment of tax experts, attorneys and statisticians and clerks and stenographers whose compensation is to be fixed by said Commission; defining the duties of said commission; making an appropriation of \$25,000 therefor, and declaring an emergency.

1st Reading .....	2018
2nd Reading and to calendar .....	2063
Advanced .....	2091
Engrossed .....	2120
Considered, 3rd Reading and referred for engrossment .....	2129-2132
Engrossed and To House .....	2156

SENATE BILL NO. 418—By NICHOLS.—An Act amending House Bill No. 481 passed by the Fourteenth Legislature providing for the removal by the Governor of any employee of the Corporation Commission heretofore or hereafter appointed under said Act.

1st Reading .....	2060
2nd Reading and to calendar .....	2141

SENATE BILL NO. 419—By DIXON, GARVIN, NICHOLS and FISCHL.—An Act defining and prohibiting waste of crude petroleum and natural gas, and providing for the ratable and equitable taking thereof from common sources of supply; conferring authority upon, and defining the duties, powers and authority of, the Corporation Commission in connection with the enforcement of this Act, and prescribing the character of notice and procedure to be followed by the Corporation Commission hereunder; regulating all producers, purchasers and common carriers of crude petroleum so as to prevent inequitable taking and waste; prescribing penalties and other relief for violation of this Act and of rules, regulations or orders promulgated by the Corporation Commission hereunder; providing for proceedings for injunction in the District Courts to enjoin the violation of and to enforce the provisions of this Act and the orders, rules and regulations of the Corporation Commission made in pursuance hereof; declaring certain violations hereof, and violations of certain rules, regulations or orders promulgated by the Corporation Commission hereunder, to be crimes, and prescribing the punishment therefor; creating the offices of Proration Umpire, Assistant Proration Umpire and Proration Attorney, for the enforcement of this Act, and providing for their appointment and removal and defining their duties, powers and authority, and fixing their term of office, bonds and compensation; providing for the appointment of deputies and employees to aid in the enforcement of this Act, defining their duties, powers and authority, and fixing their compensation; providing for expenses of administration in connection with this Act and for the creation of a special fund to be known as the "Proration Fund," to be used exclusively in the enforcement of this Act; continuing in force certain orders, rules and regulations of the Corporation Commission until modified or repealed and continuing certain proceedings pending before the Corporation Commission and providing for the hearing and disposition of said proceedings that may be brought before the Corporation Commission; repealing House Bill No. 481 of the Fourteenth Legislature of the State of Oklahoma, and declaring an emergency.

1st Reading .....	2061
2nd Reading and to calendar .....	2141
Indefinitely postponed .....	2183-2185

SENATE BILL NO. 420—By FIDLER and NICHOLS.—An Act authorizing and directing producers, refiners and purchasers of oil to prepare and file with the Oklahoma Tax Commission, within 60 days after the passage and approval of this Act, amended producers', refiners' and purchasers' reports showing the particular lease-hold and

well or wells from which oil produced or purchased by them was produced; prescribing penalties for the violation of this Act.

1st Reading .....	2062
2nd Reading and to calendar .....	2141
Considered .....	2185-2188
Advanced .....	2189
Engrossed .....	2267
3rd Reading and To House .....	2269-2270
Referred for enrollment .....	2533
Enrolled and 4th Reading .....	2541-2542
To Governor .....	2582

SENATE BILL NO. 421—By GARVIN and PAUL.—An Act repealing Paragraph (a) (1), Subsection (a), Section 42, of House Bill No. 1, enacted by the Fourteenth Session of the Oklahoma Legislature, approved April 8th, 1933, relating to offsets allowed to life insurance companies, against their tax on net income, for gross premiums and other taxes paid by foreign and domestic life insurance companies.

1st Reading .....	2062
2nd Reading and to calendar .....	2141
Considered, indefinitely postponed and notice lodged .....	2189-2190

SENATE BILL NO. 422—By BALLARD.—An Act creating a special fund in the State Treasurer's office to be known as the Public Election Fund; providing that said fund shall be used for the purpose of defraying the expenses of a Special Election to be held in connection with House Bill No. 647 of the Fourteenth Legislature, defining the duties of the State Treasurer, State Auditor, and Secretary of the State Election Board, in connection therewith, and other purposes, and declaring an emergency.

1st Reading .....	2062
2nd Reading and to calendar .....	2141
Withdrawn and referred .....	2145
Committee Report .....	2152
Advanced, 3rd Reading and referred for engrossment .....	2181-2182
Engrossed and To House .....	2184
Referred for enrollment .....	2564
Enrolled and 4th Reading .....	2573
To Governor .....	2595

SENATE BILL NO. 423—By NANCE and PAUL.—An Act authorizing the Governor to appoint the Proration Attorney provided for in House Bill No. 481, of the Fourteenth Legislature of the Oklahoma

Legislature; repealing all provisions of said Act in conflict herewith; and declaring an emergency.

1st Reading .....	2063
2nd Reading and to calendar .....	2141
Indefinitely postponed .....	2203

SENATE BILL NO. 424—By FISCHL and DIXON.—An Act repealing Sections 11574, both inclusive, Oklahoma Statutes 1931, and House Bill No. 481, Acts of the Fourteenth Legislature 1933, all relating to the conservation of petroleum and its related products, and declaring an emergency.

1st Reading .....	2195
2nd Reading and indefinitely postponed .....	2202

SENATE BILL NO. 425—By CURNUTT.—An Act amending Section 5978, Oklahoma Statutes 1931, relating to judgments against municipalities, requiring proof to be made part of the judgment record, repealing all Acts in conflict herewith and declaring an emergency.

1st Reading .....	2195
2nd Reading and to calendar .....	2202

SENATE BILL NO. 426—By STEWART.—An Act requiring transporting cattle, horses, or other live stock in motor vehicles from one county to another in the State or from one county in the State to a point without the State to secure a certificate authorizing such transportation from the sheriff of the county from which said cattle, horses or other livestock are to be transported: defining the contents of such certificate, and providing that same shall be filed in the office of said sheriff; requiring drivers of motor vehicles transporting cattle, horses or other livestock to exhibit certificates when requested by peace officers; requiring peace officers to ascertain whether or not drivers of such motor vehicles are in possession of such certificates; providing penalties for violation thereof; and declaring an emergency.

1st Reading .....	2213
2nd Reading and to calendar .....	2288
Considered, advanced and 3rd Reading .....	2349-2351
Referred for engrossment .....	2352
Engrossed and To House .....	2369

SENATE BILL NO. 427—By BRIGGS and COPPOCK of Senate. COLLINS of House.—An Act authorizing the County Treasurer of the various counties of Oklahoma to deposit with the State Treasurer, for safe keeping, securities received by them to secure county deposits in county depositories; providing that such authority shall be cumu-



lative to the provisions of Senate Bill No. 105 of the Fourteenth Legislature of the State of Oklahoma, relating to the deposit for safe keeping of securities received by County Treasurers to secure county deposits, and declaring an emergency.

1st Reading .....	2286
2nd Reading and to calendar .....	2348
Advanced, 3rd Reading and referred for engrossment .....	2410-2412
Engrossed and To House .....	2423-2424
Referred for enrollment .....	2591
Enrolled and 4th Reading .....	2595
To Governor .....	2653

SENATE BILL NO. 428—By NICHOLS.—An Act authorizing the State Highway Commission to issue restricted licenses permitting the fixing and demonstration of experimental aircraft when such aircraft has been determined to be air-worthy either by a State Inspector, or a duly licensed inspector of the Department of Commerce of the United States; providing for the renewal of restricted licenses upon aircraft and declaring an emergency.

1st Reading .....	2287
2nd Reading and to calendar .....	2348

SENATE BILL NO. 429—By WHITAKER.—An Act authorizing and directing the Oklahoma Tax Commission to make estimates of the revenue to be collected under the provisions of House Bill No. 229 of the Fourteenth Legislature of the State of Oklahoma for the fiscal year ending June 30, 1934, and to certify to the County Clerk of each county of the State said counties' pro rata of said estimated income; authorizing and directing the school districts of said counties and the excise boards thereof to take into consideration their pro rata of said estimated income in preparing their budgets and in making appropriations and levies for said school districts for the fiscal year ending June 30, 1934, and declaring an emergency.

1st Reading .....	2287
2nd Reading and to calendar .....	2348

# SENATE JOINT RESOLUTIONS

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SENATE JOINT RESOLUTION NO. 1—By NICHOLS.—A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma, relating to Section 9, Article 10, of said Constitution.

1st Reading .....	9
2nd Reading .....	48
Committee Report .....	512
Considered and advanced .....	745-747
Consideration deferred .....	753
Engrossed .....	847
3rd Reading and vote reconsidered by which advanced .....	854-855
Considered and referred .....	855-856
Committee Report .....	994
Considered, advanced, 3rd Reading and referred for engross- ment .....	994-998
Engrossed and To House .....	1079-1080
Returned by House, as amended, and consideration de- ferred .....	1839-1840
House amendments rejected and House requested to recede .....	1880
House refuses to recede and requests conference .....	1901
Senate grants conference and appoints conferees .....	1901
House conferees appointed .....	1915
Conference Committee Report submitted and adopted .....	1940
Passed, as amended in conference, and To House .....	1943
Referred for enrollment .....	1972
Enrolled and 4th Reading .....	2011
To Governor .....	2027
Governor's action .....	2175

SENATE JOINT RESOLUTION NO. 2—By STACEY.—A Resolution authorizing the submission of a proposed amendment to Section One (1), Article Twelve (12), of the Constitution of the State of Oklahoma, to the people for their approval or rejection, for the purpose of amending the same by providing for a partial exemption from taxation of homesteads actually and continuously occupied by the owners as homes.

1st Reading .....	9
2nd Reading .....	48
Committee Report and referred .....	253

Committee Report .....	911
Advanced .....	1595
Engrossed .....	2372
Stricken .....	2395

SENATE JOINT RESOLUTION NO. 3—By LOGAN.—A Joint Resolution providing for the submission of a proposed amendment to the Constitution to the people for their approval or rejection, said proposed amendment being an amendment to Section 9, Article 10, of the Constitution of the State of Oklahoma.

1st Reading .....	47
2nd Reading .....	61
Committee Report and referred .....	253
Committee Report .....	512

SENATE JOINT RESOLUTION NO. 4—By NICHOLS.—A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma relating to Article XVII thereof, concerning counties by adding a section providing for the consolidation of counties in said State, and the procedure to be followed therein.

1st Reading .....	112
2nd Reading .....	135
Committee Report .....	513
Considered and advanced .....	828
Engrossed .....	847
3rd Reading, referred and made Special Order .....	857
Committee Report .....	993
Considered, advanced, 3rd Reading and referred for engrossment .....	1178-1181
Engrossed and To House .....	1186

SENATE JOINT RESOLUTION NO. 5—By BALLARD.—A Resolution authorizing an extension of time in which 1933 automobile license tags may be secured, and other purposes, and declaring an emergency.

1st Reading .....	112
2nd Reading .....	135
Withdrawn and to calendar .....	813

SENATE JOINT RESOLUTION NO. 6—By MOON and NICHOLS. A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma relating to the incurring of indebtedness by counties, municipalities, townships and

school districts, and amending Section 26 of Article 10 of the Constitution of the State of Oklahoma.

1st Reading .....	159
2nd Reading .....	179
Committee Report .....	1243

SENATE JOINT RESOLUTION NO. 7—By RIZLEY.—Extending time of payment of all indebtedness due and owing on certificates of purchase heretofore issued by the Commissioners of the Land office of the State of Oklahoma, cancelling all penalties, and declaring an emergency.

1st Reading .....	160
2nd Reading .....	179
Committee Report .....	197
Considered, advanced, 3rd Reading and referred for engrossment .....	231-234
Engrossed and To House .....	238
Returned by House, as amended .....	515-517
House Amendments rejected, conference requested and Senate conferees appointed .....	517
Conference granted and House conferees appointed .....	552
Conference Committee report submitted and adopted .....	569-571
Passed, as amended in conference, and To House .....	571-572
Referred for enrollment .....	615
Enrolled and 4th Reading .....	646
Returned for correction .....	650
Referred for re-enrollment .....	651
Enrolled and 4th Reading .....	668
To Governor .....	704
Governor's action .....	720

SENATE JOINT RESOLUTION NO. 8—By BALLARD.—A Joint Resolution providing for the submission to the people of the State of Oklahoma of a proposed law amending Sections 10072, 10073, 10074, Oklahoma Statutes 1931, and relating to the State Highway Commission; its membership, tenure and salaries.

1st Reading .....	220
2nd Reading .....	248
Committee Report .....	254
Consideration deferred .....	481
Considered and indefinitely postponed .....	658

SENATE JOINT RESOLUTION NO. 9—By STACEY.—Directing the Governor to proclaim October 11th of each year "General Pula-



ski's Memorial Day" for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

1st Reading .....	297
2nd Reading .....	329

SENATE JOINT RESOLUTION NO. 10—By COMMONS of the Senate and HARP and DOUTHAT of the House.—A Joint Resolution authorizing Jessie Graham and Mrs. James Vice to bring suit against the State of Oklahoma for damages sustained by them by reason of the negligence of the State Highway Department in failing to place lights and properly warn persons using the highway on August 26, 1930, of the condition of a road and bridge near Grove, Delaware County, Oklahoma, and declaring an emergency.

1st Reading .....	637
2nd Reading .....	653
Committee Report .....	1364
Considered and advanced .....	1409
Engrossed .....	1482
3rd Reading and To House .....	1497-1499
Returned by House, as amended .....	2663
House amendments accepted .....	2663-2667
Passed, as amended, and referred for enrollment .....	2667-2668
Enrolled and 4th Reading .....	2672
To Governor .....	2683

SENATE JOINT RESOLUTION NO. 11—By NICHOLS.—A Joint Resolution regulating the management and liquidation of delinquent loans under the management and control of the Commissioners of the Land Office of the State of Oklahoma and regulating the management with reference to interest charges on loans to be hereafter made by the Commissioners of the Land Office of the State of Oklahoma; and declaring an emergency.

1st Reading .....	637
2nd Reading and to calendar .....	653
Considered and advanced .....	826
Engrossed .....	847
3rd Reading and To House .....	858-859
Referred for enrollment .....	1395
Enrolled and 4th Reading .....	1404
To Governor .....	1412
Governor requested to return resolution .....	1491
House requested to reconsider vote by which passed and return to Senate .....	1562
Vote reconsidered and returned by House .....	1599

Vote reconsidered by Senate .....	1599
Considered, advanced, 3rd Reading and referred for engrossment .....	1640-1644
Senate amendments to enrolled copy signed and To House .....	1661
Referred for re-enrollment .....	1713
Enrolled and 4th Reading .....	1750
To Governor .....	1794
Governor's action .....	1813

SENATE JOINT RESOLUTION NO. 12—By NICHOLS.—A Joint Resolution regulating the management of loans made by the Commissioners of the Land Office during the years 1931, 1932 and 1933, with reference to the abrogation and annulment of the provisions contained in said mortgages requiring a five per cent annual reduction of the principal obligation secured by said mortgages; and prohibiting the Commissioners of the Land Office from making any other similar provisions in any mortgages that said Commissioners may take hereafter; and declaring an emergency.

1st Reading .....	637
2nd Reading and to calendar .....	653
Considered, indefinitely postponed and notice lodged .....	827

SENATE JOINT RESOLUTION NO. 13—By LOGAN.—A Joint Resolution authorizing Eileen DeNoya Collins to file suit against the State of Oklahoma.

1st Reading .....	780
2nd Reading .....	805
Committee Report .....	845

SENATE JOINT RESOLUTION NO. 14—By PAUL of the Senate and PHILLIPS (of Atoka County), KIGHT and CLOYD of the House.—A Joint Resolution providing for the submission of a proposed amendment to the Constitution of Oklahoma relating to the free public schools of said State, and amending Section 1, Article 13, of the Constitution of the State of Oklahoma.

1st Reading .....	804
2nd Reading .....	821
Committee Report .....	1243

SENATE JOINT RESOLUTION NO. 15—By MOON.—A Joint Resolution authorizing the submission of a proposed amendment to the Constitution of the State of Oklahoma, amending Section 8 of Article 9 of said Constitution.

1st Reading .....	911
2nd Reading .....	919

Committee Report .....	1244
Considered and advanced .....	1356
Engrossed .....	1371
3rd Reading and To House .....	1391-1393
Vote reconsidered by which passed .....	1397
Motion to reconsider tabled and To House .....	1525
Referred for enrollment .....	2668
Enrolled and 4th Reading .....	2668
To Governor .....	2678

SENATE JOINT RESOLUTION NO. 16—By COPPOCK and CLARK.—A Resolution making it mandatory for the Oklahoma Tax Commission to furnish blanks for use of owners of motor vehicles in registering the same in the State of Oklahoma; providing that if any member of the Commission or any employee thereof shall refuse to furnish said application blanks such Act shall be cause for removal of said member from office or the discharge of such employee; and declaring an emergency.

1st Reading .....	914
2nd Reading .....	919

SENATE JOINT RESOLUTION NO. 17—By STACEY of the Senate and ROBERTS of the House.—A Resolution consenting, authorizing and empowering Elbert C. Haywood to sue the State of Oklahoma for damages sustained by him while engaged as a member of the National Guards, and while engaged with others in suppressing a riot at the County Jail in Chickasha, Oklahoma, on the 30th day of May, 1930.

1st Reading .....	1080
2nd Reading .....	1118
Committee Report .....	1194
Considered and Advanced .....	1278-1279
Engrossed .....	1299
3rd Reading and To House .....	1310
Referred for enrollment .....	1767
Enrolled and 4th Reading .....	1768
To Governor .....	1808
Governor's action .....	1856
Vote reconsidered by which passed .....	1879
House requested to reconsider vote .....	1879-1880
Enrolled copy returned by House, as amended .....	1972
House amendments accepted .....	1973-1974
Passed, as amended, and referred for re-enrollment .....	1974-1975
Enrolled and 4th Reading .....	2011

To Governor .....	2027
Governor's action .....	2088

SENATE JOINT RESOLUTION NO. 18—By DAUGHERTY and FISCHL.—A Resolution providing for temporary suspension of the Oklahoma University at Norman, the Agricultural and Mechanical College at Stillwater, the East Central State Teachers College at Ada and the Central State Teachers College at Edmond providing for the re-opening of said institutions and the transfer of funds.

1st Reading .....	1188
2nd Reading .....	1215
Committee Report .....	1436

SENATE JOINT RESOLUTION NO. 19—By RUTHERFORD, JENNINGS, FIDLER, and CURNUTT.—A Resolution authorizing an extension of time for the payment of state income, gross production and ad valorem taxes due the State of Oklahoma until June 15, 1933, and relieving the taxpayer of all penalty on such taxes if the same are paid on or before June 15, 1933; and declaring an emergency.

1st Reading .....	1215
2nd Reading .....	1253
Committee Report .....	1615

SENATE JOINT RESOLUTION NO. 20—By MacDONALD.—A Resolution authorizing the State Highway Commission to detail certain employees to the offices of the State Auditor and the State Treasurer for the purpose of taking care of files affecting the Highway Commission, and declaring an emergency.

1st Reading .....	1215
2nd Reading and to calendar .....	1256
Considered and advanced .....	1352
Engrossed .....	1371
3rd Reading and To House .....	1381

SENATE JOINT RESOLUTION NO. 21—By MacDONALD, HUTCHINSON, WHITAKER, WILBANKS, CURNUTT, MEMMINGER, NANCE, RAY, FISCHL, and PAUL of the Senate; and REMUND, EBY (Tulsa), BOYER, JOHNSON (Osage), SULLIVAN, CLOYD, OTTESEN, KIRKPATRICK, TIMMONS, WRIGHT, DANIEL, ARMSTRONG, BATSON, PAXTON of the House.—A Resolution authorizing the Governor to appoint and commission Charles F. Barrett, the Adjutant General, as Lieutenant General without additional pay or emolument.

1st Reading .....	1318
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2nd Reading and to calendar .....	1339-1340
Considered, advanced, 3rd Reading and referred for engross- ment .....	1398-1399
Engrossed and To House .....	1404
Referred for enrollment .....	2532
Enrolled and 4th Reading .....	2541-2542
To Governor .....	2582

SENATE JOINT RESOLUTION NO. 22—By WILBANKS of the Senate and DARKS of the House.—A Joint Resolution authorizing one Harold Wright, a former inmate of the State Penitentiary at McAlester, Oklahoma, now a resident of Holdenville, Oklahoma, to bring suit against the State of Oklahoma in the District Court in Hughes County to determine the amount of damages, if any, sustained by him by reason of an accident which occurred while he was performing duties assigned to him by the Warden of said Penitentiary, and declaring an emergency.

1st Reading .....	1318
2nd Reading .....	1340

SENATE JOINT RESOLUTION NO. 23—By HOWARD of Senate and HUGHES of House.—A Resolution confirming the suit of Abraham Lincoln Life Insurance Company versus State Highway Commission as binding on the State of Oklahoma, and authorizing the prosecution of said suit and also the action of Elizabeth Carlin Estate for recovery of damages to realty for road way purposes, and providing for payment of recovery had.

1st Reading .....	1405
2nd Reading .....	1417
Committee Report .....	201
Advanced .....	2401
Engrossed .....	2425
3rd Reading and To House .....	2439-2440

SENATE JOINT RESOLUTION NO. 24—By NICHOLS, PAUL, GARVIN, WHITAKER, SOWARDS, LOGAN, LESTER, NANCE, REED, RAY, FISCHL and CARLILE, of the Senate, and CAVINS, ANGLIN and BATSON, of the House.—A Joint Resolution ordering a Special Election to be held on the 15th day of August, 1933, on the proposed amendment of Section 9, Article 10 of the Constitution of Oklahoma set forth in Senate Joint Resolution No. 1 of the Fourteenth Legislature of the State of Oklahoma.

1st Reading .....	1978
2nd Reading and to calendar .....	2019

Considered, advanced, 3rd Reading and referred for engross-	
ment -----	2071-2074
Engrossed and To House -----	2084-2085
Referred for enrollment -----	2532
Enrolled and 4th Reading -----	2541-2542
To Governor -----	2582

SENATE JOINT RESOLUTION NO. 25—By FISCHL of the Senate, LOWRANCE of the House.—Joint Resolution authorizing the Board of Affairs to transfer an appropriation made by the 13th Legislature for the Oklahoma School for deaf at Sulphur, for the purpose of remodeling old industrial building for hospital to a fund for the purpose of remodeling and repairing present hospital building, and declaring an emergency.

1st Reading -----	1979
2nd Reading and to calendar -----	2019
Stricken -----	2047

SENATE JOINT RESOLUTION NO. 26—By MEMMINGER and MacDONALD.—A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma; providing that the Legislature shall have the power to enact laws providing pensions for persons over seventy years of age who have been a resident of the State of Oklahoma for fifteen years next preceding, and who do not have an annual income in excess of \$250.00 per year; providing that no person pensioned under such laws shall receive a pension in excess of ten dollars per month; and amending Article Five of said Constitution by adding an additional section to be known as Section 44-A of the Constitution of the State of Oklahoma.

1st Reading -----	2201
2nd Reading and to calendar -----	2214
Considered, advanced, 3rd Reading and referred for engross-	
ment -----	2356-2358
Engrossed and To House -----	2409-2410

SENATE JOINT RESOLUTION NO. 27—By JOHNSTON.—A Joint Resolution empowering the Governor of Oklahoma to investigate prices, quality and abuses in the furnishing of school books and school supplies in use in the State of Oklahoma, and declaring an emergency.

1st Reading -----	2287
2nd Reading and to calendar -----	2348

SENATE JOINT RESOLUTION NO. 28—By WALDREP.—A Resolution authorizing and empowering the State Highway Commission to purchase from Pottawatomie County, Oklahoma, the Asher Bridge lo-

cated at and near Asher, Oklahoma, on the South Canadian River;  
making other provisions with reference thereto.

1st Reading -----	2347
2nd Reading and to calendar -----	2424

# SENATE CONCURRENT RESOLUTIONS

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## SENATE CONCURRENT RESOLUTION NO. 1—By NICHOLS.

—Concurrent Resolution ratifying a proposed amendment to the Constitution of the United States of America.

Introduced .....	9
Considered, adopted and referred for engrossment .....	48-50
Engrossed and To House .....	72

## SENATE CONCURRENT RESOLUTION NO. 2—By NICHOLS.

—A Resolution expressing the sentiment of the Oklahoma State Legislature concerning the reduction of the budget and appropriations for the departments and institutions of the State of Oklahoma, providing for the conducting of joint open hearings by the Committees on Appropriations of the respective Houses, and expressing the desire of the Legislature to reduce all appropriations at last twenty-five per cent.

Introduced .....	9
Considered .....	50, 51, 62-68
Indefinitely postponed .....	68-69

## SENATE CONCURRENT RESOLUTION NO. 3—By NANCE.—

A Resolution memorializing the National Congress to enact a law authorizing and empowering the several states to levy and collect license franchise gross revenue, registration or other forms of taxes upon or measured by capital represented by property and business employed in Interstate Commerce.

Introduced .....	48
Consideration deferred .....	85
Considered, adopted and referred for engrossment .....	95-97
Engrossed and To House .....	111
Referred for enrollment .....	1216
Enrolled and To House .....	1243
To Secretary of State .....	1288

## SENATE CONCURRENT RESOLUTION NO. 4—By DIXON.—

A Resolution authorizing the appointment of a joint Committee of five members of the Senate and five members of the House of Representatives to investigate the activity and work of the State Highway Commission of the State of Oklahoma for the past two years; authorizing the President of the Senate to appoint said Senate Committee and the Speaker of the House to appoint said House Committee; empowering



said joint Committee to perform its duties; providing for the payment of the expense of such investigation and declaring an emergency.

Introduced .....	59
Consideration deferred .....	97-98
Consideration deferred .....	118, 135, 144
Considered and made Special Order .....	162-165

SENATE CONCURRENT RESOLUTION NO. 5—By REED, CARMACK.—A Resolution requesting Honorable Franklin D. Roosevelt, President Elect of the United States, to appoint the Honorable John A. Simpson, as Secretary of the Department of Agriculture.

Introduced .....	59
Considered, adopted and referred for engrossment .....	98-99
Engrossed and To House .....	111

SENATE CONCURRENT RESOLUTION NO. 6—By BALLARD (Senate), and HART (House).—A Resolution authorizing the appointment of a joint committee of three (3) members of the Senate and three (3) members of the House to conduct a general investigation into all departments, boards, bureaus, commissions, offices, and employees of the State and of the county with a view to a general reduction in the number of boards, bureaus, offices, commissions, and to effect an intelligent consolidation or abolishment of said boards, bureaus, offices, etc.; authorizing the President of the Senate to appoint said Senate committee and the Speaker of the House to appoint said House committee; empowering said joint committee to perform its duties; providing for the payment of such expense of such investigation, and for other purposes, and declaring an emergency.

Introduced .....	79
Considered and referred .....	99-100

SENATE CONCURRENT RESOLUTION NO. 7—By STEWART.—A Concurrent Resolution commending the Honorable Elmer Thomas and the Honorable Thomas P. Gore, members of the United States Senate from the State of Oklahoma, for their untiring services in the United States Congress in behalf of the Citizens of Oklahoma.

Introduced, considered, adopted and referred for engrossment ..	86-87
Engrossed and To House .....	101
Referred for Enrollment .....	203
Enrolled and To House .....	218
To Secretary of State .....	235-236

SENATE CONCURRENT RESOLUTION NO. 8.—By CURNUTT and THOMAS of the Senate, and JOHNSON, of the House.—A Resolution memorializing Congress to repeal the law levying an excise tax of one cent (1c) per gallon on gasoline for federal purposes.

Introduced .....	87
Considered, adopted and referred for engrossment .....	114-115
Notice lodged .....	139
Withdrawn from Committee .....	179
Considered .....	179-180
Returned by Committee .....	218
Considered, adopted and referred for engrossment .....	223-224
Engrossed and To House .....	238
Referred for enrollment .....	540
Enrolled and To House .....	557-558
To Secretary of State .....	616

SENATE CONCURRENT RESOLUTION NO. 9.—By NICHOLS, FIDLER and MacDONALD, of the Senate, and GRISSO and DUKE, of the House.—A Resolution urging upon the Honorable Elmer Thomas and the Honorable Thomas P. Gore, United States Senators from Oklahoma, the necessity for immediate expansion of the currency.

Introduced, considered, adopted and referred for engrossment .....	130-132
Engrossed and To House .....	144
Referred for enrollment .....	160
Enrolled and To House .....	171
To Secretary of State .....	189-190

SENATE CONCURRENT RESOLUTION NO. 10.—By FISCHL and DIXON, of the Senate, and GRUNERT, CAVINS and BATSON, of the House.—A Resolution expressing regret at the death of the Honorable Lee Cruce, second Governor of Oklahoma; commending him and his patriotic, unselfish service to the people of the State of Oklahoma; extending the sympathy of the members of the Fourteenth Legislature and the people of the State of Oklahoma to the bereaved family; authorizing the President of the Senate and Speaker of the House to appoint a committee of five members of the Senate and five members of the House to attend the funeral and directing the Senate Auditor and Chief Clerk of the House to arrange for a suitable floral offering.

Introduced, considered, adopted and referred for engrossment .....	186-188
Engrossed and To House .....	194
Referred for enrollment .....	204
Enrolled and To House .....	218
To Secretary of State .....	235-236

SENATE CONCURRENT RESOLUTION NO. 11.—By JOHNSTON and CURNUTT.—A Resolution memorializing the Congress of the United States to enact a law reducing first class postage to two cents (2c) base vote.

Introduced .....	193
Considered, adopted and referred for engrossment .....	227-228
Engrossed and To House .....	238
Referred for enrollment .....	496
Enrolled and To House .....	515
To Secretary of State .....	553

SENATE CONCURRENT RESOLUTION NO. 12.—By FISCHL, DIXON, STEWART, GARVIN and JOHNSTON of the Senate and ANGLIN, GRUNERT, CAVINS, LEECRAFT, LINDSEY and BATSON of the House.

A Resolution providing for the adjournment of the Fourteenth Legislature from Four Thirty P. M., Friday, January 20, 1933 until One Thirty P. M. Monday, January 23, 1933, out of respect to the memory and in honor of the late Lee Cruce, second Governor of Oklahoma.

Introduced, considered, adopted and referred for engrossment	257-258
Engrossed and To House .....	264

SENATE CONCURRENT RESOLUTION NO. 13.—By STEWART of the Senate.—Concurrent Resolution memorializing Congress that it is the sense of the members of the Oklahoma Legislature that the Government of the United States should perform its solemn promise and place American agriculture on the basis of equality with other industries by providing an adequate system of credit, and that adequate legislation to that end should be adopted at the earliest possible date.

Introduced .....	207
Consideration deferred .....	483, 664, 676, 739
Considered .....	825-826
Failed of adoption and vote reconsidered .....	826-827
Considered, adopted and referred for engrossment .....	879-881
Engrossed and To House .....	907
Referred for enrollment .....	1216
Enrolled and To House .....	1243
To Secretary of State .....	1288

SENATE CONCURRENT RESOLUTION NO. 14.—By FISCHL, LOGAN and RITZHAUPT.—A Resolution commending the American Legislators' Association.

Introduced .....	378
Consideration deferred .....	483
Considered, adopted and referred for engrossment .....	677-680
Engrossed and To House .....	695

#### SENATE CONCURRENT RESOLUTION NO. 15—By BALLARD.

A Resolution requesting His Excellency The Governor, by martial law, to take over the property known as the Purcell-Lexington Bridge and operate the same as a free bridge in the State of Oklahoma.

Introduced .....	433
Consideration deferred .....	481
Considered and made Special Order .....	683-684
Stricken .....	818

SENATE CONCURRENT RESOLUTION NO. 16—By LOGAN of the Senate and BLOCKER and PARKS of the House.—A Concurrent Resolution memorializing Congress to enact such legislation as is necessary to put all the lands owned by unrestricted Indians on the tax rolls of this State or to pay to the State of Oklahoma and to the various subdivisions thereof, the money equivalent of the amount of the taxes which would be received if these lands were placed on the tax rolls of this State.

Introduced .....	780
To Committee .....	1407

SENATE CONCURRENT RESOLUTION NO. 17—By CHAMBERLIN, COMMONS, NICHOLS and NANCE.—A Concurrent Resolution fixing the day and hour of the sine die adjournment of the Regular Session of the 14th Legislature of the State of Oklahoma.

Introduced .....	804
Considered, adopted and referred for engrossment .....	1878-1879
Engrossed and To House .....	1907
Vote reconsidered by which adopted and House requested to return resolution .....	2189
Returned by House .....	2199
Considered, adopted and referred for engrossment .....	2291-2292
Engrossed and To House .....	2315
Referred for enrollment .....	2359
Enrolled and To House .....	2477-2478
To Secretary of State .....	2534

SENATE CONCURRENT RESOLUTION NO. 18—By STEWART, MORRISON, COMMONS, WHITAKER and CURNUTT.—A Senate Concurrent Resolution of respect and sympathy for and in memory of



the Honorable Thomas J. Walsh, United States Senator from Montana.

Introduced ----- 1029  
Stricken ----- 2057

SENATE CONCURRENT RESOLUTION NO. 19—By NICHOLS of the Senate, and WOOTEN, HILL, GRISSO, and PHILLIPS (Okfuskee). of the House.—A Resolution expressing faith in the President of the United States of America in his effort to reduce taxes; commending the Acts of certain Oklahoma Congressmen who have stood by the President; censoring and reprimanding certain other members of the Oklahoma delegation who have not stood by the President; and proposing that a copy of this resolution shall be sent to each member of the Oklahoma delegation.

Introduced, considered, adopted and referred for engrossment 1288-1299  
Engrossed and To House ----- 1303

SENATE CONCURRENT RESOLUTION NO. 20—By BALLARD, PUGH, HOWARD, PAUL, LESTER, RAY, JENNINGS, DIXON, STEWART, CURNUTT, MOON, TAYLOR, RIZLEY, CLARK, POWERS, WILBANKS, RUTHERFORD, FIDLER, entitled: A Concurrent Resolution fixing the day and hour of the sine die adjournment of the Regular Session of the 14th Legislature of the State of Oklahoma.  
Introduced ----- 1656

SENATE CONCURRENT RESOLUTION NO. 21—By PUGH, PAUL, CHAMBERLIN.—A Resolution requesting an investigation by the department of Agriculture of the United States of the prices charged by stockyards for feed for live stock shipped to said stockyards for marketing.

Introduced, considered, adopted and referred for engrossment ----- 2121-2122  
Engrossed and To House ----- 2133  
Referred for enrollment ----- 2249  
Enrolled and To House ----- 2302  
To Secretary of State ----- 2329

SENATE CONCURRENT RESOLUTION NO. 22—By FISCHL.—A concurrent resolution memorializing Congress to provide relief for the oil industry, the farmers, the unemployed, business and the people generally by providing an adequate tariff or tax on oil that will place the domestic oil industry on a competitive basis with imported oil as shown by the reports of the tariff commission.

Introduced ----- 2213

Considered, adopted and referred for engrossment -----	2292-2294
Engrossed and To House -----	2315
Referred for enrollment -----	2590
Enrolled and To House -----	2626
To Secretary of State -----	2676

SENATE CONCURRENT RESOLUTION NO. 23—By COMMONS, of the Senate, and BATSON, of the House.—A Resolution providing for the closing of the unfinished business of the Regular Session of the Fourteenth Legislature, after adjournment, by the President Pro Tempore of the Senate and the Speaker of the House; providing for compiling, indexing and publishing the Session Laws of the Regular Session of the Fourteenth Legislature of the State of Oklahoma, and for the payment of the costs thereof.

Introduced -----	2286
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SENATE CONCURRENT RESOLUTION NO. 24—By NICHOLS and DIXON.—A Resolution creating a committee to investigate the necessity for the creation of a Conservation Commission for the administration of the laws relating to the conservation of Crude Petroleum and Natural Gas and other conservation matters.

Introduced and indefinitely postponed -----	2420-2423
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SENATE CONCURRENT RESOLUTION NO. 25—By BRIGGS, STEWART, MacDONALD and NANCE, of the Senate, and HENDERSON and KIGHT, of the House, entitled: A Resolution memorializing Congress urging the passage by Congress of an Act appropriating funds for Federal Aid Highway Construction, to be distributed among the various States of the union for the relief and to provide work for the unemployed.

Introduced -----	2440
Considered, adopted and referred for engrossment -----	2461-2465
Engrossed and To House -----	2487
Referred for enrollment -----	2530
Enrolled and To House -----	2568
To Secretary of State -----	2592

SENATE CONCURRENT RESOLUTION NO. 26—By COMMONS, of the Senate, and BATSON, of the House.—A Resolution providing for compiling, indexing and publishing the Session Laws of the Regu-

lar Session of the Fourteenth Legislature of the State of Oklahoma,  
and providing for the payment of the costs thereof, as provided by law.

Introduced, considered, adopted and referred for engross-

ment .....	2459-2461
Engrossed and To House .....	2477
Referred for enrollment .....	2530
Enrolled and To House .....	2568
To Secretary of State .....	2592

# SENATE RESOLUTIONS

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SENATE RESOLUTION NO. 1—By THOMAS and Members of the Employment Committee.—An Act amending Section 2, Chapter 38, Session Laws, 1931, in part, and declaring an emergency.

Introduced .....	54
Considered and referred .....	69-70
Committee Report and referred for engrossment .....	75-77
Engrossed, signed and referred for enrollment .....	144
Enrolled and To Secretary of State .....	171

SENATE RESOLUTION NO. 2—By DIXON.—A Resolution authorizing and directing the President of the Senate to appoint a committee to investigate the supervision of the Oil industry by the Militia of the State of Oklahoma and other matters, subpoena witnesses and requiring said Special Committee to report its findings to the Senate of the State of Oklahoma for action thereon.

Introduced .....	59
Consideration deferred .....	99
Considered, adopted and referred for engrossment .....	118-124
Engrossed, signed and referred for enrollment .....	144
Enrolled, signed and to Secretary of State .....	171

SENATE RESOLUTION NO. 3—By DIXON.—A Resolution authorizing and directing the President of the Senate to appoint a committee to investigate the activity and work of the State Highway Commission of the State of Oklahoma for the past two years; authorizing the President of the Senate to appoint said committee, empowering said committee to perform its duty, providing for the payment of the expense of such investigation and requiring said committee to report its findings to the Senate of the State of Oklahoma for action thereon.

Introduced .....	165
Special Order .....	167
Considered, adopted and referred for engrossment .....	180-182
Title amended .....	189
Engrossed, signed and referred for enrollment .....	200
Enrolled, signed and to Secretary of State .....	218

SENATE RESOLUTION NO. 4—By STEWART.—A Resolution endorsing, approving, and encouraging the Honorable Elmer Thomas in his efforts to defeat in the Senate of the United States the Branch



Bank Bill and requesting Senator Gore, and the other members of Congress from this State to go the limit in their assistance.

Introduced, considered, adopted and referred for engrossment -- 191-192  
 Engrossed, signed and referred for enrollment ----- 200  
 Enrolled, signed and to Secretary of State ----- 218

SENATE RESOLUTION NO. 5—By STACEY.—A Resolution requesting the State Board of Affairs to furnish information to the Senate of all its actions and doings under Chapter 26 of the Session Laws of 1931, regarding the manufacture of farm implements at the State Penitentiary.

Introduced ----- 192-193  
 Considered, adopted and referred for engrossment ----- 224-227  
 Engrossed, signed and referred for enrollment ----- 238  
 Enrolled, signed and to Secretary of State ----- 257

SENATE RESOLUTION NO. 6—By NICHOLS and STEWART.—A Resolution creating a committee to investigate and ascertain the status and character of lands owned and held by the State of Oklahoma, to make a survey of the resources of the State and to inquire into and determine whether or not it is advisable and desirable to undertake the improvement of said lands, subdivided into small tracts, to the end and for the purpose of tenantry the same with unemployed families now dependent in whole or in part upon public charity or made work for a livelihood; all for the purpose of conserving our citizenship.

Introduced ----- 200  
 Consideration deferred ----- 309, 385, 436, 455  
 Considered, adopted and referred for engrossment ----- 477-480  
 Engrossed, signed and referred for enrollment ----- 515  
 Enrolled, signed and to Secretary of State ----- 538

SENATE RESOLUTION NO. 7—By JENNINGS.—A Resolution memorializing the Senate of the United States commending its efforts in work thus far done to reveal oil scandals and requesting the appointment of a committee to be composed of its members to conduct an investigation into all phases of the oil industry in the State of Oklahoma, including especially production, transportation, proration and the revenues due both to the State and the Federal government as a result of such proration and transportation.

Introduced ----- 236-237  
 Considered and referred ----- 457-462

SENATE RESOLUTION NO. 8—By THOMAS, WILLIS and COPPOCK.—A Resolution asking the different institutions of the State to assist the State Senate in making an intelligent appropriation in the various institutions of the State by submitting a more complete and detailed, or itemized, statement of their various budgets to the State Senate.

Introduced .....	248
Consideration deferred .....	481
Considered .....	507-508
Considered, adopted and referred for engrossment .....	655-658
Engrossed, signed and referred for enrollment .....	668
Motion lodged .....	670
Reference order rescinded .....	670

SENATE RESOLUTION NO. 9—By RIZLEY.—A Resolution authorizing and directing the President of the Senate to appoint a committee to investigate the financial status of the School Land Department, alleged claims of favoritism, fraud and embezzlement pertaining to the school funds and various and sundry other matters; authorizing the subpoena of witnesses and requiring said special committee to report its findings to the Senate of the State of Oklahoma for action thereon.

Introduced .....	250
Consideration deferred .....	483, 677
Considered .....	682

SENATE RESOLUTION NO. 10—By GARVIN.—A Resolution authorizing the appointment of a committee to investigate the purchase of lands in Atoka County for sub-penitentiary property and expenditure of funds appropriated by the Thirteenth Legislature therefor, and providing that the committee so appointed shall make a report of its investigation to the Senate.

Introduced, considered, adopted and referred for engrossment ..	362-364
Engrossed, signed and referred for enrollment .....	434
Enrolled, signed and to Secretary of State .....	455

SENATE RESOLUTION NO. 11—By JENNINGS and JOHNSTON.—A Resolution recommending the appointment of the Honorable Sebe Christian to the International Joint Commission.

Introduced, considered, adopted and referred for engrossment ..	446-447
Engrossed, signed and referred for enrollment .....	437
Enrolled, signed and to Secretary of State .....	503

SENATE RESOLUTION NO. 12—By WALDREP.—A Resolution authorizing the employment committee to employ additional help during the present session of the Legislature.

Introduced ..... 476  
 Considered and indefinitely postponed ..... 54<sup>u</sup>

SENATE RESOLUTION NO. 13—By RITZHAUPT (By Request of O. B. Acton).—Resolution commending Franklin D. Roosevelt, the Honorable President of the United States, for his evident friendship for the farmers, and beseeching him to employ and use every method available to preserve and keep intact the homes and farms of the people of the United States.

Introduced ..... 523  
 Considered, adopted and referred for engrossment ..... 739-740  
 Engrossed, signed and referred for enrollment ..... 750  
 Enrolled, signed and to Secretary of State ..... 779

SENATE RESOLUTION NO. 14—By MacDONALD.—A Resolution requesting the Governor of California to give the application of Tom Mooney for an unconditional pardon consideration, and earnestly requesting that he reconsider his action heretofore taken.

Introduced ..... 559  
 Consideration deferred ..... 894  
 Considered, adopted and referred for engrossment ..... 982-984  
 Engrossed, signed and referred for enrollment ..... 1024  
 Enrolled, signed and to Secretary of State ..... 1079-1080

SENATE RESOLUTION NO. 15—By THOMAS.—A Resolution authorizing the placing of Jack Wilcox on the payroll as a Page in the Senate.

Introduced ..... 618  
 Considered, adopted and referred for engrossment ..... 643-644  
 Engrossed, signed and referred for enrollment ..... 655  
 Enrolled, signed and to Secretary of State ..... 668

SENATE RESOLUTION NO. 16—By SOWARDS.—A Resolution authorizing Lewis Adams of Lincoln County, Oklahoma, to bring suit against the State of Oklahoma to determine the amount of damages sustained by him on account of the construction of State Highway No. 66, adjoining the west half of the Northeast Quarter of Section 14, Township 14 North, Range 3 East.

Introduced ..... 638  
 To Committee ..... 1407

SENATE RESOLUTION NO. 17—By PAUL.—A Resolution memorializing the Congress of the United States to take early action removing the federal gasoline tax, leaving the taxation of gasoline sales exclusively as a state function.

Introduced, considered, adopted and referred for engrossment \_ 780-781  
Engrossed, signed and referred for enrollment \_ 818  
Enrolled, signed and to Secretary of State \_ 829

SENATE RESOLUTION NO. 18—By CHAMBERLIN, PUGH and RITZHAUPT.—Senate Resolution of respect and sympathy for and in memory of Mrs. Nettie B. Liggett, the mother of our fellow-senator, Claude Liggett.

Introduced, considered, adopted and referred for engrossment \_ 813  
Engrossed, signed and referred for enrollment \_ 829  
Enrolled, signed and to Secretary of State \_ 847

SENATE RESOLUTION NO. 19—By RITZHAUPT.—A Resolution respectfully requesting the State Highway Commission to resume construction work on Highway No. 62 halted by a reason of the fact that a committee of the Senate was conducting an investigation of the work of the State Highway Commission.

Introduced \_ 993  
To Committee \_ 1407

SENATE RESOLUTION NO. 20—By NICHOLS.—A Resolution calling for night sessions of the Senate in order that important legislation may be more speedily disposed of, and not permitted to go unheeded.

Introduced \_ 1137  
Considered and notice lodged \_ 1159

SENATE RESOLUTION NO. 21—By RAY, DIXON, FISCHL, NANCE and PAUL.—A Resolution authorizing the President of the Senate to appoint a committee of five members of the Senate to confer with the Oklahoma delegation in Congress, and the Secretary of Agriculture of the United States concerning the allocation of federal funds to Oklahoma for highway purposes, and memorializing the State Highway Commission to designate a representative to accompany said committee for that purpose; authorizing the payment of the expense incurred by said committee; and declaring an emergency.

Introduced \_ 1265  
Considered, adopted and referred for engrossment \_ 1348-1352  
Engrossed, signed and referred for enrollment \_ 1382  
Enrolled, signed and to Secretary of State \_ 1404



Secretary of State requested to return resolution .....	1434
Resolution returned by Secretary of State .....	1449
Vote reconsidered by which adopted .....	1541
Considered, adopted and referred for engrossment .....	1592
Engrossed, signed and referred for enrollment .....	1619-1621
Enrolled, signed and to Secretary of State .....	1661

SENATE RESOLUTION NO. 22—By NICHOLS.—A resolution expressing belief that the Senate Oil Investigating Committee has served its purpose and that same has failed to pursue the vigorous and searching investigation in all lines of the Oil Industry; calling upon said committee to file its final report and providing for the discharge of said Committee.

Introduced .....	1396
To Committee .....	1407

SENATE RESOLUTION NO. 23—By SOWARDS. PUGH and RIZLEY.—A Resolution directing the Oklahoma Tax Commission to extend the time for the filing of income tax returns by members of the Legislature for a period of fifteen days after the adjournment of the Legislature.

Introduced, considered, adopted and referred for engrossment ----	1367
Engrossed, signed and referred for enrollment .....	1404
Enrolled, signed and to Secretary of State .....	1426

SENATE RESOLUTION NO. 24—By COPPOCK and JOHNSTON.—A Resolution authorizing and directing the President of the Senate to appoint a committee to investigate the activities of lobbyists of insurance companies in the Senate; authorizing the subpoenaing of witnesses; and requiring said committee to report its findings to the Senate for action thereon.

Introduced .....	1402
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SENATE RESOLUTION NO. 25—By GARVIN, BRIGGS and MacDONALD.—A Resolution requesting the Corporation Commission of the State of Oklahoma to issue an order, closing in all oil or gas wells in the Oklahoma City field, except those which would be damaged by water, until such time as the bill now pending before the Legislature is enacted and the machinery provided for thereunder set into action.

Introduced .....	1704
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SENATE RESOLUTION NO. 26—By NANCE and PAUL.—A Resolution memorializing the Secretary of the Interior to require oil companies and pipe line purchasing companies to pay gross produc-

tion taxes on the basis of full production of oil throughout the nation.  
Introduced, considered, adopted and referred for engross-

ment ----- 2407-2408  
Engrossed, signed and referred for enrollment ----- 2423-2424  
Enrolled, signed and to Secretary of State ----- 2477

SENATE RESOLUTION NO. 27—By RITZHAUPT, RIZLEY and  
CHAMBERLIN.—A Resolution of sympathy expressing regret and  
sympathy of the State Senate of the Fourteenth Legislature of the  
State of Oklahoma for and on account of the death of the Honorable  
John H. Cotteral.

Introduced, considered, adopted and referred for engross-  
ment ----- 2709-2710  
Engrossed, signed and referred for enrollment ----- 2710  
Enrolled, signed and to Secretary of State ----- 2710

## Part II

# ENGROSSED HOUSE BILLS

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ENGROSSED HOUSE BILL NO. 1—By BATSON, LEECRAFT and LANDINGHAM, entitled: An Act providing for relief from ad valorem taxation by levying an annual normal tax a surtax upon the net income of individuals, corporations, estates and trusts; by levying an annual tax on national banking associations, state banks and trust companies, according to or measured by their net incomes authorized by method four (4) of Section 5219, U. S. Revised Statutes, as amended, relating to national banking associations, and complying therewith; providing for the disposition of the revenues arising hereunder; prescribing the rates of such taxes herein levied and defining terms; providing for specific exemption to individual taxpayers; exempting religious, charitable, eleemosynary, educational, benevolent, fraternal and other corporations or organizations not organized for profit; providing for the computation and collection of such taxes by the Oklahoma Tax Commission and empowering said Commission to enforce this Act and to prescribe and enforce rules and regulations in relation thereto; defining the powers of said Commission in the collection of additional and delinquent taxes and prescribing penalties for the violation of this Act; requiring returns by taxpayers and prescribing how the same shall be prepared and filed; making such taxes and penalties a lien on taxpayers' property, and for the enforcement thereof; requiring persons paying income to individuals to report same to said Commission; providing in certain cases, for withholding such taxes at the source and providing method of payment; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable; repealing Sections 12370, 12371 and all of Articles 6 and 15 of Chapter 66, Oklahoma Statutes, 1931, and all other Laws in conflict herewith; and for other purposes and declaring an emergency.

1st Reading .....	322
2nd Reading .....	339
Committee Report .....	977
Special Order .....	999, 1096
Considered .....	1199-1209
Considered and referred .....	1234-1240
Committee Report and advanced .....	1244-1248

3rd Reading dispensed with .....	1250
Final Passage .....	1250-1251
Emergency roll call deferred .....	1251-1252
Vote reconsidered by which passed .....	1268-1269
3rd Reading .....	1269
Emergency Roll call deferred .....	1270
Final Passage .....	1274-1275
Referred for engrossment .....	1275
Engrossed, and To House .....	1299-1300
Senate Amendments rejected, conference requested .....	1328
Conference granted and Senate conferees appointed .....	1329-1330
House conferees appointed .....	1336
Conference Committee Report submitted, and consideration deferred .....	1624-1630
Conference Committee Report adopted .....	1811-1813
Notice lodged .....	1827
Passed as amended and To House .....	1843-1845
4th Reading .....	1948
Governor's action .....	1996

ENGROSSED HOUSE BILL NO. 4—By DANIELS, MARSHALL, BUSHYHEAD, KING (Coal), McELHANEY, HART, PALMER, LEE-CRAFT, HINDS, SULLIVAN, TURNER, SINGLETON, EASON, GLEN, HAILE, BEAVER, OTTESEN, JONES, MOONEY, MORSE, GARLAND, MISENHEIMER, WAGNER, BEAMAN, KING (Creek), HOGG, HUTCHINGS, DARKS, SPEAR, CAVINS, PHILLIPS (Atoka), GRAY, CAVITT, MALLORY, CONNER, HUGHES, BEAVER and PARKS. An Act creating a commission to be known as the "Commission for Old Age Security," prescribing its powers and duties, fixing the salaries of the officers and employees thereof, and prescribing their duties, providing a pension for persons seventy years of age, or more, the adult blind over twenty-one years of age, who do not have property, real or personal of a value in excess of \$1,000.00, or a yearly income of more than \$250.00, providing penalties for violations thereof, levying stamp taxes therefor, and declaring an emergency.

1st Reading .....	1284
2nd Reading .....	1320
Withdrawn and to calendar .....	1433
Motion to withdraw declared failed .....	1434
Considered .....	1925-26
Considered .....	2092
Considered, advanced and 3rd Reading .....	2123-2129
Referred for engrossment .....	2129
Engrossed and To House .....	2156



Senate Amendments rejected and conference requested .....	2402-2403
Conference granted and Senate conferees appointed .....	2403
House conferees appointed .....	2413
Conference Committee Report submitted and adopted .....	2684-2685
Failed of passage .....	2685-2686

ENGROSSED HOUSE BILL NO. 5— By GIBSON, FITZGERALD, WOOTEN, LANDINGHAM, PHILLIPS (Okfuskee), BEAMAN, BRAZELL, BENNETT, SMALLEY, BOYER, BLOCKER, WAGNER, MALLORY, JOHNSON (Comanche), CONNOR, MUNSON, ROBERTS, HINDS, GRAY, PALMER, LEECRAFT, BROADDUS, and BEAVER, entitled: An Act vesting the District and Superior Court Judges of the State of Oklahoma with certain discretionary powers in permitting the continuance of actions for the foreclosure of real estate mortgages or other liens or encumbrances affecting real estate, under certain conditions, and specifying such conditions, and declaring an emergency.

1st Reading .....	446
2nd Reading .....	450
Committee Report .....	578
Special Order .....	646
Referred to Special Committee .....	730
Consideration deferred .....	743
Withdrawn and to Calendar .....	759
Considered .....	868-873
Considered and advanced .....	889-893
Engrossed, 3rd Reading and To House .....	992, 1014-1015
Senate amendments rejected and conference requested .....	1036-1037
Conference granted, Senate conferees appointed .....	1037
Vote reconsidered by which Conference granted .....	1037
Request joint conference .....	1041
House and Senate conferees appointed .....	1082, 1083
Senate conferee appointed .....	1089-1091
Joint Conference Committee Report submitted and adopted .....	1110-1111
House adopts Conference Committee report .....	1143

ENGROSSED HOUSE BILL NO. 11—By CONNOR, COPELAND, BILLINGS, ELLIS, MARSHALL, GRAHAM and COE, entitled: An Act creating a Court of Common Pleas in Oklahoma County, Oklahoma, defining the jurisdiction thereof, and creating the offices thereof and defining their powers and duties and providing for the appointment, election, qualifications, duties, powers, and compensation of the judges and other officers thereof and providing for a pleading and practice and rules of procedure therein and all appeals and writs of error therefrom: providing for the transfer of causes from

the district and county court to said court and declaring an emergency.

1st Reading .....	624
2nd Reading and to calendar .....	653
Considered and advanced .....	738
3rd Reading and to House .....	862-863
4th Reading .....	908
Governor's action .....	940

ENGROSSED HOUSE BILL NO. 20—By MARTIN, entitled: An Act making appropriations from the General Revenue Fund of the State of Oklahoma for all State educational, eleemosynary and penal institutions, and from the Revolving Funds of certain institutions; providing for the appropriation and distribution of the New College Funds in accordance with Section 5626, Oklahoma Statutes, 1931, to the institutions entitled to the same, and providing for the appropriation and distribution of Section 13 Funds as provided in Section 5464, Oklahoma Statutes, 1931, to the institutions entitled to the same and appropriating the Public Building Fund to certain institutions herein specified.

1st Reading .....	172
2nd Reading .....	194
Senate Committee Appointed .....	1335
Committee Report .....	1760
Advanced .....	2210
Governor's Message .....	2224
Engrossed .....	2226
3rd Reading and referred for engrossment .....	2231-2234
Engrossed and To House .....	2238
Senate amendments rejected, Conference requested and House conferees appointed .....	2312-2313
Conference granted and Senate conferees appointed .....	2313
Additional House Conferee appointed .....	2313
Conference Committee Report submitted and adopted .....	2404-2405
Consideration deferred .....	2405
Passed as amended and To House .....	2424-2425
4th Reading .....	2483

ENGROSSED HOUSE BILL NO. 28—By MARTIN, entitled: An Act making appropriation to pay the mileage and per diem of the Senate and House of Representatives of the Fourteenth Legislature, salaries of officers and the employees and contingent expenses and declaring an emergency.

1st Reading .....	84
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2nd Reading .....	91
Committee Report .....	110
Considered, advanced, 3rd Reading and To House .....	115-117
4th Reading .....	130
Governor's action .....	172

ENGROSSED HOUSE BILL NO. 33—By SMALLEY and GLEN, entitled: An Act repealing House Joint Resolution No. 53, Chapter 66, Article 19, Oklahoma Session Laws, 1931, relating to the office of delinquent personal tax collector in Pottawatomie County, and declaring an emergency.

1st Reading .....	127
2nd Reading .....	135
Committee Report .....	252
Withdrawn and referred .....	300

ENGROSSED HOUSE BILL NO. 34—By KING (Coal), GRAY, TURNER and CAVITT.—entitled: An Act amending Section 12755 Oklahoma Statutes, 1931, authorizing record owners of real property to purchase land acquired by the county at resale upon payment of delinquent taxes and cost that has accrued thereon together with fees for publishing the treasurer's notice of publication, and declaring an emergency.

1st Reading .....	784
2nd Reading .....	805

ENGROSSED HOUSE BILL NO. 37—By GLEN and SMALLEY, entitled: An Act abolishing the Superior Court of Pottawatomie County; providing for the disposition of all cases pending in said court; providing effective date of Act; and declaring an emergency.

1st Reading .....	721
2nd Reading .....	752
Committee Report .....	1533
Considered and advanced .....	2452-2453
3rd Reading and referred for engrossment .....	2468-2469
Engrossed and To House .....	2477
Senate amendments accepted .....	2543-2544
4th Reading .....	2590

ENGROSSED HOUSE BILL NO. 39—By CLOYD, entitled: An Act declaring that the practice of law shall include certain defined activities, and providing additional remedies for the prevention of the practice of law, without license and authority.

1st Reading .....	205
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2nd Reading .....	221
Committee Report .....	1019
Considered .....	1086
Advanced .....	2084

ENGROSSED HOUSE BILL NO. 41—By MARTIN, BROADDUS and SHOEMAKE, entitled: An Act making an appropriation to pay the salaries of Supreme Court referees provided for by Section 3792, Oklahoma Statutes, 1931, for the fiscal year ending June 30, 1933, and declaring an emergency.

1st Reading .....	335
2nd Reading .....	450
Committee Report .....	1368

ENGROSSED HOUSE BILL NO. 42—By CLOYD, entitled: An Act repealing Chapter 99, Session Laws of Oklahoma, 1929, the same being Section 7961, Oklahoma Statutes, 1931, relating to the office of Assistant County Superintendent of Cleveland County; and declaring an emergency.

1st Reading .....	251
2nd Reading .....	260
Committee Report .....	390
Considered and advanced .....	450-451
3rd Reading and To House .....	537-538
4th Reading .....	627
Governor's action .....	795

ENGROSSED HOUSE BILL NO. 43—By COE, ELLIS, GRAHAM, CONNER, COPELAND, BILLINGS and MARSHALL, entitled: An Act regulating the possession, sale, and distribution of certain drugs, compounds, and mixtures; prohibiting the cultivation or harvesting of Cannabis Sativa—Cannabis Indica; prescribing a penalty for violation thereof; repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

1st Reading .....	539
2nd Reading .....	550
Committee Report .....	1115
Advanced .....	1535
Engrossed, amended, 3rd Reading and referred for engrossment .....	1992-1993
Engrossed and To House .....	2011
Senate Amendments accepted .....	2065
4th Reading .....	2097



ENGROSSED HOUSE BILL NO. 58—By ABERNATHY, GRAY, TURNER, SMALLEY, LANDINGHAM and STRICKLAND, entitled: An Act requiring licenses for the operation, maintenance, opening or establishing of stores in this state, prescribing the license or filing fees to be paid therefor, providing further for the disposition of the taxes and license fees so collected hereunder to the common school fund of the state, and providing the powers and duties of the Oklahoma Tax Commission in connection therewith, prescribing penalties for the violation thereof and declaring an emergency.

1st Reading .....	1221
2nd Reading .....	1256
Committee Report .....	1452
Considered, advanced, 3rd Reading and referred for engrossment .....	1508-1516
Notice lodged .....	1516
Governor's message and Committee appointed .....	1565
Motion to reconsider tabled .....	1966
Engrossed and To House .....	1970
Senate amendments accepted .....	2004
4th Reading .....	2024
Passed by House over Governor's veto .....	2245
Consideration deferred .....	2246
Senate fails to pass bill over veto and To House .....	2526

ENGROSSED HOUSE BILL NO. 65—By MALLORY, entitled: An Act amending Section 12040 Oklahoma Statutes 1931, pertaining to the Confederate pensions, and declaring an emergency.

1st Reading .....	1266
2nd Reading and to Calendar .....	1301
Considered and advanced .....	1326-1328
Engrossed .....	1390
3rd Reading and consideration deferred .....	1393
Amended, 3rd Reading and referred for engrossment .....	2029-2031
Engrossed and To House .....	2047
Senate amendments rejected, conference requested and House conferees appointed .....	2064
Conference granted and Senate conferees appointed .....	2064
House refuses to adopt Conference Committee report and requests further conference .....	2488
Further conference granted and Senate conferees appointed .....	2488
Conference Committee Report submitted and adopted .....	2549-2550
Passed as amended in conference and To House .....	2550-2551
4th Reading .....	2637

ENGROSSED HOUSE BILL NO. 67—By BURNHAM, WINGO, LANDINGHAM, SPECK, MALLORY, SULLIVAN, CLOYD, TODD, KENAN, BEAMAN, WATSON, GRAY, JONES, and BEAVER, entitled: An Act amending Section 12,754, Oklahoma Statutes, 1931, providing that Resales of Real Property for Delinquent Taxes shall not be held prior to the third Monday of April, 1935, and declaring an emergency.

1st Reading .....	446
2nd Reading .....	450
Withdrawn and referred .....	469
Committee Report .....	1458
Stricken .....	2577

ENGROSSED HOUSE BILL NO. 68—By WAGNER, entitled: An Act repealing Sections 3413, 3414, 3415, 3416, 3417, 3418, and 3419 Oklahoma Statutes 1921, establishing a County Court town at Coweta, Oklahoma, providing for the disposition of records of said Court, and declaring an emergency.

1st Reading .....	323
2nd Reading .....	339
Committee Report .....	672

ENGROSSED HOUSE BILL NO. 74—By WATSON, entitled: An Act amending Section 1, Chapter 39, of the Session Laws of 1927, the same being Section 1424 of the Oklahoma Statutes 1931, providing for the qualification of guardians as to residence.

1st Reading .....	251
2nd Reading .....	260
Withdrawn and substituted for Senate Bill No. 50 .....	675
Committee Report .....	693
Considered, advanced, 3rd Reading and referred for engrossment .....	754-755
Engrossed and To House .....	778
4th Reading .....	866
Governor's action .....	882

ENGROSSED HOUSE BILL NO. 79—By GLEN, LOGSDON, COX, KENAN and SULLIVAN, entitled: An Act authorizing several counties of this State upon an initiative petition of sixteen per centum of the total number of voters in said county to call an election to submit to the electors of the respective counties the question of whether the duties of the County Clerk shall be consolidated with the office of the

Court Clerk; providing procedure therefor and repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

1st Reading .....	1448
2nd Reading .....	1454

ENGROSSED HOUSE BILL NO. 80—By PHILLIPS (Atoka) and CHILDERS, entitled: An Act fixing the salary of President of the various State educational institutions, repealing all conflicting Acts, and declaring an emergency.

1st Reading .....	578
2nd Reading .....	618
Committee Report .....	1262

ENGROSSED HOUSE BILL NO. 86—By PHILLIPS of Okfuskee and CLINE of Kay, entitled: An Act amending Section 11274 of 1931 Statutes providing for the manner of giving notice in foreclosing chattel mortgage by advertisement, and declaring an emergency.

1st Reading .....	731
2nd Reading .....	752
Committee Report .....	843

ENGROSSED HOUSE BILL NO. 92—By MARTIN,—entitled: A Bill to be entitled an Act making appropriations from the public building fund for additional buildings at the State Hospital for Negro Insane at Taft, and directing the State Board of Public Affairs to proceed immediately to let contract for such building and declaring an emergency.

1st Reading .....	261
2nd Reading .....	294
Committee Report .....	511
Considered, advanced, 3rd Reading and referred for engrossment .....	561-563
Engrossed and To House .....	582-583
Senate amendments accepted .....	624
4th Reading .....	649
Governor' action .....	681

ENGROSSED HOUSE BILL NO. 94—By DANIEL of the House and CHAMBERLIN and GARVIN of the Senate.—An Act providing for an appropriation of Ten Thousand (\$10,000.00) Dollars for the remainder of the fiscal year ending June 30th, 1933, Thirty-Two Thousand Five Hundred (\$32,500.00) Dollars for the fiscal year ending June 30th, 1934, Thirty-Two Thousand Five Hundred (\$32,500.00) Dollars for the fiscal year ending June 30th, 1935, for the maintenance of Oklahoma orphan

children who are not in State institutions; providing for the expenditure of the same by the State Board of Public Affairs on a per capita basis; and declaring an emergency.

1st Reading .....	1432
2nd Reading .....	1440
Committee Report .....	1549
Advanced, 3rd Reading and referred for engrossment .....	1584-1585
Engrossed and To House .....	1604
Senate amendments accepted .....	1670-1671
4th Reading .....	1715
Governor's action .....	1797

ENGROSSED HOUSE BILL NO. 96—By CLOYD, entitled: An Act repealing Sections 1, 2, 3, 4, and 5, of Chapter 14, Article 18, Session Laws of Oklahoma 1909, the same being Sections 4010, 4011, 4012, 4013 and 4014, respectively, of Oklahoma Statutes 1931, relating to the holding of County Court at Lexington in Cleveland County, Oklahoma, and the procedure attendant thereto; and declaring an emergency.

1st Reading .....	251
2nd Reading .....	260
Committee Report .....	391
Considered and advanced .....	450
Consideration deferred .....	537, 551, 560, 619
3rd Reading and To House .....	653-654
4th Reading .....	701
Governor's action .....	1474

ENGROSSED HOUSE BILL NO. 99—By CHILDERS, entitled: An Act making it unlawful for any state official, board, commission or institution to purchase passenger automobiles at a cost of more than eight hundred (\$800.00) dollars, and declaring an emergency.

1st Reading .....	1155
2nd Reading .....	1157
Committee Report .....	1262
Advanced .....	1534

ENGROSSED HOUSE BILL NO. 100—By CHILDERS, BABB, CONNER and PHILLIPS (Atoka), entitled: An Act amending Section 3580, Oklahoma Statutes 1931, relating to the marketing of state-owned automobiles and trucks, and declaring an emergency.

1st Reading .....	1155
2nd Reading .....	1157
Committee Report .....	1708



ENGROSSED HOUSE BILL NO. 111—By MASSEY and DANIELS, entitled: An Act amending Section 6873, O. S. 1931, relating to bond of independent school district treasurer and providing for the designation of the County Treasurer as treasurer of independent districts, providing a penalty, and declaring an emergency.

1st Reading .....	469
2nd Reading .....	477
Committee report and referred .....	512
Committee report .....	910
Considered, advanced, 3rd Reading and referred for engrossment .....	984-988
Engrossed and To House .....	1028
Senate amendments accepted .....	1160
4th Reading .....	1172
Governor's action .....	1223

ENGROSSED HOUSE BILL NO. 113—By BROADDUS, SHOE-MAKE, and MARTIN, entitled: An Act amending Section 7040, Article 18, Oklahoma Statutes 1931, providing for the levy of a tax for separate schools, for the administration of the separate school tax for separate schools in independent school districts, and the method of issuing, registering and paying separate school warrants, and declaring an emergency.

1st Reading .....	1267
2nd Reading .....	1301
Committee report and referred .....	1450
Committee report .....	1659

ENGROSSED HOUSE BILL NO. 116—By PHILLIPS (Atoka), BABB and COX, entitled: An Act consolidating the office of County Assessor with that of County Treasurer, relating to the election and duties of the County Treasurer.

1st Reading .....	251
2nd Reading .....	260
Committee Report .....	353
Re-referred .....	385-386
Committee Report .....	556

ENGROSSED HOUSE BILL NO. 121—By DANIELS and MAL-LORY. An Act creating a textbook commission for the state of Oklahoma and providing for adoption of school textbooks to be used in the common schools and teachers' salaries of the State of Oklahoma.

1st Reading .....	1672
2nd Reading .....	1724

Committee Report .....	2050
Engrossed .....	2226
3rd Reading and referred for engrossment .....	2234-2235
Engrossed and To House .....	2238
Senate amendments rejected, conference requested .....	2329-2330
Conference granted and Senate conferees appointed .....	2330
House conferees appointed .....	2363
Conference Committee Report submitted and adopted .....	2391-2393
Passed, as amended in conference, and To House .....	2393-2394
4th Reading .....	2455

ENGROSSED HOUSE BILL NO. 125—By BATSON and COX, An Act authorizing several counties of the State, upon an initiative petition of sixteen per centum of the total number of voters in said county to call an election to submit to the electors of the respective counties the question of whether the duties of the county superintendent of public instruction shall be consolidated with the office of the county judge; providing procedure therefor and repealing all Acts and parts of Acts in conflict therewith, and declaring an emergency.

1st Reading .....	1477
2nd Reading .....	1486
Committee Report and referred .....	1659

ENGROSSED HOUSE BILL NO. 126—By KIGHT, FRALEY and WOOTEN, entitled: An Act amending Sections 3700 and 3704 of the Oklahoma Statutes of 1931 with reference to motor vehicles, repealing all laws in conflict, and declaring an emergency.

1st Reading .....	303
2nd Reading .....	329
Committee Report .....	2555

ENGROSSED HOUSE BILL NO. 132—By LEECRAFT, HAILE, BUSHYHEAD, BABB, McELHANEY, LINDSEY, and EBNEY (Pontotoc), entitled: An Act amending Section 12678, Oklahoma Statutes, 1931, and relating to taxes levied by the County Excise Boards.

1st Reading .....	625
2nd Reading .....	653
Committee Report .....	1097
Considered .....	1149-1150
Considered and advanced .....	1734
Special Order .....	2343
3rd Reading and notice lodged .....	2440-2441
Vote reconsidered by which failed .....	2447
Referred to Special Committee .....	2447

Special Committee report submitted and adopted .....	2520-2522
Advanced, 3rd Reading and referred for engrossment .....	2522-2523
Engrossed and To House .....	2541-2542
Senate amendments accepted .....	2626-2628
4th Reading .....	2338

ENGROSSED HOUSE BILL NO. 139—By CHILDERS, entitled:  
An Act vitalizing Section 33, Article 6, Constitution of Oklahoma, relating to the duty of state officers to make reports semi-annually and other reports when requested by the governor; providing the penalty for violations thereof and declaring an emergency.

1st Reading .....	624
2nd Reading .....	653
Committee Report .....	1211

ENGROSSED HOUSE BILL NO. 150—By PHILLIPS (Atoka), FRALEY, BATSON, CHILDERS, JESSEE, SULLIVAN, CLINE, CAVINS, McELHANEY, BENNETT, HART, MOONEY, KIGHT, TODD, BEAVER, COPELAND, WILMOT, ALLEN, BURNHAM, PALMER, WINGO, JOHNSON, (Comanche), LINDSEY, LOGSDON, BEARD, WOOTEN, KING (Coal), LOWRANCE, STEWART, BUSHYHEAD, OTTESEN, COX, GARLAND, LEECRAFT, BOYER, BLOCKER, LANDINGHAM, CONNOR, PHILLIPS (Okfuskee), WRIGHT, ARMSTRONG, entitled: An Act providing for the assessment of deficiency judgment secured by mortgages on foreclosures of real estate mortgages; providing the method thereof; providing a penalty for failure to assess such judgments; repealing all Laws in conflict therewith and declaring an emergency.

1st Reading .....	544
2nd Reading .....	560
Committee Report .....	1182
Considered and advanced .....	1240
3rd Reading and referred for engrossment .....	1240-1241
Notice lodged .....	1241
Motion to reconsider tabled and referred for engrossment .....	1408
Engrossed and To House .....	1426
4th Reading .....	1485

ENGROSSED HOUSE BILL NO. 151—By GRISSE, HAILE, DUKE, DANIELS, LEECRAFT, PALMER, EBEY (Pontotoc), LANDINGHAM, FITZGERALD, GRUNERT, ALBRIGHT, STURGELL, LINDSEY, HAYS, JONES and KING (Coal), CAVINS, entitled: An Act amending Section 12719, Oklahoma Statutes, 1931, providing for

the payment of ad valorem taxes in four equal installments, fixing penalty for delinquent taxes, and declaring an emergency.

1st Reading .....	1440
2nd Reading and to calendar .....	1454
Considered and advanced .....	1732
3rd Reading and To House .....	1847-1848
4th Reading .....	1916
Governor's action .....	2039

ENGROSSED HOUSE BILL NO. 154—By MARTIN, BROADDUS, and SHOEMAKE, entitled: An Act preventing the confiscation and misuse of milk cans or cream cans; providing for the introduction of evidence; providing for the issuance of a search warrant; providing for the filing and publication of brands; restricting transportation of branded containers and prescribing the penalty for the violation of this Act.

1st Reading .....	1282
2nd Reading .....	1319
Committee Report .....	1389
Considered and advanced .....	1409
3rd Reading and To House .....	2035-2036
4th Reading .....	2050
Governor's action .....	2416

ENGROSSED HOUSE BILL NO. 157—By CHILDERS, WORTHINGTON, SPECK, and SUTHERLAND of the House, and CHAMBERLIN and CURNUTT of the Senate, entitled: A Bill to be entitled An Act relating to the State Board of Accounting, the State Board of Barber Examiners, Board of Chiropractic Examiners, Board of Dental Examiners, State Board of Embalming of Oklahoma, State Board of Examiners of Architects, State Board of Examiners of Nurses, State Board of Medical Examiners, State Board of Pharmacy, State Board of Veterinary Medical Examiners, the State Bar, the State Board of Osteopathy and Building and Loan Board, Board of Optometry; providing for the payment of ten per cent of gross fees collected by each of said Boards into the state general revenue fund, fixing penalty for failure; providing that none of said Boards shall maintain an office in the state capitol building or conduct any examinations therein, and declaring an emergency.

1st Reading .....	702
2nd Reading .....	719
Committee Report .....	844
Considered and advanced .....	895



Engrossed .....	992
3rd Reading and To House .....	1017
Senate amendments accepted .....	1034
4th Reading .....	1071
Governor's action .....	1123

ENGROSSED HOUSE BILL NO. 161—By SULLIVAN, CAVINS, ULMARK, SPECK, WOOTEN, WINGO, KENAN, BENNETT, GRISO, KING (Greer), WORTHINGTON, BATSON, GRAY, ALBRIGHT, BEAMAN, CHILDERS, CLOYD, COX, SMALLEY, MALLORY, BURNHAM, WRIGHT, MOONEY, BUSHYHEAD, JONES, and KING (Coal), entitled: An Act amending Section 10,271, Oklahoma Statutes, 1931, relating to the payment of Motor Vehicle Registration License Fees, and declaring an emergency.

1st Reading .....	446
2nd Reading .....	459
Withdrawn and to calendar .....	703
Special Order .....	753
Stricken .....	2577

ENGROSSED HOUSE BILL NO. 165—By SPEAR, entitled: An Act providing for transportation of pupils in the State of Oklahoma, and declaring an emergency.

1st Reading .....	1266
2nd Reading .....	1301
Committee Report .....	1435
Advanced .....	2453
Engrossed .....	2555
3rd Reading and To House .....	2560-2561
Senate amendments accepted .....	2626-2627
4th Reading .....	2638

ENGROSSED HOUSE BILL NO. 168—By O'NEILL and EASON, entitled: An Act repealing Section 8010 Oklahoma Statutes 1931, relating to the salary of certain county officers and the number and salaries of certain deputy county officers in all counties of this State having a population of not less than ~~37,400~~, and not more than 37,750, and declaring an emergency.

1st Reading .....	578
2nd Reading .....	618
Committee Report .....	841
Advanced, 3rd Reading and To House .....	1495-1496
4th Reading .....	1538
Governor's action .....	1726

ENGROSSED HOUSE BILL NO. 169—By O'NEILL, entitled: An Act abolishing the Superior Court of Garfield County; providing for the disposition of all cases pending in said court; fixing the effective date of this Act.

1st Reading .....	784
2nd Reading .....	805
Committee Report .....	1368
Considered, advanced, 3rd Reading and referred for engrossment .....	2002-2004
Engrossed and To House .....	2069
Senate amendments accepted .....	2131
4th Reading .....	2.36
Governor's action .....	2417

ENGROSSED HOUSE BILL NO. 171—By CLINE, BRAZELL, BROADDUS, CHAMBERS, PHILLIPS (Okfuskee), STURGELL, GIBSON, BEAMAN, WRIGHT, TODD, MOONEY, OTTESEN, MALLORY, MISENHEIMER, BUSYHEAD, MARSHALL, KING (Coal), PARKS, BEAVER, LOWRANCE, JONES, SHOEMAKE, KIGHT and SINGLETON. An Act providing for the method of sale of property in mortgage, mechanics' lien or other lien foreclosures and on execution; providing for redemption of property by debtor, redemption by certain creditors of debtors; providing for issuance of certificates of purchase and of sheriff's deed; specifying terms, time and mode of redemption; providing for redemption of property sold in parcel, redemption of undivided interest, providing for issuance of sheriff's deed if property is unredeemed at end of redemption period to holder of certificate of purchase or his heirs; providing that real property once sold is not liable for sale for balance due; providing for purchaser of property or party entitled to deed under sale recovering damages for injuries or waste to property after sale; providing that holder of certificate of purchase may prevent waste or destruction of property, by securing injunction or having receiver appointed; providing for return of sale by sheriff, confirmation and order for sheriff's deed; providing that where property is bid in by or for prior creditor, sheriff shall not be entitled to charge any commission on said sale; providing that deed shall be sufficient evidence of the legality of the sale and the proceeding therein until the contrary be proved and shall vest title in the purchaser; providing the method and manner of foreclosing mortgages for the purchase price of real estate before one-third ( $1/3$ ) of the purchase price of such real estate shall have been paid by the purchaser thereof and prescribing the redemption period in such cases; that Section 457, Oklahoma Statutes, 1931, shall not be applicable to sales made

under the provisions of this Act; and all other Laws and parts of Laws in conflict herewith are hereby repealed, and declaring an emergency.

1st Reading .....	904
2nd Reading .....	920
Withdrawn and to calendar .....	1136
Withdrawn and re-referred .....	1157
Committee report and re-referred .....	1316-1317
Committee Report .....	1402

ENGROSSED HOUSE BILL NO. 179—By GRAHAM, entitled: An Act amending Sections 12019, 12020, 12021, 12022, and 12024, and repealing Section 12027, Oklahoma Statutes 1931; providing for inmates of the Oklahoma State Soldiers' Home to pay certain fee to the home where they received income and declaring an emergency.

1st Reading .....	1313
2nd Reading .....	1340
Committee Report .....	1527
Advanced .....	1818
Engrossed .....	2500
3rd Reading and To House .....	2502-2503
Senate amendments accepted .....	2626-2627
4th Reading .....	2633

ENGROSSED HOUSE BILL NO. 185—By SHOEMAKE, entitled: An Act amending Section 1065, Oklahoma Statutes, 1931, relating to fees for printing legal notices; and declaring an emergency.

1st Reading .....	1282
2nd Reading .....	1319

ENGROSSED HOUSE BILL NO. 187—By KIGHT and BATSON, entitled: A Bill to be entitled: An Act relating to the State School Land Department and to the duties and powers of the Commissioners of the Land Office, of the Secretary to the Commissioners, fixing the salary of the Secretary, providing for the sale of certain lands of the State, amending Sections 5455, 5458, 5495, 5508, 5522, 5527, 5630 and 5642, Oklahoma Statutes, 1931, repealing Sections 5497, 5498, 5499, 5504, 5505, 5506, 5507, 5508, 5512, 5520; 5521; 5530; 5531; 5532; 5534; to 5549, inclusive, 5551 to 5556, inclusive, 5561, 5562, 5565, 5566, 5567, 5572, 5573, 5574, 5576, 5577, 5580, to 5585 inclusive, 5593, 5597, to 5602; inclusive; 5605, 5629, and 5631 to 5641, inclusive, Oklahoma Statutes, 1931, and declaring an emergency.

1st Reading .....	578
2nd Reading .....	618
Returned To House .....	626

Returned by House -----	662
2nd Reading -----	675
Withdrawn and to calendar -----	1585
Governor's message -----	2224
Considered -----	2401
Special Order -----	2523
Considered, advanced, 3rd Reading and referred for engrossment -----	2616-2624
Engrossed and To House -----	2679-2680
House requested to return bill -----	2687
Request withdrawn for return of bill -----	2695
4th Reading deferred -----	2701
Senate amendments accepted -----	2703
4th Reading -----	2703

ENGROSSED HOUSE BILL NO. 190—By STURGELL and JOHNSON, entitled: An Act authorizing the Board of County Commissioners of any County to lease grounds, and buildings for county free fair purposes, authorizing a tax levy of not to exceed one half ( $\frac{1}{2}$ ) mill to be made for paying for leasing and maintaining such grounds and buildings, and prescribing details of the lease.

1st Reading -----	1024
2nd Reading -----	1029
Committee Report -----	2333

ENGROSSED HOUSE BILL NO. 191—By STURGELL, entitled: An Act to establish a holiday to be known as "Jefferson Day" and to provide for executive proclamation thereof.

1st Reading -----	1175
2nd Reading -----	1189
Committee Report -----	1676
Advanced -----	1999
3rd Reading and To House -----	2524-2525
4th Reading -----	2643

ENGROSSED HOUSE BILL NO. 194—By GRAHAM, CONNER, BILLINGS, ELLIS, COPELAND, MARSHALL and COE of the House and FIDLER and MORRISON of the Senate:—An Act providing for the disorganization of independent school districts for the purpose of annexing the territory disorganized to an adjacent independent school district; providing the procedure for such disorganization and annexation; authorizing the county superintendent to give notice of any such proposed disorganization and annexation and to complete such disorganization and annexation after notice; providing for appeals; fixing



the status of the warrant and bonded indebtedness of each district affected; providing that such annexation shall not affect the number of members of the Board of Education; fixing the status of all territory annexed; providing the manner in which electors may become candidates for treasurer or member of the Board of Education; validating and legalizing annexations heretofore made and requiring strict procedure after January 1, 1934; providing for a treasurer and board of education in such independent school districts; providing for the manner of their nomination and election; abolishing runoff primary in such school districts; providing that special elections for the purpose of voting bonds or increasing the general tax levy shall be solely in charge of the board of education; providing for the payment of the expenses of such elections and declaring an emergency.

1st Reading .....	1036
2nd Reading and to calendar .....	1081
Considered and advanced .....	1086
3rd Reading and To House .....	1109-1110
4th Reading .....	1114
Governor's action .....	1127

ENGROSSED HOUSE BILL NO. 197—By MASSEY: An Act to provide for the control and destruction of predatory animals; making an appropriation therefor, and prescribing the manner of its expenditure in cooperation with the Fish and Game Commission, repealing Sections 4865 to 4868, inclusive, Oklahoma Statutes 1931.

1st Reading .....	1442
2nd Reading .....	1454
Withdrawn and to calendar, under 3rd reading, as substitute for S. B. 107 .....	1489
Vote reconsidered by which advanced .....	1571
Considered and advanced .....	1596
Engrossed .....	2573
3rd Reading and To House .....	2605-2606
Senate amendments accepted .....	2626-2629
4th Reading .....	2634

ENGROSSED HOUSE BILL NO. 199—By TODD, JONES, COLLINS, MALLORY: An Act amending Section 4635, Oklahoma Statutes 1931, making it unlawful for persons practicing medicine as defined in said section to charge or collect fees in excess of twenty-five cents per mile, for or in making professional calls, making violations of said section a misdemeanor, and fixing the penalty therefor.

1st Reading .....	1284
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2nd Reading .....	1320
Committee Report .....	1945

ENGROSSED HOUSE BILL NO. 200—By HUGHES of Mayes County: An Act repealing Section 8121, Compiled Oklahoma Statutes, 1931, relating to the per diem and mileage of County Commissioners of Mayes County and declaring an emergency.

1st Reading .....	991
2nd Reading .....	1029
Committee Report .....	1115
Re-referred to Committee .....	1136

ENGROSSED HOUSE BILL NO. 209—By ALBRIGHT and DUKE of the House, entitled: An Act providing that this Act may be indexed and cited as "The Co-operative Marketing Association Act," authorizing the formation of non-profit, co-operative association, etc.

1st Reading .....	2457
2nd Reading and to calendar .....	2465
Advanced .....	2669
3rd Reading and To House .....	2673
4th Reading .....	2696

ENGROSSED HOUSE BILL NO. 219—By COLLINS: An Act repealing Section 8873, Oklahoma Statutes, 1931; abolishing the State Plant Board; providing that the duties now performed by said Board shall hereafter be performed by the State Board of Agriculture, defining the duties of said Board relating to seed, and declaring an emergency.

1st Reading .....	1394
2nd Reading .....	1406
Committee Report .....	1452
Advanced .....	1817
Considered .....	2512-2513
Engrossed .....	2555
3rd Reading and To House .....	2562-2563
Senate amendments accepted .....	2626-2627
4th Reading .....	2634

ENGROSSED HOUSE BILL NO. 220—By JUDICIAL REDISTRICTING COMMITTEE, House of Representatives: An Act creating twenty-three district court judicial districts in the state of Oklahoma; fixing time for convening court in the various counties of said districts; providing for the nomination and election of judges thereof; repealing Sections 3832 to 3857, inclusive, Oklahoma Statutes 1931, and all other

Acts and parts of Acts in conflict therewith; restricting the effective date of certain provisions of this Act; providing that the validity of any part or portion of this Act will not affect other parts or portions thereof.

1st Reading .....	1548
2nd Reading and to calendar .....	1570
Withdrawn and referred .....	1595
Committee Report .....	1760
Referred with instructions .....	2150
Considered .....	2182
Governor's message .....	2221
Withdrawn and to calendar .....	2225
Considered .....	2306-2612
Considered and advanced .....	2316-2321
Special Order .....	2321
Considered .....	2354-2355
3rd Reading and referred for engrossment .....	2370-2371
Engrossed and To House .....	2409-2410
Senate amendments rejected, conference requested and House conferees appointed .....	2466-2467
Conference granted .....	1467
Senate conference appointed .....	2477
Additional House conferee appointed .....	2537
Conference Committee Report submitted .....	2630-2631
Conference Committee Report adopted .....	2648-2649
Passed, as amended in conference, and To House .....	2649-2650
4th Reading .....	2679

ENGROSSED HOUSE BILL NO. 225—By ABERNETHY (Harmon), and LANDINGHAM of the House: An Act levying a tax on certain freight cars operated in this state measured by gross earnings; prescribing the rate therefor; defining terms; making such tax a lien on the property of the taxpayer; providing for withholding and payment by railroad companies operating said cars; providing for disposition of funds derived from said tax; providing for enforcement of this Act by the Oklahoma Tax Commission; authorizing said Commission to prescribe rules and regulations therefor; repealing Sections 12386 to 12397, inclusive, Oklahoma Statutes 1931, and Articles X and XIII, Chapter 66, Oklahoma Statutes 1931, and conflicting laws; and declaring an emergency.

1st Reading .....	1636
2nd Reading .....	1674
Committee Report .....	1738

Considered advanced, 3rd Reading and referred	
for engrossment .....	1822-1827
Engrossed and To House .....	1848
Senate amendments rejected, conference requested and	
House conferees appointed .....	1982
Conference granted and Senate conferees appointed .....	1982
Conference Committee Report submitted and adopted .....	2020-2021
Passed, as amended in conference, and To House .....	2021-2022
4th Reading .....	2051
Governor's action .....	2240

ENGROSSED HOUSE BILL NO. 228—By PHILLIPS (Atoka), WORTHINGTON, and PAXTON, entitled: An Act authorizing and directing the State Board of Public Affairs to establish, construct, equip and maintain and operate a substation of the Oklahoma State Penitentiary in Atoka County, Oklahoma, the initial structures thereof to be on lands near Stringtown, Oklahoma, owned by the State of Oklahoma and validating the purchase of the said the lands and the payment therefor out of the twine plant revolving fund of the Oklahoma State penitentiary, such substation to be used for prisoners sentenced to the Oklahoma State Penitentiary at McAlester before the coming into effect of this Act and prisoners sentenced to the said Penitentiary after the coming into effect of this Act whom the said Board shall believe should not be confined in the said penitentiary at McAlester because of their respective general conditions, especially those in tubercular condition or having other contagious diseases, and such other prisoners as the said Board shall deem it expedient to have cared for in the said substation; especially authorizing said Board to use the labor of the prisoners in constructing and equipping and in maintaining and operating the said substation; appropriating money from the Oklahoma State Penitentiary revolving fund and from said Penitentiary twine plant revolving fund for use in establishing, constructing, equipping and in maintaining and operating said substation; repealing the parts of House Bill No. 240 enacted by the Thirteenth Legislature which appropriated \$115,000.00 out of the general revolving fund and \$115,000.00 out of the twine plant revolving fund of the Oklahoma State Penitentiary for use for construction of additional cell houses or additions to cell houses or for the establishing of substations and camps wherever prisoners may be most profitably used; and declaring an emergency.

1st Reading .....	766
2nd Reading .....	782
Withdrawn and to calendar .....	1136
Considered and advanced .....	1226-1229



3rd Reading and emergency roll call deferred .....	1253
Roll call on emergency and To House .....	1272-1273
4th Reading .....	1315
Governor's action .....	1359

ENGROSSED HOUSE BILL NO. 229—By GRAY, entitled: An Act levying a stamp tax on the sale of cigarettes; prescribing the rate thereof; providing for stamps and the use thereof; providing for the enforcement of this Act by the Oklahoma Tax Commission and for rules and regulations in relation thereto; providing that the revenue derived hereunder, less expenses for collection and enforcement, shall be used to retire obligations of school districts and otherwise to reduce ad valorem taxes; creating a fund for the enforcement of this Act and for refunds, and making appropriations therefor; prescribing penalties; and declaring an emergency.

1st Reading .....	578
2nd Reading .....	618
Committee Report .....	1453, 1503
Minority Committee Report withdrawn .....	1759
Considered and advanced .....	1907-1912
Special Committee appointed .....	1919
Considered, advanced, 3rd Reading and referred for engrossment .....	1926-1937
Engrossed and To House .....	1939-1940
Senate amendments rejected, conference requested and House conferees appointed .....	1959
Conference granted and Senate conferees appointed .....	1959
Additional Senate conferee appointed .....	1981
Additional House conferee appointed .....	2005
Senate amendments rejected and bill returned .....	2216
House reconsiders vote by which conference was requested .....	2217
Governor's message .....	2223
Vote reconsidered by which passed .....	2236
Considered, advanced and 3rd Reading .....	2236-2238
Considered and 3rd Reading .....	2262-2264
Referred for engrossment .....	2265
Engrossed, motion to reconsider tabled, and To House .....	2275
4th Reading .....	2284

ENGROSSED HOUSE BILL NO. 236—By PHILLIPS (Okfuskee), entitled: An Act amending Section 12656, Oklahoma Statutes 1931, relating to the duties, powers and authority of the State Board of Equalization; providing additional powers and authority as to equalization

and adjustment of certain property: authorizing the Oklahoma Tax Commission to make investigations, hold hearings and make additional findings and recommendations relating to the valuation and equalization of property subject to ad valorem taxation; providing for forms for listing property for ad valorem taxation; requiring information from local officers relating to the assessment of property; providing for hearings of county officials and aggrieved taxpayers; repealing conflicting Laws; and declaring an emergency.

1st Reading .....	663
2nd Reading .....	675
Committee Report .....	1097
Considered .....	1276
Considered and referred .....	1557-1560
Committee Report .....	2151
Advanced .....	2214
Engrossed and considered .....	2366-2368
3rd Reading and referred for engrossment .....	2368-2369
Notice lodged and motion to reconsider tabled .....	2370
Engrossed and To House .....	2409-2410
Senate amendments rejected, conference requested and House conferees appointed .....	2457
House withdraws request for conference discharge conferees .....	2499
Senate amendments accepted .....	2499
4th Reading .....	2566

ENGROSSED HOUSE BILL NO. 238—By BROADDUS and PHILIPS (Okfuskee), entitled: An Act to amend Section 206, Oklahoma Statutes 1931, Volume I, providing what the answer in civil proceedings shall contain.

1st Reading .....	2442
2nd Reading and to calendar .....	2465

ENGROSSED HOUSE BILL NO. 239—By BROADDUS and PHILIPS (Okfuskee), entitled: An Act providing for the verification of pleadings in all civil actions.

1st Reading .....	2442
2nd Reading and to calendar .....	246,

ENGROSSED HOUSE BILL NO. 240—By BROADDUS, PHILIPS (Okfuskee). A bill entitled: An Act providing certain procedure for waiving right to have issues of fact determined by jury, requiring parties plaintiff to endorse on petition, amended petition, reply, amended reply, answer and amended answer to counter claim, when filed, as to whether jury required; and requiring defendant to

endorse on an answer, amended answer, counterclaim, amended counterclaim when filed, whether jury required; and providing that when all parties plaintiff and defendant joining in pleadings fail to make such endorsement that that shall be construed as to operate to waive right to have issues of fact tried by a jury and such case shall be placed on the non-jury docket for expeditious trial, with a proviso that in case any part thereto shall, within twenty days before said case is to be called for trial, present application to the judge of said court an application to have said cause stricken from the non-jury docket and order place on the jury docket for trial, such application shall be granted, and declaring an emergency.

1st Reading ----- 2192  
2nd Reading and to calendar ----- 2203

ENGROSSED HOUSE BILL NO. 242—By WRIGHT, CLINE, MORSE, BROADDUS, WORTHINGTON, WHITFORD, FRALEY, BOYER, KENAN, GRISSO, CHAMBERS, and KIRKPATRICK of the House and LOGAN and RUTHERFORD of the Senate, entitled: An Act repealing Section 10204 Compiled Oklahoma Statutes, 1921, levying an ad valorem tax of one-fourth of one mill upon all property for state highway construction fund.

1st Reading ----- 903  
2nd Reading ----- 919  
Committee Report ----- 1078  
Considered, advanced, 3rd Reading and notice lodged ---- 1181-1182  
Motion to reconsider tabled and To House -----1397-1398  
4th Reading ----- 1442  
Governor's action ----- 1525

ENGROSSED HOUSE BILL NO. 243—By BATSON. An Act authorizing the State Board of Public Affairs to use inmates of the deaf, blind and orphan institute at Taft and of the Training School for Negro Girls at Taft, in farming, gardening and improving lands belonging to the State Hospital for the Negro Insane at Taft pending the completion thereof and the removal of patients thereto, and declaring an emergency.

1st Reading ----- 1631  
2nd Reading and to calendar ----- 1674  
Advanced ----- 1818  
3rd Reading and To House -----1828-1829  
4th Reading ----- 1893  
Governor's action ----- 1996

ENGROSSED HOUSE BILL NO. 248—By HAILE, JONES, OTTESEN, BABB and LANDINGHAM, entitled: An Act amending Sections 12428, 12429, 12431, 12432, 12434, 12437, 12440, 12441 and 12444, Oklahoma Statutes 1931 providing for payment of gross production tax of asphalt, or of ores bearing lead, zinc, jack, gold, silver or copper, or of petroleum or crude oil or other mineral oil, or of natural gas or of casinghead gas; providing for enforcement thereof and apportionment of taxes and penalty, repealing conflicting laws and declaring an emergency.

1st Reading .....	1839
2nd Reading and to calendar .....	1897
Considered, advanced, 3rd Reading and To House .....	1956-1958
4th Reading .....	2006
Governor's action .....	2090

ENGROSSED HOUSE BILL NO. 249—By TODD, entitled: An Act amending Section 12399, Oklahoma Statutes 1931, relating to listing and assessing property of public service corporations; fixing January first as the assessment date; and providing for returns to be made to Oklahoma Tax Commission and declaring an emergency.

1st Reading .....	768
2nd Reading .....	782
Committee Report .....	887
Considered, advanced, 3rd Reading and referred for engrossment .....	1020-1021
Engrossed and To House .....	1079-1080
Senate amendments accepted .....	1112-1113
4th Reading .....	1132
Governor's Action .....	1178

ENGROSSED HOUSE BILL NO. 250—By BLOCKER, BATSON, GARLAND, GRAY, LEECRAFT, PHILLIPS and CAVINS, entitled: An Act making an appropriation from the general revenue fund to supplement the special common school equalization fund for the fiscal year ending June 30, 1933, and providing for the distribution thereof, and declaring an emergency.

1st Reading .....	539
2nd Reading and to calendar .....	559
Considered and made Special Order .....	642
Considered, advanced, 3rd Reading and referred for engrossment .....	685-687
Engrossed and To House .....	695
Senate amendments rejected and conference requested .....	731-732
Conference granted and Senate conferees appointed .....	732



House conferees appointed .....	764
Conference Committee report submitted and adopted .....	816
Passed, as amended in conference, and To House .....	817-818
4th Reading .....	866
Governor's action .....	882

ENGROSSED HOUSE BILL NO. 255—By WILLIAMS, entitled:  
An Act amending Sections 5586 and 5594, Oklahoma Statutes 1931,  
relating to the leasing for oil and gas mining purposes any or all of  
the state-owned lands set apart and designated for the use, benefit,  
and occupancy of state educational institutions, and declaring an  
emergency.

1st Reading .....	544
2nd Reading .....	560
Committee Report .....	1134
Considered and advanced .....	1409
3rd Reading and referred for engrossment .....	2235-2236
Engrossed and To House .....	2238
Senate amendments accepted .....	2406
4th Reading .....	2455

ENGROSSED HOUSE BILL NO. 257—By REMUND, OTTESEN,  
ABERNATHY (Harmon), BEARD, ARMSTRONG, CLINE, CLOYD,  
DOUTHAT, ELLIS, GARLAND, GRUNERT, GRAHAM, HINDS,  
JOHNSON, KENAN, LOGSDON, PHILLIPS (Okfuskee), STRICK-  
LAND (Marshall), SINGLETON, SMALLEY, WATSON, CAVITT,  
SULLIVAN, LEECRAFT, MALLORY, LINDSEY, BEAVER, GRAY.  
KING (Coal), BUSHYHEAD, MARSHALL, PAXTON, and ROBERTS  
of the House and RAY, HUTCHINSON, CHAMBERLIN, CURNUTT.  
COMMONS, LOGAN, MacDONALD, MEMMINGER, MORRISON.  
RITZHAUPT, RUTHERFORD and WHITAKER of the Senate, en-  
titled: An Act making appropriation for the operation and mainten-  
ance of the Soldiers' Tubercular Sanatorium, and declaring an emer-  
gency.

1st Reading .....	823
2nd Reading and to calendar .....	859
Considered and advanced .....	1086-1087
Engrossed and To House .....	1123-1124
Senate amendments accepted .....	1176
4th Reading .....	1287
Governor's action .....	1475

ENGROSSED HOUSE BILL NO. 258—By GRAY, PALMER, MAL-  
LORY, FRALEY, SULLIVAN, CAVINS, JESSEE, HART, BLOCKER.

KIGHT, ULMARK, CLOYD, BEAVER, ALLEN, SPECK, COX, HUGHES, TODD, MUNSON, JONES, CLINE, JOHNSON (Comanche), and MRS. DAVIS. An Act relating to school transfer fees; providing that the State shall pay all transfer fees, not exceeding Fifty-four (\$54.00) Dollars per transfer, setting aside one-third of the State's share of the tax levied on minerals, oil and gas produced in this State in a special fund to be known as the "State School Transfer Fund" to be used in paying said transfer fees, any surplus to be transferred to the general fund at the close of each fiscal year, prescribing details of paying the transfer fees; and declaring an emergency.

1st Reading .....	2005
2nd Reading and to calendar .....	2142
Stricken .....	216;

ENGROSSED HOUSE BILL NO. 260—By ELLIS, OTTESEN, FRALEY, BATSON, GRUNERT, COLLINS, SPECK, ALBRIGHT, JOHNSON (Comanche), ABERNATHY (Harmon), WINGO, HANKLA, BENNETT, KIRKPATRICK, LANDINGHAM, MOONEY, MALLORY, GLEN, HINDS, HARP, WILLIAMS, STURGILL, LINDSEY, SPEARS, JONES, LEECRAFT, BILLINGS, HART, COE, JOHNSON (Osage), SULLIVAN, COX.—An Act relating to the filing of tax protests and amending Section 12,306, Oklahoma Statutes, 1931, with reference to the time and manner of filing of protests; providing for the time and manner of hearing of protests by the excise board and for the filing of bond by the protestant; providing for an appeal from the excise board of the court of tax review; amending Sections 12,307 and 12,310 of the Statutes of Oklahoma, 1931; repealing all laws in conflict therewith and declaring an emergency.

1st Reading .....	1234
2nd Reading .....	1256
Committee Report .....	2239
Advanced .....	2516
3rd Reading and referred for engrossment .....	2527-2528
Engrossed and To House .....	2541-2542
Senate amendments rejected, conference requested .....	2564-2565
Conference granted and Senate conferees appointed .....	2565
House conferees appointed .....	2574
Additional House conferee appointed .....	2587-2588
Conference Committee report submitted and adopted .....	2659-2662
Failed of passage .....	2662-2663
Vote reconsidered by which failed .....	2669
Vote reconsidered by which Conference Committee Report adopted .....	2669

Conference Committee Report rejected and House requested to accept Senate Amendments .....	2669
Senate amendments rejected and conference requested .....	2686-2687
Conference granted and Senate conferees appointed .....	2687
House conferees appointed .....	2696
Vote reconsidered by which Conference Committee report rejected .....	2704
Conference Committee report adopted .....	2704
Fails of passage .....	2704-2705

ENGROSSED HOUSE BILL NO. 261—By DANIEL, entitled: An Act authorizing the Board of Trustees of the Town of Ryan, Jefferson County, Oklahoma, to remit and refund all penalties or interest on delinquent paying taxes and assessments in school district No. 1 of said town, providing conditions therefor and authorizing and directing the County Treasurer of Jefferson County to collect said paying taxes and assessments without collecting said interest and penalties, and declaring an emergency.

1st Reading .....	446
2nd Reading and to calendar .....	450
Considered, advanced, 3rd Reading and referred for engrossment .....	645-646
Engrossed and To House .....	655
Senate amendments accepted .....	701
House reconsiders vote by which Senate amendments accepted and asks Senate to recede .....	721-722
Senate reconsiders vote by which passed .....	722
Senate recedes from amendments .....	722
Passed and To House .....	722-723
4th Reading .....	769
Governor's action .....	883

ENGROSSED HOUSE BILL NO. 265—By PHILLIPS (Okfuskee), entitled: An Act repealing Chapter 127, Sections one and two, Session Laws of 1929, the same being Section 8169, Oklahoma Statutes 1931, with reference to the salaries of County Commissioners in Okfuskee County, Oklahoma, and declaring an emergency.

1st Reading .....	470
2nd Reading .....	477
Committee Report .....	628
Advanced, 3rd Reading and referred for engrossment .....	639-640
Engrossed and To House .....	655
Senate amendments adopted .....	701

4th Reading .....	734
Governor's action .....	883

ENGROSSED HOUSE BILL NO. 268—By BUSHYHEAD, entitled: An Act requiring each contractor engaged in the construction and maintenance of State Highways and whose contract requires the use of a certain percentage of labor in such construction to be citizens of the county where such work is being done, to have each of such citizens submit an affidavit signed by himself and two land owners of the county, stating that he has been an actual resident of the county at least six months, before said contractor shall pay him for the labor; providing penalties for violation thereof, and declaring an emergency.

1st Reading .....	1177
2nd Reading .....	1189

ENGROSSED HOUSE BILL NO. 269—By PHILLIPS, of Okfuskee, entitled: An Act repealing Chapter 193, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, Session Laws 1925, the same being Sections 8170, 8171, 8172, 8173, 8174, 8175, 8176, 8177, 8178, 8179, 8180, 8181, 8182, 8183, 8184, 8185, 8186, 8187, 8188, 8189, 8190, and 8191, Oklahoma Statutes 1931, the same referring to the salaries of deputies to county officers in Okfuskee County, Oklahoma, and declaring an emergency.

1st Reading .....	479
2nd Reading .....	477
Committee Report .....	629
Advanced, 3rd Reading and referred for engrossment .....	640-642
Engrossed and To House .....	655
Senate amendments accepted .....	702
4th Reading .....	734
Governor's action .....	884

ENGROSSED HOUSE BILL NO. 271—By CHILDERS and BABB, entitled: An Act amending Sections 12549, 12550, 12551, 12556, 12557, 12562, 12563, 12565, 12566, 12567, 12569, 12571, 12573, and 15529 Oklahoma Statutes, 1931, relating to, and providing for, the enforcement of the gasoline excise tax laws and the collection of tax thereunder by the Oklahoma Tax Commission; defining the term "gasoline" and other terms; prescribing additional penalties for violation of the gasoline excise tax laws and authorizing additional rules and regulations pertaining thereto; defining embezzlement and perjury, for violation of this Act and prescribing penalties; further extending provision for injunction and giving the Commission authority in certain cases to declare the excise tax due and payable forthwith; authorizing exercise



of discretion by Commission in issuance, extension, reinstatement, suspensions and cancellation of licenses; declaring what may be admitted as evidence in certain cases; repealing conflicting laws and declaring an emergency.

1st Reading .....	733
2nd Reading .....	752
Committee Report .....	844
Considered .....	1030-1033
Considered .....	1061-1063
Considered .....	1067-1068
Considered .....	1087-1089
Considered and advanced .....	1095-1096
Engrossed .....	1137
3rd Reading and referred for engrossment .....	1143-1145
Engrossed and To House .....	1158
Senate amendments rejected and conference requested .....	1221
Conference granted and Senate conferees appointed .....	1221
House conferees appointed .....	1270, 1284
Conference Committee Report submitted and adopted .....	1426-1428
Consideration deferred .....	1428
Vote reconsidered by which conference committee report adopted .....	1442
Conference Committee report rejected and further conference requested .....	1442
House grants further conference and appoints conferees .....	1464-1465
Senate conferees appointed .....	1465
Conference Committee report submitted and rejected .....	1542-1544
Further conference requested .....	1544
House refuses to grant further conference and requests Senate to adopt report .....	1564-1565
House asked to grant further conference .....	1591
House grants further conference and appoints conferees .....	1631-1632
Conference Committee report submitted and adopted .....	1716-1717
Passed, as amended in conference, and To House .....	1717-1718
4th. Reading .....	1751
Governor's action .....	1798

ENGROSSED HOUSE BILL NO. 274—By CHAMBERS, entitled:  
An Act authorizing and directing the Board of Public Affairs to execute a release and waiver to School District No. 7, Tulsa County, Oklahoma, of all rights and authority the state of Oklahoma has to explore and develop oil and gas and its right to join in or agree to the execution of a lease for the development and exploration of oil and gas on the Southeast quarter of the northeast quarter, and

the northeast quarter of the southeast quarter of Section eleven (11), township eighteen (18) north, range fourteen (14) east of the Indian base and meridian, containing eighty (80) acres according to the United States government survey thereof, and which rights, authority and privileges were referred to and reserved to the state of Oklahoma in Senate Joint Resolution No. 23, of the regular session of the Sixth Legislature of the state of Oklahoma; and declaring an emergency.

1st Reading .....	395
2nd reading and to calendar .....	450
Considered .....	1152-1153
Advanced .....	1534
3rd Reading and referred for engrossment .....	2469-2470
Engrossed and to House .....	2487
Senate amendments accepted .....	2543
4th Reading .....	2590

ENGROSSED HOUSE BILL NO. 27<sup>b</sup>—By WILLIAMS, entitled: An Act amending Section 7056, O. S. 1931, providing for the transfer of high school pupils outside the State, and declaring an emergency.

1st Reading .....	2302
2nd reading and to calendar .....	2348

ENGROSSED HOUSE BILL NO. 294—By HOGG and JONES, entitled: An Act amending Section 12797, Oklahoma Statutes, 1931, relating to unlawful discriminations in the purchase or sale of commodities to general use and in rendering of service to the public; and declaring an emergency.

1st Reading .....	906
2nd Reading .....	920
Withdrawn and to calendar .....	1417
Considered and referred to Special Committee .....	2054-56
Committee Report .....	2152
Advanced .....	2511
3rd Reading and referred for engrossment .....	2571-2572
Engrossed and to House .....	2577
Senate amendments accepted .....	2626-2627
4th Reading .....	2634

ENGROSSED HOUSE BILL NO. 305—By BATSON, GRAY, COX, BLOCKER, HENDERSON and LEECRAFT, entitled: An Act amending Sections 10268, 10269, 10271, 10272, 10273, 10274, 10278, 10280, 10283, 10288, 10316, 10317, 10320 and 10323, Oklahoma Statutes 1931; defining motor vehicles, vehicles and other terms; levying license

fees on such vehicles, when owned, possessed or operated within this state, licensing manufacturers and dealers in such vehicles, and prescribing method of computing such fees; defining the purposes of this Act; regulating the use of vehicles on the public highways of the state, and limiting certain of them as to width, length, height, weight and speed; providing for the computation and collection of such fees; authorizing rules and regulations pertaining thereto; providing for the disposition of the revenues derived under this Act; prescribing penalties for the violation hereof; repealing Sections 10270, 10275, 10276, 10277, 10279, 10281, 10282 and 10284, Oklahoma Statutes, 1931, and all Acts or parts of Acts in conflict herewith; providing that vehicles not licensed for the year 1933 and prior years, when this Act becomes effective shall be licensed hereunder; and declaring an emergency.

1st Reading .....	906
2nd Reading .....	919
Committee report and re-referred .....	1291
Committee Report .....	1368
Considered and advanced .....	1418-1425
Engrossed .....	1454
3rd Reading and to House .....	1461-1462
Senate amendments rejected, conference requested .....	1483-1484
Conference granted and Senate conferees appointed .....	1484
House conferees appointed .....	1504
Additional Senate conferee appointed .....	1571
Additional House conferee appointed .....	1600
Conference Committee report submitted and consideration deferred .....	1697-1700
Conference Committee report rejected and further conference requested .....	1718-1720
House grants further conference and appoints conferees .....	1761-1762
Senate conferees appointed .....	1762
Additional Senate conferees appointed .....	1843
Additional House conferee appointed .....	1881
Conference Committee report submitted and adopted .....	1903-1905
Passed, as amended in conference, and to House .....	1906
4th Reading .....	1955
Governor's action .....	2039

ENGROSSED HOUSE BILL NO. 306—By GARLAND and HAILLÉ, entitled: An Act amending Section 9666. Compiled Oklahoma Statutes 1921 (omitted from 1931 Compiled Oklahoma Statutes), relating to the assessment of taxable property, providing for procedure for such

assessment, penalty for non-assessment; repealing all Acts in conflict therewith and declaring an emergency.

1st Reading .....	753
2nd Reading .....	782
Committee Report .....	887
Considered and advanced .....	1023
Consideration deferred .....	1030
3rd Reading and to House .....	1142-1143
4th Reading .....	1172
Governor's action .....	1223

ENGROSSED HOUSE BILL NO. 310—By LOGSDON and KIGHT, entitled: An Act relating to civil and criminal procedure, repealing all Acts or parts of Acts in conflict herewith and declaring an emergency.

1st Reading .....	1407
2nd Reading .....	1417

ENGROSSED HOUSE BILL NO. 316—By OTTESEN, FRALEY, COX, HAILE, DUKE, DANIELS, LEECRAFT, PALMER, EBEL (Pon-totoc), LANDINGHAM, FITZGERALD, GRUNERT, ALBRIGHT, STURGEELL, LINDSEY, HAYS, JONES and KING (Coal).—An Act amending Sections 6842, 12372, 12581, 12582, 12593, 12613, 12615, 12640, 12646, 12660, 12661 and 12674, Oklahoma Statutes, 1931, relating to the listing, assessing and equalizing of property for ad valorem taxation: defining the duties, powers and authority of certain officials in relation thereto and also in relation to levies and appropriations; providing administrative appeals; making the performance of such duties mandatory; fixing penalty for neglect or delay; repealing Sections 12594, 12612, 12641, 12642, 12643, 12647, 12651, 12652, 12655, Oklahoma Statutes 1931, and all conflicting laws; and declaring an emergency.

1st Reading .....	1477
2nd Reading .....	1486
Committee Report .....	1527
Considered and advanced .....	1728-1732
Engrossed, considered and referred for re-engrossment .....	1768-1769
Engrossed, 3rd Reading and referred for re-engrossment .....	1845-1847
Engrossed and to House .....	1858
4th Reading .....	1916
Governor's action .....	2040

ENGROSSED HOUSE BILL NO. 318—By TIMMONS, KIRKPATRICK, CHAMBERS and EBY (Tulsa), BOYER, BEARD and LOGS-



DON, entitled: An Act amending Section 7042, O. S. 1931, providing for the transfer and transportation of pupils in separate schools; repealing all Acts in conflict herewith, and declaring an emergency.

1st Reading .....	615
2nd Reading .....	638
Committee Report .....	673
Advanced .....	1818
3rd Reading and to House .....	2082-2083
4th Reading .....	2121

ENGROSSED HOUSE BILL NO. 319—By CLOYD, entitled: An Act creating a court fund, providing procedure for the expenditure thereof, and declaring an emergency.

1st Reading .....	768
2nd Reading .....	782
Committee Report .....	2334
Advanced .....	2450
3rd Reading and referred for engrossment .....	2453-2454
Engrossed and to House .....	2477
Senate amendments accepted .....	2544-2545
4th Reading .....	2590

ENGROSSED HOUSE BILL NO. 320—By KING, LANDINGHAM and WATSON, entitled: An Act dividing Creek County, Oklahoma, into three legislative nominating districts for the purpose of nominating candidates for the Legislature by the various legally constituted political parties, to become candidates in the general election to the House of Representatives of the State of Oklahoma, for the remainder of the decennial period ending on the 15th day after the general election in 1942.

1st Reading .....	703
2nd Reading .....	719
Committee Report .....	1830
Considered and advanced .....	2491-2493
3rd Reading and to House .....	2497-2498
Senate amendments accepted .....	2544,
4th Reading .....	2644

ENGROSSED HOUSE BILL NO. 338—By JOHNSON, STURGELL and CLINE of the House and CURNUTT of the Senate.—An Act amending Section 2274, Oklahoma Statutes 1931, prohibiting the unlawful connecting to or tapping of any pipe line or conduit through which crude oil, naptha, gas, gasoline, casinghead gas, or any of the products thereof is transported, defining what constitutes

tapping and declaring such acts to be felonies, and fixing punishment for the violation thereof, and declaring an emergency.

1st Reading .....	1477
2nd Reading .....	1486
Committee Report .....	1976

ENGROSSED HOUSE BILL NO. 340—By BROADDUS, CHAMBERS, HILL, CONNER, LOGSDON, PHILLIPS (Okfuskee) and SINGLETON, entitled: An Act amending Section 1678, Chapter 13 of the Oklahoma Statutes of 1931, providing against the marriage of white persons with negroes, or persons of African descent, or fornication between such persons; defining fornication within the meaning of this Act; fixing a penalty, and declaring an emergency.

1st Reading .....	2023
2nd Reading .....	2063
Committee Report .....	2334

ENGROSSED HOUSE BILL NO. 346—By CHAMBERS, LOGSDON, KIRKPATRICK.—An Act to amend Section 9695, Oklahoma Statutes, 1931, relating to attesting deeds or other instruments affecting real estate executed by a corporation, except when executed by an attorney in fact, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

1st Reading .....	1394
2nd Reading .....	1406
Committee Report .....	1435
Considered and advanced .....	2056-2057
Engrossed .....	2302
Considered, 3rd Reading and referred for engrossment .....	2304-2305
Engrossed and To House .....	2335
4th Reading .....	2443

ENGROSSED HOUSE BILL NO. 361—By SPECK, entitled: An Act amending Section 1674, Oklahoma Statutes 1931, providing for the issuance and recording of marriage licenses and delivery of certificate of marriage, and declaring an emergency.

1st Reading .....	2330
2nd Reading and to calendar .....	2438

ENGROSSED HOUSE BILL NO. 363—By SHOEMAKE.—Entitled: An Act amending Section 6503, Oklahoma Statutes 1931, relating to Publication of Docket and fees in the city court; and declaring an emergency.

1st Reading .....	784
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2nd Reading .....	805
Committee Report .....	1435

ENGROSSED HOUSE BILL NO. 364—By JONES, entitled: An Act repealing Chapter 100, Sections 1 and 2, Session Laws, 1923, the same being Sections 7910 and 7911, Oklahoma Statutes, 1931; repealing Chapter 121, Section 1, Session Laws, 1927, the same being Section 7908, Oklahoma Statutes, 1931, repealing Chapter 180, Section 1, Session Laws, 1927, the same being Section 7905, Oklahoma Statutes 1931; repealing Chapters 88 and 89, Session Laws, 1929, same being Sections 7907 and 7909, Oklahoma Statutes, 1931, repealing Article 11, Sections 1, 2 and 3, Chapter 35, Session Laws, 1931, Sections 1 and 2 being Sections 7903 and 7904, Oklahoma Statutes, 1931, all with reference to the salaries of deputies in county offices in Beckham County, Oklahoma, and declaring an emergency.

1st Reading .....	540
2nd Reading .....	550
Committee Report .....	819
Advanced, 3rd Reading and To House .....	1806-1807
4th Reading .....	1956
Governor's action .....	2240

ENGROSSED HOUSE BILL NO. 366—By DANIEL CHAMBERS, CONNER and LEECRAFT.—An Act to amend Sections 4900, 4901, 4903, 4904, and 4907, Chapter 24, Article 23, Oklahoma Statutes 1931, relating to the sale of securities, and declaring an emergency.

1st Reading .....	1545
2nd Reading .....	1570
Committee Report .....	1709
Advanced .....	1956
Engrossed .....	2595
3rd Reading and To House .....	2596-2597
Senate amendments accepted .....	2626-2629
4th Reading .....	2634

ENGROSSED HOUSE BILL NO. 368—By SHOEMAKE and AL-BRIGHT, entitled: An Act providing that where more than one year's delinquent tax has accrued on real property, the amount due any one year may be paid without regard to the amounts due for said other years and declaring an emergency.

1st Reading .....	1155
2nd Reading .....	1157
Committee Report .....	1453

ENGROSSED HOUSE BILL NO. 369—By GIBSON, FITZGERALD, EBEEY (Pontotoc), and COPELAND, entitled: An Act authorizing the Insurance Commissioner for certain causes to request the appointment of a receiver for the operation or liquidation of insurance companies authorized to do business in this state; setting out the manner of the operation of said companies by the Insurance Commissioner; providing that no other person other than the Insurance Commissioner may ask for the appointment of a receiver and declaring an emergency.

1st Reading .....	2042
2nd Reading and to calendar .....	2063
Considered and advanced .....	2296-2297
Engrossed .....	2568
3rd Reading and to House .....	2572-2573
4th Reading .....	2639

ENGROSSED HOUSE BILL NO. 373—By ALBRIGHT, COLLINS, ALLEN, O'NEILL and JESSEE, entitled: An Act amending Section 9046, Oklahoma Statutes, 1931, providing that persons employed in feeding, grazing or herding domestic animals, whether in pasture or otherwise, shall have first and prior lien on said animals for the amount due for such feeding, grazing or herding; providing for the enforcement of said lien.

1st Reading .....	2135
2nd Reading and to calendar .....	2202
Stricken .....	2516

ENGROSSED HOUSE BILL NO. 387—By EBEEY (Pontotoc) and HAILE.—An Act amending Sections 12669 and 12675 Oklahoma Statutes 1931, limiting the maximum ad valorem tax levy which may be made by counties, cities, towns, townships and school districts; further defining the duties and powers of county excise boards; repealing Sections 10195 and 10196 Oklahoma Statutes 1931, and conflicting laws; and declaring an emergency.

1st Reading .....	1477
2nd Reading .....	1486
Committee Report .....	1528
Considered and advanced .....	1851-1854
Engrossed .....	1965
Considered .....	1966
3rd Reading and To House .....	2076-2077
Notice lodged and motion to reconsider tabled .....	2078
Senate amendments accepted .....	2121



4th Reading .....	2137
Governor's action .....	2241

ENGROSSED HOUSE BILL NO. 395—By WHITFORD, entitled:  
An Act providing for optional road work by prisoners serving jail sentence; allowing a credit of two days time for each day's work; providing for supervision of such work; repealing all laws in conflict and declaring an emergency.

1st Reading .....	1155
2nd Reading .....	1157
Committee Report .....	1292
Advanced .....	1597
Engrossed .....	2687
3rd Reading and To House .....	2692-2693
Senate amendments accepted .....	2697
4th Reading .....	2700

ENGROSSED HOUSE BILL NO. 396—By CLOYD, BEAVER, LINDSEY, and HART of the House and BALLARD and PAUL of the Senate, entitled: An Act creating nominating districts in the Nineteenth Senatorial District of the State of Oklahoma; providing the time for nominating Senators therein; providing that the candidates so nominated shall be voted for in the entire district at the general election; and declaring an emergency.

1st Reading .....	615
2nd Reading .....	638
Committee Report .....	693
Considered and advanced .....	738
Consideration deferred .....	754
3rd Reading and To House .....	861-862
4th Reading .....	908
Passed by House over Governor's veto .....	1063-1064
Passed by Senate over Governor's veto .....	1065-1066
Enrolled copy returned to House .....	1066

ENGROSSED HOUSE BILL NO. 409—By SHOEMAKE, entitled:  
An Act repealing Section 8131, Oklahoma Statutes 1931; relating to the mileage and per diem of County Commissioners in Muskogee County and declaring an emergency.

1st Reading .....	615
2nd Reading .....	638
Committee Report and re-referred .....	845
Committee Report .....	978
Considered and advanced .....	1151

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3rd Reading and To House .....	1170-1171
4th Reading .....	1222
Governor's action .....	1406

ENGROSSED HOUSE BILL NO. 415—By McELHANEY and MISENHEIMER.—An Act amending Section 4806, Oklahoma Statutes, 1931, relating to licenses for hunting and fishing and declaring an emergency.

1st Reading .....	1091
2nd Reading .....	1118
Withdrawn and to calendar .....	1591
Advanced .....	2092
3rd Reading and To House .....	2451-2452
4th Reading .....	2539

ENGROSSED HOUSE BILL NO. 416—By LEECRAFT, entitled: An Act for the purpose of carrying out the provisions of Section 3, Article X, of the Constitution of Oklahoma, relating to the payment of the current expenses of the State Government, when the same shall exceed the income from previous fiscal years; levying taxes for the payment of the outstanding warrant indebtedness of the state representing deficiencies for previous fiscal years; amending the provisions of Article 9 H, Chapter 20, and Article 11, Chapter 50, and Article 16, Chapter 66, Oklahoma Statutes 1931, and amendments thereto, relating, respectively, to motor carrier taxes, motor vehicle licenses, and to the excise tax on gasoline.

1st Reading .....	906
2nd Reading .....	919
Committee Report .....	1364
Special Order .....	1426
Considered and advanced .....	1443-1447
Re-referred to Committee .....	1458
Committee Report .....	1502
Considered .....	1603
Considered and advanced .....	1605-1607
3rd Reading and referred for engrossment .....	1608-1609
Engrossed and To House .....	1619
Senate amendments rejected, conference requested and House conferees appointed .....	1647-1648
Conference granted and Senate conferees appointed .....	1648
Conference Committee report submitted and consideration deferred .....	1700-1703
Consideration deferred .....	1724

Conference Committee report rejected, further conference requested and Senate conferees appointed .....	1747-1748
House grants further conference and appoints conferees .....	1762-1763
Conference Committee Report submitted and consideration deferred .....	1871-1875
Conference Committee Report adopted .....	1899
Passed, as amended in conference, and To House .....	1899-1900
4th Reading .....	1949
Governor's action .....	1997

ENGROSSED HOUSE BILL NO. 418—By WAGNER and MARTIN.—An Act authorizing the county commissioners of the several counties in Oklahoma to rent property acquired by such counties on re-sale.

1st Reading .....	2095
2nd Reading and to calendar .....	2142

ENGROSSED HOUSE BILL NO. 434—By SINGLETON and JONES.—An Act providing for the cancellation and remission of penalties on delinquent special assessments by the governing board of cities and towns under certain conditions; and further providing for the compromise of certain delinquent special assessments by said governing board under certain conditions, and declaring an emergency.

1st Reading .....	1631
2nd Reading and to calendar .....	1675
Considered, advanced, 3rd Reading and referred for engrossment .....	1769-1771
Engrossed and To House .....	1795
Senate amendments accepted .....	1882
4th Reading .....	1917
Governor's action .....	2242

ENGROSSED HOUSE BILL NO. 437—By WINGO, entitled: An Act changing the method of changing the boundary or the name of wards in cities and towns, repealing Sections 6123 and 6124 of the Oklahoma Compiled Statutes 1931, being the same as Sections 4458 and 4459 respectively C. O. S. 1921, and declaring an emergency.

1st Reading .....	1484
2nd Reading .....	1508
Withdrawn and to calendar .....	1570
Advanced .....	2449
3rd Reading and referred for engrossment .....	2518-2519
Engrossed and To House .....	2541-2542
Senate amendments accepted .....	2626-2628

4th Reading .....	2644
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ENGROSSED HOUSE BILL NO. 441—By WOOTEN and HILL, entitled: An Act amending Section 8329, Oklahoma Statutes, 1931, abolishing the office of county evidence man in Seminole County, providing for the appointment of an additional Assistant County Attorney who shall be a resident of Konawa, Oklahoma, to prosecute cases which are tried at Konawa; setting his salary at fifty dollars per month; permitting him to engage in the private practice of law under certain conditions, and declaring an emergency.

1st Reading .....	703
2nd Reading and to calendar .....	719
Withdrawn and to Committee .....	898

ENGROSSED HOUSE BILL NO. 445—By SMALLLEY and ABERNATHY, (Pottawatomie), entitled: An Act amending Sections One and Two, Chapter 66, Article 19, Session Laws, 1931, relating to the county delinquent personal tax collector of Pottawatomie County, Oklahoma; and declaring an emergency.

1st Reading .....	731
2nd Reading .....	752
Committee Report .....	2410
Considered and Advanced .....	2511-2512

ENGROSSED HOUSE BILL NO. 451—By PHILLIPS (Atoka), entitled: An Act abolishing the office of County Engineer of Atoka County and providing the duties of said office shall be performed by the County Surveyor, and declaring an emergency.

1st Reading .....	721
2nd Reading .....	752
Committee Report .....	2471
Advanced, 3rd Reading and referred for engrossment ....	2657-2658
Engrossed and To House .....	2668
Senate amendments rejected .....	2698

ENGROSSED HOUSE BILL NO. 460—By BROADDUS and SHOE-MAKE.—Entitled: An Act Amending Section 6491, Oklahoma Statutes, 1931, providing for the appointment of the marshal and clerk of the city courts in all cities having a population of 25,000 and less than 55,000, as shown by last Federal census or any Federal census hereafter, and further amending Section 6502, Oklahoma Statutes 1931, with reference to the judges of said court, and fixing the amount of his bond, and declaring an emergency.

1st Reading .....	784
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2nd Reading .....	805
Committee Report .....	1183
Withdrawn and referred to Committee .....	1270
Committee Report .....	1292
Considered and advanced .....	1400
Engrossed .....	1454
3rd Reading and referred for engrossment .....	1466-1467
Engrossed and To House .....	1482
4th Reading .....	1538
Governor's action .....	1726

ENGROSSED HOUSE BILL NO. 462—By GRAHAM, COPELAND, BILLINGS, MARSHALL, ELLIS, COE and CONNER of the House, and FIDLER of the Senate entitled: An Act authorizinz the City Council of the City of Oklahoma City, State of Oklahoma, to levy a special tax in addition to, in excess of, and beyond ad valorem tax levies for current expenses authorized by law, a special tax of not to exceed one-fourth of one mill for the purpose of making payments for premiums to certain exhibitors at the Oklahoma State Fair and Exposition, limiting the amount of funds thus to be raised, providing for the manner in which premiums to exhibitors shall be disbursed; and declaring an emergency.

1st Reading .....	766
2nd Reading .....	782
Committee Report .....	802
Considered and advanced .....	831
3rd Reading and To House .....	863-864
4th Reading .....	909
Vote reconsidered by which failed to pass over Governor's .....	2525
Passed over veto and To House .....	2525-2526

ENGROSSED HOUSE BILL NO. 464—By DANIEL, entitled: An Act providing that the County Superintendent of Health of Jefferson County, Oklahoma, shall be paid a salary of fifty dollars per month and, in addition thereto, be allowed his necessary expenses in the discharge of his duties and declaring an emergency.

1st Reading .....	768
2nd Reading .....	783
Committee Report and indefinitely postponed .....	820

ENGROSSED HOUSE BILL NO. 460, by GRAHAM, CONNER, ELLIS, BILLINGS, COPELAND, MARSHALL and COE of the House and FIDLER and MORRISON of the Senate, entitled: An Act relating to independent school districts containing a city having a

population in excess of 75,000 inhabitants; fixing the number of and the time and manner of election and terms of office of the members and treasurer of the Board of Education thereof; providing for the extending of ward lines of such city containing a population in excess of 75,000 inhabitants to include for school purposes territory in such independent school district lying outside the limits of such city; legalizing and validating certain acts of the county superintendents of public instruction done or performed prior to January 1st, 1932, of counties within which such independent school district exists, and legalizing and validating all acts of boards of education done or performed pursuant to such acts of such county superintendents of public instruction having to do with disorganizing independent school districts, or uniting two or more independent school districts, or attaching to any such independent school district, containing a city having such population, a part or the whole of any incorporated town or village; excepting from the provisions of this Act any such independent school district where the largest city therein has provided or may hereafter provide by city charter or ordinance enacted pursuant to such city charter, for the number, time and manner of the election of such board of education, and validating any such city charter provision or ordinance enacted pursuant thereto; repealing Section 6865, Oklahoma Statutes, 1931; and repealing Sections 6854 to 6859, inclusive, Oklahoma Statutes, 1931, insofar as they relate to independent school districts containing a city having a population in excess of 75,000 inhabitants; and declaring an emergency.

1st Reading .....	768
2nd Reading and to calendar .....	782-783
Considered, advanced, 3rd Reading and To House .....	808-809
4th Reading .....	842

ENGROSSED HOUSE BILL NO. 469—By HUGHES.—An Act authorizing the Board of Affairs to acquire the old union mission site in Mayes County, Oklahoma, and make an appropriation to improve and preserve same.

1st Reading .....	1442
2nd Reading .....	1454
Committee Report .....	1616
Advanced .....	1999
3rd Reading and To House .....	2000-2001
4th Reading .....	2025

ENGROSSED HOUSE BILL NO. 477—By WHITFORD.—Entitled: An Act repealing Sections 8159 to 8163, inclusive, Oklahoma

Statutes, 1931; same being special salary Act relating to Nowata County only, and declaring an emergency.

1st Reading .....	785
2nd Reading .....	805
Committee Report .....	1116
Advanced .....	1507
3rd Reading and To House .....	2494-2495
4th Reading .....	2567

ENGROSSED HOUSE BILL NO. 480—By COMMITTEE.—An Act to encourage the propagation of pheasants in the state of Oklahoma, and to provide licenses therefor, and declaring an emergency.

1st Reading .....	1540
2nd Reading .....	1570
Withdrawn and to calendar .....	1579
Considered advanced, 3rd Reading and To House .....	1609-1611
4th Reading .....	1715

ENGROSSED HOUSE BILL NO. 481—By HOLLIMAN, HAILE, WATSON and PHILLIPS (Okfuskee) of the House, and GARVIN, WALDREP and WILBANKS of the Senate.—An Act defining and prohibiting waste of crude petroleum and natural gas, and providing for the ratable and equitable taking thereof from common sources of supply; conferring authority upon, and defining the duties, powers and authority of, the Corporation Commission in connection with the enforcement of this Act, and prescribing the character of notice and procedure to be followed by the Corporation Commission hereunder; regulating all producers, purchasers and common carriers of crude petroleum so as to prevent inequitable taking and waste; prescribing penalties and other relief for violation of this Act and of rules, regulations or orders promulgated by the Corporation Commission hereunder; providing for proceedings for injunction in the district courts to enjoin the violation of and to enforce the provisions of this Act and the orders, rules and regulations of the Corporation Commission made in pursuance hereof; declaring certain violations hereof, and violations of certain rules, regulations or orders promulgated by the Corporation Commission hereunder, to be crimes, and prescribing the punishment therefor; creating the offices of proration umpire, assistant proration umpire and proration attorney, for the enforcement of this Act, and providing for their appointment and removal and defining their duties, powers and authority, and fixing their term of office, bonds and compensation; providing for the appointment of deputies and employees to aid in the enforcement of this Act, defining

their duties, power and authority, and fixing their compensation; providing for expenses of administration in connection with this Act and for the creation of a special fund, to be known as the "proration fund," to be used exclusively in the enforcement of this Act; repealing all laws in conflict herewith, and for other purposes; and declaring an emergency.

1st Reading .....	1286
2nd Reading .....	1320
Committee Report .....	1489
Special Order .....	1493
Considered and Special Order .....	1522-1524
Considered and advanced .....	1551-1555
3rd Reading and referred for engrossment .....	1556-1557
Engrossed and To House .....	1580
Senate amendments rejected and conference requested .....	1587-1588
Conference granted and Senate conferees appointed .....	1588
House conferees appointed .....	1632
House rejects conference committee report and requests further conference .....	1763-1764
Senate refuses to grant further conference and requests House to adopt conference committee report .....	1764
House rejects conference committee report and requests further conference .....	1836
Further conference granted and Senate conferees appointed and instructed .....	1836
Additional House conferee appointed .....	1855
Conference Committee Report submitted and adopted .....	1861-1863
Passed, as amended in conference, and To House .....	1868-1869
4th Reading .....	1950
Governor's action .....	2041

ENGROSSED HOUSE BILL NO. 483—By HOLLIMAN, HAILE, PHILLIPS (Okfuskee) of the House and GARVIN, WALDREP and WILBANKS of the Senate.—An Act levying an excise tax on one-eighth of one cent per barrel on petroleum oil produced in the state of Oklahoma subsequent to the passage and approval of this Act, providing for the deposit of the proceeds of such tax in the state treasury to the credit of the "Proration Fund" created hereby, and the appropriation of said fund for salaries and expenses of the proration umpire, his assistant and deputies, employees in the proration office, and the proration attorney, repealing all Acts in conflict herewith, and declaring an emergency.

1st Reading .....	1284
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2nd Reading .....	1320
Committee Report .....	1589
Considered, advanced, 3rd Reading and referred for engross- ment .....	1742-1747
Engrossed and To House .....	1768
Senate amendments rejected, conference requested .....	1810
Conference granted and Senate conferees appointed .....	1810
House conferees appointed .....	1839
House withdraws request for conference .....	1951
Senate amendments accepted .....	1960
4th Reading .....	1972
Governor's action .....	2041

ENGROSSED HOUSE BILL NO. 485—By CHILDERS (Pushmataha).—Entitled: An Act abolishing the office of county engineer of Pushmataha County and providing the duties of said office shall be performed by the County Surveyor, and declaring an emergency.

1st Reading .....	785
2nd Reading .....	805

ENGROSSED HOUSE BILL NO. 486—By CAVINS and GRUNERT, entitled: An Act repealing Sections 4002 to 4009, inclusive, Oklahoma Statutes 1931, relating to the County Court at the town of Wilson Carter County, Oklahoma, and declaring an emergency.

1st Reading .....	823
2nd Reading .....	850
Committee Report .....	1369

ENGROSSED HOUSE BILL NO. 487—By CAVINS, entitled: An Act making it unlawful for the County Superintendent of Public Instruction to approve contracts for a term which extend beyond the term of office of said County Superintendent; providing penalty for violation thereof; repealing all Acts in conflict therewith, and declaring an emergency.

1st Reading .....	2413
2nd Reading and to calendar .....	2465
Advanced, 3rd Reading and To House .....	2598-2599
4th Reading .....	2640

ENGROSSED HOUSE BILL NO. 489—By BABB, entitled: An Act abolishing the laws creating the offices of township trustee, township clerk and township treasurer of each township in Oklahoma and transferring the duties of said offices upon certain persons and declaring an emergency.

1st Reading .....	1884
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2nd Reading and to calendar .....	1954
Advanced .....	2058
3rd Reading and referred for engrossment .....	2569-2570
Engrossed and To House .....	2573
Senate amendments accepted .....	2607
4th Reading .....	2641

ENGROSSED HOUSE BILL NO. 499—By LOGSDON and CHAMBERS, entitled: An Act amending Section 6532, Oklahoma Statutes, 1931 authorizing judges of municipal courts in cities of the state of Oklahoma having a population of more than 139,000 and not exceeding 145,000 inhabitants, as determined by the last preceding Federal Decennial or special Federal Census, to perform marriages and to practice as attorneys in civil courts of this state and prohibiting such judges from appearing as attorneys in criminal proceedings commenced after taking their oaths of office as judges of said courts, and declaring an emergency.

1st Reading .....	1507
2nd Reading and to calendar .....	1551
Advanced .....	1584
3rd Reading and To House .....	1779-1780
4th Reading .....	1893

ENGROSSED HOUSE BILL NO. 500—By DANIEL. An Act authorizing the mayor and the city council of the city of Waurika, Jefferson County, Oklahoma, to remit and refund all penalties or interest on delinquent paving taxes and assessments in paving districts number 1, 2, and 3 of said city, providing conditions therefor and authorizing and directing the County Treasurer of Jefferson County to collect said paving taxes and assessments without collecting said interest and penalties, and declaring an emergency.

1st Reading .....	907
2nd Reading and to calendar .....	920
Considered, advanced, 3rd Reading and To House .....	1148-1149
4th Reading .....	1172
Governor's action .....	1224

ENGROSSED HOUSE BILL NO. 503—By COE. An Act requiring preference to be given to persons, firms and corporations doing business in this state in the purchase of materials and supplies for the state, county and the municipalities and subdivisions thereof.

1st Reading .....	1671
2nd Reading and to calendar .....	1724
Considered and advanced .....	1816-1817

Engrossed, 3rd Reading and To House .....	2518
Senate amendments accepted .....	2544-2545
4th Reading .....	2641

ENGROSSED HOUSE BILL NO. 504—By CLOYD, LEECRAFT, GRAHAM, MARTIN, BROADDUS and SHOEMAKE. An Act authorizing Leo D. Harman, Sr., formerly a Captain in the Oklahoma National Guard to bring suit against the State of Oklahoma for injuries sustained in the line of duty as a soldier, providing that if judgment is entered in his favor, that the same shall be paid from the General Funds of the State appropriating not to exceed \$2500.00 for the purpose of payment of any judgment rendered, and declaring an emergency.

1st Reading .....	1430
2nd Reading .....	1439
Committee Report .....	1659
Advanced .....	1818
Engrossed, 3rd Reading and referred for engrossment .....	2467-2468
Engrossed and To House .....	2487
Senate amendments accepted .....	2543-2544
4th Reading .....	2644

ENGROSSED HOUSE BILL NO. 506—By MARTIN, entitled: An Act making an appropriation to pay the mileage and per diem of the Senate and House of Representatives of the Fourteenth Legislature, the salaries of officers and employees and contingent expenses thereof, and declaring an emergency.

1st Reading .....	865
2nd Reading .....	879
Committee Report .....	931
Considered, advanced, 3rd Reading and To House .....	932-933
Vote reconsidered by which passed .....	974
Vote reconsidered by which advanced .....	974
Considered, advanced, passed and referred for engrossment ..	974-975
Engrossed and To House .....	980
Senate amendments rejected, conference requested .....	1036-1037
Conference granted and Senate conferees appointed .....	1037
House conferees appointed .....	1081-1082
Conference Committee report submitted and adopted .....	1084
Passed, as amended in conference, and To House .....	1085-1086
4th Reading .....	1092
Governor's action .....	1104

ENGROSSED HOUSE BILL NO. 509—By LEECRAFT and SULLIVAN, entitled: An Act prohibiting the soliciting of marriage cere-

monies on behalf of any public officer or Minister of the Gospel, prohibiting payment of any part of marriage fees to solicitors, prescribing penalties for a violation hereof and declaring an emergency.

1st Reading .....	2158
2nd Reading and the calendar .....	2202

ENGROSSED HOUSE BILL NO. 514—By GARLAND. An Act amending Section 7298, C. O. S. 1921, the same being Section 13364, of C. O. S. 1931; limiting fees of attorneys representing claimants before the State Industrial Commission; providing for contracts between client and attorney; limiting the authority of the Industrial Commission to abrogate or modify the contract; repealing all Acts or parts of Acts in conflict herewith.

1st Reading .....	2095
2nd Reading and to calendar .....	2142

ENGROSSED HOUSE BILL NO. 516—By BATSON, LANDINGHAM, GRAY, CLOYD, LEECRAFT, WINGO, and BEAMAN, entitled: An Act authorizing the establishment, in each county, of a "County Emergency Investment Fund;" apportioning thereto one-half of all moneys received by any county from motor vehicle license fees and the excise tax on gasoline; providing that said fund, or so much thereof as may be necessary, shall be used, under the direction of the County Treasurer, for investment in non-payable county warrants and judgments based upon warrants; providing for payment into sinking fund for retirement of Road Bond indebtedness; providing for reimbursement of said fund by collections from ad valorem taxes; providing for the disposition of the moneys remaining therein; and declaring an emergency.

1st Reading .....	1272
2nd Reading .....	1301
Committee Report .....	1611
Considered and Special Order .....	1808-1809
Consideration deferred .....	1822
Considered .....	1877
Considered advanced, 3rd Reading and referred for engrossment .....	1961-1965
Engrossed and To House .....	1970
Senate amendments rejected and conference requested .....	2001
Conference granted and Senate conferees appointed .....	2001-2002
Senate conferees appointed .....	2004
House conferees appointed .....	2023
Conference Committee Report submitted and rejected .....	2066-2067
Conference requested and Senate conferees appointed .....	2067-2068



House grants further conference and appoints conferee .....	2095-2096
Conference Committee Report submitted and adopted .....	2169-2172
Passed, as amended in conference, and To House .....	2172-2173
4th Reading .....	2213

ENGROSSED HOUSE BILL NO. 517—By DANIEL, HENDERSON, WHITFORD, CAVINS, O'NEILL and GLENN, entitled: An Act fixing the salaries of elective officers of the state of Oklahoma, repealing conflicting laws.

1st Reading .....	1282
2nd Reading .....	1319
Committee Report .....	1436
Governor's Message .....	2224
Considered, advanced, 3rd Reading and To House .....	2501-2502
4th Reading .....	2538

ENGROSSED HOUSE BILL NO. 527—By COX, entitled: An Act abolishing all county high schools in counties having a population of less than 25,000, according to the United States Census of 1930; providing for the disposition of the property used therein and appropriating proceeds to general fund of such counties and declaring an emergency.

1st Reading .....	1113
2nd Reading .....	1137
Committee Report .....	1263
Advanced .....	2057
3rd Reading and To House .....	2490-2491
4th Reading .....	2590

ENGROSSED HOUSE BILL NO. 531—By ALBRIGHT, DANIEL and FITZGERALD, entitled: An Act amending Sections 11589, 11590, 11592, 11593, 11599, 11601 and 11612, Oklahoma Statutes 1931 relating to petroleum and its by-products, prescribing the duties of the State Oil Inspector and the Corporation Commission relative to petroleum and its by-products, prescribing a penalty for violation of this Act and repealing certain laws of the State of Oklahoma concerning same and declaring an emergency.

1st Reading .....	2302
2nd Reading and to calendar .....	2348
Advanced .....	2489
3rd Reading and To House .....	2597-2598
4th Reading .....	2641

ENGROSSED HOUSE BILL NO. 532—By FITZGERALD, ABERNATHY (Harmon), ALBRIGHT ARMSTRONG, BABB, BEARD,

BENNETT, MARSHALL, BOYER, BRAZELL, CHAMBERS, COE, DOUTHAT, GLEN, GRAHAM, GRAHAM, GRAY, HART, HILL, JOHNSON (Osage), KENAN, KIRKPATRICK, LANDINGHAM, LINDSEY, LOGSDON, LOWRANCE, MASSEY, MISENHEIMER, PARKS, PAXTON, PHILLIPS (Atoka), RAWLS, STRICKLAND (Marshall), STURGELL, TIMMONS, TURNER, WOOTEN and WORTHINGTON, GARLAND, KING (Creek), REMUND, SMALLEY and CONNER entitled: —An Act to provide for the regulation, control and licensing of horse racing within the state of Oklahoma, to create an Oklahoma Racing Commission, and to prescribe its powers and duties, to provide for the license fees to be charged for the conduct of horse racing within the State of Oklahoma to provide for the pari-mutual or certificate system of wagering, providing exemptions and penalties, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

1st Reading .....	1314
2nd Reading and to calendar .....	1340
Special Order .....	1399-1400
Advanced .....	2449
3rd Reading and referred for engrossment .....	2558-2559
Engrossed and To House .....	2568
Senate amendments accepted .....	2626
4th Reading .....	2643

ENGROSSED HOUSE BILL NO. 550—By COPELAND and SMALLEY, entitled: An Act amending Section 2250 Compiled Oklahoma Statutes 1931 relating to kidnaping for ransom; prescribing the punishment therefor and declaring an emergency.

1st Reading .....	1313
2nd Reading .....	1340
Committee Report .....	1369

ENGROSSED HOUSE BILL NO. 559—By WORTHINGTON. An Act repealing Section 8359, Oklahoma Statutes, 1931; same being special salary Act relating to Tillman County only, and declaring an emergency.

1st Reading .....	1091
2nd Reading .....	1118
Committee Report .....	1436

ENGROSSED HOUSE BILL NO. 564—By GIBSON. An Act repealing Chapter 197, Section 1 of the Session Laws of 1923, the same being Section 10171, Oklahoma Statutes 1931, the same refer-

ring to road supervisors and extension lines in Lincoln County, and declaring an emergency.

1st Reading .....	1091
2nd Reading .....	1118
Committee Report .....	1709

ENGROSSED HOUSE BILL NO. 572—By PHILLIPS (Okfuskee). HILL, SINGLETON and BATSON.—An Act amending Section 12473 Oklahoma Statutes, 1931, by including, as additional taxable transfers, for inheritance tax purposes, trust estates, joint estates, estates by the entirety and the proceeds of certain life insurance policies; providing for an estate tax to absorb the credit allowed by the Federal Revenue Act of 1926 and all amendments thereto; amending Section 12477, Oklahoma Statutes, 1931, by providing for penalties, time for payment and abolishing discounts; amending Section 12494, Oklahoma Statutes, 1931, by providing for disposition of all inheritance, transfer or estate taxes and penalties; providing that the provisions of this Act shall apply to all transfers and estates not closed; and declaring an emergency.

1st Reading .....	1636
2nd Reading .....	1674
Committee Report .....	1709
Considered, advanced, 3rd Reading and referred for engross-	
ment .....	1755-1759
Engrossed and To House .....	1769
Senate amendments accepted .....	1811
4th Reading .....	1816
Governor's action .....	1997

ENGROSSED HOUSE BILL NO. 573—By PHILLIPS (Okfuskee) and OTTESEN, entitled: An Act authorizing the appointment by the State Highway Commission and the Oklahoma Tax Commission of a certain number of enforcement officers for the enforcement of the laws, rules and regulations relating to the public highways of the state of Oklahoma and the operation of motor vehicles thereon; defining their duties, fixing their compensation; and declaring an emergency.

1st Reading .....	2135
2nd Reading and to calendar .....	2202
Advanced .....	2449
3rd Reading and To House .....	2559-2560
4th Reading .....	2709

ENGROSSED HOUSE BILL NO. 574—By HARP. An Act to be known as the Cigar and Cigarette School Fund Act; providing for

the collection of a license fee from retail dealers in cigars and cigarettes; providing for the manner for making applications for such license to the county treasurer and the manner of issuance of the same by him, providing for the payment of a license fee to the county treasurer for the use and benefit of the school districts of the county, and the manner of enforcing collection of such fees; providing for the penalties and fines for violations of this Act; repealing Section 1951 and Section 1952, Oklahoma Compiled Statutes 1931, together with other laws in conflict herewith.

1st Reading .....	1961
2nd Reading and to calendar .....	1979
Advanced .....	2189
3rd Reading and To House .....	2285
4th Reading .....	2321

ENGROSSED HOUSE BILL NO. 581—By COMMITTEE ON BANKS AND BANKING of the House, and COMMITTEE ON BANKS AND BANKING of the Senate, entitled: An Act providing for the protection of banks and trust companies organized under the laws of the State of Oklahoma and for the protection of the depositors and creditors therein, empowering the Bank Commissioner of the state of Oklahoma, with the approval of the Governor of Oklahoma to regulate the withdrawal of deposits from banks and trust companies of this state, providing for receiving new deposits, and for the investment of such deposits, repealing any law in conflict herewith, and declaring an emergency.

1st Reading .....	1109
2nd Reading and to calendar .....	1137
Stricken .....	2058

ENGROSSED HOUSE BILL NO. 582—By GRAY. An Act amending Section 5444, Oklahoma Statutes 1931, relating to the revolving fund of the Oklahoma Agriculture and Mechanical College at Stillwater, Oklahoma, creating a contingent fund for said college, providing for the expenditure thereof, and declaring an emergency.

1st Reading .....	1540
2nd Reading .....	1551
Committee Report and referred .....	1660
Committee Report .....	1919
Advanced 3rd Reading and To House .....	2508-2510
4th Reading .....	2538

ENGROSSED HOUSE BILL NO. 592—By GARLAND of the House and BRIGGS of the Senate.—An Act authorizing a representative of the estate of Gordon Stringer, deceased, or his surviving wife, to



bring suit against the State of Oklahoma for the benefit of the estate or for the benefit of said wife and minor children, for damages resulting from the death of Gordon Stringer, deceased; providing that if judgment is recovered thereon that the same shall be paid from the general fund in the State Treasury not otherwise appropriated and appropriating \$10,000.00 or so much thereof as may be necessary for the payment of judgment rendered, and declaring an emergency.

1st Reading .....	1432
2nd Reading .....	1440
Committee Report .....	1480
Considered and advanced .....	1597-1598
3rd Reading and referred for engrossment .....	2506-2507
Engrossed and to House .....	2516-2517
Senate amendments accepted .....	2545
4th Reading .....	2644

ENGROSSED HOUSE BILL NO. 604—By MALLORY, KIGHT, SPECK, O'NEILL, ALLEN, CLINE, MOONEY, STURGELL, KING, LINDSEY, LEECRAFT, CLOYD and CONNER. An Act levying a tax on homesteads in this state; providing the time for the collection of such tax.

1st Reading .....	1546
2nd Reading .....	1570
Committee Report .....	1831
Advanced .....	1922
3rd Reading and referred for engrossment .....	1923
Engrossed and to House .....	1939-1940
Senate amendments accepted .....	1984
4th Reading .....	2025
Governor's action .....	2176
Consideration deferred .....	2180

ENGROSSED HOUSE BILL NO. 605—By MOONEY of the House and NANCE of the Senate, entitled: An Act authorizing a representative of the estate of James E. Powell, deceased, or his surviving widow to bring suit against the state of Oklahoma for the benefit of the said estate or for the benefit of said wife and minor children, for damages resulting from the death of James E. Powell, deceased; providing that if judgment is recovered therefor that the same shall be paid from the general fund in the state treasury not otherwise appropriated and appropriating \$5,000.00 or so much thereof as may be necessary for the payment of the judgment rendered, and declaring an emergency.

1st Reading .....	1634
2nd Reading and to calendar .....	1675
Considered, advanced, 3rd Reading and to House .....	2445-2446
4th Reading .....	2539

ENGROSSED HOUSE BILL NO. 618—By EBEX of Pontotoc and STRICKLAND of Pontotoc, entitled: An Act repealing Sections 8300, 8301, and 8302, Oklahoma Statutes 1931, relating to the salaries of county officers and number and salaries of deputy county officers and employees of Pontotoc County, Oklahoma, and declaring an emergency.

1st Reading .....	1282
2nd Reading and to calendar .....	1320
Considered and advanced .....	1398
3rd Reading and to House .....	1805-1806
4th Reading .....	1893
Governor's action .....	2241

ENGROSSED HOUSE BILL NO. 619—By MALLORY, entitled: An Act providing for relief from ad valorem taxation by levying a sales tax upon the gross proceeds derived from all sales of goods, wares and merchandise and from all sales of tickets or admissions to places of amusement and from all sales of electricity, gas and telephone and telegraph and radiocasting services; prescribing the rates of such taxes; prescribing certain exemptions; providing for the disposition of the revenues arising hereunder; providing for computation and collection of such taxes and for the enforcement of this Act, by the Oklahoma Tax Commission; providing for expenses of such collection and enforcement; empowering said Commission to prescribe rules and regulations in relation thereto; prescribing penalties for the violation of this Act; authorizing refunds; making such taxes and penalties a lien on vendors' property; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable.

1st Reading .....	2048
2nd Reading and to calendar .....	2063
Considered .....	2132-2133
Considered and referred to Special Committee .....	2143-51
Special Committee Report .....	2159-2160
Considered, advanced, 3rd Reading and referred for engrossment .....	2160-2167
Engrossed and to House .....	2181
Notice lodged and motion to reconsider tabled .....	2181

Vote reconsidered by which passed and House requested to re-	
turn bill -----	2188
House requested to reconsider vote by which bill, as amended,	
failed -----	2196
House refuses to reconsider vote -----	2197
House message ordered returned -----	2197
House refuses to further consider -----	2218
House reconsiders vote by which motion to reconsider was tabled--	2219
Senate amendments rejected and conference requested -----	2220
Conference granted and Senate conferees appointed -----	2220
House conferees appointed -----	2225
Passed by House, as amended in conference -----	2275
Conference Committee Report submitted and adopted -----	2276-2281
Passed, as amended in conference, and to House -----	2281-2282
4th Reading -----	2285

ENGROSSED HOUSE BILL NO. 621—By LOWRANCE, HOGG, JONES, RAWLS, MALLORY, EBEX (Pontotoc), BEAVER, HENDERSON (Comanche), TODD, MOONEY, JOHNSON (Comanche), BENNETT, HUGHES, ALBRIGHT, TURNER and SULLIVAN of the House.—An Act authorizing shippers of livestock and lessees of feeding pens and impounding places in stockyards to furnish feed for stock covering the leased period; providing that any person, firm or corporation refusing to permit such feeding to be guilty of a misdemeanor, fixing the punishment therefor, and declaring an emergency.

1st Reading -----	1284
2nd Reading -----	1320
Committee Report -----	1528
Advanced, 3rd Reading and roll call on emergency deferred ----	2046
Roll call on emergency and to House -----	2273-2274
4th Reading -----	2332

ENGROSSED HOUSE BILL NO. 622—By COMMITTEE ON APPROPRIATIONS.—A Bill to be entitled an Act making an appropriation from the public building fund for repairs and improvements, and for the purchase of lands, at certain State institutions hereinafter named and in the amount set opposite each for the purposes specified; and declaring an emergency.

1st Reading -----	1430
2nd Reading -----	1440
Committee Report -----	1738
Advanced -----	2036
Engrossed -----	2226
3rd Reading and referred for engrossment -----	2227-2228

Engrossed and to House -----	2231
Senate amendments accepted -----	2314
4th Reading -----	2366

ENGROSSED HOUSE BILL NO. 623—By COMMITTEE ON APPROPRIATIONS.—An Act making appropriation to pay claims against deficiency certificates, numbers 19 and 22 to 30, inclusive, for fiscal year ending June 30, 1931; numbers 1 to 6, inclusive, for fiscal year ending June 30, 1932; numbers 1 to 4, inclusive, for fiscal year ending June 30, 1933; as approved and certified to by the Governor under authority of Chapter 231, of Session Laws of Oklahoma, 1915, as amended by chapter 229, of the Session Laws of Oklahoma, 1919; and declaring an emergency.

1st Reading -----	1430
2nd Reading -----	1440
Committee Report -----	1758
Advanced -----	2036
Engrossed, 3rd Reading and to House -----	2226-2228
Senate amendments accepted -----	2314
4th Reading -----	2332
Governor's action -----	2444

ENGROSSED HOUSE BILL NO. 624—By COMMITTEE ON APPROPRIATIONS.—An Act providing that the State gasoline excise tax and motor vehicle license tax, in addition to the purposes which under existing laws are now levied and collected and deposited to the credit of the State Highway Construction and Maintenance fund, shall hereafter also be levied and collected for the purpose of paying final judgments now or hereafter rendered against the State of Oklahoma which are based on suits authorized by the Legislature and arising out of improper construction of State highways; making an appropriation out of any monies hereafter accruing as aforesaid to the credit of the State Highway construction and maintenance fund to pay final judgments rendered against the State of Oklahoma in suits authorized by the Legislature of Oklahoma, and arising out of improper construction of a State Highway and directing the State Auditor upon presentation of sworn claims therefor to pay respective judgment creditors and all referee's fees and costs as fixed by the Court; and six per cent interest; and declaring an emergency.

1st Reading -----	1430
2nd Reading -----	1439
Committee Report and referred -----	1453
Committee Report -----	1616
Advanced, 3rd Reading and referred for engrossment -----	1776-1777



Engrossed and to House .....	1795
Senate amendments accepted .....	1882
4th Reading .....	1917
Governor's action .....	2090

ENGROSSED HOUSE BILL NO. 625—By COMMITTEE ON APPROPRIATIONS, entitled: A Bill to be entitled an Act making an appropriation from the General Revenue Fund and other funds, for the purpose of paying claims against certain State departments and institutions hereinafter set out; and declaring an emergency.

1st Reading .....	1395
2nd Reading .....	1406
Committee Report .....	1789
Considered and advanced .....	2205-2209
Engrossed .....	2226
3rd Reading and to House .....	2228-2231
Senate amendments rejected and conference requested .....	2244
Conference granted and Senate conferees appointed .....	2244
House conferees appointed .....	2288
Additional House conferee appointed .....	2315
House rejects conference committee report and requests further conference, appointing conferees .....	2364
Further conference granted and Senate conferees appointed .....	2364
House rejects conference committee report and requests further conference, appointing conferees .....	2478
Senate refuses to grant further conference and requests House to recede from request .....	2478-2479
Senate grants further conference and appoints conferees .....	2488
House conferees appointed .....	2500
Conference committee report submitted and adopted .....	2613-2615
Passed, as amended in conference, and to House .....	2625-2626
4th Reading .....	2679

ENGROSSED HOUSE BILL NO. 628—By COMMITTEE ON APPROPRIATIONS, entitled: An Act making supplemental appropriations to pay Confederate pensions for the remainder of the fiscal year ending June 30, 1933, and declaring an emergency.

1st Reading .....	1430
2nd Reading .....	1440
Committee Report .....	1739
Advanced .....	2210
3rd Reading and to House .....	2272-2273
4th Reading .....	2332
Governor's Action .....	2444

ENGROSSED HOUSE BILL NO. 629—By HANKLA of the House and WILLIS of the Senate entitled: An Act amending Section 6601, Oklahoma Statutes 1931, relating to the nomination and election of city marshals and street commissioners in cities situated in two counties, and declaring an emergency.

1st Reading .....	1601
2nd Reading .....	1645
Committee Report .....	1739
Advanced .....	1817
3rd Reading and to House .....	2489-2490
4th Reading .....	2540

ENGROSSED HOUSE BILL NO. 637—By MARSHALL, entitled: An Act amending Section 6130 Oklahoma Statutes, 1931, which provides for annexation to any city or territory adjacent to the city limits, and provides the procedure therefor; by providing that where the territory sought to be annexed to any city is separated from another city or town by a distance of twenty (20) rods or less, such intervening territory may be annexed by either of the cities or towns adjacent thereto, and declaring an emergency.

1st Reading .....	2442
2nd Reading and to calendar .....	2465
Advanced, 3rd Reading and to House .....	2691-2692
4th Reading .....	2700

ENGROSSED HOUSE BILL NO. 641—By PHILLIPS (Okfuskee), SINGLETON, WRIGHT and MARTIN entitled: An Act amending Section 5973, Oklahoma Statutes, 1931, relating to the responsibility for purchases made by any municipality, superintendent, principal, coach, teacher or any employee of any State school or any other state or public institution or department of state; fixing the personal liability therefor upon the governing body of any such municipality, superintendent, principal, coach, teacher or employee of any state or public school, institution or department of state.

1st Reading .....	1791
2nd Reading and to calendar .....	1832
Considered .....	1981
Considered, advanced, 3rd Reading and referred for engrossment .....	1982-1984
Engrossed and to House .....	2011
Senate amendments accepted .....	2065
4th Reading .....	2069
Governor's action .....	2242

ENGROSSED HOUSE BILL NO. 642—By CONNER, GRAHAM, ELLIS, COE, COPELAND, BILLINGS and MARSHALL of the House, and MORRISON and FIDLER of the Senate.—An Act authorizing the Governing Board of any City in Oklahoma, which has a State Fair to levy a special tax in addition to, in excess of, and beyond ad valorem tax levies for current expenses authorized by law a special tax of not to exceed one-fourth of one mill for the purpose of making payments for premiums to certain exhibitors at the said State Fair, limiting the amount of funds thus to be raised, providing for the manner in which premiums to exhibitors shall be disbursed; and declaring an emergency.

1st Reading .....	1432
2nd reading and to calendar .....	1440
Considered, advanced, 3rd Reading and to House .....	1467-1468
4th Reading .....	1507
Passed by House over Governor's veto .....	2246
Senate fails to pass bill over veto .....	2247
Notice lodged .....	2247-2248

ENGROSSED HOUSE BILL NO. 647—By GARLAND, BEARD, GRAHAM and RAWLS, entitled: An Act levying a tax on all non-intoxicating beverages sold within the state of Oklahoma; requiring a manufacturers and retailers license or permit providing the amount of said license and tax; prohibiting the sale of beverages containing more than one-half of one per cent of alcohol to minors, fixing the penalty for violation thereof and providing for revocation of manufacturer's and retailer's license who violates provisions of said Act; providing for the manner of collection of said license and tax; placing all funds collected hereunder in the common school equalization funds; making the county treasurer of each county the custodian of such common school funds; fixing the time of payment of said funds into said school district funds; repealing all laws in conflict herewith.

1st Reading .....	1869
2nd Reading and to Special Committee .....	1897-1898
Committee Report .....	1938
Committee Report and made Special Order .....	1945-1947
Consideration of Committee Report .....	2015-2016
Special Order .....	2080
Considered, advanced, 3rd Reading and referred for engrossment .....	2100-2117
Engrossed and to House .....	2119-2120
Senate amendments accepted .....	2156
4th Reading .....	2158

ENGROSSED HOUSE BILL NO. 649—By LEECRAFT, HENDERSON, GRAY, MASSEY, DUKE, TURNER, WORTHINGTON, MALLORY, STURGELL, MOONEY, HANKLA, KING, JONES, entitled: An Act relating to the expenditure of money by counties for farm demonstration work and home demonstration work including 4-H club work, in cooperation with the United States Department of Agriculture and the Oklahoma Agricultural and Mechanical College, authorizing the Excise Board to make a levy to provide funds in order to co-operate with the Department of Agriculture and the Oklahoma Agricultural and Mechanical College, amending Section 8775, Oklahoma Statutes, 1931, and declaring an emergency.

1st Reading .....	2407
2nd reading and to calendar .....	2424
Advanced and Special Order .....	2459
3rd Reading and to House .....	2485-2486
4th Reading .....	2540

ENGROSSED HOUSE BILL NO. 650—By LEECRAFT and BATSON of the House and WHITAKER of the Senate, entitled: An Act amending Sections 12374, 12375, 12376, 12377, 12378, 12379, 12380, 12381, 12382, 12383 and 12385, inclusive, Oklahoma Statutes, 1931, relating to the levy and collection of corporation license fees and providing for the disposition of the same; prescribing penalties; providing for the enforcement of this Act; providing a legal remedy for aggrieved taxpayers; repealing conflicting laws and declaring an emergency.

1st Reading .....	2049
2nd Reading and to calendar .....	2064
Considered, advanced, 3rd Reading and to House .....	2167-2169
4th Reading .....	2184
Governor's action .....	2243

ENGROSSED HOUSE BILL NO. 656—By HENDERSON, BATSON, BABB, JONES, RAWLS, BENNETT, and PALMER.—An Act amending Subdivision H, Article 9, Chapter 20, Oklahoma Statutes, 1931, and providing for the regulation of the use of the public highways by motor vehicles operated for commercial purposes; levying a tax and providing for the disposition thereof; making such tax, penalties and costs a first lien on the property owned or used by motor carriers; providing for the collection of said tax, issuance of tax warrants therefor and the enforcement of the provisions hereof, making persons procuring passengers or freight transported by unlicensed motor carriers liable for taxes and authorizing injunctions; repealing Sections 3692, 3693, 3694, 3695, 3696, 3697, 3698, and 3699 of Sub-



division H, Article 9, Chapter 20, Oklahoma Statutes, 1931, and all Acts or parts of Acts in conflict therewith and declaring an emergency.

1st Reading .....	1545
2nd Reading .....	1570
Committee Report .....	1710
Considered .....	1748-1750
Considered and advanced .....	1751-1752
3rd Reading and referred for engrossment .....	1753-1754
Engrossed and to House .....	1759
Notice lodged .....	1775
Vote reconsidered by which passed .....	1833
Vote reconsidered by which advanced .....	1833
Considered .....	1833-1834
Considered advanced, 3rd Reading and referred for engrossment .....	1837-1838
Engrossed and To House .....	1858
Senate amendments rejected, conference requested .....	1902
Conference granted and Senate conferees appointed .....	1902
House conferees appointed .....	1951
Conference committee report submitted and adopted .....	2031-2033
Passed, as amended in conference, and to House .....	2033-2034
4th Reading .....	2051
Governor's action .....	2243

ENGROSSED HOUSE BILL NO. 663—By CAVINS and GRUNERT.—An Act authorizing the County Commissioners of Carter County, Oklahoma, to pay the sum of three hundred fifty-eight dollars, to the Hardy Sanitarium of Ardmore for professional services rendered Mr. Vernon Cason, a deputy sheriff of Carter County, Oklahoma, as a result of an accident incurred by him in line of duty, and declaring an emergency.

1st Reading .....	1432
2nd Reading .....	1440
Committee Report .....	1676
Advanced .....	2045
3rd Reading and to House .....	2495-2496
4th Reading .....	2567

ENGROSSED HOUSE BILL NO. 666—By TODD and FITZGERALD of the House.—An Act amending Section 10090 Oklahoma Statutes 1931, relating to the designation of public highways as county highways by county commissioners, and declaring an emergency.

1st Reading .....	1540
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2nd Reading and to calendar .....	1551
Advanced .....	2142-2143

ENGROSSED HOUSE BILL NO. 667.—By TODD and FITZGERALD.—An Act amending Section 10148, Oklahoma Statutes 1931, relating to the construction and maintenance of bridges on township roads, and declaring an emergency.

1st Reading .....	1540
2nd reading and to calendar .....	1551

ENGROSSED HOUSE BILL NO. 669—By KIGHT, TODD, LEE-CRAFT, MALLORY, PALMER, ABERNATHY (Harmon), and GRISO of the House and REED and NANCE of the Senate, entitled: An Act to provide for the organization, operation and supervision of co-operative savings and credit associations to be termed "credit unions" and to define their powers.

1st Reading .....	1884
2nd Reading and to calendar .....	1953
Considered .....	2510-2511
3rd Reading and to House .....	2528-2529
4th Reading .....	2645

ENGROSSED HOUSE BILL NO. 670—By WILLIAMS.—An Act authorizing the board of trustees and the president of said board of the town of Texhoma, Texas County, Oklahoma, to remit and refund all penalties or interest on delinquent paving taxes and assessments in paving district numbers 1 and 2, of said town, providing conditions therefor and authorizing and directing the county treasurer of Texas County to collect said paving taxes and assessments without collecting said interest and penalties, and declaring an emergency.

1st Reading .....	1540
2nd Reading and to calendar .....	1551
Advanced .....	1787
3rd Reading and to House .....	2493-2494
4th Reading .....	2567

ENGROSSED HOUSE BILL NO. 677—By WILLIAMS.—An Act authorizing the mayor and the city council of the city of Hooker, Texas County, Oklahoma, to remit and refund all penalties or interest on delinquent paving taxes and assessments in paving districts numbers 1, 2, 3, 4, 5, 6, 7, and 8 of said city, providing conditions therefor and authorizing and directing the county treasurer of Texas County to collect said paving taxes and assessments without collecting said interest and penalties, and declaring an emergency.

1st Reading .....	1540
2nd Reading and to calendar .....	1551
Advanced .....	1787
3rd Reading and to House .....	2496-2497
4th Reading .....	2568

ENGROSSED HOUSE BILL NO. 681—By ROBERTS, LOW-RANCE, ABERNATHY, HART and PHILLIPS (Okfuskee), entitled: An Act amending Section 7783, Compiled Oklahoma Statutes 1931, relating to the duties of county weighers, and declaring an emergency.

1st Reading .....	1544
2nd Reading and to calendar .....	1569-1570
Advanced .....	1999
3rd Reading and referred for engrossment .....	2517-2518
Engrossed and to House .....	2555
Senate amendments accepted .....	2626-2628
4th Reading .....	2636

ENGROSSED HOUSE BILL NO. 682—By ANGLIN, BATSON, DANIEL, LEECRAFT, GARLAND, BABB, PHILLIPS (Atoka), PHILLIPS (Okfuskee), entitled: An Act relating to lands acquired by the several counties of the state of Oklahoma by purchase for delinquent taxes; prescribing a limitation for action to set aside resale; providing for acquiring title thereto by entry, improvement, use and payment, of accruing taxes; placing said lands under supervision of Commissioners of Land Office; for classification and subdivision of said lands, issuing certificates of selection, cancellation of entries, making proof of compliance and right to conveyance of title, execution and delivery of deed conveying title thereto; providing for sale of lands not entered; repealing conflicting laws.

1st Reading .....	2087
2nd Reading and to calendar .....	2141
Advanced .....	2214
Considered, 3rd Reading and referred for engrossment .....	2221-2223
Governor's message .....	2224
Engrossed and to House .....	2231
Senate amendments rejected, conference requested and House conferees appointed .....	2364-2365
Conference and Senate conferees appointed .....	2365
Conference committee report submitted and adopted .....	2479-2481
Passed, as amended in conference, and to House .....	2481-2482
4th Reading .....	2646

## ENGROSSED HOUSE BILL NO. 686—By PHILLIPS (Okfuskee).

An Act to provide for the appointment of a board, to be known as the "Co-ordinating Board," such board to be charged with the duty of co-ordinating and unifying the system of higher education in this state; providing the term of office, and the powers and duties of such board; and repealing Sections 6756, 6757, and 6758 of the Oklahoma Statutes of 1931.

1st Reading .....	1953
2nd Reading and to calendar .....	1979
Considered and advanced .....	2056
3rd Reading and referred for engrossment .....	2507-2508
Engrossed and to House .....	2516-2517
Senate amendments accepted .....	2544-2545
4th Reading .....	2643

ENGROSSED HOUSE BILL NO. 692—By CLOYD of the House and PAUL of the Senate. entitled: An Act repealing the provisions of House Bill No. 96, passed by the Fourteenth Oklahoma Legislature of 1933, relating to the sittings of the Cleveland County Court at Lexington, Oklahoma; and declaring an emergency.

1st Reading .....	1634
2nd Reading and to calendar .....	1675
Considered, advanced and 3rd Reading .....	1898-1899
Notice lodged .....	1899
Considered .....	2283
Motion to reconsider fails .....	2335
Notice lodged .....	2335

ENGROSSED HOUSE BILL NO. 693—By MARTIN, entitled: An Act creating the "Oklahoma Tax Commission Fund"; making appropriations therefrom for the support of the Oklahoma Tax Commission. in the performance of its lawful duties; providing for the disposition of unexpended balances; repealing conflicting laws; and declaring an emergency.

1st Reading .....	1722
2nd Reading and to calendar .....	1742
Considered .....	2274
Advanced, 3rd Reading and To House .....	2305-2306
4th Reading .....	2332

ENGROSSED HOUSE BILL NO. 695—By PHILLIPS (Atoka), FRALEY, BATSON, CHILDERS, JONES, JESSEE, SULLIVAN, CLINE, MORSE, CAVINS and McELHANEY.—An Act amending Section 12338. Oklahoma Statutes, 1931, defining personal property for



the purpose of taxation, providing that same shall include deficiency judgments secured in real estate mortgage foreclosure actions in this state, and declaring an emergency.

1st Reading .....	1636
2nd Reading and to calendar .....	1674
Advanced .....	1876

ENGROSSED HOUSE BILL NO. 701—By MARTIN and PHILLIPS (Okfuskee), entitled: An Act making appropriations to pay the salaries and traveling expenses of district judges and court reporters and declaring an emergency.

1st Reading .....	1765
2nd Reading and to calendar .....	1790
Advanced, 3rd Reading and To House .....	2256-2257
4th Reading .....	2332

ENGROSSED HOUSE BILL NO. 710—By HILL, GRISSO and WOOTEN.—An Act fixing the salaries of county officers in counties having a population in excess of 75,000 and not to exceed 100,000, according to the 1930 decennial census, repealing all Acts in conflict therewith and declaring an emergency.

1st Reading .....	1870
2nd Reading and to calendar .....	1897
Considered and advanced .....	2091

ENGROSSED HOUSE BILL NO. 714—By HILL, WOOTEN, and GRISSO.—An Act fixing the number and salaries of assistants, deputies, stenographers, reporters and employees of county officers in all counties having a population in excess of 70,000 and not to exceed 100,000, according to the 1930 decennial census; repealing all Acts in conflict therewith and declaring an emergency.

1st Reading .....	1870
2nd Reading and to calendar .....	1897
Advanced, 3rd Reading and To House .....	1988-1989
4th Reading .....	2024
Passed by House over Governor's veto .....	2248
Notice lodged .....	2249
Passed by Senate over veto and To House .....	2353-2354

ENGROSSED HOUSE BILL NO. 715—By LEECRAFT, HAILE, PHILLIPS (Okfuskee) and BATSON.—An Act providing for funding of certain outstanding warrant indebtedness of the State of Oklahoma, and the issuance of treasury notes therefor; providing for the form and execution thereof, and making an appropriation for the payment

of expenses in connection therewith; providing for the payment of same, and creating a fund and levying a tax therefor, providing for the acceptance of such treasury notes as legal security for public funds and other funds required to be secured, and fixing the rate of interest state funds secured by such treasury notes shall draw, and authorizing the purchase of said notes with sinking funds created by law and with other trust funds, and the acceptance of the interest coupons attached to said notes in payment of taxes due the state; providing for the call and redemption of such warrants not funded, and for other purposes; and declaring an emergency.

1st Reading .....	1766
2nd Reading and to calendar .....	1790
Advanced, considered, 3rd Reading and referred for engrossment .....	1848-1851
Engrossed and To House .....	1858
4th Reading .....	1918
Governor's action .....	1998

ENGROSSED HOUSE BILL NO. 719—By EASON and O'NEILL, entitled: An Act prohibiting storing, selling, offering for sale of petroleum products under deceptive trade name or brands, substitution of the same for products bearing the distinguished trade-mark, name or brand, imitating or copying designs, symbols, trade-marks or brands, defining substitution, declaring same a misdemeanor, providing penalties for same, and declaring an emergency.

1st Reading .....	2442
2nd Reading and to calendar .....	2465
Advanced, 3rd Reading and To House .....	2604-2605
4th Reading .....	2646

ENGROSSED HOUSE BILL NO. 724—By MASSEY and SULLIVAN, entitled: An Act making an appropriation from the general revenue fund to supplement the special common school equalization fund and providing for the distribution of same.

1st Reading .....	2193
2nd Reading and to calendar .....	2202

ENGROSSED HOUSE BILL NO. 730—By SHOEMAKE, HART, BLOCKER, BILLINGS, WOOTEN, BOYER and DARKS, entitled: An Act amending Section 3410, Oklahoma Statutes, 1931, relating to appointments to fill vacancies in election offices; and declaring an emergency.

1st Reading .....	2193
2nd Reading and to calendar .....	2202

Considered and advanced .....	2488-2489
3rd Reading and To House .....	2585-2586
4th Reading .....	2647

ENGROSSED HOUSE BILL NO. 732—By HENDERSON, BATSON, LEECRAFT of the House, and BRIGGS, COMMONS, CHAMBERLIN, NICHOLS of the Senate, entitled: An Act appropriating funds collected and to be collected and placed to the credit of the State Highway Construction and maintenance fund in the State Treasury, to be used and expended by the State Highway Commission of the State of Oklahoma in the payment of salaries, wages, and expenses of the State Highway Commission, its agents, servants and employees, and other obligations, and such other purposes as may be provided by law, and for the construction and maintenance of State Highways, and highways constructed under the provisions of Chapter 50, Article 2, Oklahoma Statutes 1931, and Acts amendatory thereof and declaring an emergency.

1st Reading .....	2193
2nd Reading and to calendar .....	2202
Advanced, 3rd Reading and To House .....	2258-2259
4th Reading .....	2332
Governor's action .....	2445

ENGROSSED HOUSE BILL NO. 734—By MARTIN, entitled: An Act amending Section 4515, Oklahoma Statutes 1931, relating to vital statistics; providing for registration districts and registrars of births, deaths and marriages; prescribing the duties of registrars and Health officers; providing for fees and compensation of registrars, authorizing and directing payment thereof out of the general revenue fund of the State; providing penalties for violation thereof, and declaring an emergency.

1st Reading .....	2193
2nd Reading and to calendar .....	2202
Advanced .....	2450
3rd Reading and To House .....	2570-2571
4th Reading .....	2648

ENGROSSED HOUSE BILL NO. 735—By LOWRANCE of the House and FISCHL of the Senate, entitled: An Act authorizing the Board of Affairs to transfer an appropriation made by the 13th Legislature for the Oklahoma School for Deaf at Sulphur, for the purpose of remodeling old industrial building for hospital to a fund for the pur-

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pose of remodeling and repairing present hospital building, and declaring an emergency.

1st Reading .....	2136
2nd Reading and to calendar .....	2202
Advanced .....	2256
3rd Reading and To House .....	2584-2585
4th Reading .....	2636



# ENGROSSED HOUSE JOINT RESOLUTIONS

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## ENGROSSED HOUSE JOINT RESOLUTION NO. 1.—By CLOYD.

—A Resolution authorizing an extension of time for payment of the first half of the 1932 ad valorem taxes in Oklahoma until June 15, 1933, and authorizing an extension of time for the payment of the last half of the 1932 ad valorem taxes until September 1st, 1933; relieving the taxpayer, of all penalties on such taxes if paid as prescribed therein; and declaring an emergency.

1st Reading .....	1586
2nd Reading .....	1594
Withdrawn and to calendar .....	2484
Advanced, 3rd Reading and To House .....	2556-2557
4th Reading .....	2641

ENGROSSED HOUSE JOINT RESOLUTION NO. 10.—By MARSHALL, CONNER, GRAHAM, BATSON of the House, and LOGAN and FIDLER of the Senate.—A Joint Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma, providing that the Legislature may enact laws authorizing cities to pension meritorious and disabled police officers, and amending Article 5 of said constitution by adding an additional section to be known as Section 61 of Article 5 of the Constitution of the State of Oklahoma.

1st Reading .....	907
2nd Reading .....	920
Committee Report .....	1230
Advanced .....	1531
3rd Reading and To House .....	1777-1779
4th Reading .....	1893
Governor's action .....	1995

ENGROSSED HOUSE JOINT RESOLUTION NO. 11.—By HANKLA.—A Joint Resolution directing the Commissioners of the Land Office to transfer from the building fund into the proper funds of the Land Office, certain bonds and securities now held in said building fund and reimburse the building fund therefor, and declaring an emergency.

1st Reading .....	661
2nd Reading .....	675
Committee Report .....	1134
Advanced .....	2091

ENGROSSED HOUSE JOINT RESOLUTION NO. 19—By BEAMAN.—A Resolution authorizing the Board of County Commissioners of Delaware County to include in its annual estimate of expense a sum not to exceed an amount which a  $3/4$  mill levy upon all property in said County will raise and directing the Excise Board to make not to exceed a  $3/4$  Mill levy in addition to the maximum amount allowed by existing Law for the purpose of raising funds to be used and expended in payment of juries and witnesses and other expenses for carrying on District Court in Delaware County.

1st Reading .....	498
2nd Reading .....	505
Committee Report .....	581
Considered and advanced .....	831
3rd Reading and To House .....	863
4th Reading .....	908
Governor's action .....	939

ENGROSSED HOUSE JOINT RESOLUTION NO. 20—By MORSE, ABERNATHY (Pottawatomie), BEAMAN, BENNETT, BILLINGS, BROADBUSH, BUSHYHEAD, BRAZELL, CAVINS, CAVITT, CHAMBERS, CLINE, CLOYD, COE, DARKS, EASON, EBEL, (Pontotoc). FRALEY, GARLAND, GIBSON, GLEN, GRISSE, GRUNERT, HOLLI-MAN, HUTCHINGS, JONES, JOHNSON (Comanche), JOHNSON (Osage), KENAN, KIGHT, KING (Coal), LANDINGHAM, LEE-CRAFT, LOGSDON, MALLORY, MOONEY, OTTESEN, PHILLIPS (Okfuskee), PALMER, PARKS, RAWLS, SHOEMAKE, SINGLETON, STURGILL, SULLIVAN, WHITFORD, of the House, and LOGAN, NANCE and LESTER of the Senate.—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 6 of Article 10 thereof by adding an additional Section to be known as Section 6-a, to provide for the exemption from certain ad valorem taxation of homesteads to the extent of two thousand dollars (\$2,000.00), and giving to the Legislature the power to raise or lower said exemption.

1st Reading .....	498
2nd Reading .....	505
Withdrawn and to calendar .....	1418
Advanced .....	1595
Considered .....	2203-2205
Engrossed, 3rd Reading and To House .....	2687-2691
Senate amendments rejected and Senate requested to recede .....	2707-2708

ENGROSSED HOUSE JOINT RESOLUTION NO. 27—By CLOYD BATSON, ALBRIGHT and HART.—A Resolution extending the time of payment of automobile license tax, waiving the penalties if paid pursuant to the provisions of this Resolution, and declaring an emergency.

1st Reading .....	903
2nd Reading and to calendar .....	920
Considered .....	931
Considered, advanced, 3rd Reading and referred for engrossment .....	933-936
Engrossed and To House .....	980
Senate amendments rejected and conference requested .....	1034
Conference granted and Senate conferees appointed .....	1034
House conferees appointed .....	1131
Conference Committee report submitted and adopted .....	1218-1219
Passed, as amended in conference, and To House .....	1219-1220
4th Reading .....	1287
Governor's action .....	1359

ENGROSSED HOUSE JOINT RESOLUTION NO. 32—By BABB, STURGILL, PAXTON, MISENHEIMER, WHITFORD, BROADDUS and CHAMBERS.—A Joint Resolution providing for the method and manner of nominating delegates to a state convention to ratify or reject the proposed twenty-first Article of Amendment to the Constitution of the United States; providing for the call of county conventions and prescribing qualifications of delegates to county conventions; providing for the time, place and manner of holding same; providing for the holding of Congressional District Conventions and prescribing qualifications of delegates and manner, time and place of holding same; providing for the manner in which delegates shall be elected and manner in which convention of delegates shall meet; providing for payment of expenses; providing manner of certifying results of the election and results of the ballot of delegates.

1st Reading .....	1884
2nd Reading and to calendar .....	1954
Considered and advanced .....	2504-2505
Considered, 3rd Reading and referred for engrossment .....	2523-2524
Engrossed and To House .....	2546
Senate amendments accepted .....	2626-2628
4th Reading .....	2636

ENGROSSED HOUSE JOINT RESOLUTION NO. 37—By PAXTON of the House and CARMACK of the Senate.—A Joint Resolution appropriating \$210.50 for the purpose of paying the hospital bill

and medical bill and for loss of time of Homa Yarbrough for injuries received at the hands of escaped convicts from the State Reformatory at Granite, Oklahoma; and declaring an emergency.

1st Reading .....	2093
Returned To House .....	2120
Returned by House and 1st Reading .....	2134
2nd Reading and to calendar .....	2202
Advanced, 3rd Reading and To House .....	2694-2695
4th Reading .....	2700

ENGROSSED HOUSE JOINT RESOLUTION NO. 38—By DARKS of the House and WILBANKS of the Senate.—A Joint Resolution authorizing one, Harold Wright, a former inmate of the State Penitentiary at McAlester, Oklahoma, now a resident of Holdenville, Oklahoma, to bring suit against the State of Oklahoma in the District Court in Hughes County to determine the amount of damages, if any, sustained by him by reason of an accident which occurred while he was performing duties assigned to him by the warden of said penitentiary, and declaring an emergency.

1st Reading .....	1477
2nd Reading .....	1486
Committee Report .....	1563
Considered and advanced .....	1695-1697
Engrossed .....	1970
3rd Reading and To House .....	1989-1990
Senate amendments accepted .....	2065
4th Reading .....	2096
Governor's action .....	2416

ENGROSSED HOUSE JOINT RESOLUTION NO. 40—By BRAZELL, FRALEY, CLINE and EASON.—A Joint Resolution authorizing E. W. Marland of Ponca City, Oklahoma, to bring suit against the State to recover certain income and other taxes alleged to have been illegally collected from him by the State, and declaring an emergency.

1st Reading .....	1587
2nd Reading .....	1594
Committee Report .....	1616
Advanced .....	1819
3rd Reading and referred for engrossment .....	2486-2487
Engrossed and To House .....	2500-2501
Senate amendments accepted .....	2545-2546
4th Reading .....	2590



ENGROSSED HOUSE JOINT RESOLUTION NO. 44—By BATSON, COX, ALLEN, HANKLA, CHAMBERS, WILMOT, COLLINS GRAHAM, LEECRAFT and WILLIAMS.—A Joint Resolution authorizing Maude O. Thomas of Beaver, Oklahoma, to bring suit against the state of Oklahoma or the Oklahoma State Department of Highways to determine the amount of salary or compensation and expenses, if any due her, by reason of her services rendered the state of Oklahoma or that department; and providing for the method of defense of said action.

1st Reading ----- 1953  
2nd Reading and to calendar ----- 1979

ENGROSSED HOUSE JOINT RESOLUTION NO. 45—By COX, WILLIAMS, FITZGERALD, ALLEN, HANKLA, ULMARK, JONES, CAVITT, DUKE, DAVIS, GIBSON, MASSEY, REMUND, BUSHY-HEAD, WILMOT, CHAMBERS, GRAHAM, WINGO, SPECK, BURNHAM, FRALEY, WRIGHT, ALBRIGHT, ABERNATHY (Pottawatomie), BEAMAN, HOGG, and ABERNETHY (Harmon).—A Joint Resolution validating certain school land loans made by the School Land Department of the state of Oklahoma; providing a method of extending said loans; providing a method of redeeming purchase certificates, and declaring an emergency,

1st Reading ----- 1623  
2nd Reading and to calendar ----- 1675  
Considered, advanced, 3rd Reading and To House ----- 1772-1773  
4th Reading ----- 1893  
Governor's action ----- 1995

ENGROSSED HOUSE JOINT RESOLUTION NO. 47—By MUNSON and JOHNSON of the House and NANCE of the Senate.—A Joint Resolution authorizing a representative of the estate of C. C. Gray, of Cache, Oklahoma, or his surviving wife to bring suit against the state of Oklahoma, to determine the amount of damages if any suffered by the reason of the death of her husband, and employee of the State Highway Department, incurred in the line of duty, and declaring an emergency.

1st Reading ----- 1636  
2nd Reading and to calendar ----- 1675  
Advanced ----- 2453  
3rd Reading and roll call on emergency deferred ----- 2470-2471  
Roll call on emergency and To House ----- 2484-2485  
4th Reading ----- 2540

ENGROSSED HOUSE JOINT RESOLUTION NO. 50—By TODD of the House and THOMAS of the Senate.—A Joint Resolution authorizing W. B. Collins and Susie M. Collins to bring suit against the State of Oklahoma for damages sustained by them by reason of the manner of construction and location of a bridge by the State Highway Commission in Washita County, Oklahoma.

1st Reading .....	2412
2nd Reading and to calendar .....	2465

ENGROSSED HOUSE JOINT RESOLUTION NO. 51—By BABB and STEWART.—A Joint Resolution authorizing Herbert Z. Ward, of Heavener, Oklahoma, to bring suit against the state of Oklahoma to recover certain gross production and other taxes alleged to have been illegally collected from him by the state of Oklahoma; and declaring an emergency.

1st Reading .....	1766
2nd Reading .....	1790
Withdrawn and to calendar .....	1832
Advanced .....	2011
3rd Reading and To House .....	2561-2562
4th Reading .....	2637

ENGROSSED HOUSE JOINT RESOLUTION NO. 52—By HENDERSON.—A Joint Resolution creating the office of delinquent personal tax collector, in Haskell County, Oklahoma, prescribing his terms duties and compensation amending Sections 12727, 12730 and 12731, Compiled Oklahoma Statutes, 1931, insofar as Haskell County is concerned, providing for the collection of delinquent taxes on personal property in Haskell County, Oklahoma, repealing Section 12729, Compiled Oklahoma Statutes, 1931, and all other Acts in conflict herewith insofar as Haskell County, Oklahoma, is concerned and declaring an emergency.

1st Reading .....	2094
2nd Reading and to calendar .....	2142
Advanced .....	2210
3rd Reading and To House .....	2323-2324
4th Reading .....	2443

ENGROSSED HOUSE JOINT RESOLUTION NO. 53—By COX, ABERNETHY, (Harmon), WINGO, PALMER, ULMARK, WILMOT, O'NEILL, BURNHAM, ALLEN, BEAMAN, CLOYD and WILLIAMS.—A Joint Resolution authorizing the Oklahoma Tax Commission to refund to purchasers of license tags for the year 1933, over-payments

to conform with House Bill No. 305 of the Fourteenth Legislature of the state of Oklahoma, and declaring an emergency.

1st Reading .....	2085
2nd Reading and to calendar .....	2142
Committee Report .....	2410
Advanced .....	2519-2520

ENGROSSED HOUSE JOINT RESOLUTION NO. 56—By SMALLEY, LOGSDON, PARKS, KIGHT, HAILE, EBEL (Pontotoc), JOHNSON (Osage), WATSON, PALMER, FRALEY, JOHNSON (Comanche), KING (Creek), JONES, HAYS, HANKLA, HUTCHINGS, WINGO, PHILLIPS, (Okfuskee), GARLAND, MOONEY, BRAZELL, McELHANEY, BENNETT, MARSHALL, HILL, TIMMONS, ARMSTRONG, WOOTEN, SULLIVAN, ULMARK, GRUNERT, PAXTON, BABB, OTTESEN, WHITFORD, CLINE, PHILLIPS (Atoka) HINDS, —A Joint Resolution directing the State Board of Public Affairs to prohibit the parking and storing of motor vehicles in the basement of the state capitol building and declaring an emergency.

1st Reading .....	2087
2nd Reading and to calendar .....	2142

ENGROSSED HOUSE JOINT RESOLUTION NO. 57—By BLOCKER of the House and STEWART, of the Senate.—A Resolution authorizing and empowering the board of county commissioners of McCurtain County, Oklahoma, to include in their estimate of expenses for said county for the year ending June 30th, 1934, the sum of \$419.97, to pay Ben Miller for coal furnished said county for the purpose of heating the court house and jail and for electric light current for lighting same during the months from February 1st to June 30th, 1923, and declaring an emergency.

1st Reading .....	2456
2nd Reading and to calendar .....	2465
Advanced, 3rd Reading and To House .....	2658-2659
4th Reading .....	2684

# ENGROSSED HOUSE CONCURRENT RESOLUTIONS

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ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 1—By GRAHAM and ROBERTS entitled: A Concurrent Resolution ratifying a proposed amendment to the Constitution of the United States of America;

Received .....	117
Considered, adopted and referred for engrossment .....	139-143
Engrossed and re-referred .....	156
Engrossed and To House .....	171
Enrolled copy signed and To House .....	203

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 2—By WRIGHT, WILMOT, O'NEAL, ALLEN and ULMARK (House), and RIZLEY, POWERS, CLARK, HUTCHINSON and COPPOCK (Senate)—A Resolution to express the regrets of the people of Oklahoma and the Fourteenth Legislature of the State of Oklahoma at the death of Calvin Coolidge, formerly a President of the United States; and to convey to Mrs. Calvin Coolidge the sympathies of the Legislature of the State of Oklahoma.

Received, considered, adopted and referred for engrossment ....	70-72
Engrossed and To House .....	82
Senate amendments accepted .....	117-118
Enrolled copy signed and To House .....	173-174

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 3—By ABERNETHY, TURNER and PAXTON (House), and CARMACK, NANCE and CHAMBERLIN (Senate), entitled: A Resolution requesting Honorable Franklin D. Roosevelt, President-elect of the United States to appoint the Honorable John A. Simpson as Secretary of the Department of Agriculture.

Received .....	129-130
Considered, adopted and To House .....	167-169
Enrolled copy signed and To House .....	174-175

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4—By MISENHEIMER, ARMSTRONG, HANKLA, BABB, DARKS, DANIEL, MALLORY & GRAHAM.—A Resolution requesting the Governor of California to give the application of Tom Mooney for an unconditional



pardon consideration, and earnestly requesting that he reconsider his action heretofore taken.

Received ..... 360  
 Considered and indefinitely postponed ..... 493-494

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 7—By HOGG and BEAMAN.—A Resolution requesting the Congress of the United States to enact legislation whereby a moratorium of foreclosures on homesteads may be declared.

Received ..... 250  
 Considered, adopted and To House ..... 492-493  
 Enrolled copy signed and To House ..... 552

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 9—By BOYER, ELLIS and HART of the House and JENNINGS and FIDLER of the Senate.—Concurrent Resolution addressed to the Senate of the United States of America, and welcoming, by the United States Senate, of America, an investigation of the oil industry in the State of Oklahoma and into all phases of said industry, and welcoming co-operation of the Committee of the United States Senate with the Committee of the State Senate now investigating the oil industry in the State of Oklahoma.

Received ..... 497  
 To Committee ..... 1407

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 10—By MALLORY.—A Resolution requesting the Oklahoma Delegation to attempt to remedy tax evasion through the ownership of tax-exempt securities.

Received ..... 361  
 Considered, adopted and referred for engrossment ..... 494-495  
 Engrossed and To House ..... 525  
 Senate amendments accepted ..... 551  
 Enrolled copy signed and To House ..... 626

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 11—By PHILLIPS (Okfuskee) and WINGO.—A Resolution authorizing the various institutions of higher learning in the State of Oklahoma to formulate rules and regulations pertaining to the standards and affiliation of said institutions and declaring an emergency.

Received ..... 542  
 Considered and referred to Committee ..... 1185  
 Committee Report ..... 1707-1708

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 13—  
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## Joint Author:

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## Joint Author:

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## Author:

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## Joint Author:

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## Joint Author:

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## Joint Author:

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## EBEY, W. H. (Representative):

## Joint Author:

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## Author :

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## Joint Author :

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## Joint Author :

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## GRAY, J. T. (Representative) :

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## Joint Author :

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## GRUNERT, Arthur (Representative) :

## Joint Author :

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## Joint Author:

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## Joint Author:

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## Joint Author:

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#### Joint Author:

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## Author:

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## Joint Author:

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## Joint Author :

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## Author :

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## Joint Author :

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## Author:

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This Page Dedicated By the Oklahoma State Senate

**In**  
**Commemoration**  
**of**  
**Judge John Hazelton Cotteral**

Born, September 26, 1864

At Middleton, Indiana

Resided in Oklahoma since

April 22, 1889

Appointed United States District Judge

November 16, 1907

Became a member of the

Tenth United States Circuit Court of Appeals

May 23, 1928

Died

April 22, 1933

During Court Session

at

Wichita, Kansas

One of Oklahoma's Greatest Jurists Whose Life was Marked by

Simplicity, Sincerity and Service



JOURNAL  
OF  
SENATE  
OF THE  
FIRST EXTRAORDINARY  
SESSION  
OF THE  
FOURTEENTH  
LEGISLATURE



OF THE  
STATE OF OKLAHOMA





# Senate Journal

of the

FIRST EXTRAORDINARY SESSION OF THE  
FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA

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## FIRST LEGISLATIVE DAY

Wednesday, May 24th, 1933

The Senate, in extraordinary session, was called to order by the President, Lieutenant Governor Robert Burns.

Upon roll call, the following members of the Senate were present:

Present: Ballard, Briggs, Carlile, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis.  
Total, 40.

Absent: Carmack, Commons, Moon, Waldrep.  
Total, 4.

The President ordered the Official Proclamation of the Governor read, which was as follows:

### STATE OF OKLAHOMA EXECUTIVE DEPARTMENT EXECUTIVE PROCLAMATION

The Fourteenth Legislature having confronted numerous public problems and difficulties, among them of great magnitude, the enactment of rules to govern the

School Land Commission, to safeguard the funds; prevent theft of the funds; prevent making a political football of the lands and assets of said Department fund to public officials and politicians, the purpose of said rules now sought to be destroyed by a majority of the School Land Commission;

The further problem of balancing the expenditures with the revenues to be received during the two next fiscal years; the restoration of the credit of the State upon their outstanding warrants, that of the several counties and school districts, together with the financing of the schools, so that in a few years, the public debt, perhaps the greatest evil of the present economic difficulties, should be extinguished, with the continuation of orderly government paid for as we go, and giving reasonable terms to the public schools, and enabling the school teacher to cash his warrants without exorbitant discount, the Fourteenth Legislature enacted three several statutes vouchsafing the same, to-wit: The Income Tax Law, the Cigarette Tax Law, the Sales Tax Law; but none of their said laws bear the emergency, and all of said laws and said policy are threatened to be destroyed, at least temporarily, by referendum petitions, which would necessitate either the calling of a special election or of not collecting any of said revenues for two years or more:

NOW, THEREFORE, I, Wm. H. Murray, the Governor of the State of Oklahoma, do hereby call the Fourteenth Legislature into a Special Session, to convene,

WEDNESDAY, AT 1:00 O'CLOCK P. M., MAY 24, 1933, for the express and only purpose of re-enacting with emergency, the Bill for the rules governing the School Land Department; also to re-enact, with emergencies, the Income Tax Law; the Cigarette Tax Law; and the Sales Tax Law.

Since the calling of a special election to vote upon these referendum measures would cost more than a spe-

cial session, provided the House and Senate will enact them as speedily as can be done, or nearly so, I therefore regard this as justification for this call. Under the Constitution, five days is the shortest time in which any bill can be enacted, by reason of the necessity of having the bills read three special days in each House; and since discussions for months were had upon these bills in regular session, such discussions are unnecessary, and certainly the Legislature should not hold longer than six or eight days, and thus maintain its record heretofore of economy and effort to serve the public weal.

Given under my hand, with the Seal of the State caused to be attached, on this the 20th day of May, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

ATTEST:

R. A. SNEED,  
Secretary of State.

(SEAL)

The President declared a quorum of the Senate was present and the Senate, in extraordinary session, legally assembled.

Prayer was offered by Reverend Lewis, of Strong City, Oklahoma.

Senator Morrison moved that First Extraordinary Session of the Senate of the 14th Legislature re-elect the officers of the Regular Session of the Senate of the said legislature, which motion prevailed.

Upon motion of Senator Morrison, J. Wm. Cordell was elected as Secretary of the First Extraordinary Session of the Senate of the 14th legislature.

Upon motion of Senator Morrison, the Rules and Procedure of the Senate of the Regular Session of the 14th Legislature were made the Rules and Procedure of the First Extraordinary of the Senate of the said legislature.



Senator Morrison moved that the Standing Committees, elected during the Regular Session of the Senate of the 14th Legislature, be made the Standing Committees of the First Extraordinary session of the Senate of said legislature, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Clark, Curnutt, Dixon, Fidler, Fischl, Garvin, Hutchinson, Lester, Logan, MacDonald, Memminger, Morrison, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Whitaker. Total, 21.

Nays: Carlile, Chamberlin, Daugherty, Howard, Johnston, Liggett, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Willis. Total, 15.

Not voting: Coppock, Jennings, Powers, Wilbanks. Total, 4.

Absent: Carmack, Commons, Moon, Waldrep. Total, 4.

Senator Morrison moved that a Committee of 3 be appointed to notify the Honorable House of Representatives that the Senate is in session, properly organized, and ready to transact business.

The motion prevailed, the President appointing, as such committee, Senators Morrison, Stewart and Clark.

Senator Morrison moved that a Committee of 3 be appointed to confer with a like Committee, to be appointed by the Honorable House, to notify the Governor that the First Extraordinary Session of the Fourteenth Legislature is now in session and ready to receive communications.

The motion prevailed, the President appointing, as such committee, Senators MacDonald, Nance and Hutchinson.

#### FIRST READING

By unanimous consent, the following bills were introduced and read for the first time:

SENATE BILL NO. 1—By Committee on Appro-

priations.—An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the permanent Journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of said Session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, and declaring an emergency.

SENATE BILL NO. 2—By FIDLER, BALLARD, MacDONALD, MEMMINGER, RUTHERFORD, CURNUTT, and COE of the House.—An Act authorizing the refund of that portion of motor vehicle registration fees for the year 1933 paid under the provisions of Section 10271, Oklahoma Statutes 1931, that is in excess of the amounts due for said year under the provisions of House Bill No. 305 of the Fourteenth Legislature of the State of Oklahoma; providing procedure therefor; and declaring an emergency.

The Senate was declared at ease, pending reports of Committees.

The Senate reassembled, with the President presiding.

Senator MacDonald, on behalf of the Committee, appointed to notify the Governor that the Senate of the First Extraordinary session of the Senate is properly organized and ready to receive communications, reported the duty performed, following which the report was ordered received and the Committee discharged.

Senator Rizley asked unanimous consent, which was granted, to submit the following Senate Concurrent Resolution, which was read at length:

SENATE CONCURRENT RESOLUTION NO. 1—By RIZLEY and CHAMBERLIN of the Senate and WILLIAMS of the House.

A JOINT AND CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES REQUEST THE HONORABLE WILLIAM H. MURRAY OF THE STATE OF OKLAHOMA TO SUBMIT TO THE SPECIAL FIFTEENTH SESSION OF THE LEGISLATURE A BILL HAVING FOR ITS PURPOSE THE REFUNDING TO PURCHASERS OF TRACTOR AND AUTOMOBILE TAGS THE EXCESS AMOUNT PAID BY SUCH PURCHASERS BETWEEN THE DATES OF JANUARY, 1933, AND THE FINAL ENACTING OF THE LAW PASSED BY THE FOURTEENTH LEGISLATURE REDUCING THE AMOUNT TO BE PAID FOR SUCH TAGS.

SECTION ONE.

WHEREAS, the fourteenth session of the legislature enacted a law having for its purpose the reducing of automobile licenses and the fees to be paid for license tags in the State of Oklahoma.

AND WHEREAS, said bill so passed by the legislature was signed by said William H. Murray, Chief Executive of the State of Oklahoma, and the same became a law of the State of Oklahoma on or about the ----- day of April, 1933.

AND WHEREAS, under and by virtue of said law so enacted by the fourteenth session of the legislature the price and amount to be paid by the owners of tractors and automobiles was substantially reduced.

AND WHEREAS, subsequent to the introduction of the bill in the House of Representatives which finally became a law reducing said license fees the time for payment of said license fees was extended up to and including the fifteenth day of May, 1933.

AND WHEREAS, many, various, sundry and divers persons and corporation between the date of Jan-

uary 1st, 1933, and the date of the final passage and approval of the law reducing the amount of said license fees purchased automobile and tractor tags at the price and amount provided by the laws of the State of Oklahoma for such tags prior to the enactment of said law by the fourteenth legislature.

AND WHEREAS, the said fourteenth legislature failed, neglected and refused to pass proper and appropriate legislation having for its purpose the refunding and repayment to such purchasers of the difference between the amounts required to be paid under the law as it existed prior to the law enacted by the fourteenth session of the legislature.

AND WHEREAS, such failure, neglect and refusal on the part of the fourteenth legislature to provide adequate remedy to such purchasers for refunding and repayment of such excess amounts resulted in a discrimination against such purchasers of tags made prior to the enactment of said law passed by the fourteenth session of the legislature and in effect placed a premium upon tardiness and neglect and penalized promptness and punctuality on the part of those who complied with the law as provided prior to the enactment of the law passed by the fourteenth legislature reducing the said license fee.

AND WHEREAS, the failure, neglect and refusal of the fourteenth legislature to provide an adequate remedy for such purchasers of tags has resulted in gross partiality and discrimination against those who purchased such tags prior to the enactment of the law passed by the fourteenth legislature.

NOW THEREFORE, BE IT RESOLVED, by the Senate of the State of Oklahoma, the House of Representatives concurring therein, that the Honorable William H. Murray, Governor of the State of Oklahoma, be and is hereby requested to include in the matters and things to be considered by said special session of the



said state legislature now called a request to the said legislature authorizing and suggesting to it that a sufficient and adequate law be enacted directing and authorizing a refund and repayment to all purchasers of automobile license tags and tractor license tags in the State of Oklahoma in excess of the amount that would have been paid had such purchases been made subsequent to the enactment of said law hereinbefore referred to by said fourteenth session of said legislature.

Senator Rizley moved the adoption of Senate Concurrent Resolution No. 1.

Senator MacDonald requested that consideration of Senate Concurrent Resolution No. 1 be deferred, until the Message of the Governor is received, to which Senator Paul objected.

The vote occurring on the Rizley motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Chamberlin, Clark, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 36.

Not voting: Carlile, Coppock, Nance, Wilbanks. Total, 4.

Absent: Carmack, Commons, Moon, Waldrep. Total, 4.

Senate Concurrent Resolution No. 1 was ordered referred for engrossment.

A Committee from the Honorable House, composed of Representatives Batson, Marshall, Grunert and others was received, and advised the Senate the Honorable House was organized and ready to transact business.

A Committee from the Honorable House, composed of Representatives Chambers and others, was received and advised the Senate that said Committee was ready

to confer with a like Senate committee, to arrange for a Joint Session of the First Extraordinary session of the 14th legislature.

Senator Morrison moved that a Committee of 5 be appointed to confer with a like Committee of the Honorable House, in arranging for a Joint Session of the First Extraordinary session of the 14th legislature.

The motion prevailed, the President appointing as such committee, Senators Morrison, Stewart, Chamberlin, Dixon and Rizley.

The Senate was declared at ease.

The Senate reassembled, with the President presiding.

Senator Morrison, on behalf of the Joint Committee of the Honorable House and Senate, appointed to arrange an hour for a Joint Session of the First Extraordinary Session of the 14th Legislature, reported the duty performed and the hour of 2:00 o'clock p. m., as the hour for such joint session, following which the report was ordered received and Committee discharged.

The hour of 2:00 o'clock, p. m., having arrived, it was upon motion of Senator Morrison that the Senate retired to the House Chamber, there to receive the Governor and hear his Message.

#### JOINT SESSION

The Joint Session of the Honorable House and Senate of the First Extraordinary Session of the 14th Legislature was called to order by President Pro Tempore Stewart.

President Pro Tempore Stewart declared a quorum of the Senate present.

Speaker Anglin declared a quorum of the Honorable House present.

President Pro Tempore Stewart presented Governor Murray, who read his Message, as follows:

MESSAGE TO THE FIRST SPECIAL SESSION OF  
THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA  
TO THE HONORABLE SENATORS AND  
REPRESENTATIVES:

You have been called into extraordinary session for the sole purpose of protecting and safeguarding your own work in the regular session.

In that session, you were called upon to meet and solve a deplorable financial condition of the State and its subdivisions. State warrants could not be readily cashed; the county warrants were a drag in the commercial market; the school district warrants in most parts of the State were discounted from 10 to 30 per cent, and, in many districts, could not be cashed at all, even in the capital, together with a cry from every side: "Give aid to the public schools."

It was manifest that to make additional appropriations without providing for the revenue therefor would but aggravate the condition by throwing into the market more warrants, and thus increasing the discount of such warrants. Therefore, it became clear that if other revenues could be obtained whereby the outstanding warrants could be paid as rapidly as revenues were collected, with additional revenues to supply the schools of the State, and, at the same time, lower the ad valorem tax on property to a point where the property owners could pay the tax, that such policy would solve the problem.

With this in view, Your Body passed three several laws: The Income Tax, with 75 per cent. thereof apportioned among the schools of the State, and 25 per cent to aid in the payment of current expenses; you passed also the tax on cigarettes, which, in turn, was to aid in the payment of school warrants in the several districts; and, last, a Special Sales Tax, to be divided between the payment of outstanding warrants in the several school

districts in aid of the weak schools, and in the payment of current expenses. But, in your enactment of these three laws, you failed to provide and attach the Emergency Clause, and left your work to the wreckers of society who start referendum petitions, with a view of preventing these statutes becoming laws ninety days after the adjournment of the Legislature; and, by such method, threaten to disrupt the entire financial policy enacted by Your Honorable Body in the regular session.

Hence, it becomes necessary for you to fortify and safeguard this policy by re-enacting these three bills verbatim, as passed before, but with the Emergency Clause attached. This done and the finances of the State will have been placed upon a sound and permanent basis, enabling the public schools to have reasonable terms, and school teachers to cash their warrants. I may call your attention to the fact that if you fail to do this at this extraordinary session, it means the tying up of these bills for two years or longer, and, in less than twelve months, all will be chaos, so far as the school system is concerned and the credit of school paper. The teacher will have to go without his earned salary, and appropriation for him will do no good, because it will but add to the outstanding warrants unpaid and result in destroying the credit in every school district in the State.

It is impossible to make appropriations in excess of revenues and maintain the credits of the State and subdivisions without provision for revenues, from some source. No plans, other than enactment, have been offered; and, therefore, if you will re-enact these three bills, without change, except to add the Emergency clause, it can be done speedily, and enough revenue collected before the expiration of ninety days to compensate the cost of said extraordinary session. This can be done without debate, because they were debated for



three months and passed in the form here proposed to be re-enacted.

I might call your attention to the fact that the opposition to these bills will seek changes for no other purpose than to promote discussion and delay. They will recite that the Illinois Supreme Court declared an income tax law unconstitutional, and also allege that your laws are unconstitutional; but I call your attention to the fact that the Illinois Constitution is not identical with the Oklahoma Constitution. Indeed, the power to tax by other method than by ad valorem, is broader in the Oklahoma Constitution than any other. This may be observed by turning to Section 12 of Article 10 of the State Constitution, which reads as follows:

“Section 12. The Legislature shall have power to provide for the levy and collection of license, franchise, gross revenue, excise, income, collateral, and direct inheritance legacy, and succession taxes; also, graduated income taxes, graduated collateral and direct inheritance taxes, graduated legacy and succession taxes; also stamp, registration, production, or other specific taxes.”

You may observe from this language that we have not even approached the exhaustion of the power to tax other than by ad valorem. Kansas made an effort two years ago to adopt just two of these powers by constitutional amendment. Other states have done the same. This power is spacious, ample, and complete to cover every form of tax, and even more than adopted by Your Honorable Body.

Permit me to urge the Honorable House to pass these three statutes verbatim, et literatim, et punctuatum, except only to add the Emergency, and then the opposition cannot clamor for argument and speeches for the purpose only of delay; and do this within three days, and pass the Bill to the Senate, where the Senate can also confirm that of the House without reference to

committees, debate, or other dilatory tactics; and, by this means, these could be passed in five days.

Remember that no other measures will be considered or submitted for consideration under any circumstances than those three, and the one hereafter referred to, under any circumstances, until they have been enacted; and, if you find that you cannot re-enact them, with the Emergency Clause, please to have that public regard to adjourn and thus maintain the high standard you have heretofore set for economy and legislation in the interest of the public weal.

The Fourth Bill included in the call relates to rules governing the School Land Commission, which is of equal importance, in view of the fact that a majority of the Commission want to place in control as Secretary, and in the Lease Department, the very men most responsible for the loss of these trust funds, amounting to hundreds of thousands of dollars, if not millions.

A majority of the Commission became angered at the Governor and the Secretary, A. L. Beckett, because he insisted that loans should be made strictly in conformity with the law and the intent of the Constitution, the majority of the Commission maintaining they had the plenary power to handle these funds in any way that the majority of the Commission saw fit, claiming, as their attorney ten days ago insisted, that they could not be bound by a legislative act, whereas, to my own knowledge, the intent of the makers of the Constitution was, as stated in the Constitution, to loan these funds according to rules fixed by the Legislature.

There has been a direct theft of some \$48,000.00 of these funds, but more, indeed a hundred times more, loss through this erroneous conception of duty and violation of sound public policy. To call attention to one instance: A tract of school land was sold, and, then, later, \$600.00 loaned to the purchaser, upon which he never paid rent or interest, amounting in fact to the Commis-

sion's selling the man the land, and then giving him \$600.00 to take it; and, because Secretary Beckett called attention to these things, the Commission seeks to throw him out of office.

Practically all the misuse of this Department, and except for direct theft, all the losses except those which inevitably come from depreciation in the value of securities, has come from the wrongful assumption of powers by the Commission, never intended to be exercised, if my construction of the Constitution is correct.

You will recall that in every instance where, in the Constitution, a duty is placed upon the School Land Commission, the power to exercise that duty was restricted by the qualification that it must be done "under rules and regulations prescribed by the Legislature." The leasing and sale of lands belonging to the State, investment of funds, and every other power delegated to the Commissioners was thus limited.

As Judge Beckett construed the Constitution to be the evident intent of the writers that the Commissioners' power was to be fixed and limited by law, and that the only inherent powers given by the Commissioners were those necessary to carry out the Legislative direction, but by the failure of the Legislature to prescribe rules and regulations for the investment of the funds and other duties, the Commissioners, of necessity were left to frame their own rules. They, of course, assumed that if they had authority to make rules, they had authority to waive and disregard them. This situation made it possible for the Commissioners to exercise unlimited power in the administration of the affairs of the Land Office.

Through the exercise of such unlimited power, they at last came to feel that they were above and beyond the law and were a power unto themselves, and, through this power, they have practiced favoritism and used the Land Office to perpetrate and continue themselves in

public service, apparently without due regard to the interests of the State and the safety of the fund.

The misuse of this power in the administration of the office is evidenced by the fact that in those sections of the State from which, in the past, Commissioners of the Land Office were chosen, and where their friends are more numerous, a great bulk of the losses from the Department have been made, and the great loss from reckless and bad loans will come.

There is little, if any, evidence indicating that more than one or two of the Commissioners may have directly profited in money wrongfully taken from the public funds. There is abundant evidence that those active in political affairs and credited with having political influence have been able to obtain favors from the Commission, which were unjustified and will result in heavy losses.—I have reference to loans made to members of the Legislature, doubtless for large amounts.

The Commissioners utterly disregarded the law in its dealings with bonds, as set forth in the audit and in the special report by the Honorable John Rogers, State Examiner and Inspector. Nothing less than a bond brokerage business was set up within the department. Millions of dollars in bonds were bought, sold and traded, involving funds which would not be lawfully invested in securities, and in violation of the law. Millions of dollars in gilt edge securities have been sold and traded for questionable securities from which tremendous losses to the department are inevitable.

The method in which some of these transactions were handled are unusual and capable of no reasonable explanation, so far as I can see. The major portion of these deals occurred between the years 1919 and 1929. All of these transactions, except the legitimate investment of proper funds in the purchase of bonds, were in violation of law.

Unfortunately, the Legislature had never provided



any method of ascertaining losses in this Department, and the provisions of the House Bill No. 187, providing a method to do this, was stricken from the Bill. There was a powerful lobby against this Bill, and this was actively participated in by some of the present Commissioners, and they succeeded in eliminating this feature of the Bill.

Some considerable losses from bond dealings are shown in the face of the record, but those who want to minimize the losses from wrongful administration will say that no losses are shown; but the losses are there, and, if any provision is ever made whereby they may be determined, the State will be required to make good a large sum of money.

Even if no loss occurred, such administration, in my judgment, is wrongful, just as it would be wrong for one entrusted with funds to gamble with them. He might win and say that nothing was lost, but that would not alter the fact that such course was unwise.

Except for the fact that some of the Commissioners seek retaliation against the Governor and Secretary Beckett, the only objection which the Commissioners can have to his services is that he has constantly insisted that the Commissioners act strictly within the plain powers delegated to them by the Constitution and by law. The surrender of power is irksome to them, and would make it impossible for the Land Office to be made a political work shop.

The gentleman who has been named to succeed Beckett is, I hope, honestly, of the opinion that my construction of the Constitution is wrong. He believes that all power of administration is inherent in the Commissioners, and that any limitation of that power by the Legislature would be unconstitutional, and his construction of the Constitution is, therefore, entirely in accord with the views and desires of the Commissioners.

The final settlement of this issue will probably deter-

mine the future of the funds committed to the Commissioners of the Land Office. Fortunately, oil royalties and rentals have poured millions of dollars into the fund, and, with the other millions of dollars in questionable and worthless assets, which are now carried of record, a very encouraging statement of the records of the Department can truthfully be made; but that does not show the loss.

Not until the Legislature provides a proper method of sorting out and charging off the worthless assets and determining the actual losses will the people know the truth about this Department.

I might as well tell this story from the beginning:

In 1930, I came to the conclusion in the campaign that this Department was in a bad condition. I recommended to the 13th Legislature a provision for the audit of three departments, and asked for \$75,000.00, having in view the audit, first, of the School Land Department. I felt an opposition, secret and by stealth, which I found later was coming from men who had been administered as clerks of this Department; from Commissioners of the Land Office and from Members of the Senate who had borrowed large sums of money.

The Legislature finally passed a bill with but \$25,000.00 to audit ALL departments, feeling that I would not dare to complete the School Land audit. I made an effort for bids to complete the audit for a lump sum. One auditor wanted \$100,000.00. Finally, we were enabled to get Willson and Garnett to cut down their regular prices, and to do it by the "piece;" whereupon, I made a contract to audit the School Land Department only. The money gave out a year or two prior to 1920,—just as we reached the interesting part. I authorized the expenditure of \$10,000.00 more, risking criticism that would follow, and that \$10,000.00 disclosed the theft of \$48,000.00 and loss of hundreds of thousands of dollars, while John Whitehurst was President of the Board

of Agriculture, conniving with A. S. J. Shaw, Secretary of the School Land Office, at the time that the rules were laid by an attorney seeking to permit the Commissioners to do as they pleased.

The records show that during that period, the Commissioners allowed Secretary Shaw to make loans without approval of the Commission in amounts up to \$2500.00. Certain men went over the State, particularly in the Choctaw and Chickasaw Nations, purchased little tracts of land, paying from \$1,000.00 to \$1,800.00, and securing a loan upon that land for \$2,400.00, pocketing the difference. One of these loans was made in my county and the land purchased from one T. C. Ware for \$1,800.00, and the loan made to a member of the Legislature from Grady County.

Some two or three months after I went into office, Secretary Beckett called my attention to the Clerk of the Lease and Sales Department, and that former Secretary Shaw spent much of his time in that department. He convinced me that a wholesome change could not be made until the Clerk was eliminated.

I invited the entire Commission to my home, with their women folk, who were entertained by Mrs. Murray, while I discussed with the Commission and Secretary Beckett the necessity for a change. Frank Carter, Harry Cordell, and John Vaughan sought to make no change. After spending four and a half hours, we adjourned. Two days later, I called them into my office and argued for two and a half hours more; and, seeing that they would not yield, I replied, with warmth: "Gentlemen, I am going to say to the people that we have found the man, and that you would not turn him out; and I give you notice now that this is the last time I intend to spend seven hours trying to get you to do what is right. This story will go to the Press." Whereupon, they yielded.

Mr. Sneed proposed Lewis Terry, and having no

care as to the personnel, I agreed to give him a trial, and while Lewis Terry has considerable executive ability and management, he is an utter failure as a clerk; and this fact has angered the member, Mr. Sneed, when he found that Beckett wanted to substitute some one else.

I care nothing about the personnel,—in fact, I had but three friends in the Department, and they have been turned out; and, while most of the Department clerks are efficient, and that is all to care for, there are some four who ought to be removed; and certainly the attorney in the “old days” for the Department, who caused such loss should not be made Secretary, nor should A. S. J. Shaw be permitted in the Department at all.

There is much more not known to the public, but this is sufficient to give any one an understanding of the danger of this Department’s going back to the loose haphazard method by which it has been managed for some fourteen years.

I therefore urge the Senate, since it will have five days at least before it can vote upon the Revenue Bills, to pass this law practically as originally written and introduced in the House by Kight, and passed by that Body, with an Emergency, to the end that the men most responsible for the loss of this money shall not be permitted to handle it.

These lands and funds are a sacred trust; and, if we do not handle them in the light of good conscience, and sound public policy, and prevent the possibility of loss, we are the most consummate criminals of the age.

Respectfully submitted, on this the 24th day of May, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA:     Wm. H. MURRAY.



## EXHIBIT TO THE GOVERNOR'S MESSAGE

Excerpt from report of audit of bonds and coupons and non-payable warrants held as an investment by the Commissioners of the Land Office,

January 12, 1915, to June 30, 1932.

Compiled and submitted by Hon. John Rogers, State Examiner and Inspector of date May 2, 1933

"SECTION ONE (1). Covering period of January 12, 1915, to April 23, 1923, inclusive. Bonds on hand January 12, 1915, \$1,227,000.00 (Page 5). Bonds purchased during the period \$1,963,524.00, (Page 6). Bonds received in exchange for bonds during the period \$1,760,650.00, (Page 7). Total \$4,951,174.00. Bonds sold or matured during the period \$2,082,550.00, (Pages 8 and 9). Bonds given in exchange for bonds during the period \$1,758,150.00, (Page 10).

The records of the School Land Department reflect the ownership of Madill Water Work Bonds, dated January 15, 1920,----- in the amount of \$50,000.00, bearing 6% interest, (Page 6). Volume 8, Page 329 of the Commissioners of the Land Office Minutes, dated July 14, 1920, authorized the Secretary to purchase the Madill Water Work Bond in the amount of \$50,000.00, out of the Public Building Funds. The records further show that these bonds were purchased with Public Building Funds, per check No. 22612, dated July 15, 1920, from the American National Bank, Oklahoma City, Oklahoma, and that they were sold to Brown-Crummer Company, Wichita, Kansas, payment credited January 2, 1925, (Page 30). The purchase of the bonds by the Commissioners of the Land Office is contrary to Section 5483, O. S. 1931, quoted above.

Section Two (2) Covering the period beginning April 24, 1923, to May 31, 1929, inclusive. Bonds on hand at the beginning of this period, April 24, 1923, \$1,110,474.00 (Page 27). Bonds purchased during the period \$2,797,800.00 (Page 28). Bonds received in ex-

change for Bonds during the period \$1,000,000.00, (Page 29). Total of \$4,908,274.00. Bonds sold or matured during the period \$1,401,524.00, (Page 30). Bonds given in exchange for bonds during the period \$1,000,000.00, (Page 31). Total disposed of \$2,401,524.00, leaves bonds on hand at close of period, May 31, 1929, \$2,506,750.00, (Pages 32 to 33 incl.).

[*Remark:* During this period the Pollard shortage occurred of \$50,787.50, interest coupons clipped but not paid in. The foregoing statement made by the State Examiner and Inspector, John Rogers, shows conclusively that my statement, that the Commission had done a bond brokerage business, is proven.—MURRAY.]

“On March 15, 1928, the School Land Department sold to the American First National Bank, Oklahoma City, Oklahoma, State Funding Bonds of 1913—Series “E” in the amount of \$170,900.00, with accrued interest of \$3,503.45, Total \$174,403.45, (Page 30). The rate of interest paid by the State on these bonds is Four and one-half ( $4\frac{1}{2}$ ) per cent and during the time the School Land Department owned these bonds it was receiving this rate of interest, while the rate of interest received on daily bank balances is three (3%) per cent.

On the date of purchase of the Bonds, March 15, 1928, by the Bank, the bonds were put up as security with the State Treasurer to secure public funds, as per State Treasurer Receipt No. 2130.

On April 2, 1928, the State Treasurer issued check No. 3283 in the amount of \$3,845.25 to the Commissioners of the Land Office in payment of the matured coupons due April 1, 1928, on the above bonds. This check was not deposited by the School Land Department in accordance with Section 8602, C. O. S. 1921 (Section 5419, O. S. 1931) requiring deposits to be made daily in the official depository, but was turned over to the American First National Bank, Oklahoma City, Oklahoma. On

August 16, 1928, these bonds were called by the State Treasurer and retired."

[*Remark:* On the dates included in this transaction Hon. R. A. Sneed was State Treasurer and Mr. Lewis Terry, Assistant. The correct explanation of the foregoing is: The School Land Department wittingly, or unwittingly, sold the bonds to the bank and then deposited the money in the bank, drawing but 3 per cent interest, leaving the bank a profit of  $1\frac{1}{2}$  per cent; and then the bank got an equal amount of money from the State Treasury on the same bonds. It would also appear from the disposition of this interest that it was not a bona fide sale.—MURRAY.]

On February 23, 1928, the records of the School Land Department show that \$500,000.00 of U. S. Treasury notes, bearing three and one-half ( $3\frac{1}{2}\%$ ) per cent interest was traded to Mr. A. J. McMahan, Oklahoma City, Oklahoma, for a like amount of Oklahoma County Road bonds bearing four and one quarter ( $4\frac{1}{4}\%$ ) per cent interest and that the School Land Department paid a premium of \$7,500.00 and accrued interest of \$778.00 on the Oklahoma County Road Bonds, (Page 29). The amount of premium thus paid will necessitate the ownership of the Oklahoma County Road Bonds by the School Land Department for a period of two years before the difference in the additional rate of interest will result in an earning for the School Land Department.

[*Remark:* The foregoing shows some more mechanism and bond deals that would be unintelligible to the public, and would disclose that Oklahoma has a few "Banketeers" equal to the Wall Street Group; and there is an effort to put back in control of the clerical force the men responsible for it.—MURRAY.]

Volume 17, Page 153, of the Commissioners of the State Land Office Minutes, dated April 23, 1929, authorized the Secretary to invest any surplus of the Public Building Fund in State Non-payable warrants. I find

Oklahoma State non payable warrants have been purchased from the date of the authorization to May 31, 1929, in the amount of \$372,211.51, (Page 142). The purchase of these warrants is contrary to Section 5483, O. S. 1931, previously quoted herein."

[*Remark:* The question arises: How and Why? Also, why a former citizen of Altus, the home town of one of the Commissioners, was the go-between in this transaction?—MURRAY.]

"The State Treasurer issued check No. 3307, dated April 4, 1928, in the amount of \$20,747.25 payable to the Commissioners of the Land Office in payment of matured coupons on State Funding Bonds of 1931, but such check was not deposited until September 28, 1928, according to the records of the State Treasurer and official depository, (Page 58). The fund against which this check was drawn draws three (3%) per cent interest on daily balances and such interest or earning is credited to the general revenue fund of the State while the Funds of the Commissioners of the Land Office are credited with earnings on daily balances, consequently the funds of the Commissioners of the Land Office failed to receive the three (3%) interest on this check from date of issuance, April 4, 1928, to date of deposit September 28, 1928."

[*Remark:* This is clear cut and constitutes cumulative evidence of a veritable bond brokerage business by the School Land Department, in which neither the State nor the school children got any boot in the transaction. Who got the boot?—MURRAY.]

"This Section covers the period beginning June 1, 1929, and ending June 30, 1932. Bonds on hand June 1, 1929, \$2,506,750.00, (Pages 145 to 147 Incl.) Bonds purchased during the period \$1,300.00, (Page 148). Bonds received in exchange for bonds during the period \$30,000.00, (Page 148). Total \$2,538,150.00. Bonds sold or matured during the period \$1,356,550.00, (Pages 149



to 150 inclusive). Bonds given in exchange for Bonds \$30,000.00 (Page 150). Total disposed of \$1,386,550.00. Leaves bonds on hand at close of period, June 30, 1932, \$1,150,500.00 (Page 150)."

[*Remark:* This includes the present administration transaction. The \$1,300.00 were bonds maturing this year and payable out of the public building fund. We had the money on hand, retired the bonds and stopped the accrual of interest. We held \$90,000.00 El Reno Board of Education Bonds of which we sold \$60,000.00 and exchanged \$30,000.00 for Sallisaw Board of Education Bonds. The remainder of the \$1,356,550.00 were matured and retired. Under the law, this fund should not have been invested in bonds; indeed, the intent of the Constitution was to lend this money upon improved farm real estate.—MURRAY.]

#### PURCHASE OF NON PAYABLE WARRANTS:

"Oklahoma State Non payable warrants purchased by the Commissioners of Land Office from June 1, 1929, to June 20, 1932, inclusive, amounts to \$2,511,031.76, (Page 156). This amount, plus the warrants on hand at the close of May 31, 1929, of \$139,595.32, gives a total of \$2,650,627.08 on hand and purchased during this period. Cash received for warrants during this period of \$2,607,497.72, leaves a balance of warrants to be on hand June 30, 1932, of \$43,129.36."---- "As previously mentioned the purchase of these warrants is contrary to Section 5483 O. S. 1931."

[*Remark:* It has been the Governor's policy and the effort of Secretary Beckett to close out these bond transactions, and the above shows the progress for such purpose. This report reflects that the Commissioners of the Land Office have lawfully invested \$5,988,324.00 in bonds. That it has unlawfully sold and exchanged \$4,843,200.00 in bonds and unlawfully invested \$2,883,243.27 in non payable warrants, a total of unlawful transactions \$7,726,443.27, from 1915 to the beginning of this admin-

istration, the larger portion being from 1923 to 1929 inclusive. More than \$2,000,000.00 in United States Bonds have been unlawfully disposed of. It may be suggested that no considerable losses have resulted, but one might play poker with the money and not lose it, yet that would not be good business.—MURRAY.]

Upon motion of Representative Batson, the Message of the Governor was ordered accepted, filed and printed in the Journals of the Honorable House and Senate.

Upon motion of Representative Batson, the joint session of the First Extraordinary Session of the 14th Legislature was dissolved.

The Senate reassembled, in the Senate Chamber, with the President presiding.

Senator Nance moved that the Printing Committee of the Senate be directed to purchase for each member and officer of the Senate a copy of the unofficial Acts of the Regular Session of the 14th Legislature.

Senator Curnutt, as a substitute, moved that the Harlow Publishing Company be requested to advise the Senate of the price of 50 copies of the unofficial Acts of the Regular Session of the 14th legislature.

Senator Nance, in lieu of all pending motions, moved that the Senate Printing Committee be instructed to purchase for each member and officer of the Senate a copy of the unofficial Acts of the Regular Session of the 14th legislature, at a price not to exceed \$3.75 per copy, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Clark, Fidler, Howard, Johnston, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Whitaker. Total, 21.

Nays: Ballard, Coppock, Curnutt, Dixon, Fischl, Garvin, Hutchinson, Jennings, Paul, Powers, Pugh, Ray, Rutherford, Wilbanks, Willis. Total, 15.

Not voting: Chamberlin, Daugherty, Lester, Thomas. Total, 4.

Absent: Carmack, Commons, Moon, Waldrep. Total, 4.

Upon motion of Senator Morrison, the Senate adjourned, to meet under the rules.

## SECOND LEGISLATIVE DAY

Thursday, May 25, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis.  
Total, 40.

Absent: Waldrep. Total, 1.

Excused: Commons, Moon, Nichols, Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### PETITIONS

A Petition, dated at Seminole, Oklahoma, addressed to "Hon. Robert Burns, Hon. Al G. Nichols, Hon. W. D. Grisso, Hon. Marvin Wooten and Hon. C. L. Hill," was presented by the President, urging "the defeat of the emergency clause attachment on the Sales Tax and Income Tax Bills," and expressing opposition, particularly, to the Sales tax bill.

### FIRST READING

The following bill and resolutions were introduced and read for the first time:

SENATE BILL NO. 3—By CARLILE, NICHOLS and JOHNSTON.—An Act amending Section 11, House Bill 187, passed by the Fourteenth Legislature and approved on the 26th day of April, 1933; Providing the method for selling land acquired by the State through mortgage foreclosure; amending Section 13, House Bill



187; making an appropriation to make said Act effective; repealing portions of Senate Bill No. 27, passed by the Fourteenth Legislature providing salaries for certain employees of the Land Office; repealing all laws in conflict herewith, and declaring an emergency.

SENATE RESOLUTION NO. 1.—By RIZLEY.—A Resolution authorizing and directing the President of the Senate to appoint a committee to investigate the financial status of the School Land Department, alleged claims of favoritism, fraud and embezzlement, pertaining to the school funds and various and sundry other matters; authorizing the subpoena of witnesses and requiring said Special Committee to report its findings to the Senate of the State of Oklahoma for action thereon.

SENATE RESOLUTION NO. 2.—By LOGAN, FISCHL and CURNUTT.—A Resolution protesting against the levying of an additional tax on gasoline by the Federal Government, as proposed in H. R. 5664, requesting the repeal of the one cent federal tax on gasoline, imposed in the Revenue Act of 1932, and urging the Congress of the United States to leave the field of gasoline excise taxes exclusively to the several States.

Senator Logan asked unanimous consent, which was granted, to take up for immediate consideration Senate Resolution No. 2, which was read at length, as follows:

SENATE RESOLUTION NO. 2 — By LOGAN, FISCHL, CURNUTT.

A RESOLUTION PROTESTING AGAINST THE  
LEVYING OF AN ADDITIONAL TAX ON  
GASOLINE BY THE FEDERAL GOVERN-  
MENT AS PROPOSED IN H. R. 5664, RE-  
QUESTING THE REPEAL OF THE ONE  
CENT FEDERAL TAX ON GASOLINE IM-

POSED IN THE REVENUE ACT OF 1932  
AND URGING THE CONGRESS OF THE  
UNITED STATES TO LEAVE THE FIELD  
OF GASOLINE EXCISE TAXES EX-  
CLUSIVELY TO THE SEVERAL STATES.

WHEREAS, there is now before the Senate Finance Committee of the United States Senate a bill known as H. R. 5664, which for the purpose of financing a public works program, provides that a tax of three-fourths of one cent shall be levied on each gallon of gasoline manufactured and sold in the United States for the purpose of providing a part of the money to carry out said public works program.

WHEREAS, a tax in that amount would be equal to a manufacturers tax equal to twenty-five per cent and more of the value of the product taxed,

WHEREAS, the Federal Government is now collecting an excise tax of one cent per gallon on all gasoline manufactured and sold in the United States, which tax is equal to from thirty-three and one-third to fifty per cent of the value of the product,

WHEREAS, a tax of such magnitude is out of all proper proportion to the rate of taxation imposed on other manufactured products,

WHEREAS, no other commodity that is a daily necessity in the commercial, social and business life of the nation bears a tax equal to more than a small fraction of the tax imposed on gasoline,

WHEREAS, the imposition of destructive gasoline taxes has become so serious a problem in the several states that life of the industry is threatened and the investments of millions of people are in jeopardy.

WHEREAS, the American Legislators Association has found after profound study that the field of gasoline taxation should be left exclusively to the several States and should not be invaded by the Federal Government,

NOW THEREFORE, BE IT RESOLVED, by the

Senate of the Fourteenth Legislature of Oklahoma that the Finance Committee of the United States Senate be requested to defer action on H. R. 5664 until ample time shall have been given for the officials of the several States to present the viewpoint of the States by personal appearance or by their accredited representatives thereto appointed, and that other measures be devised to provide the revenue that it is proposed shall be raised by taxing gasoline, and also to relieve the existing tax of one cent per gallon on gasoline, to the end that this industry shall not be called upon to bear more than its proportionate share of the load of providing public finance and that it may have an equal chance with all other industries in aiding in the return to higher rate of employment of labor, a better wage scale and the general rehabilitation of business.

BE IT FURTHER RESOLVED, a copy of this resolution be immediately transmitted to United States Senator Pat Harrison, Chairman of Senate Finance Committee, and to the United States Senators and Representatives from Oklahoma.

Senator Logan moved the adoption of Senate Resolution No. 2, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Curnutt, Fidler, Fischl, Hutchinson, Jennings, Logan, MacDonald, Morrison, Paul, Reed, Ruth-erford, Thomas, Whitaker, Wilbanks. Total, 14.

Nays: Ballard, Carmack, Chamberlin, Clark, Daugherty, Dixon, Garvin, Howard, Johnston, Lester, Liggett, Memminger, Nance, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Taylor, Willis. Total, 20.

Not voting: Briggs, Carlile, Coppock, Powers, Rizley, Stewart. Total, 6.

Absent: Waldrep. Total, 1.

Excused: Commons, Moon, Nichols. Total, 3.

Senator Curnutt served notice that he would, on

some future legislative day, move to reconsider the vote by which Senate Resolution No. 2 failed of adoption.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Concurrent Resolution No. 1 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 1 and ordered it transmitted to the Honorable House, for consideration.

Senator Ballard moved that a Committee on Mileage, composed of 3 members of the Senate, be appointed, which motion prevailed, the President appointing, as such committee, Senators Ballard, MacDonald and Coppock.

#### JOURNAL CORRECTION

Senator Paul asked unanimous consent, which was granted, to have the record of the previous legislative day, corrected to show he voted "NAY," on the Nance motion, concerning the purchase of the unofficial Acts of the 14th Legislature.

Senator Chamberlin asked unanimous consent, which was granted, to have the record of the previous legislative day, corrected by striking his name, listed as voting "AYE," on the Morrison motion, with reference to Standing Committees of the present Extraordinary session.

#### SECOND READING

The following Bills were read for the second time and, upon request of Senator MacDonald, ordered placed upon the calendar, without reference to a Committee:

SENATE BILL NO. 1—By COMMITTEE ON APPROPRIATIONS.



SENATE BILL NO. 2—By FIDLER, BALLARD, MacDONALD, MEMMINGER, RUTHERFORD, CURNUTT, and COE of the House.

#### MESSAGE

The following Message from the Governor was received and read:

May 24, 1933

TO THE HONORABLE SENATORS AND REPRESENTATIVES OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

Gentlemen:

You have doubtless read numerous statements in the Press, criticizing the management of the Federal Relief Funds, made in part by men who do not know anything about it, and, in part, by men who merely make false statements of fact.

While this fund is not a State Question, but one that concerns the Federal Government, I nevertheless hope to satisfy any curiosity, that may exist, to know by forwarding herewith the total amount of expenditures, itemized on a blank, the form of which was prescribed by the Reconstruction Finance Corporation, made out monthly, and forwarded to them, for the previous month; and, in every instance, we have sent an exact duplicate to the State Auditor of Oklahoma, his press statements to the contrary notwithstanding, as evidenced by copies of receipts when delivered to him in person, hereto attached, for the several months since the Federal Relief Funds began to be administered under the Governor.

It will be observed that the total overhead expenses for distributing this fund, including the writing of all checks, amounting to some 125,000 to 150,000 checks a month in my office, amount to  $3 \frac{7}{8}$  per cent for total overhead expenses.

I challenge anybody to find in any other state a better record, whatever be their method; moreover, the

plan of handling this fund, which is deposited in my name alone, subject wholly to my control, and for which I am wholly responsible, with all checks, reports, records, et cetera, made in triplicate, so that a record is had of every dollar expended, without the loss of a single cent.

A number of states have changed their method since learning of ours; among them may be mentioned Missouri, Mississippi, Kansas, Pennsylvania, New Jersey, Georgia, and South Carolina.

In addition to the blank information, there is hereby attached a copy of the totals for Charity, as well as for Unemployed, Overhead, Et Cetera, and a copy of each sufficient in number to furnish every member of the Senate and House for their analysis and criticism.

Respectfully submitted, on this the 24th day of May, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Logan asked unanimous consent, which was granted, to have printed SENATE BILL NO. 3, by Carlile, Nichols and Johnston.

Upon motion of Senator MacDonald, the Senate adjourned, to meet under the rules.

### THIRD LEGISLATIVE DAY

Friday, May 26, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, Memminger, Morrison, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 37.

Absent: Daugherty, Garvin, Lester, Nance, Wal-drep. Total, 5.

Excused: MacDonald, Moon. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

#### COMMITTEE REPORTS

Senator Ballard submitted the following Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Mileage beg leave to submit herewith the following report, the mileage being arrived at via reasonable passenger routes:

NAME	TOWN	MILES	AMOUNT
Ross Rizley, Guymon	-----	353	70.60
Ed M. Reed, Elk City	-----	123	24.60
Nat Taylor, Strong City	-----	147	29.40
D. H. Powers, Freedom	-----	208	41.60
S. W. Carmack, Gould	-----	200	40.00
Cecil R. Chamberlin, Frederick	----	144	28.80
Claude E. Liggett, Hobart	-----	0	0

Grover Thomas, Clinton -----	96	19.20
Stanley Coppock, Cleo Spring -----	111	22.20
Geo. A. Hutchinson, Enid -----	89	17.80
W. T. Clark, Medford -----	118	23.60
Henry S. Johnston, Perry -----	63	12.60
George H. Jennings, Sapulpa -----	103	20.60
Louis H. Ritzhaupt, Guthrie -----	32	6.40
Willard Sowards, Stroud -----	63	12.60
Tom Waldrep, Shawnee -----	38	7.60
W. P. Morrison, El Reno -----	27	5.40
W. C. Fidler, Oklahoma City -----	0	0
William Stacey Chickasha -----	42	8.40
John D. Pugh, Anadarko -----	59	11.80
Bert R. Willis, Canton -----	143	28.60
Knox L. Garvin, Duncan -----	82	16.40
Jim Nance, Walters -----	109	21.80
J. Woody Dixon, Marietta -----	0	0
Louis A. Fischl, Ardmore -----	101	20.20
Hardin Ballard, Purcell -----	34	6.80
Homer Paul, Pauls Valley -----	55	11.00
C. B. Memminger, Atoka -----	0	0
John A. MacDonald, Durant -----	0	0
Claud Briggs, Wilburton -----	0	0
Don Wilbanks, Holdenville -----	77	15.40
Allen G. Nichols, Wewoka -----	68	13.60
Paul Stewart, Haworth -----	0	0
Pres S. Lester, McAlester -----	121	24.20
W. O. Ray, Tishomingo -----	134	26.80
Charles A. Moon, Muskogee -----	174	34.80
Joe M. Whitaker, Eufaula -----	149	29.80
W. A. Carlile, Sallisaw -----	234	46.80
Babe Howard, Pryor -----	206	41.20
A. L. Commons, Miami -----	209	41.80
S. Morton Rutherford, Tulsa -----	117	23.40



David M. Logan, Okmulgee	135	27.00
H. P. Daugherty, Chelsea	162	32.40
H. M. Curnutt, Barnsdall	153	30.60

Respectfully submitted,

BALLARD, Chairman.

MacDONALD,

COPPOCK.

Senator Thomas submitted the following Committee Report:

Mr. President: We, your Committee on Employment, beg leave to recommend that the following persons be employed and that their salaries per day for the Extraordinary Session be the amount shown by their names in this report.

Reading Clerk: H. M. Lewis, five (\$5.00) dollars.

Calendar Clerk: Jerra Wilcox, six (\$6.00) dollars.

Journal Clerk: W. E. Shipley, eight (\$8.00) dollars.

Assistant Secretary to the Senate: W. B. Robertson, five (\$5.00) dollars.

Secretary to the President Pro Tem: Raymond Denny, five (\$5.00) dollars.

Secretary to the President of the Senate: Beulah Copeland, five (\$5.00) dollars.

Auditor: Gardner Braughley, five (\$5.00) dollars.

Clerk for the Committee on Appropriations: Cleo Dodson, five (\$5.00) dollars.

Enrolling and Engrossing, Chief Clerk: Dave Boyer, six (\$6.00) dollars.

Assistants: Roy Henry, Frank Penn, A. J. McCutcheon, Arthur Johnson, Walter Bailey, at salaries of four (\$4.00) dollars per day each.

Stenographers: Elizabeth Tuggles, Reba Rodgers, Mildred Connally, Beatrice Blackman, Gara Louise Owens, Wessie Burney Ray, Helen Welch, Bertha Schiltz, Margaret Bryan, Grace Ennis, Geneva Braley, Opal Henderson, J. H. McCurley, at salaries of five (\$5.00) dollars per day each.

Property Custodian: W. F. Rogers, jr., four (\$4.00) dollars.

Sergeant-at-Arms: H. L. Claiborne, six (\$6.00) dollars.

Assistants: Arch Robinson, Pat Canterbury, C. C. Mansfield, at salaries of five (\$5.00) dollars per day each.

Chaplain: Rev. R. R. Hildebrand, four (\$4.00) dollars.

Cloakroom Attendant: Joe Taylor, four (\$4.00) dollars.

Postmistress: Mrs. J. R. Williams, four (\$4.00) dollars.

Night Watchman: Andrew Jackson, four (\$4.00) dollars.

Messenger: Marvin Methvin, four (\$4.00) dollars.

Doorkeepers: W. R. Welty, O. R. Johnson, James Wadley, Sam Johnson, B. C. McDaniels, Carl Dillingham, at salaries of four (\$4.00) dollars per day each.

Chief Page: W. B. Lowrance, four (\$4.00) dollars.

Assistants: John C. Medford, Billy Wallace, Robert Singleton, Delaney Harrison, Richard Trent, Rex Edwards, Jess McDonald, at salaries of three (\$3.00) dollars per day each.

Caretakers: Morris Gentry, Tom Morton, W. O. Green, Joe C. Thomas, at salaries of four (\$4.00) dollars per day each.

Page to President: James Pinkney Griffin, three (\$3.00) dollars.

Telephone Operator: Ona Watson, four (\$4.00) dollars.

Assistant: Geneva Paxton, four (\$4.00) dollars.

Very respectfully submitted,

THOMAS,

DIXON,

RITZHAUPT,

POWERS,

WILBANKS,

MEMMINGER.

Senator Stacey moved to amend the report of the

Committee on Employment, with reference to the stenographic force, by re-instating Mrs. Wessie Burney Ray as Chief Stenographer, at \$6.00 per day, which motion prevailed.

The vote occurring on the Thomas motion, the report of the Committee on Employment, as amended, was declared adopted.

### SECOND READING

The following bill was read for the second time and referred to the Committee indicated:

SENATE BILL NO. 3—By CARLILE, NICHOLS and JOHNSTON.—Referred to Committee on School Lands.

Senator Ballard moved, when the Senate adjourns today, it adjourn to meet, under the rules, on Monday, May 29th, 1933, which motion prevailed.

### GENERAL ORDER

SENATE RESOLUTION NO. 1, by Rizley, was taken up for consideration.

Section 1 was read.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend Senate Resolution No. 1, line 16, page 4, by striking the word and figure, "five (5)," and inserting therefor the word and figure, "nine (9)."

• BALLARD.

Senator Chamberlin, as a substitute, submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Resolution No. 1, line 14, page 4, by striking after the word and figure, "Section 1," all the remainder of line 14 and all of lines 15, 16 and 17 and the word, "mittee," in line 18, and inserting the following: "The Standing Committee of the Senate on School Lands is hereby authorized, directed and empowered"

CHAMBERLIN.

Upon motion of Senator Chamberlin, Section 1, as amended, was adopted.

Section 2 was read.

Senator Pugh submitted the following amendment, which was tabled, upon motion of Senator Ballard:

Mr. President: I move to amend Senate Resolution No. 1, line 18, page 5, by adding after the word, "completed," the following: "and report back to the Senate within six days"

PUGH.

Upon motion of Senator Ballard, Section 2 was adopted.

Senate Resolution No. 1, as amended, was read, as follows:

SENATE RESOLUTION NO. 1—By RIZLEY.

A RESOLUTION AUTHORIZING AND DIRECTING THE PRESIDENT OF THE SENATE TO APPOINT A COMMITTEE TO INVESTIGATE THE FINANCIAL STATUS OF THE SCHOOL LAND DEPARTMENT, ALLEGED CLAIMS OF FAVORITISM, FRAUD AND EMBEZZLEMENT PERTAINING TO THE SCHOOL FUNDS AND VARIOUS AND SUNDRY OTHER MATTERS; AUTHORIZING THE SUBPOENA OF WITNESSES AND REQUIRING SAID SPECIAL COMMITTEE TO REPORT ITS FINDINGS TO THE SENATE OF THE STATE OF OKLAHOMA FOR ACTION THEREON.

WHEREAS, it appears from rumors and statements made by a number of persons who are now and who have in the past been connected with the handling of the affairs of the School Land Department of the State of Oklahoma that for more than fifteen (15) years last past and in fact almost since the creation of said Department that certain officers and employees in said Department have been guilty of favoritism and either



through incompetency, negligence, gross neglect of duty, or willful malfeasance in the handling of said Department that more than eight hundred thousand (800,000) acres of land, belonging to the State of Oklahoma, and that more than seventy million (\$70,000,000) dollars have been handled in said Department for a duration of twenty-five (25) years without an audit until within the past eighteen (18) months; and,

WHEREAS, it appears that during said period of time that various and sundry tracts of land of great value have been dropped from the records, for many years have been handled and managed in such a way as to permit said land to be used by various and sundry persons without paying rent; and that various and sundry loans have been made during said period of time to relatives, agents and employees of those who were in direct charge of the School Funds of said State; and

WHEREAS, it appears that for more than five (5) years last past, various, sundry and numerous items belonging to the school funds of said state have been converted, appropriated and embezzled and removed from said funds; that friendship, partiality, political pernicious activity, and favoritism, have been practiced in the handling of the funds and properties belonging to and administered by said Department, to the end that there has been lost to the State of Oklahoma many thousands of dollars, and

WHEREAS, such charges have been given such publicity that it is now commonly believed by the public that there has been fraud, favoritism, corruption, malfeasance in office and embezzlement practiced in the handling of the funds and properties belonging to and administered by said Department, to the end that there has been lost to the State of Oklahoma many thousands of dollars; and

WHEREAS, such charges have been given such publicity that it is now commonly believed by the public

that there has been fraud, favoritism, corruption, malfeasance in office and embezzlement practiced in the handling and operation of said Department; and

WHEREAS, in order that the public may know and be informed and proper official action be taken in connection therewith with a view of prosecuting any such persons who may have been guilty of the violation of the law and with the further view of correcting many of the alleged evils claimed to have been existing and now existing in said Department and make a full and complete investigation of all charges in connection with this subject matter.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA:

SECTION 1. The Standing Committee of the Senate on School Lands is hereby authorized, directed and empowered to conduct hearings and to issue all necessary process to compel the attendance of witnesses and produce all books and records before said committee for its examination and consideration and said committee is specifically authorized and empowered to administer oaths to witnesses and to employ such stenographic, clerical and other help as may be deemed necessary to carry out the provisions of this resolution.

SECTION 2. Said committee is hereby authorized to make a thorough and complete investigation of all matters pertaining to the charges of irregularities and transactions involved in the administration and handling of the school lands and school land funds belonging to the State of Oklahoma and when such hearings have been completed to make a detailed report thereof to the Senate, and said committee is hereby ordered and directed to make, organize and proceed with said investigation immediately following its appointment and continue from day to day until said investigation is completed.

Upon motion of Senator Rizley, Senate Resolution

No. 1, as amended, was adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Howard, Hutchinson, Jennings, Johnston, Liggett, Logan, Memminger, Morrison, Nichols, Paul, Powers, Rizley, Rutherford, Stacey, Stewart, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Pugh, Ray, Thomas. Total, 3.

Not voting: Fischl, Reed, Ritzhaupt, Sowards, Taylor. Total, 5.

Absent: Daugherty, Garvin, Lester, Nance, Waldrep. Total, 5.

Excused: MacDonald, Moon. Total, 2.

Senate Resolution No. 1 was ordered referred for engrossment.

Upon motion of Senator Commons, the Senate Auditor was instructed to purchase postage, in the amount of \$5.00, for each member of the Senate.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 2—By WILLIAMS, COX, ABERNATHY (Pott.), ALLEN, BEAMAN, BILLINGS, BLOCKER, BUSHYHEAD, CAVITT, CLOYD, COE, COLLINS, CONNER, DANIEL, DOUTHAT, DUKE, EASON, ELLIS, GARLAND, GRAHAM, GRAY, GRISSO, GRUNERT, HILL, HOLLIMAN, HUTCHINGS, JESSEE, JOHNSON (Comanche), JOHNSON (Osage), KING (Creek), KIRKPATRICK, LOGSDON, MALLORY, MASSEY, MORSE, MUNSON, OTTE-

SEN, PALMER, PAXTON, ROBERTS, SHOEMAKE, SINGLETON, SMALLEY, SPEAR, STEWART, STRICKLAND (Marshall), SULLIVAN, SUTHERLAND, TIMMONS, TODD, WILMOT, WINGO, WOOTEN and WRIGHT of the House, and RIZLEY of the Senate, entitled:

A Concurrent Resolution of the House of Representatives and Senate requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to submit to the Special Session of the Fourteenth Legislature a bill having for its purpose the refunding to purchasers of truck, tractor and automobile tags the excess amount paid by such purchasers between the dates of the law passed by the Fourteenth Legislature reducing the amount to be paid for such tags, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolution No. 2 was ordered printed and placed upon the calendar.

#### GENERAL ORDER

Upon motion of Senator Commons, SENATE BILL NO. 1, by Committee on Appropriations, was ordered stricken from the calendar.

Upon motion of Senator Commons, the Senate adjourned, to meet on Monday, May 29th, at 1:30 p. m.



## FOURTH LEGISLATIVE DAY

Monday, May 29, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members of the Senate were present:

Present: Ballard, Briggs, Chamberlin, Daugherty, Fidler, Howard, Jennings, Johnston, Liggett, Memminger, Nance, Nichols, Powers, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Taylor, Thomas, Willis. Total, 22.

Absent: Carlile, Carmack, Clark, Coppock, Currutt, Dixon, Fischl, Garvin, Hutchinson, Lester, Logan, MacDonald, Moon, Morrison, Paul, Ray, Rutherford, Stewart, Waldrep, Whitaker, Wilbanks. Total, 21.

Excused: Commons. Total, 1.

The President announced a quorum of the Senate was not present.

Upon motion of Senator Nance, the Senate adjourned to meet at 1:30 p. m., Wednesday, May 31, 1933.

## SIXTH LEGISLATIVE DAY

Wednesday, May 31, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 36.

Absent: Carlile, Dixon, Howard, Nance, Paul, Ray, Waldrep. Total, 7.

Excused: Commons. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### RESOLUTIONS

The following Resolutions were introduced:

SENATE RESOLUTION NO. 3—By CHAMBERLIN.—A Resolution commending and honoring the High School Debaters of Altus, Oklahoma, for having won the National High School Contest of 1933.

Senator Chamberlin asked unanimous consent, which was granted, to take up for immediate consideration Senate Resolution No. 3, by Chamberlin, which was read at length, as follows:

SENATE RESOLUTION NO. 3—By CHAMBERLIN.

A RESOLUTION COMMENDING AND HONORING THE HIGH SCHOOL DEBATERS OF ALTUS, OKLAHOMA, FOR HAVING WON THE NATIONAL HIGH SCHOOL CONTEST OF 1933.

WHEREAS, Roy Henry, Francis Thedford, W. C.

Dobbs and Miss Marjorie Henry are the members of the debating team of the High School of Altus, Oklahoma; and

WHEREAS, these debaters have recently brought distinguished honors to the State of Oklahoma and to themselves by winning the highest decision and award in the nation-wide High School Debating Contest for the year 1933;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SPECIAL SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, THAT:

By this resolution an expression of appreciation and merit be and the same is hereby extended to Roy Henry, Francis Thedford, W. C. Dobbs, and Miss Marjorie Henry as members of said team on account of the distinguished honor which they and each of them have won for themselves and for the State of Oklahoma;

BE IT FURTHER RESOLVED, that a copy of this resolution be mailed to each of the above named debaters at their homes in Altus, Oklahoma; and

BE IT FURTHER RESOLVED that an invitation is hereby extended each of them to attend any session of the Senate that may suit their convenience for the purpose of receiving an open introduction and public recognition for the high degree of excellence which they have attained.

Senator Carmack asked unanimous consent, which was granted, to be added as a joint author of Senate Resolution No. 3.

Upon motion of Senator Chamberlin, Senate Resolution No. 3, as amended, was adopted.

Senate Resolution No. 3 was ordered referred for engrossment.

SENATE RESOLUTION NO. 4—By FIDLER.—A Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to submit to

the Senate of the Extraordinary Fourteenth Session of the Legislature of the State of Oklahoma an itemized and detailed statement of all monies expended in the administration of House Resolution No. 9642, enacted by the 72nd Congress, relative to the Relief of Destitution and the broadening of the lending powers of the Reconstruction Finance Corporation and creating employment for expediting public works.

#### PETITIONS

A Petition was presented by Senator Pugh, signed by taxpayers of Caddo County, endorsing the Sales, Cigarette and Income tax measures, and "especially favoring adoption of the emergency clause."

The President referred the Pugh petition to the Committee on Revenue and Taxation.

Senator Logan presented a petition, signed by ex-Service men of his District, urging they be given the right to "kill the cigarette tax bill by an election."

The President referred the Logan petition to the Committee on Revenue and Taxation.

#### MESSAGES

The following Messages from the Governor were received and read:

May 30, 1933.

TO THE HONORABLE SENATE AND HOUSE OF  
REPRESENTATIVES, 14TH LEGISLATURE:

Gentlemen:

I wish to submit for your consideration and action the following measures:

First: Appropriation to pay the expense of the present extra session. I suggest that you might make an appropriation to run up to June 15; and, then, if you do not hold so long, it will automatically be returned to the Treasury.

Second: I request you to pass a special appropriation bill to cover the expenses of administering the Federal Relief Office, so far as it relates to the distri-



bution of seed; and the money appropriated by the State for the indigent who are unable to work, since the Attorney General ruled that the appropriation did not comply with the Constitution in this particular; and I confirm his ruling thereon. I shall send to your Committee on Appropriations a copy of a bill for a "Special" appropriation required under the Constitution.

I call your attention to the fact that the Auditor and the Treasurer, while constitutional offices, have no constitutional powers. All of their acts must conform to law; that is, acts of the Legislature; and in certifying all accounts, such as this, every step must be marked for the Governor,—in this case, the expending officer,—to sign and approve, in order to enable the Auditor to make payment of this fund.

I therefore request that you re-appropriate the amount that was appropriated in what was termed the "Omnibus Bill," in order that the State may meet the agreed requirements with the Federal Government, in the matter of relief expenses.

Third: Since we are going to have some special elections, I urge you to pass a law authorizing a majority of the State Election Board to eliminate counters, so as to reduce the expense of holding special elections. In my opinion, the act should apply only to special elections, and not to general, primary, or state elections. In these special elections, there is no sense in requiring expenditures of \$20,000.00 or \$30,000.00, when it can be avoided; and, as the law is now, it requires the unanimous vote of the State Election Board; and my experience has been in the past that in a political question in this State, it is impossible to secure unanimous consent to anything.

Fourth: The Co-ordinating Board for the Greater University and for the work of elimination of duplication, et cetera, created by the regular session of the Legislature, carried no appropriation for their expenses.

Under the law, they receive no salaries, but their expenses are paid. They will need a secretary, or contact assistant, to whom they can pay a salary.

I recommend that an appropriation be made for each of the next fiscal years for the expense of this Board. I assume that each member of the Board will cost approximately \$200.00 a month expenses, and that would mean \$3,000.00 a year, together with a secretary, with some expenses, amounting to approximately \$2,000.00.

I therefore recommend that an appropriation be made for such sum in the sum of \$5,000.00 for each fiscal year, beginning with July 1, 1933.

Respectfully submitted, on this the 28th day of May, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

May 26, 1933

TO THE HONORABLE SENATE AND HOUSE OF  
REPRESENTATIVES, OF THE 14TH LEGIS-  
LATURE OF THE STATE OF OKLAHOMA:

Gentlemen:

I submit for your consideration an amendment to an Act of the Regular Session of the Fourteenth Legislature, entitled "Senate Bill No. 181, which, as originally introduced, provided for the transfer of the Market Commission to the Board of Agriculture; but, when the said Bill came out of the Committee, it passed with an amendment introduced, in which the following language was used:

"The Chief Inspector must be qualified as such Inspector by holding license from the United States Department of Agriculture to INSPECT ALL FRUITS, VEGETABLES, AND HAY."

Now, as a matter of truth, there is not a man in the State of Oklahoma who possesses such qualifications; and, indeed, there is none in the United States, except in the special Civil Service Department of the Scientific

Department of the United States Government. ALL FRUITS would mean citrus fruits as well as others.

This Act also contains another faulty clause, providing for the JOINT CONTROL with the Federal Governor, which is impossible, under the law. All that the law should require is that this shall be transferred to the Board of Agriculture, and that the Field Inspectors shall have license to inspect the fruits or vegetables necessary to be inspected, and then one inspector might be enabled to inspect fruits, and have a license from the Government for that purpose; another inspector, potatoes, and nothing more; and, another, hay, et cetera. The law, as now written, is impossible of enforcement.

I call attention to the fact that the Chief Inspector has the duties of financing, clerical and administrative, and should not be required to have a license at all, but the same should apply only to the Field Inspectors; and then the Bill should provide that the State Market Commission shall co-operate with the Federal Government in lieu of the word, "JOINT."

I send herewith copies of two several letters from the Department at Washington,—one a letter to me, and a copy sent me of a letter of Harry Cordell, President of the Board of Agriculture, which will shed full and compete light on this question.

The bill as passed in regular session is hereto attached, with the eliminations essential to be made of Sections 7 and 8.

I therefore urge the Legislature to rewrite the Bill in line with the suggestions herein, to conform with its practical operation with the Federal Government.

Respectfully submitted, on this the 26th day of May, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

The President ordered the subject matter of the

Governor's message referred to the Committee on Agriculture.

The following Messages from the Honorable House were received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4—By GARLAND, GRAHAM, BEARD, RAWLS, ABERNATHY (Harmon), BEAVER, BENNETT, BILLINGS, BOYER, COE, CONNER, DOUTHAT, EASON, ELLIS, FITZGERALD, GRUNERT, HARP, HILL, JOHNSON (Osage), KENAN, KING (Creek), KIRKPATRICK, LOGSDON, MASSEY, MISENHEIMER, PALMER, PHILLIPS (Okfuskee), REMUND, ROBERTS, TIMMONS, WHITFORD, WOOTEN, CHAMBERS, WILLIAMS, SHOEMAKE, WATSON, HUTCHINGS and STURGELL, of the House, and RAY, BALLARD, DIXON, BRIGGS, MORRISON, RITZHAUPT, GARVIN and RIZLEY of the Senate, entitled:

A Concurrent Resolution calling upon and requesting his excellency, Wm. H. Murray, Governor of the State of Oklahoma, to submit to the Special Session of the Fourteenth Legislature which convenes at the hour of One P. M. on the 24th day of May 1933, at the Capitol building in the city of Oklahoma City, Oklahoma, in accordance with the proclamation of the Governor of Oklahoma under date of the 20th day of May, 1933, to submit to the said Special Session of the Legislature for its immediate consideration and action the additional subject of legislation on the subject of legalization of beer containing not to exceed 3.2% of alcohol by weight and the question of raising revenue from the legalization of the sale of said beverage and the question of amending cer-



tain Acts heretofore passed in relation to the holding of any special state-wide election and the raising of funds therefor with reference to the legalization and sale of the said beverage or with reference to any other subject for which a special election may be called; advising his excellency, the Governor, that it is the sense of the said Special Session of the Legislature to consider all possible sources of revenue at one and the same time for the purpose of eliminating the distressed condition of the State and the public schools thereof, 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolution No. 4 was ordered printed and placed upon the calendar.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 5—By MARTIN, entitled:

An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the Permanent Journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of said session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, and declaring an emergency, and to advise you, and, through you, the Honorable Sen-

ate, that the same has been passed by the House of Representatives and signed by the Speaker Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Bill No. 5.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 1 correctly engrossed.

LIGGETT, Chairman.

Senator Rizley asked unanimous consent, which was granted, to submit the following amendment to Senate Resolution No. 1, which was adopted by unanimous consent:

Mr. President: I move to amend the title of Senate Resolution No. 1, to read as follows: "A RESOLUTION AUTHORIZING AND DIRECTING THE SENATE TO APPOINT A COMMITTEE TO INVESTIGATE THE FINANCIAL STATUS OF THE SCHOOL LAND DEPARTMENT, ALLEGED CLAIMS OF FAVORITISM, FRAUD AND EMBEZZLEMENT PERTAINING TO THE SCHOOL FUNDS AND VARIOUS AND SUNDRY OTHER MATTERS; AUTHORIZING THE SUBPOENA OF WITNESSES AND REQUIRING SAID SPECIAL COMMITTEE TO REPORT ITS FINDINGS TO THE SENATE OF THE STATE OF OKLAHOMA FOR ACTION THEREON."

RIZLEY.

Senate Resolution No. 1 was ordered referred for re-engrossment.

#### COMMITTEE REPORT

Senator Thomas submitted the following Committee Report, which, upon his motion, was adopted:

Mr. President: We, the Committee on Employment,

beg leave to make the following recommendations and supplementary report:

We recommend that Bess Lavigne take the place of Arthur Johnson in the Enrolling and Engrossing Committee and Evelyn Haney take the place of Geneva Paxton, as assistant telephone operator and that Geneva Paxton take the place of Gara Louise Owens, stenographer. Eleondor Colley takes the place of A. J. McCutchinson in the Enrolling and Engrossing Department. It is understood that Mrs. Owens, A. J. McCutchinson and Arthur Johnson are to be transferred to the School Land Investigating Committee. The duration of said changes and recommendations is made until the close of the School Land Investigating Committee, at which time these changes will become null and void.

It is further understood and recommended that the motion of Senator Stacey to retain Mrs. Wessie Burney Ray as head stenographer carried with it the \$6.00 per day fee, which was customary during the regular session.

Respectfully,

THOMAS, Chairman.

#### GENERAL ORDER

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 2, by Williams, et al., of the House, and Ritzley, of the Senate was taken up for consideration and read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 2—By WILLIAMS, COX, ABERNATHY (Pott.), ALLEN, BEAMAN, BILLINGS, BLOCKER, BUSHY-HEAD, CAVITT, CLOYD, COE, COLLINS, CONNER, DANIEL, DOUTHAT, DUKE, EASON, ELLIS, GARLAND, GRAHAM, GRAY, GRISSO, GRUNERT, HILL, HOLLIMAN, HUTCHINGS, JESSEE, JOHNSON (Comanche), JOHNSON (Osage), KING (Creek), KIRKPATRICK, LOGSDON, MALLORY, MASSEY, MORSE, MUNSON, OTTESEN, PALMER, PAXTON, ROBERTS, SHOEMAKE, SINGLETON, SMALLEY,

SPEAR, STEWART, STRICKLAND (Marshall), SULLIVAN, SUTHERLAND, TIMMONS, TODD, WILMOT, WINGO, WOOTEN, and WRIGHT of the House, and RIZLEY of the Senate.

A CONCURRENT RESOLUTION OF THE HOUSE OF REPRESENTATIVES AND SENATE REQUESTING THE HONORABLE WILLIAM H. MURRAY, GOVERNOR OF THE STATE OF OKLAHOMA, TO SUBMIT TO THE SPECIAL SESSION OF THE FOURTEENTH LEGISLATURE A BILL HAVING FOR ITS PURPOSE THE REFUNDING TO PURCHASER OF TRUCK, TRACTOR AND AUTOMOBILE TAGS THE EXCESS AMOUNT PAID BY SUCH PURCHASERS BETWEEN THE DATES OF JANUARY, 1933, AND THE FINAL ENACTMENT OF THE LAW PASSED BY THE FOURTEENTH LEGISLATURE REDUCING THE AMOUNT TO BE PAID FOR SUCH TAGS.

WHEREAS, the fourteenth session of the Legislature enacted a law having for its purpose the reducing of automobile, truck and tractor license and the fees to be paid for license tags in the State of Oklahoma,

AND WHEREAS, said bill so passed by the Legislature was signed by said William H. Murray, Chief Executive of the State of Oklahoma, and the same became a law of the State of Oklahoma on or about the 10th day of April, 1933,

AND WHEREAS, under and by virtue of said law so enacted by the fourteenth session of the Legislature the price and amount to be paid by the owners of truck, tractors, and automobiles was substantially reduced,

AND WHEREAS, subsequent to the introduction of the bill in the House of Representatives which finally became a law reducing said license fees the time for payment



of said license fees was extended up to and including the fifteenth day of May, 1933,

AND WHEREAS, many, various, sundry and divers persons and corporations between the date of January 1st, 1933, and the date of the final passage and approval of the law reducing the amount of said license fees purchased automobile and tractor tags at the price and amount provided by the laws of the State of Oklahoma for such tags prior to the enactment of said law by the Fourteenth Legislature,

AND WHEREAS, the said Fourteenth Legislature failed, neglected and refused to pass proper and appropriate legislation having for its purpose the refunding and repayment to such purchasers of the difference between the amounts required to be paid under the law as it existed prior to the law enacted by the fourteenth session of the Legislature,

AND WHEREAS, such failure, neglect and refusal on the part of the Fourteenth Legislature to provide adequate remedy to such purchasers for refunding and repayment of such excess amounts resulted in a discrimination against such purchasers of tags made prior to the enactment of said law passed by the fourteenth session of the Legislature and in effect placed a premium upon tardiness and neglect and penalized promptness and punctuality on the part of those who complied with the law as provided prior to the enactment of the law passed by the Fourteenth Legislature reducing the said license fee,

AND WHEREAS, the failure, neglect and refusal of the Fourteenth Legislature to provide an adequate remedy for such purchasers of tags has resulted in gross partiality and discrimination against those who purchased such tags prior to the enactment of the law passed by the Fourteenth Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF

OKLAHOMA, THE SENATE CONCURRING THEREIN:

That the Honorable William H. Murray, Governor of the State of Oklahoma, be and is hereby requested to include in the matters and things to be considered by said special session of the said State Legislature now called, a request to the said Legislature authorizing and suggesting to it that a sufficient and adequate law be enacted directing and authorizing a refund and repayment to all purchasers of automobile license tags and tractor license tags in the State of Oklahoma in excess of the amount that would have been paid had such purchases been made subsequent to the enactment of said law hereinbefore referred to by said Fourteenth Legislature.

By unanimous consent, the following named were added as joint authors of Engrossed House Concurrent Resolution No. 2: Senators Reed, Coppock, Clark, Currutt, Sowards, Stacey, Chamberlin and Lester.

Upon motion of Senator Morrison, House Concurrent Resolution No. 2, as amended, was adopted.

House Concurrent Resolution No. 2, as amended, was referred for engrossment.

The President announced matters were on his desk, for the consideration of the Senate, in Executive Session.

Upon motion of Senator Morrison, the Senate closed its doors and went into Executive Session.

\* \* \* \*

The Senate reassembled, in open session, with the President presiding, who made the following announcements:

The Senate, in executive session, advised and consented to the confirmation of the executive nomination of MAJOR EUGENE M. KERR, of Muskogee, Oklahoma, as a Member of the Board of Regents of the University of Oklahoma, for the unexpired term of Tom D. Lyons, of Tulsa, Oklahoma, who has been appointed Dis-

trict Judge and has resigned.

The Senate, in executive session, refused to advise and consent to the confirmation of the executive nomination of JIM HATCHER, of Chickasha, Oklahoma, as a Member of the Board of Regents of the University of Oklahoma, for a term of seven years, to succeed W. N. Barry, of Okemah, Oklahoma, whose term has expired.

Senator Rizley, Chairman of the Investigating Committee, authorized under Senate Resolution No. 1, announced the proceedings of the Committee were open to the public.

Upon motion of Senator Morrison, the Senate adjourned, to meet under the rules.

## SEVENTH LEGISLATIVE DAY

Thursday, June 1, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Carlile, Waldrep. Total, 2.

Excused: Commons. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Senate Journal for the previous legislative day was declared approved.

### COMMITTEE REPORTS

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 3 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Resolution No. 3 and ordered it referred for enrollment.

Senator Thomas submitted the following Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Employment, beg leave to make the following recommendation and supplementary report: We recommend Miss C.



Heathman as stenographer to take the place of J. H. McCurley.

THOMAS, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 1 and House Concurrent Resolution No. 2, each, correctly engrossed and Senate Resolution No. 3 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Resolution No. 1 and ordered it referred for enrollment.

The President, in open session, signed Engrossed Senate Amendment to and Engrossed House Concurrent Resolution No. 2, as amended, and ordered it returned to the Honorable House.

The President, in open session, signed Enrolled Senate Resolution No. 3 and ordered it referred to the Secretary of State.

### RESOLUTIONS

The following Resolution was introduced:

SENATE CONCURRENT RESOLUTION NO. 2—By HUTCHINSON and JOHNSTON, of the Senate, and EASON, of the House.—A Resolution expressing regret at the death of former Highway Commissioner John G. Parker, Jr., respect for his works as a citizen and public official, and sympathy for his bereaved family.

Senator Hutchinson asked unanimous consent, which was granted, to take up for immediate consideration Senate Concurrent Resolution No. 2, which was read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 2—By HUTCHINSON and JOHNSTON of the Senate and EASON of the House.

A RESOLUTION EXPRESSING REGRET AT THE DEATH OF FORMER HIGHWAY COMMISSIONER JOHN G. PARKER, JR., RESPECT FOR HIS WORKS AS A CITIZEN AND PUBLIC OFFICIAL, AND SYMPATHY FOR HIS BEREAVED FAMILY.

WHEREAS, John G. Parker, Jr., a former member of the State Highway Commission, died at his home in Enid, Wednesday, May 24, 1933; and,

WHEREAS, both as a private citizen and public official he gave intelligently and effectively of his time and energy in forwarding the road building program of the State of Oklahoma by a thorough study and understanding of his duties and responsibilities as a member of the Oklahoma State Highway Commission and through the honest, unselfish and courageous performance of his duties as such; and

WHEREAS, much of the highway system of this State is a monument to his memory, and his services earned for him the gratitude and respect of his fellow citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN, THAT:

The Legislature of the State of Oklahoma express its respect for the life and works of John G. Parker, Jr.; its deep regret at his passing; and its sincere sympathy for his bereaved family; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to his family.

Upon motion of Senator Hutchinson, Senate Concurrent Resolution No. 2 was adopted.

Senate Concurrent Resolution No. 2 was ordered referred for engrossment.

SECOND READING

The following bill was read for the second time and,

upon request of Senator MacDonald for unanimous consent, to do so, was taken up for consideration:

ENGROSSED HOUSE BILL NO. 5, by Martin, relating to appropriation to pay mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the permanent journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of said session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, and declaring an emergency.

Section 1 was read.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 5, by striking the figures, "\$10,000.00," and inserting the figures, "\$25,000.00," and by striking the figures, "\$25,000.00," and inserting the figures, "\$35,000.00."

MacDONALD.

Upon motion of Senator MacDonald, Section 1, as amended, was adopted.

Upon motion of Senator MacDonald, House Bill No. 5 was advanced to engrossment and third reading.

#### GENERAL ORDER

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4, by Garland, et al, of the House, and Ray, Ballard, Dixon, Briggs, Morrison, Ritzhaupt, Garvin and Rizley, of the Senate, was taken up for consideration.

The Preamble to House Concurrent Resolution No. 4 was read.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Concurrent Resolution No. 4, line 1, page 6, by striking the remainder of line 1, after the word, "raise," and the

words, "Million Dollars annually," in line 2, and inserting in lieu thereof the words, "considerable revenue, the amount being unknown"

WHITAKER.

Upon motion of Senator Ballard, the preamble, as amended, was adopted.

Section 1 was read.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend House Concurrent Resolution No. 4, by striking the letter "s," from the word, "subjects," in line 11, page 7, and by striking lines 13, 14, 15, 16, 17 and the figure, "2," in line 18, page 7.

BALLARD.

Upon motion of Senator Ballard, Section 1, as amended, was adopted.

House Concurrent Resolution No. 4, as amended, was read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4—By GARLAND, GRAHAM, BEARD, RAWLS, ABERNATHY (Harmon), BEAVER, BENNETT, BILLINGS, BOYER, COE, CONNER, DOUTHAT, EASON, ELLIS, FITZGERALD, GRUNERT, HARP, HILL, JOHNSON (Osage), KENAN, KING (Creek), KIRKPATRICK, LOGSDON, MASSEY, MISENHEIMER, PALMER, PHILLIPS (Okfuskee), REMUND, ROBERTS, TIMMONS, WHITFORD, WOOTEN, CHAMBERS, WILLIAMS, SHOEMAKE, WATSON, HUTCHINGS and STURGELL, of the House, and RAY, BALLARD, DIXON, BRIGGS, MORRISON, RITZHAUPT, GARVIN and RIZLEY of the Senate.

A CONCURRENT RESOLUTION CALLING UPON AND REQUESTING HIS EXCELLENCY, WM. H. MURRAY, GOVERNOR OF THE STATE OF OKLAHOMA TO SUB-



MIT TO THE SPECIAL SESSION OF THE FOURTEENTH LEGISLATURE WHICH CONVENES AT THE HOUR OF ONE P. M., ON THE 24TH DAY OF MAY, 1933, AT THE CAPITOL BUILDING IN THE CITY OF OKLAHOMA CITY, OKLAHOMA, IN ACCORDANCE WITH THE PROCLAMATION OF THE GOVERNOR OF OKLAHOMA UNDER DATE OF THE 20TH DAY OF MAY, 1933, TO SUBMIT TO THE SAID SPECIAL SESSION OF THE LEGISLATURE FOR ITS IMMEDIATE CONSIDERATION AND ACTION THE ADDITIONAL SUBJECT OF LEGISLATION ON THE SUBJECT OF LEGALIZATION OF BEER CONTAINING NOT TO EXCEED 3.2% OF ALCOHOL BY WEIGHT AND THE QUESTION OF RAISING REVENUE FROM THE LEGALIZATION OF THE SALE OF SAID BEVERAGE AND THE QUESTION OF AMENDING CERTAIN ACTS HERETOFORE PASSED IN RELATION TO THE HOLDING OF ANY SPECIAL STATE-WIDE ELECTION AND THE RAISING OF FUNDS THEREFOR WITH REFERENCE TO THE LEGALIZATION AND SALE OF THE SAID BEVERAGE OR WITH REFERENCE TO ANY OTHER SUBJECT FOR WHICH A SPECIAL ELECTION MAY BE CALLED; ADVISING HIS EXCELLENCY, THE GOVERNOR, THAT IT IS THE SENSE OF THE SAID SPECIAL SESSION OF THE LEGISLATURE TO CONSIDER ALL POSSIBLE SOURCES OF REVENUE AT ONE AND THE SAME TIME FOR THE PURPOSE OF ELIMINATING THE DIS-

TRESSED CONDITION OF THE STATE  
AND THE PUBLIC SCHOOLS THEREOF.

WHEREAS, thousands of the citizens of the State of Oklahoma have expressed themselves as being favorable to the legalizing of the sale of 3.2% beer by weight, and

WHEREAS, the Fourteenth Session of the Oklahoma Legislature passed an act referring the legalization of 3.2% beer to the people of the State of Oklahoma at a special election to be called on July 11, 1933, and

WHEREAS, said Fourteenth Session of the Oklahoma Legislature passed other acts providing for the manner of raising funds for said special election and requiring the proponents or those favorable to the legalization of 3.2% beer in Oklahoma to raise a sum that has been certified to by the Secretary of the State Election Board as totaling \$91,500.00, and

WHEREAS, the said Fourteenth Session of the Oklahoma Legislature passed another and additional act fixing the salary of the precinct election officials at the salary of \$2.00 per day, and

WHEREAS, said acts place an unfair and unjust burden on the proponents of this measure which violates the spirit, if not the letter of Section 7 of Article 3 of the Constitution of the State of Oklahoma, which provides that all elections shall be free and equal, and

WHEREAS, Honorable Franklin D. Roosevelt, President of the United States of America called on Congress to modify the Volstead Act to permit sale, manufacture and transportation of 3.2% beer, and,

WHEREAS, the democratic platform adopted at the National Convention in Chicago went on record as favoring modification of the Volstead Act and legalization of light wines and beer, and

WHEREAS, the Congress of the United States, by an overwhelming majority of the members thereof, has

recently passed an act legalizing the manufacture, possession and sale of 3.2% beer for the expressed purpose of eliminating the illicit sale of intoxicants and of bringing in needed revenue to the Federal Government and the States, and

WHEREAS, the individual states to-wit, thirty-three in number, who have legalized the manufacture and sale of 3.2% beer have derived tremendous revenue therefrom, and

WHEREAS, His Excellency, Wm. H. Murray, Governor of the State of Oklahoma, has issued his proclamation, calling the Legislature into a special session for the purpose of immediately enacting certain bills designed for the purpose of bringing in revenue to the State of Oklahoma and its municipal subdivisions, and

WHEREAS, the financial condition of said State and its subdivisions is extremely acute and in order to maintain the public schools of the state for the coming school year, immediate revenue must be raised from sources other than ad valorem taxation, and

WHEREAS, it is estimated that the legalization of 3.2% beer in the State of Oklahoma under the provision of House Bill 647 will raise considerable revenue, the amount being unknown, 95% of which said sum goes into the Common Schools of the State to be distributed quarterly on a per capita enumeration basis, and

WHEREAS, it is the desire of the legislature, due to the acute financial situation now existing, to have for its immediate consideration and action thereon all of the possible revenue raising measures other than ad valorem taxation so that it may adopt an intelligent, unified revenue raising program for the State and its subdivisions and reduce ad valorem taxation accordingly, and

WHEREAS, under the Constitution of the State of Oklahoma and the interpretation thereof by the Supreme Court of the State of Oklahoma in the case of

State, ex rel Swirczynski Vs. Key, et al., 247 Pac. 656, it is the mandatory duty of the Governor of the State of Oklahoma to submit to any special session of the Legislature for its consideration and action such matters as the legislature may require.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING THEREIN.

SECTION 1. That His Excellency, Wm. H. Murray, the duly elected, acting and qualified Governor of the State of Oklahoma, be and he is hereby respectfully requested to submit to the special session of the Legislature of the State of Oklahoma for its consideration and action, the following additional legislative subject, to-wit:

1. The question of providing the method of submitting the question of the legalization of said beer to a vote of the people of the State of Oklahoma, provided the said Legislature so desires to submit the same to a vote of the people, and further the question of raising the necessary revenue for the purpose of defraying the expenses of such an election and the advisability of amending Senate Bills 142 and 422 of the Fourteenth Session of the Legislature.

Upon motion of Senator Ballard, House Concurrent Resolution No. 4, as amended, was adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Ray, Rizley, Rutherford, Sowards, Stewart, Wilbanks. Total, 26.

Nays: Clark, Coppock, Curnutt, Daugherty, Johnston, Pugh, Reed, Stacey, Taylor, Thomas, Whitaker, Willis. Total, 12.



Not voting: Hutchinson, Nance, Ritzhaupt. Total,

3.

Absent: Carlile, Waldrep. Total, 2.

Excused: Commons. Total, 1.

House Concurrent Resolution No. 4 was ordered referred for engrossment.

SENATE RESOLUTION NO. 4, by Fidler, was taken up for consideration and read at length, as follows:

SENATE RESOLUTION NO. 4—By FIDLER.

A RESOLUTION REQUESTING THE HONORABLE WILLIAM H. MURRAY, GOVERNOR OF THE STATE OF OKLAHOMA TO SUBMIT TO THE SENATE OF THE EXTRAORDINARY FOURTEENTH SESSION OF THE LEGISLATURE OF THE STATE OF OKLAHOMA AN ITEMIZED AND DETAILED STATEMENT OF ALL MONIES EXPENDED IN THE ADMINISTRATION OF HOUSE RESOLUTION # 9642, ENACTED BY THE 72ND CONGRESS, RELATIVE TO THE RELIEF OF DESTITUTION AND THE BROADENING OF THE LENDING POWERS OF THE RECONSTRUCTION FINANCE CORPORATION AND CREATING EMPLOYMENT FOR EXPEDITING PUBLIC WORK.

WHEREAS, the 72nd Congress of the United States enacted House Resolution # 9642, having for its purpose the relief of destitution, the broadening of lending powers of the Reconstruction Finance Corporation and the creating of employment for expediting the public works program; and

WHEREAS, under and by virtue of the terms of said resolution the governor of any state or territory was authorized from time to time to make application

for such funds, certifying in such application the necessity for such funds; and

WHEREAS, any state or territory securing funds under and by virtue of said resolution, except the territories of Porto Rico and Alaska, is required to reimburse the Reconstruction Finance Corporation, together with interest, for all sums secured by such state or territory; and

WHEREAS, it appears from press reports and otherwise, that political favoritism is being used in the State of Oklahoma in the distribution of such funds and that various and sundry persons, holding positions by appointment in the State of Oklahoma, and various and sundry elective officials of the State of Oklahoma have been employed at exorbitant salaries in the handling, management and use of such funds, contrary to the spirit and provision of said House Resolution;

NOW, THEREFORE, in order that the public may be advised and in order that such favoritism, if any, be exposed, the Honorable William H. Murray, Governor of the State of Oklahoma, is hereby requested to immediately furnish a full and complete statement to the State Senate of the Extraordinary Session of the Fourteenth Legislature, showing in detail an itemized account of the amount of the funds heretofore distributed in the various counties of the State of Oklahoma, giving in detail a full and complete list of the salaries and expenses paid to all persons in any wise connected with the management, handling or expenditures of said funds and a detailed list of all officers of the State of Oklahoma, whether appointees or state elective officers, engaged, or that have been engaged, in the handling, distribution or management of said funds, the salaries received by such officers and the duties and responsibilities imposed upon them, under and by virtue of their employment as such officers in the handling of said funds.

BE IT FURTHER RESOLVED that the information above requested be furnished to the State Senate, now assembled in Extraordinary Session, on or before the 3rd day of June, 1933.

Senator Fidler moved the adoption of Senate Resolution No. 4.

Senator Morrison presiding.

Senator MacDonald presiding.

Upon motion of Senator Ray, the previous question was ordered.

The vote occurring on the Fidler motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Morrison, Powers, Rizley, Rutherford, Stacey, Wilbanks. Total, 14.

Nays: Briggs, Carmack, Chamberlin, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Taylor, Thomas, Whitaker, Willis. Total, 26.

Not voting: Stewart. Total, 1.

Absent: Carlile, Waldrep. Total, 2.

Excused: Commons. Total, 1.

Upon motion of Senator Whitaker, the Committee on Senate and Legislative Affairs was directed to investigate the means by which electric fans might be installed in the Senate Chamber.

The Presiding Officer announced matters were on the President's desk, for the consideration of the Senate in executive session.

Upon motion of Senator Chamberlin, the Senate closed its doors and went into executive session.

\* \* \*

The Senate reassembled, in open session, with Senator MacDonald presiding, who announced the Senate had, in executive session, advised and consented to the

confirmation of the following executive nomination:

THOMAS P. HOLT, of Ada, Pontotoc County, Oklahoma, to be chairman of the State Election Board of the State of Oklahoma, for the unexpired term of Reford Bond, resigned.

#### FIRST READING

By unanimous consent, the following bill was introduced and read for the first time:

SENATE BILL NO. 4—By NICHOLS and MORRISON.—An Act amending Sections 4 and 7, of Senate Bill No. 372, of the Regular Session of the Fourteenth Legislature of the State of Oklahoma, relating to the State Board of Barber Examiners, and declaring an emergency.

(I hereby authorize the Special Session of the 14th Legislature to Act upon this Senate Bill No. 4.

(Signed) Wm. H. MURRAY, Governor.

Senator Rutherford asked unanimous consent, which was granted, to be "excused," for the remainder of this week.

Upon motion of Senator Morrison, the Senate adjourned to meet under the rules.



## EIGHTH LEGISLATIVE DAY

Friday, June 2, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by President Pro Tempore Stewart.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 35.

Absent: Fischl, Logan, Nichols, Ray, Sowards, Waldrep. Total, 6.

Excused: Commons, Moon, Rutherford. Total, 3.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

### PETITION

Senator Pugh sent up a petition, dated at Lookeba, Oklahoma, urging the enactment of the Sales Tax, with the emergency.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Concurrent Resolution No. 2, House Concurrent Resolution No. 4 and House Bill No. 5, each, correctly engrossed.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Concurrent Resolution No. 2, Engrossed Senate Amendment to and Engrossed House Concurrent Resolution No. 4, as amended, and ordered

each transmitted to the Honorable House, for consideration.

### SECOND READING

The following bill was read for the second time and referred to the Committee indicated:

SENATE BILL NO. 4—By NICHOLS and MORRISON.—Referred to Committee on Retrenchment and Reform.

### THIRD READING

HOUSE 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fidler, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 30.

Not voting: Carmack, Dixon, Garvin, Morrison, Wilbanks. Total, 5.

Absent: Fischl, Logan, Nichols, Ray, Sowards, Waldrep. Total, 6.

Excused: Commons, Moon, Rutherford. 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: Ballard, Briggs, Carlile, Chamberlin, Clark, Coppock, Curnutt, Daugherty, Fidler, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Paul, Powers, Pugh, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 30.

Not voting: Carmack, Dixon, Garvin, Morrison, Wilbanks. Total, 5.

Absent: Fischl, Logan, Nichols, Ray, Sowards, Waldrep. Total, 6.

Excused: Commons, Moon, Rutherford. 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 amendments to and Engrossed House Bill No. 5, as amended, 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,  
Building

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 2—By WILLIAMS, COX, ABERNATHY (Pott.), ALLEN, BEAMAN, BILLINGS, BLOCKER, BUSHYHEAD, CAVITT, CLOYD, COE, COLLINS, CONNER, DANIEL, DOUTHAT, DUKE, EASON, ELLIS, GARLAND, GRAHAM, GRAY, GRISSE, GRUNERT, HILL, HOLLIMAN, HUTCHINGS, JESSEE, JOHNSON (Comanche), JOHNSON (Osage), KING (Creek), KIRKPATRICK, LOGSDON, MALLORY, MASSEY, MORSE, MUNSON, OTTESEN, PALMER, PAXTON, ROBERTS, SHOEMAKE, SINGLETON, SMALLEY, SPEAR, STEWART, STRICKLAND (Marshall), SULLIVAN, SUTHERLAND, TIMMONS, TODD, WILMOT, WINGO,

WOOTEN and WRIGHT of the House, and RIZLEY of the Senate.

A Concurrent Resolution of the House of Representatives and Senate requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to submit to the Special Session of the Fourteenth Legislature a Bill having for its purpose the refunding to purchaser of truck, tractor and automobile tags the excess amount paid by such purchasers between the dates of January, 1933, and the final enactment of the law passed by the Fourteenth Legislature reducing the amount to be paid for such tags,  
and the Resolution has been adopted by the House, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 2—By WILLIAMS, COX, ABERNATHY (Pott.), ALLEN, BEAMAN, BILLINGS, BLOCKER, BUSHYHEAD, CAVITT, CLOYD, COE, COLLINS, CONNER, DANIEL, DOUTHAT, DUKE, EASON, ELLIS, GARLAND, GRAHAM, GRAY, GRISSO, GRUNERT, HILL, HOLLIMAN, HUTCHINGS, JESSEE, JOHNSON (Comanche), JOHNSON (Osage), KING (Creek), KIRKPATRICK, LOGSDON, MALORY, MASSEY, MORSE, MUNSON, OTTESEN, PALMER, PAXTON, ROBERTS, SHOEMAKE, SINGLETON, SMALLEY, SPEAR, STEWART, STRICKLAND (Marshall), SULLIVAN, SUTHERLAND, TIMMONS, TODD, WILMOT, WINGO, WOOTEN and WRIGHT of the House and RIZLEY, REED, COPPOCK, CLARK, SOWARDS, CURNUTT,



STACEY, CHAMBERLIN and LESTER of the Senate, entitled:

A Concurrent Resolution of the House of Representatives and Senate requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to submit to the Special Session of the Fourteenth Legislature a Bill having for its purpose the refunding to purchaser of truck, tractor and automobile tags the excess amount paid by such purchasers between the dates of January, 1933, and the final enactment of the law passed by the Fourteenth Legislature reducing the amount to be paid for such tags,

and to advise you, and, through you, the Honorable Senate, that the same has been signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President Pro Tempore, in open session, signed Enrolled House Concurrent Resolution No. 2 and ordered it returned to the Honorable House.

Senator Nance moved that, when the Senate adjourns today, it adjourn to meet under the rules on Monday, June 5th, which motion prevailed.

Senator Curnutt asked unanimous consent, which was granted, that Senator Paul be added as a Member of the Committee on School Lands.

Senator Jennings asked to be recorded "excused," for the remainder of this legislative day, which request was ordered granted.

Senator Chamberlin introduced Miss Marjory Henry, Roy Henry, W. C. Dobbs and Francis Thedford, of Altus, Oklahoma, winners in the National High School Debating contest, at Akron, Ohio, in May, 1933.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled bills begs leave to report Senate Resolution No. 1 correctly enrolled.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Enrolled Senate Resolution No. 1 and ordered it transmitted to the Secretary of State.

### FIRST READING

By unanimous consent, the following bill was introduced and read for the first time:

SENATE BILL NO. 5—By CARMACK.—An Act repealing Section 8753, Oklahoma Statutes, 1931, relating to the State Market Commission; creating the State Market Commission as a Department in the State Board of Agriculture; providing that said department shall perform all the duties heretofore performed by the State Market Commission; authorizing the promulgation of official standards for fruits, vegetables, hay, or any other agricultural product; providing for the promulgation of rules and regulations for the carrying out of the provisions of this Act; authorizing the State Board of Agriculture to co-operate with the United States Department of Agriculture in prescribing rules, regulations and provisions for inspection service, and fixing fees for such service; providing qualifications for certain employees in the State Market Commission, Department of the State Board of Agriculture; creating certain positions in said Department; fixing the salaries of such employees; making an appropriation to carry out the provisions of this Act; repealing all acts or parts of acts in conflict therewith, and declaring an emergency.

### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to

advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 5—By MARTIN.

An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the permanent journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of said session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, and declaring an emergency, and that the same has been passed, AS AMENDED.

Respectfully,

R. M. MCCOOL, Chief Clerk.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 5—By MARTIN.

An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the Permanent Journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of said session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 5 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.

Upon motion of Senator Chamberlin, the Senate adjourned, to meet at 1:30 p. m., Monday, June 5th, 1933.



## NINTH LEGISLATIVE DAY

Monday, June 5, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Johnston, Lester, Liggett, Logan, Morrison, Nichols, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 27.

Absent: Carlile, Carmack, Moon, Nance, Paul, Pugh, Waldrep. Total, 7.

Excused: Briggs, Chamberlin, Clark, Commons, Howard, Jennings, MacDonald, Memminger, Powers, Rutherford. Total, 10.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### PETITIONS

A telegram, dated at Okmulgee, Oklahoma, on June 3d, 1933, from the Okmulgee County Tax Reduction Association, and addressed to J. Wm. Cordell, Secretary of the Senate, was read, urging the passage of the 1% Sales Tax bill, without exemptions, after which it was ordered referred to the Committee on Revenue and Taxation.

The following request was submitted, and, upon motion of Senator Liggett, granted:

Clinton, Oklahoma,  
June 5, 1933.

To the President of the Senate of the State of Oklahoma:

The Oklahoma Education Association of the State of Oklahoma is interested in legislation pertaining to taxation and education and has appointed the undersigned as legislative agent and counsel to represent it

before the Legislature and in accordance with Section 1593, Compiled Oklahoma Statutes, 1921, said agent and counsel makes the following representations: His name is George D. Hann, President of the Oklahoma Education Association; age, 34 years; place of residence, Clinton, Oklahoma; and that he acts as agent and counsel for the Oklahoma Education Association of the State of Oklahoma and receives no pay for such service.

He, therefore, makes application for the granting of a permit to act as legislative agent and counsel in accordance with the provisions of the laws of the State of Oklahoma.

Respectfully submitted,

GEO. D. HANN.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4—By GARLAND, GRAHAM, BEARD, RAWLS, ABERNATHY (Harmon), BEAVER, BENNETT, BILLINGS, BOYER, COE, CONNER, DOUTHAT, EASON, ELLIS, FITZGERALD, GRUNERT, HARP, HILL, JOHNSON (Osage), KENAN, KING (Creek), KIRKPATRICK, LOGSDON, MASSEY, MISENHEIMER, PALMER, PHILLIPS (Okfuskee), REMUND, ROBERTS, TIMMONS, WHITFORD, WOOTEN, CHAMBERS, WILLIAMS, SHOEMAKE, WATSON, HUTCHINGS and STURGELL, of the House, and RAY, BALLARD, DIXON, BRIGGS, MORRISON, RITZHAUPT, GARVIN, and RIZLEY of the Senate.

A Concurrent Resolution calling upon and requesting his Excellency, Wm. H. Murray, Governor of the State of Oklahoma, to submit to the Special Session of the Fourteenth Legislature which convenes at the hour of One P. M., on the 24th day of May, 1933, at the Capitol building in the city of Oklahoma City, Oklahoma, in accordance with the proclamation of the Governor of Oklahoma under date of the 20th day of May, 1933, to submit to the said Special Session of the Legislature for its immediate consideration and action the additional subject of legislation on the subject of legalization of beer containing not to exceed 3.2% of alcohol by weight and the question of raising revenue from the legalization of the sale of said beverage and the question of amending certain Acts heretofore passed in relation to the holding of any special state-wide election and the raising of funds therefor with reference to the legalization and sale of the said beverage or with reference to any other subject for which a special election may be called; advising his Excellency, the Governor, that it is the sense of the said Special Session of the Legislature to consider all possible sources of revenue at one and the same time for the purpose of eliminating the distressed condition of the State and the public schools thereof, and the same has been adopted, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 2—By HUTCHINSON and JOHNSTON of the Senate and EASON of the House.

A Resolution expressing regret at the death of former Highway Commissioner John G. Parker, Jr.,

respect for his works as a citizen and public official, and sympathy for his bereaved family, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 2 was ordered referred for enrollment.

#### SECOND READING

The following bill was read for the second time and ordered referred to the Committees indicated:

SENATE BILL NO. 5—By CARMACK.—Referred to Committee on Agriculture.

The Journal for the previous legislative day was ordered approved.

Upon motion of Senator Logan, the Senate adjourned, to meet under the rules.



## TENTH LEGISLATIVE DAY

Tuesday, June 6th, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, Memminger, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 31.

Absent: Daugherty, Liggett, Moon, Morrison, Nance, Paul, Waldrep. Total, 7.

Excused: Commons, Coppock, Garvin, MacDonald, Nichols, Rutherford. Total, 6.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### MESSAGES

The following Messages from the Governor were received and read:

June 6, 1933.

TO THE HONORABLE HOUSE AND SENATE,  
FOURTEENTH LEGISLATURE:

Gentlemen:

I have your Concurrent Resolution No. 2, asking the Governor to submit for consideration the re-imbursement of excess auto tag payments, made prior to the passage of House Bill 305 of the Regular Session.

In reply, permit me to call your attention to the fact that the original bill that received my approval did not make a change except in a minor way, but was introduced to adopt certain rules necessary for the enforce-

ment of the law. It passed by the House as I desired it. In the Senate, it was amended, doubtless through some person's effort to defeat the bill, or with the belief that the reduction would be vetoed, and, therefore, the rules defeated.

Several controversies were had, and, yet, the conferees of the Senate adhered to the provisions of the bill as finally enacted.

The House passed another bill providing for the return of the money to those making payment on tags prior to the passage of this Bill 305, but it failed to pass in the Senate.

Since this' Concurrent Resolution is an expression on the part of the Senate that they would pass the bill now to reimburse those who were most ready to conform to their public duty, I therefore authorize this Special Session to make provision for the return of the excess paid by those who made payments for their tags prior to the passage of the Bill No. 305.

Certainly it is never right to penalize men who are most ready to perform their duty, for many men will never perform a public duty until compelled to do so by law.

I had vetoed House Bill 305 because of its provision, had it not been necessary to sign it in order to get the rules into law providing for the enforcement of tag collections.

I trust no one will propose to repeal that law, but will merely provide for reimbursing those who paid an excess amount above that authorized by House Bill 305.

Respectfully submitted, on this the 6th day of June, A. D., 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 5—By MARTIN.

An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the Permanent Journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of said session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, and declaring an emergency,  
which bill I have this day signed and approved.

Witness my hand, this June 3d, A. D. 1933.

BY THE GOVERNOR OF THE STATE  
OF OKLAHOMA: Wm. H. MURRAY.

The following Messages from the Honorable House were received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 6—By GARLAND, BATSON, ABERNETHY (Harmon), BABB, BEARD, BEAVER, BLOCKER, PAXTON, BUSHYHEAD, CHAMBERS, CHILDERS, CLOYD, DANIEL, DOUTHAT, GLEN, GRAHAM, GRAY, GRISSO, HENDERSON, HINDS, JESSEE, JONES, KIGHT, KING (Coal), KIRKPATRICK, LEECRAFT, MARTIN, MASSEY, McELHANEY, PALMER, PARKS, PHILLIPS (Atoka), REMUND, STEWART, STRICKLAND (Pontotoc), SULLIVAN,

TIMMONS, TODD, TURNER, WAGNER, WILLIAMS and ANGLIN.

A Resolution extending sympathy to Carlton Weaver, Speaker of the House of Representatives of the Thirteenth Legislature of the State of Oklahoma, in the death of his beloved wife, Amanda Haynes Weaver, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Logan asked unanimous consent, which was granted, to take up for immediate consideration Engrossed House Concurrent Resolution No. 6, which was read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 6—By GARLAND, BATSON, ABERNETHY (Harmon), BABB, BEARD, BEAVER, BLOCKER, PAXTON, BUSHYHEAD, CHAMBERS, CHILDERS, CLOYD, DANIEL, DOUTHAT, GLEN, GRAHAM, GRAY, GRISSE, HENDERSON, HINDS, JESSEE, JONES, KIGHT, KING (Coal), KIRKPATRICK, LEECRAFT, MARTIN, MASSEY, McELHANEY, PALMER, PARKS, PHILLIPS (Atoka), REMUND, STEWART, STRICKLAND (Pontotoc), SULLIVAN, TIMMONS, TODD, TURNER, WAGNER, WILLIAMS and ANGLIN.

A RESOLUTION EXTENDING SYMPATHY TO CARLTON WEAVER, SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE THIRTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, IN THE DEATH OF HIS BELOVED WIFE, AMANDA HAYNES WEAVER.

WHEREAS, The Honorable Carlton Weaver was



Speaker of the House of Representatives of the Thirteenth Session of the Oklahoma Legislature; and

WHEREAS, While serving in that capacity he gained the love, friendship and esteem of the members thereof through his sincerity, integrity, honesty and fairness to all members and factions; and

WHEREAS, Amanda Haynes Weaver, wife of the said Carlton Weaver, died at mid-night Sunday, June 4th;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE FIRST SPECIAL SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, THE SENATE CONCURRING THEREIN; That said bodies hereby go on record as offering their condolences and sympathies to the Honorable Carlton Weaver in this his hour of bereavement.

BE IT FURTHER RESOLVED that each House send appropriate floral offering to be used at the funeral of Mrs. Weaver;

BE IT FURTHER RESOLVED that crepe be hung in an appropriate place in the House Chambers; and

BE IT FURTHER RESOLVED that the House recess five minutes as a token of sorrow at the loss of our former Speaker.

Upon motion of Senator Logan, House Concurrent Resolution No. 6 was adopted.

The President, in open session, signed Engrossed House Concurrent Resolution No. 6 and ordered it returned to the Honorable House.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 4—By GARLAND, GRAHAM, BEARD,

RAWLS, ABERNATHY (Harmon), BEAVER, BILLINGS, BOYER, COE, CONNER, DOUTHAT, EASON, ELLIS, FITZGERALD, GRUNERT, HARP, HILL, JOHNSON (Osage), KENAN, KING (Creek), KIRKPATRICK, LOGSDON, MASSEY, MISENHEIMER, PALMER, PHILLIPS (Okfuskee), REMUND, ROBERTS, TIMMONS, WHITFORD, WOOTEN, CHAMBERS, WILLIAMS, SHOEMAKE, WATSON, HUTCHINGS, and STURGELL, of the House, and RAY, BALLARD, DIXON, BRIGGS, MORRISON, RITZHAUPT, GARVIN, and RIZLEY of the Senate.

A Concurrent Resolution calling upon and requesting his Excellency, Wm. H. Murray, Governor of the State of Oklahoma, to submit to the Special Session of the Fourteenth Legislature which convened at the hour of One P. M., on the 24th day of May, 1933, at the Capitol building in the city of Oklahoma City, Oklahoma, in accordance with the proclamation of the Governor of Oklahoma under date of the 20th day of May, 1933, to submit to the said Special Session of the Legislature for its immediate consideration and action the additional subject of legislation on the subject of legalization of beer containing not to exceed 3.2% of alcohol by weight and the question of raising revenue from the legalization of the sale of said beverage and the question of amending certain Acts heretofore passed in relation to the holding of any special state-wide election and the raising of funds therefor with reference to the legalization and sale of the said beverage or with reference to any other subject for which a special election may be called; advising his Excellency, the Governor, that it is the sense of the said special session of the Legislature to consider all possible sources of revenue at one and the same time for the purpose of eliminating the distressed condition of the State and the public schools thereof, and to advise you, and, through you, the Honorable Sen-

ate, that the same has been read for the fourth time and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolution No. 4 and ordered it returned to the Honorable House.

#### COMMITTEE REPORTS

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Concurrent Resolution No. 2 correctly enrolled.

HOWARD, Vice Chairman.

The President, in open session, signed Enrolled Senate Concurrent Resolution No. 2 and ordered it transmitted to the Honorable House, for the signature of the Speaker.

Senator Willis submitted the following Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Senate and Legislative Affairs, to whom was referred the matter of ventilation in the Senate Chamber beg leave to make the following report:

That we have made careful investigation and received numerous bids on fans, and had other matters for consideration.

To the said proposition we wish to submit to the Senate for their consideration; first

1. We find that new fans can be had for the sum of \$18.50 each.

2. That we will be able to procure Five (5) 16 inch fans and Two (2) 12 inch fans and as many as desired of the smaller measurements at a monthly rental of \$3.50 a month each, and we hereby recommend that the latter proposition be accepted.

WILLIS, Chairman.

FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 6—By JENNINGS.—An Act authorizing the refund of that portion of motor vehicle registration fees for the year 1933 paid under the provisions of Section 10271, Oklahoma Statutes 1931, that is in excess of the amounts due for said year under the provisions of House Bill No. 305 of the Fourteenth Legislature of the State of Oklahoma; providing procedure therefor; and declaring an emergency.

Senators Curnutt, Johnston, Wilbanks. Sowards and Reed asked to be added as joint authors of Senate Bill No. 6, which was the order.

GENERAL ORDER

SENATE BILL NO. 2, by Fidler, Ballard, et al, was taken up for consideration.

Section 1 was read.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 2, line 2, page 1, by striking after the word, "the," and before the word, "tax," the word, "State," and inserting in lieu thereof the word, "Oklahoma."

BALLARD.

Senator Lester asked unanimous consent, which was granted, to be added as a joint author of Senate Bill No. 2.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 2, line 2, page 1, by inserting after the word, "authorized," and before the word, "to," the words, "and directed"

CURNUTT.

Senator Curnutt moved that Senate Bill No. 2 be stricken from the calendar.



Senator Rizley moved to table the Curnutt motion.

Senator Briggs, in lieu of all pending motions, moved that further consideration of Senate Bill No. 2 be deferred until some future legislative day, which motion prevailed.

Upon motion of Senator Chamberlin, the Senate adjourned to meet under the rules.

## ELEVENTH LEGISLATIVE DAY

Wednesday, June 7, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 32.

Absent: Coppock, Daugherty, Morrison, Nance, Waldrep, Wilbanks. Total, 6.

Excused: Ballard, Commons, Garvin, Moon, Nichols, Rizley. Total, 6.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### PETITIONS

Senator Pugh presented a petition, signed by taxpayers of Caddo County, endorsing the sales, cigarette and income tax bills, especially favoring adoption of the emergency clause.

The President ordered the Pugh petition referred to the Committee on Revenue and Taxation.

Senator Ritzhaupt presented a petition, signed by taxpayers of Logan County, urging the passage of "all the revenue bills enacted by the last session of said Legislature and attach the emergency clause thereto and by so doing restore the credit and confidence of the people in their Government."

The President ordered the Ritzhaupt petition referred to the Committee on Revenue and Taxation.

### SECOND READING

The following bill was read for the second time and,

upon the request of Senator Jennings, was ordered placed upon the calendar without reference to a Committee:

SENATE BILL NO. 6—By JENNINGS, CURNUTT, JOHNSTON, WILBANKS, SOWARDS and REED.

#### GENERAL ORDER

Upon the request of Senator Fidler, consideration of SENATE BILL NO. 2, by Fidler, et al, was deferred for this legislative day.

Upon motion of Senator Chamberlin, the Senate recessed to meet at 3:00 o'clock, p. m.

The Senate reassembled, with the President presiding.

#### RESOLUTIONS

Senator Whitaker asked unanimous consent, which was granted, to introduce the following resolution, which, under the rules, was ordered printed and placed upon the calendar:

SENATE RESOLUTION NO. 5—By WHITAKER, FIDLER, WALDREP, MOON, HOWARD, WILLIS and POWERS.—A Resolution calling the attention of the President of the United States and the Administration under the Industries Bill to the need of flood control and work looking toward the navigation of the Arkansas River; and requesting the members of Congress from Oklahoma to urge that the broad program of controlling the flood waters of the Arkansas River basin be presented to the Administrator and immediate action requested; and directing that copies of this Resolution be furnished to the Oklahoma Delegation in Congress.

Upon motion of Senator Briggs, the Senate adjourned, to meet under the rules.

## TWELFTH LEGISLATIVE DAY

Thursday, June 8, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Carlile, Carmack, Chamberlin, Clark, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Nance, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 37.

Absent: Briggs, Coppock, Moon, Morrison, Waldrep. Total, 5.

Excused: Commons, Nichols. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### MESSAGES

The following Message from the Governor was received and read:

TO THE HONORABLE THE HOUSE AND SENATE,  
SPECIAL SESSION, FOURTEENTH LEGISLATURE:

Gentlemen:

Your Body in Regular Session, submitted a Referendum Measure to the people, to be voted on the 11th day of July, or at the First General Election throughout the State. I refer to House Bill No. 647, "The Beer Bill."

This was within your province to order, irrespective of the wishes of the Governor.

Now, the Governor must needs either call this elec-



tion on the 11th of July, or in some General Election, next year.

Considering the public weal and serving the wisest public policy, I am sure the question should be voted upon at an election in which no candidates are running or other questions up for consideration; and, while it is not mandatory on the Governor to make this call in a Special Election, it thus becomes his constitutional obligation to call it either then or in the next General Election throughout the State.

Therefore, considering these obligations, and the public policy, before recited, this is to announce to you that I shall call a Special Election on what is known as the "Beer Bill," to be voted on on the 11th day of July; and, therefore, Your Honorable Body should consider the question of whether the State should make an appropriation to pay for the election, when held; or await the next Legislature; and, if the Legislature, in its judgment, thinks best, it is authorized to make the appropriation at this Special Session.

If an appropriation is made, it should be made out of the general revenues of the State, and not out of any supposed revenues that the Beer Bill may provide, for the reason that to say in the law that the election officers shall be compensated from the first taxes collected from the sale of beer is tantamount to saying that if you do not put over this Beer Bill, you will not be paid; and, therefore, indirectly, the offer of a bribe. It would be equally wrong to provide in the law that the election officers should be paid by the State, if the law was defeated at the polls. In either case, it is unfair, and not in keeping with wholesome public policy and honest government.

Moreover, a law as proposed by a number of members of the House, and, particularly those of the Beer Bloc, making an appropriation out of the revenues collected from the Beer, would be unconstitutional, for the

reason that you cannot make an appropriation in advance of the provision for the revenue.

You may make an appropriation in the same bill, raising the revenue, or from revenue after it is provided for, but the legislative authority does not extend to the power to make an appropriation in advance of the passage of a revenue law, on the mere assumption that it will pass.

Therefore, if you decide to make the appropriation, it should be made unconditionally, for the payment of the election expenses, out of the general revenues of the State.

Respectfully submitted, on this the 8th day of June, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 1—By BATSON, LEECRAFT, and LANDINGHAM.

An Act providing for relief from ad valorem taxation by levying an annual normal tax and a surtax upon the net income of individuals, corporations, estates and trusts: by levying an annual tax on national banking associations, state banks and trust companies, according to or measured by their net incomes authorized by Method Four (4) of Section 5219, U. S. Revised Statutes as amended, relating to national banking associations, and complying therewith; providing for the disposition of the revenues arising hereunder; prescribing the rates of such taxes herein levied and defining terms; providing for specific exemptions to individual tax payers;

exempting religious, charitable, eleemosynary, educational, benevolent, fraternal and other corporations or organizations not organized for profit, providing for the computation and collection of such taxes by the Oklahoma Tax Commission and empowering said Commission to enforce this Act and to prescribe and enforce rules and regulations in relation thereto; defining the powers of said Commission in the collection of additional and delinquent taxes and prescribing penalties for the violation of this Act; requiring returns by taxpayers and prescribing how the same shall be prepared and filed; making such taxes and penalties a lien on taxpayers' property, and for the enforcement thereof; requiring persons paying income to individuals to report same to said Commission; providing, in certain cases for withholding such taxes at the source and providing method of payment; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable; repealing Sections 12370, 12371, and all of Articles 6 and 15, Chapter 68, Oklahoma Statutes, 1931, except as to accrued taxes and penalties and the collection and enforcement thereof, and repealing House Bill Number One (1), passed by the Fourteenth Legislature of Oklahoma, 1933, approved April 8, 1933, and all other laws 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Reading of  
Engrossed House Bill No. 1.  
To the President of the Senate,  
Building  
SIR:

*Twelfth Day, Thursday, June 8, 1933*

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I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 6—By GARLAND, BATSON, ABERNETHY (Harmon), BABB, BEARD, BEAVER, BLOCKER, PAXTON, BUSHYHEAD, CHAMBERS, CHILDERS, CLOYD, DANIEL, DOUTHAT, GLEN, GRAHAM, GRAY, GRISSO, HENDERSON, HINDS, JESSEE, JONES, KIGHT, KING (Coal), KIRKPATRICK, LEECRAFT, MARTIN, MASSEY, McELHANEY, PALMER, PARKS, PHILLIPS (Atoka), REMUND, STEWART, STRICKLAND (Pontotoc), SULLIVAN, TIMMONS, TODD, TURNER, WAGNER, WILLIAMS, and ANGLIN.

A Resolution extending sympathy to Carlton Weaver, Speaker of the House of Representatives of the Thirteenth Legislature of the State of Oklahoma, in the death of his beloved wife, Amanda Haynes Weaver, and to advise you, and, through you, the Honorable Senate, that the same has been signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolution No. 6 and ordered it returned to the Honorable House.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 2—By HUTCHINSON and JOHNSTON of the Senate and EASON of the House, entitled:

A Resolution expressing regret at the death of former Highway Commissioner John G. Parker, Jr., re-



spect for his works as a citizen and public official, and sympathy for his bereaved family, and to advise you, and, through you, the Honorable Senate, that the same has been signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President ordered Enrolled Senate Concurrent Resolution No. 2 referred to the Secretary of State.

Senator Paul moved that the President appoint a committee, with instructions to prepare and present to the Senate for its consideration, a bill, relative to the State School Land Department, providing specifically for a continuous daily balance of the money received by said Department.

The Paul motion prevailed and the President appointed as such special committee Senators Paul, Willis, Ray, Powers, Fidler, Jennings, Memminger, MacDonald and Stacey.

Senator Fischl moved when the Senate adjourns today it adjourn to meet at 10:00 o'clock, a. m., tomorrow, which motion prevailed.

Senator Stewart moved when the Senate adjourns on the next legislative day that it adjourn to meet on Monday, June 12th, which motion prevailed.

#### GENERAL ORDER

SENATE RESOLUTION NO. 5, by Whitaker, Fidler, Waldrep, Moon, Howard, Willis and Powers, was considered.

Senator Logan asked unanimous consent, which was granted, to submit a substitute for Senate Resolution No. 5, which was ordered printed and placed upon the calendar, the title thereof being as follows:

SENATE RESOLUTION NO. 5—By LOGAN.—A RESOLUTION CALLING THE ATTENTION OF THE PRESIDENT OF THE UNITED STATES AND THE ADMINISTRATOR UNDER THE INDUS-

TRIES BILL TO THE NEED OF FLOOD CONTROL; AND REQUESTING THE MEMBERS OF CONGRESS FROM OKLAHOMA TO URGE THAT THE BROAD PROGRAM OF CONTROLLING THE FLOOD WATERS OF THE ARKANSAS RIVER BASIN AND THE RED RIVER BASIN BE PRESENTED TO THE ADMINISTRATOR AND IMMEDIATE ACTION REQUESTED; AND DIRECTING THAT COPIES OF THIS RESOLUTION BE FURNISHED TO THE OKLAHOMA DELEGATION IN CONGRESS.

Upon motion of Senator Chamberlin, the Senate adjourned to meet at 10:00 o'clock, a. m., Friday, June 9th, 1933.

THIRTEENTH LEGISLATIVE DAY  
Friday, June 9th, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Clark, Coppock, Curnutt, Daugherty, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Paul, Powers, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 29.

Absent: Carmack, Chamberlin, Dixon, Pugh, Ray, Sowards, Waldrep, Whitaker. Total, 8.

Excused: Commons, Fidler, Garvin, Moon, Nance, Nichols, Rutherford. Total, 7.

The President announced a quorum present.

Prayer was offered by Senator Willis.

The President announced the appointment of Senators Chamberlin and Rizley, with Senators Taylor and Reed as alternatives, under Engrossed House Concurrent Resolution No. 22, by Cox, Williams, Wright, Allen, Wilmot, of the House, and Rizley and Taylor, of the Senate, adopted by the regular session of the 14th Legislature, relating to the controversy as to the boundary line between the States of Oklahoma and Texas.

MESSAGES

The following Message from the Governor was received and read, after which it was ordered referred to the Committee on Appropriations:

TO THE HONORABLE SENATE AND HOUSE OF  
REPRESENTATIVES, FOURTEENTH LEGIS-  
LATURE:

June 7, 1933.

Gentlemen:

In the drafting of the Bill for the issuance of the Oklahoma Treasury Notes, to take up the deficit, no provision was made for incidental expenses, such as telegrams, telephones, extra postage, certain extra blanks, book records, and the like; and the State Treasurer tells me that he is swamped for lack of funds to take care of these items of expense. The expense of all Departments was cut down to meet the normal labor and conditions; and, hence, this extra cost upon the Department depletes his fund.

He ought to have something like \$1,800.00 to \$2,000.00 for this particular expense, and I therefore open up for that purpose the subject for the action of the House and Senate at this Special Session, for the purpose of making the appropriation.

Respectfully submitted on this the 7th day of June, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA, Wm. H. MURRAY.

The following Messages from the Honorable House were received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 5—By FRALEY, PHILLIPS (Okfuskee), MALLORY, WRIGHT, COX, BRAZELL, ARMSTRONG, DAVIS, HANKLA, STURGELL, FITZGERALD, GRISSO, JOHNSON (Osage), BOYER, ULMARK, HUTCHINGS, BILLINGS, REMUND, HARP, CHAMBERS, PALMER, WAGNER, KIRKPATRICK, GIBSON, EBY (Tulsa), GARLAND, NEILL, MISEN-



HEIMER, WORTHINGTON, BURNHAM, TIMMONS, WILMOT, ALLEN, WINGO, CONNER, KING (Coal), MUNSON, GRUNERT, CLOYD, DOUTHAT, HART, SUTHERLAND, HILL, WILLIAMS, RAWLS, BEARD, PAXTON, CLINE, ABERNATHY (Pottawatomie), WOOTEN, ALBRIGHT, EASON, COE, ROBERTS, ELLIS, GRAHAM, CAVINS, KIGHT, MORSE and SHOEMAKE.

A Concurrent Resolution citing the needs for reorganization of the common school system in the State of Oklahoma; stating that the House of Representatives, the Senate concurring therein, wishes to consider a plan for the purpose of reorganization of the common schools in the State of Oklahoma, in order that an equal distribution of the funds to be collected from non ad valorem sources may be secured and distributed on an equitable basis, and respectfully requesting the Governor to open such legislation for consideration by this Legislature, assembled in Extraordinary Session, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Briggs asked unanimous consent, which was granted, to take up for immediate consideration Engrossed House Concurrent Resolution No. 5, which was read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 5—By FRALEY, PHILLIPS (Okfuskee), MALLORY, WRIGHT, COX, BRAZELL, ARMSTRONG, DAVIS, HANKLA, STURGELL, FITZGERALD, GRISSO, JOHNSON (Osage), BOYER, ULMARK, HUTCHINGS, BILLINGS, REMUND, HARP, CHAMBERS, PALMER, WAGNER, KIRK-

PATRICK, GIBSON, EBY ( Tulsa), GARLAND, NEILL, MISENHEIMER, WORTHINGTON, BURNHAM, TIMMONS, WILMOT, ALLEN, WINGO, CONNER, KING (Coal), MUNSON, GRUNERT, CLOYD, DOUTHAT, HART, SUTHERLAND, HILL, WILLIAMS, RAWLS, BEARD, PAXTON, CLINE, ABERNATHY (Pottawatomie), WOOTEN, ALBRIGHT, EASON, COE, ROBERTS, ELLIS, GRAHAM, CAVINS, KIGHT, MORSE and SHOEMAKE.

A CONCURRENT RESOLUTION CITING THE NEEDS FOR REORGANIZATION OF THE COMMON SCHOOL SYSTEM IN THE STATE OF OKLAHOMA; STATING THAT THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING THEREIN, WISHES TO CONSIDER A PLAN FOR THE PURPOSE OF REORGANIZATION OF THE COMMON SCHOOLS IN THE STATE OF OKLAHOMA, IN ORDER THAT AN EQUAL DISTRIBUTION OF THE FUNDS TO BE COLLECTED FROM NON AD VALOREM SOURCES MAY BE SECURED AND DISTRIBUTED ON AN EQUITABLE BASIS, AND RESPECTFULLY REQUESTING THE GOVERNOR TO OPEN SUCH LEGISLATION FOR CONSIDERATION BY THIS LEGISLATURE, ASSEMBLED IN EXTRAORDINARY SESSION.

WHEREAS, the Fourteenth Legislature of the State of Oklahoma has been called into an extraordinary session by proclamation of the Governor of the State of Oklahoma, the Hon. Wm. H. Murray, and

WHEREAS, under the Constitution, we may consider only legislation which the Governor may submit by proclamation, and

WHEREAS, many of the ad valorem taxpayers of the State of Oklahoma are losing their homes because they are unable to pay the taxes to keep up our present inefficient school system of the State, and

WHEREAS, there exist many schools which are now partially supported by the State out of the Special Common School Equalization Fund, and

WHEREAS, an investigation of the distribution of funds show that in many instances under existing laws the distribution is inequitable, and

WHEREAS, there exist many schools in the State of Oklahoma which can not qualify under existing laws for distribution of the Common School Equalization Fund and immediate relief should likewise be given to them, and

WHEREAS, the Members of the House of Representatives and Senate recommend for a more economical administration and for better and more equitable financial support that the Common School Districts in each county in the State of Oklahoma be organized in such a manner whereby the funds to be derived from all non ad valorem sources may be distributed on a fair and equitable basis to all and the ad valorem taxes reduced on the same ratio.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF OKLAHOMA, THE SENATE CONCURRING THEREIN:

SECTION 1. That the House of Representatives and Senate respectfully request the Governor of the State of Oklahoma, the Hon. Wm. H. Murray, to open for its consideration in order that it may legislate on reorganization of our Common School System in the entire State, reorganizing the system on a basis which will guarantee more economy and efficiency in all schools in the State of Oklahoma and insure every child in the

State of Oklahoma equal educational advantages as now provided by our State Constitution.

Upon motion of Senator Briggs, House Concurrent Resolution No. 5 was adopted.

The President, in open session, signed Engrossed House Concurrent Resolution No. 5 and ordered it returned to the Honorable House.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 3—By GRAY, entitled:

An Act levying a stamp tax on the sale of cigarettes; prescribing the rate thereof; providing for licenses; defining terms; providing for stamps and the use thereof; providing for the enforcement of this Act by the Oklahoma Tax Commission and for rules and regulations in relation thereto; providing that the revenue derived hereunder, less expenses for collection and enforcement, shall be used to retire obligations of school districts and otherwise to reduce ad valorem taxes; creating a fund for the enforcement of this Act and for refunds and for redemption of unused stamps, and making appropriations therefor; prescribing penalties; providing that the taxes hereby levied shall be in lieu of all other taxes and repealing Sections 1950, 1951 and 1952, Oklahoma Statutes 1931; providing that the provisions of this Act are severable; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 2—By MAL-LORY and SUTHERLAND, entitled:

An Act providing for relief from ad valorem taxation by levying a sales tax upon the gross proceeds derived from all sales of goods, wares and merchandise,



including foods, confections and drinks prepared by hotels, restaurants or other dispensers and served or otherwise disposed of, and from all sales of tickets or admissions to places of amusement, and from all sales of electricity and gas, and from all sales of telephone, telegraph and radiocasting services; defining terms; prescribing the rates of such taxes; prescribing certain exemptions; providing for the disposition of the revenues arising hereunder; providing for the computation and collection of such taxes and for the enforcement of this Act by the Oklahoma Tax Commission; providing for the expenses of such collection and enforcement; empowering said Commission to prescribe rules and regulations for the enforcement of this Act; prescribing penalties for the violation of this Act; authorizing refunds; making such taxes and penalties a lien on vendors' property; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable; repealing conflicting laws, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Bills Nos. 2 and 3.

#### FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 7—By PAUL.—An Act making it a felony for any employee of the Commissioners of the Land Office or any person dealing with the Commissioners of the Land Office or said employees, directly or indirectly, to do or neglect or refuse to do certain

acts, providing penalties therefor, and declaring an emergency.

## SECOND READING

The following bill was read for the second time:

ENGROSSED HOUSE BILL NO. 1—By BATSON, LEECRAFT, and LANDINGHAM.

Senator Jennings moved that the rules of the Senate be suspended and House Bill No. 1 be ordered placed upon the calendar, without reference to a Committee.

Senator Logan moved to table the Jennings motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Clark, Coppock, Daugherty, Howard, Hutchinson, Johnston, Lester, Logan, MacDonald, Powers, Reed, Ritzhaupt, Stacey, Taylor, Willis. Total, 15.

Nays: Ballard, Briggs, Carlile, Curnutt, Jennings, Memminger, Paul. Total, 7.

Not voting: Fischl, Liggett, Morrison, Rizley, Stewart, Thomas, Wilbanks. Total, 7.

Absent: Carmack, Chamberlin, Dixon, Pugh, Ray, Sowards, Waldrep, Whitaker. Total, 8.

Excused: Commons, Fidler, Garvin, Moon, Nance, Nichols, Rutherford. Total, 7.

The President ordered Engrossed House Bill No. 1 referred to the Committee on Revenue and Taxation.

Senator Jennings moved that the Committee on Revenue and Taxation be instructed to make its report on Engrossed House Bill No. 1 not later than 3:00 o'clock, p. m., Monday, June 12, which motion was tabled, upon motion of Senator MacDonald.

## GENERAL ORDER

SENATE BILL NO. 6, by Jennings, Curnutt, Johnston, Wilbanks, Sowards and Reed, was taken up for consideration.

Section 1 was read.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 6, line 1, page 1, by striking all of Section 1 and inserting in lieu thereof the following: "Section 1. That the Oklahoma Tax Commission is hereby directed to issue to each and every person, firm or corporation, who paid motor vehicle registration fees for the year 1933, under the provisions of Section 10,271, Oklahoma Statutes, 1931, prior to the effective date of House Bill No. 305, of the Fourteenth Legislature of the State of Oklahoma, a certificate of refund for the amount of such fees, so paid, in excess of the amount provided for by said House Bill No. 305, of the Fourteenth Legislature. Such certificates shall be negotiable and shall be redeemed by the Oklahoma Tax Commission, when presented by the holder thereof, in payment of motor vehicle registration fees due or to become due for the year 1933 or the year 1934; provided that no fees shall be charged or collected by the Oklahoma Tax Commission or any agent thereof for the issuance or redemption of such certificate."

JENNINGS.

Senator Curnutt, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 6, line 5½, page 2, by inserting as Section 2, the following: "There is hereby appropriated from any funds in the State Treasury, not otherwise appropriated, for the purpose of making the refunds provided herein the sum of Four Hundred Thousand (\$400,000.00) Dollars, or so much thereof as may be necessary."

CURNUTT.

Senator Johnston moved that Senate Bill No. 6 be referred to the Committee on Revenue and Taxation,

with instructions to make its report on Wednesday, June 14th.

Senator Logan, as a substitute, moved that Senate Bill No. 6, together with Senate Bill No. 2, be referred to Judiciary Committee No. 1, which motion prevailed.

Senator Johnston asked unanimous consent, which was granted, that Senators Jennings and Fidler be added as members of Judiciary Committee No. 1, in the consideration of Senate Bills Nos. 2 and 6.

Upon motion of Senator Morrison, the Senate adjourned to meet under the rules on Monday, June 12th, 1933.



## FIFTEENTH LEGISLATIVE DAY

Monday, June 12, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Chamberlin, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Memminger, Moon, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Willis. Total, 30.

Absent: Dixon, Howard, Logan, Nance, Paul, Ray, Wilbanks. Total, 7.

Excused: Carmack, Clark, Coppock, MacDonald, Powers, Rizley, Rutherford. Total, 7.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

Senator Jennings moved that HOUSE BILL NO. 1, by Batson, Leecraft and Landingham, be withdrawn from the Committee on Revenue and Taxation and placed upon the calendar, which motion was tabled, upon motion of Senator Commons, the roll call thereon being as follows:

Ayes: Carlile, Chamberlin, Commons, Daugherty, Fischl, Garvin, Johnston, Lester, Liggett, Memminger, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Willis. Total, 20.

Nays: Ballard, Curnutt, Fidler, Jennings, Moon, Stewart. Total, 6.

Not voting: Briggs, Hutchinson, Waldrep, Whitaker. Total, 4.

Absent: Dixon, Howard, Logan, Nance, Paul, Ray, Wilbanks. Total, 7.

Excused: Carmack, Clark, Coppock, MacDonald, Powers, Rizley, Rutherford. Total, 7.

#### FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 8—By BALLARD.—An Act repealing Senate Bill Number 422 of the regular session of the Fourteenth Legislature of the State of Oklahoma, providing for the holding of a special election in the State of Oklahoma on the 11th day of July, 1933, for the express purpose of referring House Bill Number 647 of the regular session of the Fourteenth Legislature to a vote of the people and for other purposes and declaring an emergency.

#### SECOND READING

The following bills were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 7—By PAUL.—Referred to Judiciary Committee No. 2.

ENGROSSED HOUSE BILL NO. 2—By MAL-LORY and SUTHERLAND.

Senator Jennings moved that the rules of the Senate be suspended and Engrossed House Bill No. 2 be ordered placed upon the calendar, without reference to a Committee, which motion was tabled, upon motion of Senator Johnston.

The President ordered Engrossed House Bill No. 2 referred to the Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 3—By GRAY.

Senator Jennings moved the rules of the Senate be suspended and Engrossed House Bill No. 3 be ordered placed upon the calendar, without reference to a Committee, which motion was tabled, upon motion of Senator Johnston.

The President ordered Engrossed House Bill No. 3 referred to the Committee on Revenue and Taxation.

**GENERAL ORDER**

Senator Commons asked unanimous consent, which was granted, to defer consideration for this legislative day of SENATE RESOLUTION NO. 5, by Whitaker, Fidler, Waldrep, Moon, Howard, Willis and Powers.

Upon motion of Senator Commons, the Senate adjourned, to meet under the rules.

## SIXTEENTH LEGISLATIVE DAY

Tuesday, June 13, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 40.

Absent: Morrison, Waldrep. Total, 2.

Excused: Fidler, Rizley. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 10—By GARLAND, GRAHAM, RAWLS, BEARD, PHILLIPS (Okfuskee), and BOYER of the House, and COMMONS, BALLARD, NICHOLS, and RIZLEY of the Senate, entitled:

An Act amending Enrolled Senate Bill Number One Forty-two, by Stewart, Memminger, Nance, Chamberlin, Ritzhaupt, Curnutt, Briggs, Taylor, Pugh, Howard, Les-



ter and Commons of the Senate, and Childers, Blocker and Massey of the House, as passed by the regular session of the Fourteenth Legislature of the State of Oklahoma, and signed by the Governor on the 27th day of April, 1933, by repealing Section Five thereof and renumbering the sections; providing that in special elections where only one proposition is to be voted upon by the people, counters shall be dispensed with in the several precincts of the State; prescribing the manner thereof, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Bill No. 10.

#### COMMITTEE REPORT

Senator Thomas submitted the following Committee Report:

Mr. President: We, your Committee on Employment, beg leave to make the following recommendation and supplementary report: We recommend Roy C. Hinds as Doorkeeper to take the place of B. A. McDaniels, and further recommend Bobby Landingham as page to take the place of Delaney Harrison, and Harold Shoemaker to take the place of O. R. Johnson.

THOMAS, Chairman.

Senator Thomas asked unanimous consent, which was granted, to strike from the Report of the Employment Committee, the words, "BOBBY LANDINGHAM AS PAGE TO TAKE THE PLACE OF DELANEY HARRISON, AND"

Upon motion of Senator Thomas, the Report of the Committee on Employment, as amended, was adopted.

### FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 9—By PAUL, NANCE and CHAMBERLIN.—An Act relating to the determination of value on lands offered as security for loans from funds held by the Commissioners of the Land Office, and prescribing a penalty for making false statements in connection therewith, and declaring an emergency.

### SECOND READING

The following bill was read for the second time and referred to the Committee indicated:

SENATE BILL NO. 8—By BALLARD.—Referred to Committee on Privileges and Elections.

Upon motion of Senator Nichols, SENATE BILL NO. 4, by Nichols and Morrison, was ordered withdrawn from the Committee on Retrenchment and Reform and placed upon the calendar.

### GENERAL ORDER

Senator Whitaker asked unanimous consent, which was granted, to defer for this legislative day consideration of SENATE RESOLUTION NO. 5, by Whitaker, Fidler, Waldrep, Moon, Howard, Willis and Powers.

### PETITIONS

Senator Thomas asked unanimous consent, which was granted, to submit a petition, dated at Clinton, Oklahoma, urging the refund of automobile tag taxes, which was ordered referred to the Committee on Revenue and Taxation.

Upon motion of Senator Commons, the Senate adjourned to meet under the rules.

## SEVENTEENTH LEGISLATIVE DAY

Wednesday, June 14, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 42.

Absent: Carmack, Waldrep. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 5—By FRALEY, PHILLIPS (Okfuskee), MALLORY, WRIGHT, COX, BRAZELL, ARMSTRONG, DAVIS, HANKLA, STURGELL, FITZGERALD, GRISSO, JOHNSON (Osage), BOYER, ULMARK, HUTCHINGS, BILLINGS, REMUND, HARP, CHAMBERS, PALMER, WAGNER, KIRKPATRICK, GIBSON, EBY (Tulsa), GARLAND,

NEILL, MISENHEIMER, WORTHINGTON, BURNHAM, TIMMONS, WILMOT, ALLEN, WINGO, CONNER, KING (Coal), MUNSON, GRUNERT, CLOYD, DOUTHAT, HART, SUTHERLAND, HILL, WILLIAMS, RAWLS, BEARD, PAXTON, CLINE, ABERNATHY (Pottawatomie), WOOTEN, ALBRIGHT, EASON, COE, ROBERTS, ELLIS, GRAHAM, CAVINS, KIGHT, MORSE and SHOEMAKE, entitled:

A Concurrent Resolution citing the needs for reorganization of the common school system in the State of Oklahoma; stating that the House of Representatives, the Senate concurring therein, wishes to consider a plan for the purpose of reorganization of the common schools in the State of Oklahoma, in order that an equal distribution of the funds to be collected from non ad valorem sources may be secured and distributed on an equitable basis, and respectfully requesting the Governor to open such legislation for consideration by this Legislature, assembled in Extraordinary Session, and to advise you, and, through you, the Honorable Senate, that the same has been signed by the Speaker Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolution No. 5 and ordered it returned to the Honorable House.

#### SECOND READING

The following bills were read for the second time and ordered referred to the Committees indicated:

SENATE BILL NO. 9—By PAUL, NANCE and CHAMBERLIN.

Senator Nance asked unanimous consent, which was granted, to have Senate Bill No. 9 placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 10—By GARLAND, GRAHAM, RAWLS, BEARD, PHILLIPS



(Okfuskee), and BOYER of the House, and COMMONS, BALLARD, NICHOLS, and RIZLEY of the Senate.— Referred to Committee on Privileges and Elections.

#### GENERAL ORDER

SENATE RESOLUTION NO. 5, by Whitaker, Fidler, et al, was taken up for consideration and read at length as follows:

SUBSTITUTE FOR SENATE RESOLUTION NO. 5—  
By LOGAN.

A RESOLUTION CALLING THE ATTENTION OF THE PRESIDENT OF THE UNITED STATES AND THE ADMINISTRATOR UNDER THE INDUSTRIES BILL TO THE NEED OF FLOOD CONTROL; AND REQUESTING THE MEMBERS OF CONGRESS FROM OKLAHOMA TO URGE THAT THE BROAD PROGRAM OF CONTROLLING THE FLOOD WATERS OF THE ARKANSAS RIVER BASIN AND THE RED RIVER BASIN BE PRESENTED TO THE ADMINISTRATOR AND IMMEDIATE ACTION REQUESTED; AND DIRECTING THAT COPIES OF THIS RESOLUTION BE FURNISHED TO THE OKLAHOMA DELEGATION IN CONGRESS.

WHEREAS, the President of the United States and the Congress have provided for an appropriation of Three Billion, Three Hundred Million Dollars (\$3,300,000,000.00) for the purpose of aiding industries and giving employment to the unemployed by providing a monumental program of public works and improvements; and

WHEREAS, the greater portion of this appropriation will be allocated to the various states for the purpose of carrying on major works of improvement of state-wide interest and benefit, and

WHEREAS, aside from building roads there is little opportunity in the State of Oklahoma for properly and

wisely expending the sums which should rightfully come to this State, except through work relating to flood control.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the President of the United States, the Administrator operating under the Industries Bill, and the Congress of the United States be, and they are hereby requested to give immediate attention to the needs of this state and the opportunities made available here by the engineering work already done by the Oklahoma Commission of Drainage, Irrigation and Reclamation and the federal engineers in the field of Flood Control.

The Arkansas River Basin, more than 1,400 miles in length, drains a water shed in portions of seven states: Colorado, New Mexico, Texas, Kansas, Oklahoma, Missouri, and Arkansas. The Arkansas River and its tributaries the Walnut, Cimarron, Canadian, Verdigris, Grand, Illinois, and Poteau, uncontrolled as they are, constitute one of the nation's greatest agencies of destruction. The Canadian River is subject to very devastating floods. These floods not only menace the safety of Oklahoma City, the territory around Shawnee and on toward the mouth of the Canadian, but annually cause tremendous damage throughout western Oklahoma, all of which could be avoided by proper works of flood control. The preliminary engineering for controlling the flood waters of all the streams in Oklahoma, including the Arkansas and Canadian and their tributaries, and the tributaries from the Red River to the north, has already been completed and found to be feasible. Lake sites have been located and costs established on most of the state, particularly in the valley of the Canadian.

In the work of reservoirs, levies, revetments, stream control, flood control, protection of soil from erosion,

and reforestation, the Arkansas River Basin and the Red River Basin present a sound program of development unequalled nation-wide. Substantially complete surveys are now in the office of Major General Brown, Chief of the U. S. Army Engineers, the surveys for which have been in progress since June, 1928, under the provision of the flood control bill of May of that year. A vast amount of work covering the whole of Oklahoma, done by the Oklahoma Commission of Drainage, Irrigation and Reclamation, is also available. There would be little delay necessitated in waiting for available project construction and it is quite probable that work orders could be issued within 30 days on some of these projects employing an army of laborers and mechanics. There is probably not another equal area in the nation which offers so great an opportunity for profitable employment of large numbers of men, or which can assure so great a value in safety and prosperity, security and increased land values as that which is presented by the Flood Control possibilities in Oklahoma. The plans already available are state-wide, will not arouse resistance or controversy in any part of the state, but will secure the immediate and wholehearted co-operation of every agency, both governmental and private, within the state, including, of course, the United States Senators and Members of Congress.

BE IT FURTHER RESOLVED, that the United States Senators and Members of Congress from this State be, and they are hereby, requested to present this situation to the Administrator under the Industries Bill, and that he be urged to take immediate steps looking toward flood control.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to each member of the Senate and House of Representatives from Oklahoma in the Congress, and a copy to Brigadier General Hugh Johnson,

Administrator under the Industries Bill, in Washington, D. C.

Senator Logan moved the adoption of the substitute for Senate Resolution No. 5.

Senator Dixon, as a substitute, moved that further consideration of Senate Resolution No. 5 and substitute therefor be indefinitely postponed.

Senator Whitaker moved to table the Dixon motion, which motion prevailed.

Senator Whitaker raised a point of order against the Logan motion, which was overruled, stating the substitute resolution was, in effect, an amendment to the original Senate Resolution No. 5.

Senator Whitaker, as a substitute, moved that original Senate Resolution No. 5 be considered, which motion was tabled, upon motion of Senator Logan.

Senator Curnutt, as a substitute, moved the adoption of the following amendment:

Mr. President: I move to amend Senate Resolution No. 5, line 1, page 4, by adding at the end of line 1, the following: "The Caney River is subject to very devastating floods. These floods not only menace the safety of Bartlesville, Oklahoma, but the entire territory through which the Caney River flows and, annually, cause tremendous damage throughout the territory which the Caney River drains which could be avoided by proper flood control."

CURNUTT.

Senator Nance moved to amend the Curnutt amendment, by adding after the words, "Caney River," the words, "and Cache River, in Cotton County, Oklahoma."

Senator Curnutt raised a point of order against the Nance motion, stating it was not germane.

Senator Nance asked unanimous consent, which was granted, to amend his motion by adding at the end of the Curnutt amendment, the words, "and Cache River, in Cotton County, Oklahoma."



Senator Curnutt raised a point of order against the Nance motion, which was overruled, stating the amendment was not germane.

Senator Dixon, in lieu of all pending motions, moved that Senate Resolution No. 5, together with substitute therefor, be referred to a Special Committee of 6, said Committee to be known as the Committee on Rivers and Harbors.

The Dixon motion prevailing, the President appointed as such special committee, Senators Dixon, Logan, Whitaker, Curnutt, Nance and Coppock.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 14—By PHILLIPS (Okfuskee), LOGSDON, DARKS, ABERNATHY (Pott.), ABERNETHY (Harmon), ALBRIGHT, ALLEN, ARMSTRONG, BABB, BATSON, BEAMAN, BEARD, BEAVER, BENNETT, BILLINGS, BLOCKER, BOYER, BRAZELL, BROADDUS, BURNHAM, BUSHYHEAD, CAVINS, CAVITT, CHAMBERS, CHILDERS, CLINE, CLOYD, COE, COLLINS, CONNER, COPELAND, COX, DANIEL, DAVIS, DOUTHAT, DUKE, EASON, EBEEY (Pontotoc), EBY (Tulsa), ELLIS, FITZGERALD, FRALEY, GARLAND, GIBSON, GLEN, GRAHAM, GRAY, GRISSO, GRUNERT, HAILE, HANKLA, HARP, HART, HAYS, HENDERSON, HILL, HINDS, HOGG, HOLLIMAN, HUGHES, HUTCHINGS, JESSEE, JOHNSON (Comanche), JOHNSON (Osage), JONES, KENAN, KIGHT, KING (Coal), KING (Creek), KIRKPATRICK, LANDINGHAM, LEE-

CRAFT, LINDSEY, LOWRANCE, MALLORY, MARSHALL, MARTIN, MASSEY, McELHANEY, MISENHEIMER, MOONEY, MORSE, MUNSON, NEILL, O'NEILL, OTTESEN, PALMER, PARKS, PAXTON, PHILLIPS (Atoka), RAWLS, REMUND, ROBERTS, SHOEMAKE, SINGLETON, SMALLEY, SPEAR, SPECK, STEWART, STRICKLAND (Marshall), STRICKLAND (Pontotoc), STURGELL, SULLIVAN, SUTHERLAND, TIMMONS, TODD, TURNER, ULMARK, WAGNER, WATSON, WHITFORD, WILLIAMS, WILMOT, WINGO, WOOTEN, WORTHINGTON and WRIGHT of the House and WILBANKS, NICHOLS and STEWART of the Senate, entitled:

A Resolution extending sympathy to Mr. and Mrs. Tom Anglin in the death of Mrs. Anglin's father, James T. Reid,

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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Stewart asked unanimous consent, which was granted, to take up for immediate consideration Engrossed House Concurrent Resolution No. 14, which was read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 14—By PHILLIPS (Okfuskee), LOGSDON, DARKS, ABERNATHY (Pott.), ABERNATHY (Harmon), ALBRIGHT, ALLEN, ARMSTRONG, BABB, BATSON, BEAMAN, BEARD, BEAVER, BENNETT, BILLINGS, BLOCKER, BOYER, BRAZELL, BROADDUS, BURNHAM, BUSHYHEAD, CAVINS, CAVITT, CHAMBERS, CHILDERS, CLINE, CLOYD, COE, COLLINS, CONNER, COPELAND, COX, DANIEL, DAVIS, DOUTHAT, DUKE, EASON, EBEEY (Pontotoc),

EBY (Tulsa), ELLIS, FITZGERALD, FRALEY, GARLAND, GIBSON, GLEN, GRAHAM, GRAY, GRISSE, GRUNERT, HAILE, HANKLA, HARP, HART, HAYS, HENDERSON, HILL, HINDS, HOGG, HOLLIMAN, HUGHES, HUTCHINGS, JESSEE, JOHNSON (Comanche), JOHNSON (Osage), JONES, KENAN, KIGHT, KING (Coal), KING (Creek), KIRKPATRICK, LANDINGHAM, LEE-CRAFT, LINDSEY, LOWRANCE, MALLORY, MARSHALL, MARTIN, MASSEY, McELHANEY, MISENHEIMER, MOONEY, MORSE, MUNSON, NEILL, O'NEILL, OTTESEN, PALMER, PARKS, PAXTON, PHILLIPS (Atoka), RAWLS, REMUND, ROBERTS, SHOEMAKE, SINGLETON, SMALLEY, SPEAR, SPECK, STEWART, STRICKLAND (Marshall), STRICKLAND (Pontotoc), STURGELL, SULLIVAN, SUTHERLAND, TIMMONS, TODD, TURNER, ULMARK, WAGNER, WATSON, WHITFORD, WILLIAMS, WILMOT, WINGO, WOOTEN, WORTHINGTON and WRIGHT of the House and WILBANKS, NICHOLS and STEWART of the Senate.

A RESOLUTION EXTENDING SYMPATHY TO  
MR. AND MRS. TOM ANGLIN IN THE  
DEATH OF MRS. ANGLIN'S FATHER,  
JAMES T. REID.

WHEREAS, on June 14, 1933, James T. Reid of Allen, Oklahoma, the father of Mrs. Tom Anglin, wife of the Speaker of the House of Representatives of the Fourteenth Legislature, departed this life; and

WHEREAS, the membership of the House of Representatives of the Fourteenth Legislature deeply sympathize with their Speaker and his wife in this hour of grief and sorrow.

NOW, THEREFORE, BE IT RESOLVED BY  
THE HOUSE OF REPRESENTATIVES OF THE  
FOURTEENTH LEGISLATURE OF THE STATE

*Seventeenth Day, Wednesday, June 14, 1933* 127

OF OKLAHOMA, THE SENATE CONCURRING THEREIN; That said bodies hereby go on record as offering their condolence and sympathy to Mr and Mrs. Tom Anglin in this their hour of grief and sorrow.

BE IT FURTHER RESOLVED that each House send appropriate floral offering for the funeral of Mr. Reid.

Upon motion of Senator Stewart, House Concurrent Resolution No. 14 was adopted.

The President, in open session, signed Engrossed House Concurrent Resolution No. 14 and ordered it returned to the Honorable House.

Upon motion of Senator Fidler, the Secretary of the Senate was directed to provide proper Senate floral offering for the funeral of Honorable James T. Reid, of Allen, Oklahoma.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 9—By ABERNATHY (Pott.), MUNSON, BILLINGS, LOGSDON, GRAHAM, SUTHERLAND, STRICKLAND (Pontotoc), and SINGLETON.

A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of the ratification of the proposed child labor amendment to the Constitution of the United States of America.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 11—By KIGHT, BATSON, LEECRAFT, HAILE and BROADDUS.

A House Concurrent Resolution calling upon the Governor to submit to us and open for consideration by



the Legislature the question of amending the Constitution and Section Three of Article Seventeen thereof, so as to authorize the Legislature of the State to legislate with reference to the payment of pensions to aged and indigent persons, by the State, and to advise you, and, through you, the Honorable Senate, that the same have been adopted by the House of Representatives and signed by the Speaker Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolutions Nos. 9 and 11 were, each, ordered printed and placed upon the calendar.

#### COMMITTEE REPORT

By unanimous consent, the following Committee Report was submitted, the bill ordered printed and placed upon the calendar:

Mr. President: We, your Committee on Privileges and Elections, to whom was referred House Bill No. 10, by Garland, Graham, Rawls, Beard, Phillips (Okfuskee), and Boyer of the House, and Commons, Ballard, Nichols and Rizley of the Senate, entitled:

An Act amending Enrolled Senate Bill Number 142, by Stewart, Memminger, Nance, Chamberlin, Ritzhaupt, Curnutt, Briggs, Taylor, Pugh, Howard, Lester and Commons of the Senate and Childers, Blocker and Massey of the House, as passed by the regular session of the Fourteenth Legislature of the State of Oklahoma, and signed by the Governor on the 27th day of April, 1933, by repealing Section Five thereof and renumbering the sections; providing that in special elections where only one proposition is to be voted upon by the people, counters shall be dispensed with in the several precincts of the State; prescribing the manner thereof, and declaring an emergency,  
beg leave to report that we had the same under consid-

eration and herewith return the same with the recommendation that it do pass, as amended.

BALLARD, Chairman.

Upon motion of Senator MacDonald, it was ordered that House Bill No. 10 be not referred to the Committee on Appropriations.

Upon motion of Senator Ballard, consideration of House Bill No. 10 was set for Special Order at 2:00 o'clock, p. m., on the next legislative day.

Senator Paul asked unanimous consent, which was granted, to withdraw SENATE BILL NO. 7, by Paul, from Judiciary Committee No. 2 and have the bill printed and placed upon the calendar.

#### FIRST READING

By unanimous consent, the following resolution was introduced:

SENATE RESOLUTION NO. 6—By COMMONS and HOWARD.—A Resolution calling the attention of the President of the United States, the United States Senators, Members of the House of Representatives of the Congress of the United States from Oklahoma and the Administration under the Industrial Bill to the need and necessity of the Construction of a Dam across Grand River in Northeast Oklahoma looking toward flood control, and the utilization of power in connection therewith.

Upon motion of Senator Logan, the Senate adjourned, to meet under the rules.

## EIGHTEENTH LEGISLATIVE DAY

Thursday, June 15, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by President Pro Tempore Stewart.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 42.

Absent: Waldrep. Total, 1.

Excused: Carmack. Total, 1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE JOINT RESOLUTION NO. 1—By CHAMBERLIN, NICHOLS, and COMMONS.—A Joint Resolution authorizing and directing the Commissioners of the Land Office to institute suit against the State of Oklahoma for the purpose of ascertaining and determining the amount of losses which have occurred in the permanent school fund.

SENATE BILL NO. 10—By CURNUTT.—An Act amending Section 9 of House Bill No. 187, passed by the Fourteenth Legislature of the State of Oklahoma, and

approved on the 26th day of April, 1933, by the Governor of the State of Oklahoma, amending Section 5630, Oklahoma Statutes, 1931, relating to investment of public funds in farm mortgages, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

SENATE RESOLUTION NO. 7 — By RITZHAUPT.—A Resolution taking cognizance of a gift by Mrs. John H. Cotteral, of such belongings of the late Judge John H. Cotteral, that is a record of his admission to the Bar of the State of Kansas, his appointment as United States District Judge for the Western District of Oklahoma, by President Theodore Roosevelt and his appointment as United States Circuit Judge by President Calvin Coolidge.

Senator Ritzhaupt asked unanimous consent, which was granted, to take up for immediate consideration Senate Resolution No. 7, which was read at length, as follows:

SENATE RESOLUTION NO. 7—By RITZHAUPT.

A RESOLUTION TAKING COGNIZANCE OF A GIFT BY MRS. JOHN H. COTTERAL, OF SUCH BELONGINGS OF THE LATE JUDGE JOHN H. COTTERAL, THAT IS A RECORD OF HIS ADMISSION TO THE BAR OF THE STATE OF KANSAS, HIS APPOINTMENT AS UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA, BY PRESIDENT THEODORE ROOSEVELT AND HIS APPOINTMENT AS UNITED STATES CIRCUIT JUDGE BY PRESIDENT CALVIN COOLIDGE.

WHEREAS, THE LATE JUDGE JOHN H. COTTERAL was one of Oklahoma's greatest jurors and the only resident of Oklahoma, up to the present time, to be appointed to the honored position of United States



District Judge and Judge of the United States Circuit Court; and,

WHEREAS, THE OFFICIAL DOCUMENTS of such appointments have been most courteously extended by the widow, Mrs. John H. Cotteral, to the State of Oklahoma.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE of the State of Oklahoma that the President of the Senate notify the widow, Mrs. John H. Cotteral, of its acceptance of these documents and that he further request the Historical Society of the State to give them a conspicuous place in the Historical Building.

BE IT FURTHER RESOLVED THAT THE SENATE of the State of Oklahoma express appreciation to Mrs. Cotteral for her thoughtfulness and kindness in giving to the people of the State these historical records.

Senator Curnutt submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend Senate Resolution No. 7, by adding: "BE IT FURTHER RESOLVED BY THE SENATE that copy of this resolution be transmitted to Mrs. John H. Cotteral."

CURNUTT.

Upon motion of Senator Ritzhaupt, Senate Resolution No. 7, as amended, was adopted.

Senate Resolution No. 7 was ordered referred for engrossment.

SENATE RESOLUTION NO. 8—By MEMMINGER.—A Resolution calling the attention of the President of the United States, the United States Senators, Members of the House of Representatives of the Congress of the United States from Oklahoma and the administration under the Industrial Bill to the need and

necessity of the completion of the Clear Boggy drainage project in Atoka, Coal and Pontotoc Counties.

Senator Logan moved that Senate Resolution No. 8 be referred to the Committee on Rivers and Harbors.

Senator Memminger, as a substitute, moved that Senate Resolution No. 8 be referred to the Committee on Banks and Banking.

Senator Nance, in lieu of all pending motions, moved that Senate Resolution No. 8 be referred to the Committee on Federal Relations, which motion prevailed.

#### MESSAGES

The following Messages from the Honorable House were received and read.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 8—By COMMITTEE ON APPROPRIATIONS, entitled:

An Act making an appropriation from the General Revenue Fund of the State of Oklahoma for making payment for necessary expenses of the members of the Coordinating Board while engaged in the actual discharge of their official duties as such members, 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 Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President Pro Tempore announced First Reading of Engrossed House Bill No. 8.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 12—By COX, COE, CONNER, CAVINS, ABERNATHY (Pott.), ANGLIN, BOYER, BRAZELL, BROADDUS, CLINE, COPELAND, DANIELS, DUKE, EBY (Tulsa), GARLAND, GLENN, GRAHAM, HARP, HAYS, HENDERSON, HINDS, HUTCHINGS, JONES, KENAN, LEE-CRAFT, LOWRANCE, MARSHALL, MARTIN, MISENHEIMER, MOONEY, MORSE, OTTESEN, PARKS, PAXTON, ROBERTS, SHOEMAKE, SMALLEY, SPEAR, STEWART, STRICKLAND (Marshall), SULLIVAN, STURGELL, WAGNER, WHITFORD, WOOTEN, LOGSDON, PALMER, DARKS, CLOYD, HUGHES, HAILE, GRAY, WILLIAMS, ALLEN, BLOCKER, REMUND, PHILLIPS (Okfuskee), GRISSO, SUTHERLAND, ULMARK, HART, SINGLETON, GRUNERT, GIBSON, ABERNETHY (Harmon), CHILDERS, WORTHINGTON, LANDINGHAM, MUNSON, KING (Creek), COLLINS, BEAVER, CAVITT, TURNER, McELHANEY, SPECK, HANKLA, FRALEY, BENNETT, WINGO, WATSON, LINDSEY, BURNHAM, JOHNSON (Comanche), JOHNSON (Osage), BEAMAN, ELLIS, MALLORY, EASON, EBey (Pontotoc), ARMSTRONG, HOLLIMAN, RAWLS, BATSON, ALBRIGHT, JESSEE, STRICKLAND (Pontotoc), WILMOT, TIMMONS, CHAMBERS, DOUTHAT, O'NEILL, MRS. DAVIS, NEILL, FITZGERALD, HOGG, BABB, BUSHYHEAD, HILL, TODD and WRIGHT, of the House, and FIDLER, MacDONALD and BALLARD of the Senate.

An Act providing for refunds to motor vehicle own-

ers who purchased licenses for the year 1933 prior to the effective date of House Bill 305, Fourteenth Legislature, 1933; authorizing the issuance of refund certificates in payment of such refunds; authorizing the acceptance of such refund certificates in payment of motor vehicle license fees to January 1, 1935; limiting the issuance of such refund certificates to December 31, 1933; authorizing the assignment of such refund certificates and limiting their acceptance to the county where original taxpayer resided except where such taxpayer has removed to another county; providing for the issuance of such refund certificates, for expenses therefor and for the enforcement of this Act by the Oklahoma Tax Commission; amending Section 12304, Oklahoma Statutes 1931; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President Pro Tempore announced First Reading of Engrossed House Bill No. 12.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 14—By GARLAND, GRAHAM, RAWLS, BEARD, REMUND, PHILLIPS (Okfuskee), BOYER of the House, and COMMONS, BALLARD, NICHOLS and RIZLEY of the Senate, entitled:

An Act amending Senate Bill No. 142, by Stewart, Memminger, Nance, Chamberlin, Ritzhaupt, Curnutt, Briggs, Taylor, Pugh, Howard, Lester, and Commons of



the Senate and Childers, Blocker and Massey of the House, as passed by the regular session of the Fourteenth Legislature of the State of Oklahoma and signed by the Governor of the State of Oklahoma on the 27th day of April, 1933, relating to state-wide primary and general elections and certain special elections; providing that the expense of such elections shall be paid by the State; except certain items which shall be paid by the counties; fixing per diem of precinct election boards; prescribing the method of paying the State's share of the expense of such election; making an appropriation therefor; providing for dispensing of counters; providing for the appointment of watchers in special elections and repealing all laws and parts of laws 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President Pro Tempore announced First Reading of Engrossed House Bill No. 14.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 16—By MARTIN, entitled:

An Act making an appropriation of Two Thousand Dollars for supplies, extra help, communication and sundry expenses, in the office of the State Treasurer; and declaring an emergency, and to advise you, and, through you, the Honorable Senate, that the same has been passed by the House of Rep-

representatives and signed by the Speaker Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President Pro Tempore announced First Reading of Engrossed House Bill No. 16.

#### COMMITTEE REPORT

The following Majority Committee Report was submitted and read:

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 2, by Mallory and Sutherland, entitled:

An Act providing for relief from ad valorem taxation by levying a sales tax upon the gross proceeds derived from all sales of goods, wares and merchandise, including food, confections and drinks prepared by hotels etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass with the following amendments:

1. Page 3, lines 14, 15, 16, 17, 18, 19, 20, 21, by striking after the figures "1933" on line 14, the remainder of such line 14 and all of lines 15, 16, 17, 18, 19, 20, 21, down to and including the words "actually employed."

2. Page 4, lines 17, 18, 19, 20, 21, 22, 23, 24, by striking all of said lines and by inserting in lieu thereof the following:

"Each County Treasurer shall, as collections are made of ad valorem taxes levied for current expenses, or to satisfy judgments rendered on account of warrants issued for previous fiscal years, pay such warrants or judgments so held for investment in the said "Common School Relief Fund" and shall reimburse, from such ad valorem taxes, the said funds so invested in all respects and in the same manner as now provided by

law for the payment of outstanding warrants and judgments.

3. Page 5, lines 18, 19, 20, 21, by striking all of said lines.

4. Page 5, lines 33 and 34, the words and figures "1% (one per cent)" be stricken and the following words and figures be inserted in lieu thereof, "2% (two per cent)."

5. Page 6, Section 4, line 3, by striking the semicolon following the word "amusement" and by adding the following words to such line, "And athletic events."

6. Page 6, Section 4, line 3, by adding after preceding amendment the following "Provided, that in the case of picture shows and theaters the tax in no event shall be less than five cents (\$.05) per ticket."

7. Page 6, Line 19, by inserting a new paragraph as follows:

"Upon the sale of goods, wares or merchandise, as defined by Section 4 of this Act, by conditional sales contract or by partial payment or installment payment plan, the tax shall be paid upon the whole of the sales price at the time such contract is entered into."

8. Page 6, Lines 20, 21, by striking all of line 20 and the first two words of Line 21 and by reinserting the words contained therein as a new paragraph following line 24.

9. Page 7, Line 31, by adding a new paragraph after such line to be designated as (d) to read as follows:

"And for the purpose of collecting and remitting to the state the tax imposed by this Act, the vendor collecting such tax shall be, and is hereby declared to be, the agent of the State for such purposes and the failure of any such vendor to remit or pay such tax to the State shall constitute embezzlement and be punishable as provided by law for the embezzlement of public funds."

Page 6, Line 32 by inserting after the word "law" the following: "Of the State of Oklahoma; nor to the sale of any other commodity upon the sale of which any tax is imposed under or by virtue of Article 10 (ten), Section 12 (twelve) of the Constitution of the State of Oklahoma."

An additional section be added to be designated as Section 18 to read 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."

11. That the title be amended by adding the following words: "And declaring an emergency."

12. Line 10, of the title be amended after the word "amusement" by adding the following "and to athletic events."

WHITAKER, Chairman,

The following Minority Committee Report was submitted and read:

Mr. President: We, the Minority of your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 2, by Mallory and Sutherland, entitled:

An Act providing for relief from ad valorem taxation by levying a Sales Tax upon the gross proceeds derived from all sales of goods, wares and merchandise, including food, confections and drinks prepared by hotels etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass with all the amendments recommended by your Majority Committee except Amendment No. 4 which is as follows:

"Page 5, Lines 33 and 34, the words and figures



"1% (one per cent)" be stricken and the following words and figures be inserted in lieu thereof, "2% (two per cent)"; which amendment your Minority Committee recommend be not adopted, and except Amendment Number 6 of the Majority Report.

JENNINGS.

Senator Jennings moved the adoption of the Minority Committee Report on Engrossed House Bill No. 2.

Senator MacDonald moved to table the Jennings motion.

Senator Fischl, as a substitute for all pending motions, moved that House Bill No. 2 be recommitted to the Committee on Revenue and Taxation, for further consideration.

Senator MacDonald raised a point of order against the Fischl motion, which was sustained, stating it was not a proper substitute.

The vote occurring on the MacDonald motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Chamberlin, Commons, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Ray, Reed, Thomas, Whitaker. Total, 17.

Nays: Ballard, Clark, Coppock, Curnutt, Daugherty, Fidler, Fischl, Hutchinson, Jennings, Logan, Moon, Morrison, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Wilbanks. Total, 20.

Not voting: Dixon, Garvin, Pugh, Sowards, Willis. Total, 5.

Absent: Waldrep. Total, 1.

Excused: Carmack. Total, 1.

Senator Nance raised a point of order against consideration of the Minority Report on Engrossed House Bill No. 2, stating "this is a minority report and offered as a substitute for the majority report which sets up

arrangement of amendments, which fall all together, if the minority report is adopted."

Senator Chamberlin moved that House Bill No. 2 be recommitted to the Committee on Revenue and Taxation, with instructions to amend the same so as to exempt food, except such food as is prepared and sold for immediate consumption on the premises where sold.

Senator Jennings raised a point of order against the Chamberlin motion, which was sustained, citing Rule 14.

The vote occurring on the Jennings motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Clark, Coppock, Curnutt, Daugherty, Fidler, Fischl, Jennings, Logan, Moon, Morrison, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Wilbanks, Willis. Total, 20.

Nays: Briggs, Carlile, Chamberlin, Commons, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Thomas, Whitaker. Total, 18.

Not voting: Dixon, Hutchinson, Reed, Sowards. Total, 4.

Absent: Waldrep. Total, 1.

Excused: Carmack. Total, 1.

Senator Briggs moved that all amendments in the Majority Committee Report on Engrossed House Bill No. 2 be adopted as amendments to the bill, except where corrected, changed or modified by the Minority Committee Report on said bill, which motion prevailed.

Senator Paul moved that House Bill No. 2, as amended, be advanced to engrossment and third reading.

Senator Moon raised a point of order against the Paul motion, which was overruled, citing Rule 31.

Senator MacDonald, as a substitute, moved that House Bill No. 2, as amended, be set for Special Order

at 10:00 o'clock, a. m., on the next legislative day, which motion prevailed.

Senator Johnston moved that, at 10:00 o'clock, a. m., on the next legislative day, the Senate proceed to work under a call of the House, which motion was ruled out of order by the President Pro Tempore.

#### SPECIAL ORDER

The hour of 2:00 p. m., having arrived, it was upon motion of Senator Commons that the Senate proceeded to the consideration of HOUSE BILL NO. 10, by Garland, et al.

Sections 1, 2, 3 and 4 were read and adopted, upon motions of Senator Commons.

Section 5 was read.

Senator Stacey submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 10, pages 5 and 6, by striking after the word, "boundaries," in line 15, page 5, the remainder of line 15, all of lines 16, 17 and 18, page 5, and lines 1 and 2, page 6, and the words, "cinets," and "other," in line 3, page 6.

STACEY.

Upon motion of Senator Commons, Section 5 was adopted.

Section 6 was read and adopted, upon motion of Senator Commons.

Section 7 was read.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 10, line 1, page 8, by striking after the word, "of," and before the word, "or," the figures "\$130,000.00," and inserting in lieu thereof the figures, "\$132,000.00," and by inserting after the comma following the word, "act," and before the word, "and," in line 6, page 8, the following, "and an additional \$2,000.00 of which shall be

used for the payment of publication notices as provided in Section 5883, O. S., 1931."

MacDONALD.

Senator Pugh submitted the following amendment:

Mr. President: I move to amend House Bill No. 10, line 7, page 8, by striking after the word, "held," the balance of line 7 and lines 8, 9 and 10.

PUGH.

Senator Commons moved to table the Pugh amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Commons, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stewart, Wilbanks. Total, 26.

Nays: Clark, Coppock, Daugherty, Nance, Pugh, Stacey, Taylor, Whitaker, Willis. Total, 9.

Not voting: Curnutt, Dixon, Garvin, Hutchinson, Logan, Sowards, Thomas. Total, 7.

Absent: Waldrep. Total, 1.

Excused: Carmack. Total, 1.

Senator Briggs submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 10, lines 7 and 8, page 8, by striking the word, "as," at the end of line 7 and the words, "provided in," in line 8, and inserting the words, "provided for by"

BRIGGS.

Upon motion of Senator Commons, Section 7, as amended, was adopted.

Sections 8 and 9 were read and adopted, upon motions of Senator Commons.

Upon motion of Senator Commons, House Bill No. 10, as amended, was advanced to engrossment and third reading.



Senator Commons moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted "absent": Senators Curnutt, Garvin, Hutchinson, MacDonald, Sowards, Thomas and Waldrep.

The Sergeant-at-Arms was directed to notify all absent members to come into the Senate Chamber.

Senators MacDonald, Thomas and Curnutt asked to be recorded "present," which was the order.

Upon motion of Senator Commons, the rules of the Senate were suspended and House Bill No. 10 was considered engrossed and placed upon third reading and final passage.

HOUSE BILL NO. 10 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Commons, Curnutt, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Ray, Reed, Ritzhaupt, Stewart, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Clark, Coppock, Daugherty, Nance, Pugh, Stacey, Taylor, Thomas. Total, 8.

Not voting: Garvin, Hutchinson, Rizley, Rutherford, Sowards. Total, 5.

Absent: Waldrep. Total, 1.

Excused: Carmack. 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: Ballard, Briggs, Carlile, Chamberlin, Com-

mons, Curnutt, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Ray, Reed, Ritzhaupt, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Clark, Coppock, Daugherty, Pugh, Stacey, Thomas. Total, 6.

Not voting: Dixon, Garvin, Hutchinson, Rizley, Rutherford, Sowards. Total, 6.

Absent: Waldrep. Total, 1.

Excused: Carmack. 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. 10, as amended, was ordered referred for engrossment.

Upon motion of Senator Commons, the call of the House was ordered lifted.

Senator Hutchinson asked to be recorded "present," which was the order.

#### GENERAL ORDER

Upon motion of Senator Nance, SENATE BILL NO. 9, by Paul, Nance and Chamberlin, was advanced to engrossment and third reading.

Senator Curnutt moved that the vote be reconsidered by which Senate Bill No. 9 was advanced to engrossment and third reading.

Senator Nance raised a point of order against the Curnutt motion, which was sustained, stating the motion would require a suspension of the rules.

Upon motion of Senator Nance, the rules of the Senate were suspended and Senate Bill No. 9 was considered engrossed and placed upon third reading and final passage.

Senator Sowards asked to be recorded "present," which was the order.

SENATE BILL NO. 9 was read at length for the third time.

Senator Ballard asked unanimous consent, to which objections were voiced, to submit an amendment to Senate Bill No. 9.

Senator Ballard moved that the rules of the Senate be suspended for the purpose of submitting an amendment to Section 4 of Senate Bill No. 9, which motion failed of adoption.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Chamberlin, Clark, Currutt, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 36.

Not voting: Briggs, Commons, Coppock, Garvin, Jennings, Liggett. Total, 6.

Absent: Waldrep. Total, 1.

Excused: Carmack. 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: Ballard, Carlile, Chamberlin, Clark, Currutt, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 36.

Not voting: Briggs, Commons, Coppock, Garvin, Jennings, Liggett. Total, 6.

Absent: Waldrep. Total, 1.

Excused: Carmack. 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. 9 was ordered referred for engrossment.

Upon motion of Senator Nance SENATE BILL NO. 7, by Paul, was advanced to engrossment and third reading.

Upon motion of Senator Nance, the rules of the Senate were suspended and Senate Bill No. 7 was considered engrossed and placed upon third reading and final passage.

SENATE BILL NO. 7 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Chamberlin, Clark, Currutt, Daugherty, Dixon, Fidler, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 34.

Not voting: Briggs, Commons, Coppock, Fischl, Garvin, Liggett, Reed, Willis. Total, 8.

Absent: Waldrep. Total, 1.

Excused: Carmack. 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: Ballard, Carlile, Chamberlin, Clark, Currutt, Daugherty, Dixon, Fidler, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 34.

Not voting: Briggs, Commons, Coppock, Fischl, Garvin, Liggett, Reed, Willis. Total, 8.

Absent: Waldrep. Total, 1.

Excused: Carmack. 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. 7 was ordered referred for engrossment.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 9 was taken up for consideration and read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 9 — By ABERNATHY (Pott.) and MUNSON, BILLINGS, LOGSDON, GRAHAM, SUTHERLAND, STRICKLAND (Pon.) and SINGLETON.

A CONCURRENT RESOLUTION REQUESTING THE HONORABLE WILLIAM H. MURRAY, GOVERNOR OF THE STATE OF OKLAHOMA, TO ADDRESS A COMMUNICATION TO THE EXTRAORDINARY SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA OPENING UP FOR ITS CONSIDERATION THE SUBJECT OF THE RATIFICATION OF THE PROPOSED CHILD LABOR AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

WHEREAS, the Congress of the United States

has proposed an amendment to the Constitution of the United States known as the "Child Labor Amendment", and

WHEREAS, it is necessary for said proposed amendment to be ratified by three-fourths of the states of the United States before same will become effective, and

WHEREAS, the subject of the ratification of said amendment cannot be considered by the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma except pursuant to a communication from the Governor of the State of Oklahoma opening up said subject for its consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EXTRAORDINARY SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, THE SENATE CONCURRING THEREIN:

SECTION 1. The Honorable William H. Murray, Governor of the State of Oklahoma, be and he is hereby respectfully requested to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of the ratification of the proposed "Child Labor Amendment" to the Constitution of the United States of America.

Upon motion of Senator MacDonald, House Concurrent Resolution No. 9 was adopted.

The President Pro Tempore, in open session, signed Engrossed House Concurrent Resolution No. 9 and ordered it returned to the Honorable House.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 11 was taken up for consideration and read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION

NO. 11. — By KIGHT, BATSON, LEECRAFT, HAILE and BROADDUS.

A HOUSE CONCURRENT RESOLUTION CALLING UPON THE GOVERNOR TO SUBMIT TO US AND OPEN FOR CONSIDERATION BY THE LEGISLATURE THE QUESTION OF AMENDING THE CONSTITUTION AND SECTION THREE OF ARTICLE SEVENTEEN THEREOF, SO AS TO AUTHORIZE THE LEGISLATURE OF THE STATE TO LEGISLATE WITH REFERENCE TO THE PAYMENT OF PENSIONS TO AGED AND INDIGENT PERSONS, BY THE STATE.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE SPECIAL SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, THE SENATE CONCURRING THEREIN:

SECTION 1. WHEREAS, there is a great number of aged and indigent people in the State of Oklahoma who are without means of support, and who are destitute and dependent upon society for a livelihood, and

WHEREAS, there has been considerable agitation over the state for some small amount of relief for such persons, and

WHEREAS, under Section Three of Article Seventeen of the Constitution, it is made the duty of various counties of the State to care for the inhabitants who, by reason of age, infirmity or misfortune, may have claims upon the sympathy and aid of the County;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING THEREIN, that we most earnestly request the Chief Executive of the State to submit to us in such form as will enable us legally

to pass a resolution submitting to a vote of the voters of the State an amendment to Section Three of Article Seventeen, which said amendment shall read as follows.

“And the Legislature of the State may, by appropriate legislation, provide for pensions for aged and indigent persons, to be paid by the State.”

SECTION 2. The said resolution, in submitting the said proposed amendment, shall provide further that the same shall be submitted at the next election held throughout the State, after July 12th, 1933, and submitted in the following form:

“Shall the proposed amendment be adopted?”

☐

YES

☐

NO

Upon motion of Senator Nance, House Concurrent Resolution No. 11 was adopted.

The President Pro Tempore, in open session, signed Engrossed House Concurrent Resolution No. 11 and ordered it returned to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 7 correctly engrossed.

LIGGETT, Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Resolution No. 7 and ordered it referred for enrollment.

Upon motion of Senator Chamberlin, the Senate adjourned to meet at 10:00 o'clock, a. m., Friday, June 16th, 1933.



## NINETEENTH LEGISLATIVE DAY

Friday, June 16, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President, who announced a quorum of the Senate was not present.

The President declared the Senate at ease for 10 minutes.

The Senate reassembled, with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Coppock, Reed, Waldrep. Total, 3.

The President declared a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### SECOND READING

The following bills were read for the second time and ordered referred to the Committees indicated:

SENATE BILL NO. 10—By CURNUTT.

Upon motion of Senator Curnutt, the rules of the Senate were suspended and Senate Bill No. 10 was ordered placed upon the calendar, without reference to a Committee.

SENATE JOINT RESOLUTION NO. 1—By CHAMBERLIN, NICHOLS, and COMMONS.—Referred to Committee on School Lands.

ENGROSSED HOUSE BILL NO. 8—By COMMITTEE ON APPROPRIATIONS.

Senator MacDonald asked unanimous consent, which was granted, to have Engrossed House Bill No. 8 placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 12—By COX, COE, et al., of the House, and FIDLER, MacDONALD and BALLARD of the Senate.

Senator MacDonald asked unanimous consent, which was granted, to have Engrossed House Bill No. 12 placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 14—By GARLAND, GRAHAM, RAWLS, BEARD, REMUND, PHILLIPS (Okfuskee), BOYER, of the House and COMMONS, BALLARD, NICHOLS and RIZLEY of the Senate.

Senator MacDonald asked unanimous consent, which was granted, to have Engrossed House Bill No. 14 placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 16—By MARTIN.—Referred to Committee on Appropriations.

SPECIAL ORDER

Senator Whitaker moved that consideration of HOUSE BILL NO. 2, by Mallory and Sutherland, be deferred until some future legislative day.

Senator Dixon, as a substitute, moved that the Senate proceed to the consideration of House Bill No. 2 and that final passage be deferred until 1:30 p. m., of this legislative day, which motion failed of adoption.

Senator Morrison, as a substitute, moved that consideration of House Bill No. 2 be set for Special Order, at 1:30 p. m., Monday, June 19th.

Senator Dixon, as a substitute for all pending mo-

tions, moved that the Senate adjourn to meet under the rules, on Monday, June 19th, which motion failed of adoption.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 7 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Enrolled Senate Resolution No. 7 and ordered it transmitted to the Secretary of State.

Senator Curnutt, in lieu of all pending motions, moved that HOUSE BILL NO. 1, by Batson, Leecraft, et al, and HOUSE BILL NO. 3, by Gray, be ordered withdrawn from the Committee on Revenue and Taxation, printed and placed upon the calendar, which motion prevailed.

Senator Morrison moved that House Bill No. 2 be set for Special Order at 1:30 p. m., Monday, June 19th.

Senator Jennings, as a substitute, moved that House Bill No. 1 be set as a Special Order at 1:30 p. m., this legislative day.

Senator Nance, in lieu of all pending motions, moved that House Bill No. 1 be set for Special Order, at 2:00 p. m., Monday, June 19th.

Senator Jennings moved to amend the Nance motion, by striking the word, "Monday," and inserting the words, "Friday, this legislative day," which motion was tabled, upon a motion by Senator Whitaker, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Chamberlin, Clark, Commons, Daugherty, Fischl, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ritzhaupt, Sowards, Taylor, Thomas, Whitaker, Willis. Total, 25.

Nays: Ballard, Curnutt, Dixon, Hutchinson, Jennings, Moon, Powers, Rizley, Rutherford, Stacey, Stewart, Wilbanks. Total, 12.

Not voting: Carmack, Fidler, Garvin, Ray. Total, 4.

Absent: Coppock, Reed, Waldrep. Total, 3.

The vote occurring on the Nance motion, it was declared adopted.

Senator Jennings raised a point of order stating consideration of House Bill No. 2 had been made a Special Order at 10:00 a. m., this day, and that that hour had arrived.

Senator Commons moved that House Bill No. 2 be set for Special Order at 2:00 o'clock, p. m., Tuesday, June 20th.

Senator Logan moved to amend the Commons motion, by placing consideration of House Bill No. 2 at 1:30 p. m., this day.

Senator Nichols moved to table the Logan motion

Senator Moon raised a point of order against the pending motions, which was overruled, stating the Commons and Logan motions would require a suspension of the rules.

Senator Morrison, as a substitute, moved that House Bill No. 2 be set for Special Order at 1:30 p. m., Monday, June 19th.

Senator Wilbanks, in lieu of all pending motions, moved that the Senate proceed to the consideration of House Bill No 2, at 10:45 a. m., this day.

The President declared the Nichols motion was properly before the Senate, and, upon a roll call as follows, was declared adopted:

Ayes: Briggs, Carlile, Chamberlin, Clark, Commons, Daugherty, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols,



Paul, Pugh, Ray, Ritzhaupt, Sowards, Taylor, Thomas, Whitaker. Total, 24.

Nays: Ballard, Curnutt, Dixon, Fischl, Jennings, Logan, Morrison, Powers, Rizley, Rutherford, Stacey, Stewart, Wilbanks, Willis. Total, 14.

Not voting: Carmack, Fidler, Hutchinson. Total, 3.

Absent: Coppock, Reed, Waldrep. Total, 3.

Senator Wilbanks, as a substitute, moved that the Senate proceed to the consideration of House Bill No. 2 at 10:50 a. m., this day.

Senator Morrison, in lieu of all pending motions, moved that House Bill No. 2 be advanced to engrossment and third reading, which motion was tabled, upon motion of Senator Commons, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Chamberlin, Commons, Curnutt, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Sowards, Taylor, Thomas, Whitaker. Total, 23.

Nays: Ballard, Clark, Dixon, Jennings, Logan, Moon, Morrison, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Wilbanks, Willis. Total, 15.

Not voting: Carmack, Fidler, Hutchinson. Total, 3.

Absent: Coppock, Reed, Waldrep. Total, 3.

Senator Chamberlin, in lieu of all pending motions, moved that consideration of House Bill No. 2 be deferred until 1:30 p. m., Tuesday, June 20th.

Upon motion of Senator Whitaker, the previous question was ordered.

The vote occurring on the Chamberlin motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon,

Nance, Nichols, Paul, Pugh, Ray, Sowards, Taylor, Thomas, Whitaker, Willis. Total, 25.

Nays: Ballard, Curnutt, Dixon, Fischl, Hutchinson, Jennings, Logan, Morrison, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Wilbanks. Total, 15.

Not voting: Fidler. Total, 1.

Absent: Coppock, Reed, Waldrep. Total, 3.

Senator Curnutt moved when the Senate adjourns, today, it adjourn to meet at 10:00 o'clock, a. m., tomorrow.

Senator Morrison moved to table the Curnutt motion.

Senator Nance, as a substitute, moved when the Senate adjourns today it adjourn to meet under the rules on Monday, June 19th.

Senator Briggs presiding.

Upon motion of Senator Logan, the previous question was ordered.

Senator Paul, in lieu of all pending motions, moved that the Senate recess to meet at 1:00 o'clock, p. m., this day.

Senator Moon raised a point of order against the Paul motion, which was sustained, stating the previous question had been ordered.

The vote occurring on the Nance motion, it was declared adopted.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 10 and Senate Bills Nos. 7 and 9, each, correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 10, as amended, and ordered it returned to the Honorable House.

The Presiding Officer, in open session, signed Engrossed Senate Bills Nos. 7 and 9 and ordered, each, transmitted to the Honorable House, for consideration.

#### COMMITTEE REPORT

By unanimous consent, the following Committee Report was submitted, the bill ordered printed and placed upon the calendar:

Mr. President: We, your Judiciary Committee No. 1, to whom were referred Senate Bills Nos. 2 and 6, by Fidler, Ballard, MacDonald, Lester, Memminger, Ruth-erford, Curnutt, Johnston, Wilbanks, Soward, Reed and Coe of the House, entitled:

An Act authorizing a refund of that portion of the motor vehicles registration fees for the year 1933, paid under the provisions of Section 10271, Oklahoma Stat-utes, 1931, prior to the effective date of House Bill No. 305 of the regular session of the Legislature of the State of Oklahoma, that is in excess of the amount due for reg-istration of the same vehicle for the year 1933, under the provisions of said House Bill No. 305; providing the procedure therefor and declaring an emergency, beg leave to report that we had the same under consid-eration and herewith return the Committee substitute for Senate Bills No. 2 and 6, with the recommendation that the committee substitute do pass.

CURNUTT, Chairman.

#### MESSAGE

The following Message from the Governor was re-ceived and read:

TO THE HONORABLE THE STATE SENATE,  
FOURTEENTH LEGISLATURE:

Gentlemen:

You, with the House of Representatives, were called into Extraordinary Session, to fortify and protect your own records on Four Several Bills.

I understand now, through your Committee on

Revenue and Taxation, you are undertaking to make another record; and I submit two records are more difficult to defend than one.

Is it not more sensible to work along the lines of your previous record and the declarations of the Democratic Platform, to-wit: "The Democratic Platform stands opposed to a General Sales Tax?"

While I would compromise on some things in the former Bill, as I compromised in the passage of that Bill, this is to state in the most emphatic terms, so that neither you nor the Press of the State can continue to misconstrue and misinterpret what I say, if you put a Sales Tax, however small in amount, upon foods and the products of the farmer, I SHALL VETO IT.

I shall not be a party to setting the precedent of starting a tax upon these things.

Therefore, would it not be more sensible for Your Honorable Body, if you are unable to stand upon your record, to adjourn, and thus save further cost of your meeting in this session?

I submit these considerations to your deliberation, on this the 16th day of June, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Moon moved that the Senate adjourn, to meet on Monday, June 19th, under the rules.

Senator Curnutt, as a substitute, moved that the vote be reconsidered by which the Senate previously voted that, when it does adjourn on this legislative day it adjourn to meet under the rules on Monday.

The Presiding Officer declared the Moon motion properly before the Senate, and, upon a vote being taken, was declared adopted.



## TWENTY-FIRST LEGISLATIVE DAY

Monday, June 19, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 39.

Absent: Carmack, Liggett, Thomas, Waldrep. Total, 4.

Excused: Clark. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Pugh asked unanimous consent, which was granted, to correct the Senate Journal for June 15, to show he voted "NO," on Engrossed House Bill No. 10.

The Journal for the previous legislative day was declared approved.

### RESOLUTIONS

The following Resolution was introduced:

SENATE CONCURRENT RESOLUTION NO. 3—

By MEMMINGER.—A Concurrent Resolution of the Senate and the House of Representatives, requesting the Board of Governors of the State Bar to recommend to the Supreme Court the admittance on Motion of all graduates of the Law School of the Oklahoma State University.

Senator Memminger moved that the rules of the Senate be suspended and Senate Concurrent Resolution No. 3 be taken up for immediate consideration, which motion

prevailed, the resolution being read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 3—By  
MEMMINGER.

CONCURRENT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, REQUESTING THE BOARD OF GOVERNORS OF THE STATE BAR TO RECOMMEND TO THE SUPREME COURT THE ADMITTANCE ON MOTION OF ALL GRADUATES OF THE LAW SCHOOL OF THE OKLAHOMA STATE UNIVERSITY.

WHEREAS, The Board of Governors of the State Bar of Oklahoma, under legislative authority has been given the power to fix and determine the qualifications for admission to practice law in this State; and

WHEREAS, the State of Oklahoma is conducting, supporting, and is responsible for a three year accredited law school as a part of the State University; and

WHEREAS, the Law School of the State University of Oklahoma is recognized as one of the leading Law Schools in the United States, due to its high standards for admittance and for graduation therefrom, and due to its well qualified and experienced faculty consisting of Dean J. C. Monnett, Dr. J. B. Cheadle, Dr. Victor H. Kulp, Dr. Floyd Wright, Dr. W. B. Swinford, and Mr. A. H. Huggins.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Board of Governors of the State Bar be and is hereby requested to recognize the examinations, work and standing of the Law School of the Oklahoma State University, by recommending to the Su-

preme Court of Oklahoma, the admittance on motion of all graduates of said Law School.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the Board of Governors of the Oklahoma State Bar.

Senator Memminger moved the adoption of Senate Concurrent Resolution No. 3, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Carlile, Jennings, Logan, MacDonald, Memminger, Pugh, Ray, Sowards, Stewart. Total, 9.

Nays: Briggs, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Nance, Nichols, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Whitaker, Willis. Total, 22.

Not voting: Ballard, Dixon, Moon, Morrison, Paul, Powers, Reed, Wilbanks. Total, 8.

Absent: Carmack, Liggett, Thomas, Waldrep. Total, 4.

Excused: Clark. Total, 1.

#### COMMITTEE REPORT

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. 16, by Martin, entitled:

An Act making an appropriation of Two Thousand Dollars for supplies, extra help, communication and sundry expenses in the office of the State Treasurer; 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.

#### GENERAL ORDER

Senator Curnutt asked unanimous consent, which

was granted, to take up for consideration SENATE BILL NO. 10, by Curnutt.

Section 1 was read.

Senator Dixon presiding.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 10, line 11, page 6, by inserting a new paragraph, to be numbered "G-1," as follows: "G-1. No loan shall be made on lands where more than one-half ( $\frac{1}{2}$ ) of ~~the~~ oil, gas and mineral rights therein are not held by the borrower, provided, however, that this provision shall have no application to loans made upon lands where the oil, gas and mineral rights have been reserved by Acts of Congress or by action on the part of the Federal Government."

CURNUTT.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 10, line 1, page 7, after the words, "provided for renewal of loans," by making a new paragraph of the remainder of said line 1 and lines 2, 3, 4, 5 and 6, said new paragraph to be designated as "(1)," and by re-lettering the remaining paragraphs under such section.

WHITAKER.

Upon motion of Senator Curnutt, Section 1, as amended, was adopted.

Section 2 was read and adopted, upon motion of Senator Curnutt.

Upon motion of Senator Curnutt, Senate Bill No. 10 was advanced to engrossment and third reading.

Upon motion of Senator Curnutt, the rules of the Senate were suspended and Senate Bill No. 10 was considered engrossed and placed upon third reading and final passage.



## THIRD READING

SENATE BILL NO. 10 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Moon, Morrison, Nance, Nichols, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Whitaker, Willis. Total, 34.

Nays: Memminger, Reed. Total, 2.

Not voting: Paul, Sowards, Wilbanks. Total, 3.

Absent: Carmack, Liggett, Thomas, Waldrep. Total, 4.

Excused: Clark. 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: Ballard, Briggs, Carlile, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Moon, Morrison, Nance, Nichols, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Whitaker, Willis. Total, 34.

Nays: Memminger, Reed. Total, 2.

Not voting: Paul, Sowards, Wilbanks. Total, 3.

Absent: Carmack, Liggett, Thomas, Waldrep. Total, 4.

Excused: Clark. 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. 10 was ordered referred for engrossment.

### SPECIAL ORDER

HOUSE BILL NO. 1, having been set for Special Order, at 2:00 p. m., was taken up for consideration.

Sections 1, 2, 3, 4, and 5 were adopted, upon motions of Senator Whitaker.

Section 6 was read.

Senator Whitaker submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 3, page 13, by striking the word, "normal"; also, amend Section 6, line 14, page 13, by striking the word, "normal"; also, amend Section 6, page 14, by striking lines 8 and 9 and inserting the following:

(5) Five per centum of the next \$4,000.00 of such excess amount;

(6) Six per centum of the next \$6,000.00 of such excess amount;

(7) Seven per centum of the remainder of said excess amount";

Also, amend Section 6, page 14, line 10, by striking the word, "normal"; also amend Section 6, page 15, by striking lines 4 and 5, and inserting the following:

(5) Five per centum of the next \$4,000.00 of such excess amount;

(6) Six per centum of the next \$6,000.00 of such excess amount;

(7) Seven per centum of the remainder of such excess amount."

### WHITAKER.

Senator Jennings, as a substitute, moved that House Bill No. 1 be advanced to engrossment and third reading.

Senator Chamberlin raised a point of order against

discussion, stating motion to advance to engrossment and third reading is not debatable, which point was overruled.

Senator MacDonald raised a point of order against the Jennings motion, stating it had not been submitted in writing.

The Presiding Officer requested Senator Jennings to reduce his motion to writing.

Senator Jennings sent up the following motion:

Mr. President: As a substitute, I move that House Bill No. 1 be advanced to engrossment and third reading.

#### JENNINGS.

Senator Whitaker moved to table the Jennings motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Chamberlin, Commons, Coppock, Curnutt, Daugherty, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Dixon, Hutchinson, Jennings, Morrison, Rutherford. Total, 5.

Not voting: Briggs, Paul, Sowards. Total, 3.

Absent: Carmack, Liggett, Thomas, Waldrep. Total, 4.

Excused: Clark. Total, 1.

Senator Fidler submitted the following amendment:

Mr. President: I move to amend the Whitaker amendment, by striking the figures, "6," and "7," where they occur.

#### FIDLER.

President Burns presiding.

Upon motion of Senator MacDonald, the previous question was ordered.

The vote occurring on the Fidler amendment, it was declared failed of adoption.

The vote occurring on the Whitaker amendment, it was declared adopted.

Upon motion of Senator Whitaker, Section 6, as amended, was adopted.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 1, pages 15, 16, 17 and 18, by striking all of Section 7 and re-numbering the succeeding sections to conform thereto.

WHITAKER.

Section 8 was read and adopted, upon motion of Senator Whitaker.

Senator Morrison presiding.

Section 9 was read and adopted, upon motion of Senator Whitaker.

President Burns presiding.

Section 10 was read.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 8, page 26, by striking after the word, "option," the remaining portion of line 8, and lines 9, 10, 11, 12, 13 and 14, and by inserting the following: "as to properties acquired both before and after January 1, 1931, to compute the depletion allowance hereunder, in the case of mines, oil or gas wells, other mineral or natural deposits and timber, at the rate of  $27\frac{1}{2}\%$  of the gross income from the particular property during the taxable year, not however to exceed 50% of the net income of the taxpayer (computed without allowance for depletion from the particular property) from such property."

JENNINGS.

Senator Chamberlin moved to table the Jennings



amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Chamberlin, Commons, Daugherty, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Whitaker, Willis. Total, 22.

Nays: Ballard, Coppock, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Logan, Morrison, Powers, Rizley, Rutherford, Stewart. Total, 13.

Not voting: Fischl, Moon, Taylor, Wilbanks. Total, 4.

Absent: Carmack, Liggett, Thomas, Waldrep. Total, 4.

Excused: Clark. Total, 1.

Senator Jennings submitted the following amendment, which failed of adoption:

Mr. President: I move to amend House Bill No. 1, line 15, page 26, by striking after the word, "of," and before the word, "any," and by inserting the following, "any taxpayer"

JENNINGS.

Upon motion of Senator Whitaker, the previous question was ordered.

The vote occurring upon the adoption of Section 10, it was declared adopted.

Upon motion of Senator Commons, the Senate adjourned, to meet under the rules.

## TWENTY-SECOND LEGISLATIVE DAY

Tuesday, June 20, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis.  
Total, 41.

Absent: Morrison, Waldrep. Total, 2.

Excused: Garvin. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### MESSAGES

The following Messages from the Governor were received and read, after which they were ordered referred to the Committee on Appropriations:

TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES, FOURTEENTH LEGISLATURE:

Gentlemen:

Herewith attached, copies of Reports of the State Examiner and Inspector and that of the State Treasurer, relative to a "dead" account, totaling \$10,700.11, to the credit of the State Bar Commission, which expired in 1929; and, therefore, this amount before recited, should be transferred to the "General Revenue."

I therefore request you in this Special Session to pass a Joint Resolution, authorizing the State Treasurer to transfer the said amount to the "General Revenue." It would require only a few words in a bill, and should be enacted without any serious discussion or delay.

Respectfully submitted, on this the 20th day of June, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
TO THE HONORABLE THE SENATE AND HOUSE  
OF REPRESENTATIVES, FOURTEENTH LEG-  
ISLATURE:

Gentlemen:

There was appropriated under that of the State Superintendent of Public Instruction \$1,000.00 for the Text Book Commission.

The Commission has been engaged in hearing the pleas of the different agents of the several companies, and it will require, in the estimation of the Honorable John Vaughan, State Superintendent, an appropriation of \$1,000.00 more, and you are authorized to make the same.

I attach hereto a copy of a letter from the State Superintendent relative to this matter.

Respectfully submitted, on this the 20th day of June, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

The following Message from the Honorable House was received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

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ENROLLED HOUSE CONCURRENT RESOLUTION NO. 14—By PHILLIPS (Okfuskee), LOGSDON, DARKS, ABERNATHY (Pott.), ABERNETHY (Harmon), ALBRIGHT, ALLEN, ARMSTRONG, BABB, BATSON, BEAMAN, BEARD, BEAVER, BENNETT, BILLINGS, BLOCKER, BOYER, BRAZELL, BROADUS, BURNHAM, BUSHYHEAD, CAVINS, CAVITT, CHAMBERS, CHILDERS, CLINE, CLOYD, COE, COLLINS, CONNER, COPELAND, COX, DANIEL, DAVIS, DOUTHAT, DUKE, EASON, EBEEY (Pontotoc), EBY (Tulsa); ELLIS, FITZGERALD, FRALEY, GARLAND, GIBSON, GLEN, GRAHAM, GRAY, GRISSO, GRUNERT, HAILE, HANKLA, HARP, HART, HAYS, HENDERSON, HILL, HINDS, HOGG, HOLLIMAN, HUGHES, HUTCHINGS, JESSEE, JOHNSON (Comanche), JOHNSON (Osage), JONES, KENAN, KIGHT, KING (Coal), KING (Creek), KIRKPATRICK, LANDINGHAM, LEE CRAFT, LINDSEY, LOWRANCE, MALLORY, MARSHALL, MARTIN, MASSEY, McELHANEY, MISENHEIMER, MOONEY, MORSE, MUNSON, NEILL, O'NEILL, OTTESEN, PALMER, PARKS, PAXTON, PHILLIPS (Atoka), RAWLS, REMUND, ROBERTS, SHOEMAKE, SINGLETON, SMALLEY, SPEAR, SPECK, STEWART, STRICKLAND (Marshall), STRICKLAND (Pontotoc), STURGELL, SULLIVAN, SUTHERLAND, TIMMONS, TODD, TURNER, ULMARK, WAGNER, WATSON, WHITFORD, WILLIAMS, WILMOT, WINGO, WOOTEN, WORTHINGTON and WRIGHT of the House and WILBANKS, NICHOLS and STEWART of the Senate, entitled:

A Resolution extending sympathy to Mr. and Mrs. Tom Anglin in the death of Mrs. Anglin's father, James T. Reid,  
and to advise you, and, through you, the Honorable Sen-



ate, that the same has been signed by the Speaker Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolution No. 14 and ordered it returned to the Honorable House.

#### COMMITTEE REPORTS

The following Committee Report was submitted, the bill ordered printed and placed upon the calendar:

Mr. President: We, your Committee on Agriculture, to whom was referred Senate Bill No. 5, by Carmack, entitled:

An Act repealing Section 8753, Oklahoma Statutes, 1931, relating to the State Market Commission; creating the State Market Commission as a Department in the State Board of Agriculture; providing that said department shall perform all the duties heretofore performed by the State Market Commission; etc,  
beg leave to report that we had the same under consideration and herewith return the same with the recommendation that it do pass.

CARMACK, Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 10 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Bill No. 10 and ordered it transmitted to the Honorable House, for consideration.

Senator Thomas submitted the following Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Committee on Employ-

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ment, beg leave to make the following recommendation:

That Shaw D. Ray be employed as enrolling and engrossing clerk in the place of A. J. McCutchenson.

THOMAS, Chairman.

#### GENERAL ORDER

Senator MacDonald asked unanimous consent, which was granted, to take up for consideration HOUSE BILL NO. 16, by Martin.

Section 1 was read and adopted, upon motion of Senator MacDonald.

Upon motion of Senator MacDonald, House Bill No. 16 was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and House Bill No. 16 was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

HOUSE 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Ray, Ritzhaupt, Rutherford, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Hutchinson, Stacey. Total, 2.

Not voting: Briggs, Moon, Pugh, Reed, Rizley. Total, 5.

Absent: Morrison, Waldrep. Total, 2.

Excused: Garvin. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Ray, Ritzhaupt, Rutherford, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 34.

Nays: Hutchinson, Stacey. Total, 2.

Not voting: Briggs, Moon, Pugh, Reed, Rizley. Total, 5.

Absent: Morrison, Waldrep. Total, 2.

Excused: Garvin. 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 copy of House Bill No. 16, and ordered the same transmitted to the Honorable House.

Senator Curnutt asked unanimous consent, to which objections were voiced, to take up for consideration Committee Substitute for Senate Bills Nos. 2 and 6.

Senator Curnutt moved that the Senate proceed to the consideration of Committee Substitute for Senate Bills Nos. 2 and 6, which motion failed of adoption.

#### SPECIAL ORDER

HOUSE BILL NO. 1, by Batson, Leecraft and Landingham, was taken up for further consideration.

Section 11 was read and adopted, upon motion of Senator Whitaker.

Section 12 was read.

Senator Logan submitted the following amendment:

Mr. President: I move to amend House Bill No. 1,

line 5, and line 7, page 29, by striking the figures, "\$2,000.00," and inserting the figures, "\$1,500.00."

LOGAN.

Senator Wilbanks moved to table the Logan amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Howard, Jennings, Lester, Liggett, MacDonald, Memminger, Nance, Paul, Rizley, Rutherford, Stewart, Thomas, Whitaker, Wilbanks. Total, 22.

Nays: Briggs, Carlile, Daugherty, Fischl, Hutchinson, Johnston, Logan, Nichols, Powers, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Taylor, Willis. Total, 16.

Not voting: Coppock, Moon, Reed. Total, 3.

Absent: Morrison, Waldrep. Total, 2.

Excused: Garvin. Total, 1.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 1, line 12, page 28, by striking the word, "normal"; also, in lines 12 and 13, page 28, by striking the following, "but not for the surtax levied under Section 7."

WHITAKER.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 2, page 22, by striking after the word, "Act," all the balance of the paragraph down to and including all of line 9, page 22, and by striking all of paragraph "a," of Section 12, page 28, after the word, "Act," in line 16.

BALLARD.

Senator Commons moved to table the Ballard amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Commons, Daugh-



erty, Fischl, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Pugh, Ray, Reed, Sowards, Stacey, Stewart, Whitaker, Willis. Total, 21.

Nays: Ballard, Clark, Curnutt, Dixon, Hutchinson, Jennings, Logan, Paul, Powers, Ritzhaupt, Rizley, Rutherford, Taylor, Thomas, Wilbanks. Total, 15.

Not voting: Chamberlin, Coppock, Fidler, Howard, Nance. Total, 5.

Absent: Morrison, Waldrep. Total, 2.

Excused: Garvin. Total, 1.

Senator Logan submitted the following amendment, which was tabled, upon motion of Senator Wilbanks:

Mr. President: I move to amend House Bill No. 1, line 11, page 29, by striking the figures, "\$1,000.00," and inserting the figures, "\$500.00."

LOGAN.

Senator Curnutt submitted the following amendment, which was tabled, upon motion of Senator Whitaker:

Mr. President: I move to amend House Bill No. 1, line 1, page 29, by inserting at the end of the line the following: "Provided, however, that all sums paid to stockholders on their stock, who are not borrowers, said sums shall be classed as dividends and shall not come within the exception provided hereunder."

CURNUTT.

Upon motion of Senator Whitaker, Section 12 was adopted.

President Pro Tempore Stewart presiding.

Section 13 was read and adopted, upon motion of Senator Whitaker.

Sections 14 and 15 were adopted, upon motions of Senator Whitaker.

Section 16 was read and adopted, upon motion of Senator Whitaker.

Section 17 was read.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 1, line 12, page 46, by striking the word, "normal"; also, by striking lines 11 and 12, page 47, and inserting the following:

"(5) Five per centum of the next \$4,000.00 of such excess amount; and

(6) Six per centum of the next \$6,000.00 of such excess amount; and

(7) Seven per centum of the remainder of such excess amount."

Also, amend Section 17, page 47, by striking lines 13, 14, 15, 16 and 17.

WHITAKER.

Upon motion of Senator Whitaker, Section 17, as amended, was adopted.

Section 18 was considered.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 1, line 11, page 48, by striking the word, "normal"; also, amend Section 18, page 49, by striking lines 11 and 12, and inserting the following:

"(5) Five per centum of the next \$4,000.00 of such excess amount; and

(6) Six per centum of the next \$6,000.00 of such excess amount; and

(7) Seven per centum of the remainder of such excess amount."

Also, amend Section 18, page 47, by striking lines 13, 14, 15, 16 and 17.

WHITAKER.

Upon motion of Senator Whitaker, Section 18, as amended, was adopted.

Section 19 was read.

Senator Powers submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, lines 8, 9, 10 and 11, page 51, by striking all of the words in said lines, after the word, "business," in line 7, and inserting the following: "and gains, profits and incomes derived from any source whatsoever, including all dividends and interest, received on stocks, bonds or other securities, except interest received on Federal, State and Municipal bonds and warrants."

POWERS.

President Burns presiding.

Upon motion of Senator Logan, the previous question was ordered.

The vote occurring on the Powers amendment, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Clark, Curnutt, Fidler, Fischl, Hutchinson, Jennings, Lester, Logan, Memminger, Moon, Nance, Nichols, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Wilbanks, Willis. Total, 25.

Nays: Carmack, Commons, Howard, Johnston, Liggett, MacDonald, Paul, Sowards, Stewart, Thomas, Whitaker. Total, 11.

Not voting: Chamberlin, Coppock, Daugherty, Dixon, Reed. Total, 5.

Absent: Morrison, Waldrep. Total, 2.

Excused: Garvin. Total, 1.

Senator Whitaker moved that further consideration of House Bill No. 1 be deferred until some future legislative day, the Senate to proceed to the consideration of the "Sales Tax Bill," which motion was tabled, upon motion of Senator Paul.

By unanimous consent, further consideration of Section 19 was temporarily deferred.

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Section 20 was read and adopted, upon motion of Senator Whitaker.

Section 21 was read.

Senator Nance submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 1, line 16, page 52, by inserting after the figures, "18," and before the word, "of," the words and figures, "or Section 19," of the printed bill and in line 3, page 53, after the figures, "18," and before the word, "of," insert the following, "or Section 19."

NANCE.

Senator Briggs submitted the following amendment to Section 19:

Mr. President: I move to amend House Bill No. 1, by inserting the following after the Powers' amendment: "Provided, however, income earned by banks or trust companies from investments of such federal, state and municipal bonds and warrants shall bear its proportionate part of the cost of operation or conduct of the business done by it and for the purpose of computing the amount subject to tax in no event shall that part of the gross earnings of said bank or trust company be charged with the greater portion of the cost of the operation or conduct of such business than the same bears to the gross income earned when computed with such exempt income included therein."

BRIGGS.

Senator MacDonald moved that consideration of Sections of House Bill No. 1, relative to banking institutions, be delayed for the present.

Senator Fidler, as a substitute, moved that House Bill No. 1 be recommitted to the Committee on Revenue and Taxation, which motion was tabled, upon motion of Senator Paul.

Senator Johnston moved to amend the MacDonald



motion by providing that amendments heretofore adopted and those now pending be printed for the use of the Senate.

The President advised Senator Johnston that amendments adopted and those pending would appear in the record, after which the motion was withdrawn.

Senator Rutherford moved that the MacDonald motion be amended, by deferring consideration of the sections, relative to banking institutions, until the next legislative day.

Senator Nance, as a substitute for the Rutherford motion, moved to amend the MacDonald motion, by providing that further consideration of the sections, relative to banking institutions, be laid over until some future legislative hour, which motion was adopted.

The vote occurring on the MacDonald motion, as amended, it was declared adopted.

Section 22 was read.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 6, page 53, by striking all of Section 22.

BALLARD.

Upon motion of Senator Commons, the Ballard amendment was tabled, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Commons, Daugherty, Fischl, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks. Total, 26.

Nays: Ballard, Clark, Dixon, Fidler, Hutchinson, Jennings, Logan, Moon, Powers, Rizley, Rutherford. Total, 11.

Not voting: Chamberlin, Coppock, Curnutt, Willis. Total, 4.

Absent: Morrison, Waldrep. Total, 2.

Excused: Garvin. Total, 1.

Senator Logan submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 1, page 57, by inserting between lines 17 and 18, the following: "Nothing contained in this section shall apply to the annual delay rental payments on oil and gas leases."

LOGAN.

Upon motion of Senator Logan, Section 22, as amended, was adopted.

Sections 23 and 24 were read and adopted, upon motions of Senator Whitaker.

Section 25 was considered.

Senator Curnutt submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 1, line 3, page 60, by striking the words and figures, "One Thousand (\$1,000.00) Dollars," and inserting the words and figures, "One Hundred (\$100.00) Dollars."

CURNUTT.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 5, page 60, by striking "One Thousand (\$1,000.00) Dollars," and inserting "Five Hundred (\$500.00) Dollars."

CURNUTT.

Senator Wilbanks moved the adoption of the previous question.

Senator Rizley, as a substitute, moved that the Senate adjourn to meet under the rules, which motion by unanimous consent he withdrew.

## FIRST READING

By unanimous consent, the following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 11—By PAUL, NANCE and WILLIS.—An Act prohibiting the Commissioners of the Land Office from investing trust funds under their control and management under certain conditions.

SENATE BILL NO. 12—By PAUL and NANCE.—An Act prescribing a method to be used by the Commissioners of the Land Office in collecting delinquent interest or other delinquencies on obligations owing from state officers and/or state employees arising out of a loan of trust funds under the control and management of the Commissioners of the Land Office.

SENATE CONCURRENT RESOLUTION NO. 4—By CHAMBERLIN, PAUL, COMMONS, and WHITAKER of the Senate, and BATSON and COX of the House.—A Concurrent Resolution of the Senate and House of Representatives requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to submit to the first extraordinary Session of the Fourteenth Legislature a bill or joint resolution, having for its purpose the extension of the 1932 ad valorem taxes.

Senator MacDonald introduced the following Resolution which, by unanimous consent, was taken up for immediate consideration and read at length, as follows: SENATE RESOLUTION NO. 9—By MacDONALD.

A RESOLUTION OF RESPECT FOR AND IN  
MEMORY OF O. L. BODENHEIMER,  
FORMER NATIONAL COMMANDER OF  
THE AMERICAN LEGION, AND CITIZEN  
AND STATESMAN OF THE STATE OF  
ARKANSAS.

WHEREAS, the Senate of the Fourteenth Legislature of the State of Oklahoma is aware of the untimely death of Honorable O. L. Bodenheimer, former National

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Commander of the American Legion, and outstanding citizen and statesman of our neighboring State of Arkansas, and

WHEREAS, the members of the Senate are desirous of extending their sympathy to his relatives and desirous of recognizing his sterling qualities as a citizen, soldier and statesman.

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Senate of the Fourteenth Legislature of the State of Oklahoma, in extraordinary session, hereby express our deep sorrow at his death and extend our sympathy and condolence to his family and request that this Resolution be spread upon the Journal of the Senate, and that a copy be forwarded to relatives at Eldorado, Arkansas.

Upon motion of Senator MacDonald, Senate Resolution No. 9 was adopted, as read.

Senate Resolution No. 9 was ordered referred for engrossment.

Upon motion of Senator Rizley, the Senate adjourned, to meet under the rules.



TWENTY-THIRD LEGISLATIVE DAY  
Wednesday, June 21, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m. and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 42.

Absent: Waldrep. Total, 1.

Excused: Rizley. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

COMMUNICATION

Senator Stewart presented the following communication, which was read:

June 21st, 1933.

To the Presiding Officer and the Members of the State

Senate of the Fourteenth Legislature:

Gentlemen:

We want to express to you our appreciation and gratitude for the evidences and expressions of sympathy with us in the loss of our father, James T. Reid at Allen, Oklahoma, last week, the same being expressed by the beautiful floral wreath sent by your Honorable Body and the many individual expressions of sympathy. It is just such as these which make life worth living and

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makes us all understand that we are all of one common family.

We want to thank you on behalf of the undersigned and all of the nine living children of James T. Reid, and of the many grandchildren living at this time.

Respectfully and sincerely,

MRS. TOM ANGLIN

and children of James T. Reid,  
and members of that family.

#### FIRST READING

The following bills and resolutions were introduced and read for the first time:

SENATE BILL NO. 13—By PAUL, POWERS and WILLIS of the Senate, and HANKLA of the House.—An Act providing a system of handling collections and disbursements by the Commissioners of the Land Office and their officers and employees, and authorizing the State Examiner and Inspector to prescribe the forms and method of keeping same; prescribing duties of certain officers and employees; providing for a strict compliance with this Act and prescribing the penalty for failure or neglect to comply with this Act or transacting business contrary to the provisions of this Act; and declaring an emergency.

SENATE, JOINT RESOLUTION NO. 2—By RITZHAUPT, WILLIS, NICHOLS, JOHNSTON of the Senate and SUTHERLAND, LANDINGHAM, CHAMBERS and CLOYD of the House.—A Joint Resolution requesting Governor to submit to Legislature the question of a proposed constitutional amendment prohibiting members of the Legislature from voting for legislation while relatives within prescribed degrees are participating in state payroll.

SENATE CONCURRENT RESOLUTION NO. 5—By LOGAN.—A Concurrent Resolution adjourning the First Special Session of the Fourteenth Legislature

of the State of Oklahoma on June 23, 1933, to reconvene on September 5, 1933, and stating the reasons therefor.

**SENATE CONCURRENT RESOLUTION NO. 6—**  
By MacDONALD.—A Concurrent Resolution urging the administrator of federal industrial recovery Act, to call a conference of representatives from oil producing states, regulating uniform tax legislation or the imposition of a severance tax to be impounded and held in trust in each state against the exhaustion of oil and gas resources.

Senator Liggett submitted the following committee report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 9 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Resolution No. 9, and ordered it referred for enrollment.

#### SECOND READING

The following bills were read for the second time and, upon request of Senator Paul, ordered placed upon the calendar, without reference to a committee:

**SENATE BILL NO. 11—**By PAUL, NANCE and WILLIS.

**SENATE BILL NO. 12—**By PAUL and NANCE.

#### SPECIAL ORDER

**HOUSE BILL NO. 1,** by Batson, et al., was taken up for further consideration.

Senator Jennings moved the vote be reconsidered by which Section 22 was adopted, which motion was tabled, upon motion of Senator Whitaker.

Section 25 was re-read.

The Curnutt amendment to line 5, page 60, was re-read and, upon motion of Senator Commons, tabled.

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Senator Fidler submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 1, line 11, page 60, by adding after the word, "thereof," the following: "In the event of a compromise on the payment of any tax all of the records in the case shall be opened for the inspection of all interested parties."

FIDLER.

Upon motion of Senator Whitaker, Section 25, as amended, was adopted.

Section 26 was read.

Senator Jennings submitted the following amendment, which was tabled upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 1, line 16, page 60, by striking after the word, "returns," and before the word, "each," on line 5, page 61, and inserting the following: "corporations doing business in this State and subject to file an income tax return under the provisions of this Act, which are affiliated as parent and subsidiary or by reason of substantial common ownership or control may file consolidated return and the Commission may require such consolidated return when, in the judgment of the Commission same is necessary to determine the total taxable income received by any one or all such affiliated corporations."

JENNINGS.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, line 1, page 61, by striking after the word, "subsidiary" and before the word, "file" and inserting the word, "shall."

CURNUTT.

Upon motion of Senator Whitaker, the Curnutt



amendment was tabled, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, Memminger, Morrison, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Whitaker, Willis. Total, 25.

Nays: Ballard, Clark, Coppock, Curnutt, Fidler, Hutchinson, Jennings, Moon, Powers, Rutherford, Thomas, Wilbanks. Total, 12.

Not voting: Dixon, MacDonald, Nance, Stewart, Taylor. Total, 5.

Absent: Waldrep. Total, 1.

Excused: Rizley. Total, 1.

Senator Wilbanks submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 1, line 5, page 61, by inserting after the word, "corporation," and before the period, the following: "Provided the income tax shall always be assessed and collected from each separate corporation."

WILBANKS.

Upon motion of Senator Whitaker, Section 26, as amended, was adopted.

Section 27 was read and adopted, upon motion of Senator Whitaker.

Section 28 was read.

Senator Jennings submitted the following amendment which was adopted:

Mr. President: I move to amend House Bill No. 1, line 14, page 62, by adding after the word, "it," and before the word, "with," the following: "or its agent, at any place within the county wherein such taxpayer resides or has a place of business."

JENNINGS.

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Senator Jennings submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 1, line 14, page 63, by striking after the word, "of," and before the word, "or," and inserting the following: "the county wherein the taxpayer resides."

JENNINGS.

Senator Rizley asked to be recorded "present," which was the order.

Upon motion of Senator Whitaker, Section 28, as amended, was adopted.

Sections 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38 were read and adopted, upon motions of Senator Whitaker.

Section 39 was read.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 1, line 5, page 82, by adding after the word, "person," the following: "except the amount allowed any taxpayer for depletion or depreciation, prescribed in Section 10 hereof, which information shall be furnished to any taxpayer upon request."

JENNINGS.

Upon motion of Senator Whitaker, Section 39 was adopted.

Section 40 was read and adopted, upon motion of Senator Whitaker.

Section 41 was read.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 1, line 7, page 85, by adding after the word, "which," and before the word, "is," the following: "the taxpayer resides or"

JENNINGS.

Upon motion of Senator Whitaker, Section 41 was adopted.

Section 42 was read.

Senators Wilbanks and Paul submitted the following amendment:

Mr. President: We move to amend House Bill No. 1, page 89, by striking all of lines 1 to 18, inclusive, and line 11, page 92; and by striking after the word, "taxes," and before the word, "the," the word, "except," and inserting the word, "including"; and line 8, page 93, by striking all of sub-section 7, being lines 8 to 17, inclusive.

WILBANKS and PAUL.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has refused to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 10—By GARLAND, GRAHAM, RAWLS, BEARD, PHILLIPS (Okfuskee), and BOYER of the House, and COMMONS, BALLARD, NICHOLS of the Senate.

An Act amending Enrolled Senate Bill Number 142, by Stewart, Memminger, Nance, Chamberlin, Ritzhaupt, Curnutt, Briggs, Taylor, Pugh, Howard, Lester and Commons of the Senate and Childers, Blocker and Massey of the House, as passed by the regular session of the Fourteenth Legislature of the State of Oklahoma, and signed by the Governor on the 27th day of April, 1933, by repealing Section Five thereof and renumbering the Sections; providing that in special elections

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where only one proposition is to be voted upon by the people, counters shall be dispensed with in the several precincts of the State; prescribing the manner thereof, and declaring an emergency, and asks your Honorable Body for a conference thereon. The Presiding Officer has appointed Representatives Graham, Garland, and Fitzgerald, as Conferees.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Commons, the request of the Honorable House, for a conference on Engrossed House Bill No. 10, was ordered granted, the President appointing as Senate Conferees thereunder, Senators Commons, Ballard and Rizley.

Senator Chamberlin presiding.

Referring further to HOUSE BILL NO. 1:

Senator Moon moved to table the Wilbanks-Paul amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Fidler, Howard, Jennings, Lester, Liggett, Logan, Memminger, Moon, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Whitaker, Willis. Total, 25.

Nays: Briggs, Coppock, Daugherty, Fischl, Garvin, Johnston, Paul, Powers, Ray, Taylor, Thomas, Wilbanks. Total, 12.

Not voting: Curnutt, Dixon, Hutchinson, MacDonald, Nance, Sowards. Total, 6.

Absent: Waldrep. Total, 1.

Upon motion of Senator Whitaker, Section 42 was adopted.

Sections 43 and 44 were read and adopted, upon motions of Senator Whitaker.

Section 45 was read.



Senator Moon submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 1, lines 8 to 11, inclusive, page 97, by striking the words, "all of Article 6, Chapter 66, Oklahoma Statutes, 1931, being an Act imposing tax on bonds, notes and choses in action."

MOON.

Upon motion of Senator Whitaker, Section 45, as amended, was adopted.

Section 19 was considered further.

Senator Briggs moved the adoption of his amendment to Section 19, submitted on the last legislative day.

Senator Whitaker, as a substitute, moved to reconsider the vote by which the Powers' amendment to Section 19 was adopted, on the previous legislative day.

Upon motion of Senator Logan, the previous question was ordered.

The vote occurring on the Whitaker motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Howard, Lester, Liggett, Paul, Sowards, Stewart, Taylor, Whitaker. Total, 12.

Nays: Ballard, Briggs, Clark, Coppock, Curnutt, Daugherty, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Logan, Memminger, Moon, Morrison, Nance, Nichols, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Thomas, Wilbanks, Willis. Total, 29.

Not voting: MacDonald, Reed. Total, 2.

Absent: Waldrep. Total, 1.

Senator Ballard moved to table the Briggs amendment, which motion failed of adoption, the roll call thereon being as follows:

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Ayes: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Fischl, Hutchinson, Jennings, Logan, Morrison, Powers, Ray, Rizley, Rutherford, Stacey, Thomas, Willis. Total, 18.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ritzhaupt, Sowards, Stewart, Taylor, Whitaker, Wilbanks. Total, 24.

Not voting: Reed. Total, 1.

Absent: Waldrep. Total, 1.

The vote occurring on the Briggs amendment, it was declared adopted.

Upon motion of Senator Ballard, Section 19, as amended, was adopted.

Upon motion of Senator Ballard, House Bill No. 1, was advanced to engrossment and third reading.

Senator MacDonald moved the rules of the Senate be suspended and House Bill No. 1 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

Senator Commons moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted "absent": Senators Coppock, Fischl, Reed, and Waldrep.

The Sergeant-at-Arms was instructed to notify all absent members of the Senate's proceedings.

Senators Coppock and Fischl asked to be recorded "present," which was the order.

### THIRD READING

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: Briggs, Carlile, Carmack, Chamberlin, Com-

mous, Daugherty, Howard, Johnston, Lester, Liggett, Memminger, Moon, Nichols, Pugh, Ritzhaupt, Stacey, Taylor, Whitaker. Total, 18.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Logan, MacDonald, Morrison, Nance, Paul, Powers, Ray, Ritzley, Rutherford, Sowards, Stewart, Thomas, Wilbanks, Willis. Total, 24.

Not voting: Reed. Total, 1.

Absent: Waldrep. Total, 1.

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 MacDonald served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which House Bill No. 1 failed of passage.

Senator Ballard moved that the vote by which House Bill No. 1 failed of passage be reconsidered.

Senator MacDonald moved to table the Ballard motion.

Senator Nance raised a point of order against the Ballard motion, which was sustained, stating it would require a suspension of the rules.

Senator Ballard moved that the rules of the Senate be suspended for the purpose of reconsidering the vote by which House Bill No. 1 failed of passage.

Senator MacDonald moved to table the Ballard motion.

Senator Nance raised a point of order against the MacDonald motion, which was sustained, stating motion to suspend the rules a superior one.

The vote occurring on the Ballard motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Clark, Coppock, Curnutt, Dixon,

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Fidler, Hutchinson, Jennings, Moon, Morrison, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Willis. Total, 17.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Menninger, Nance, Nichols, Paul, Pugh, Ray, Sowards, Taylor, Thomas, Whitaker, Wilbanks. Total, 25.

Not voting: Reed. Total, 1.

Absent: Waldrep. Total, 1.

Senator Paul moved that the Senate adjourn, to meet under the rules, which motion failed of adoption.

Senator Nance asked unanimous consent, which was granted, to present the following Resolutions, which were read:

#### RESOLUTION

WHEREAS, there is before the legislature of this state, now assembled in Oklahoma City a number of questions previously acted upon in the regular session on which the constitution or the laws of this state provide the manner in which the people may vote, and

WHEREAS, we hold it is a fundamental of American democracy that the voters of any state should have the right to express their opinion on any matter of vital importance to the state, therefore,

BE IT RESOLVED, by the Oklahoma Press Association in convention assembled in Clinton, Oklahoma, that this association respectfully requests the chief executive and the legislature of this state to provide ways and means for a vote of the people of the state to express themselves on the questions of sales tax, income tax, cigarette tax, legalization of beverages which are held to be non-intoxicating by federal statutes, and

BE IT FURTHER RESOLVED, that the Oklahoma Press Association urge upon the governor and the legislature the importance of providing ways and



means of holding such elections at the earliest possible date, at the expense of the state.

Adopted and approved this 27th day of May, 1933.

L. M. NICHOLS, President.

Attest:

RAY J. DYER, Secretary.

#### RESOLUTION

WHEREAS, the 14th Oklahoma Legislature has been fair and impartial in its consideration of all measures directly affecting the publishing industry of the state, and

WHEREAS, the representatives of the Oklahoma Press Association have at all times been given courteous and tolerant hearing on all matters in which newspapers have been interested, therefore

BE IT RESOLVED, that the Oklahoma Press Association in 28th annual convention assembled does hereby express its appreciation to the 14th Oklahoma Legislature for the wisdom exemplified in its consideration of divers measures affecting the newspaper industry of the state.

Adopted and approved this 27th day of May 1933.

L. M. NICHOLS, President.

Attest:

RAY J. DYER, Secretary.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 9 correctly enrolled.

LIGGETT, Chairman.

The President, in open session, signed Enrolled Senate Resolution No. 9 and ordered it transmitted to the Secretary of State.

#### RESOLUTIONS

Senator Briggs asked unanimous consent, which

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was granted, to submit the following Resolution, which, by unanimous consent, was read at length, as follows:  
SENATE RESOLUTION NO. 10—By BRIGGS and WILBANKS.

A RESOLUTION ASKING THE MANAGEMENT OF THE UNITED STATES HOME OWNERS LOAN CORPORATION TO SET UP AND MAINTAIN AN ORGANIZATION IN OKLAHOMA IN THE INTERESTS OF THE BORROWING PUBLIC AND FREE FROM THE DOMINATION OF BUILDING AND LOAN ASSOCIATIONS AND OFFICERS.

WHEREAS, the United States Congress has enacted a law providing for the organization of the Home Owners Loan Corporation; and

WHEREAS, said statute authorizes the lending of money to owners of moderate-priced homes in order to prevent foreclosures and to protect the home owners in the enjoyment and possession of their properties; and

WHEREAS, there are many thousands of home owners in Oklahoma who are in need of the loans and assistance this Corporation can render; and

WHEREAS, it is the purpose of said statute that relief shall issue direct to the individuals requiring the service:

NOW, THEREFORE, BE IT RESOLVED, by the State Senate of the State of Oklahoma, in special session, that the management of this Home Owners Loan Corporation, established by the Act of Congress aforesaid, be requested and earnestly urged to establish and maintain an organization in Oklahoma for the purpose of administering the benefits of said Act to the people direct, and free from the domination of the building and loan associations and their officers.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to our delegation in Congress and the Hon. C. E. Stephenson, Chairman of said Home Owners Loan Corporation.

Upon the request of Senator Nance, further consideration of Senate Resolution No. 10 was deferred until the next legislative day.

Senator Whitaker moved that the Senate proceed to the consideration of ENGROSSED HOUSE BILL NO. 2, by Mallory and Sutherland, which motion prevailed.

Senator Moon moved that the Senate adjourn, to meet under the rules, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Clark, Coppock, Curnutt, Fidler, Fischl, Garvin, Hutchinson, Logan, Moon, Morrison, Powers, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas. Total, 20.

Nays: Ballard, Carmack, Chamberlin, Commons, Daugherty, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Whitaker, Wilbanks, Willis. Total, 21.

Not voting: Dixon, Reed. Total, 2.

Absent: Waldrep. Total, 1.

Senator Rizley moved that the call of the House be lifted, which motion failed of adoption.

Senator MacDonald moved that HOUSE BILL NO. 2, by Mallory and Sutherland, be advanced to engrossment and third reading, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Coppock, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Powers, Ray, Ritzhaupt, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 24.

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Nays: Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Howard, Liggett, Nichols, Paul, Pugh, Rizley, Sowards. Total, 14.

Not voting: Dixon, Fidler, Fischl, Garvin, Reed. Total, 5.

Absent: Waldrep. Total, 1.

Senator Moon moved that the rules of the Senate be suspended and House Bill No. 2 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

Upon motion of Senator Commons, the Senate adjourned, to meet under the rules, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Howard, Johnston, Lester, Liggett, Memminger, Nichols, Paul, Pugh, Ray, Reed, Rutherford, Sowards, Taylor, Thomas, Whitaker. Total, 23.

Nays: Ballard, Curnutt, Hutchinson, Jennings, Logan, MacDonald, Moon, Morrison, Nance, Powers, Ritzhaupt, Rizley, Stacey, Stewart, Wilbanks, Willis. Total, 16.

Not voting: Dixon, Fidler, Fischl, Garvin. Total, 4.

Absent: Waldrep. Total, 1.



TWENTY-FOURTH LEGISLATIVE DAY  
Thursday, June 22, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Curnutt, Waldrep. Total, 2.

Excused: Garvin. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

RESOLUTIONS

The following Resolution was introduced:

SENATE CONCURRENT RESOLUTION NO. 7—  
By COMMONS of the Senate and BATSON of the House.—A Concurrent Resolution fixing the day and the hour of the sine die adjournment of the First Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma.

MESSAGES

The following Message from the Governor was received, read and ordered referred to the Committee on Education:

TO THE HONORABLE HOUSE OF REPRESENTATIVES AND SENATE OF THE FOURTEENTH LEGISLATURE:

Gentlemen:

On the 20th day of June, the Co-ordinating Board

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met in an all-day session, having under discussion sundry functions under the law creating the Co-ordinating Board, as provided in House Bill No. 686, and finally agreed that the law governing tuition and fees should be changed, and selected a Committee, composed of Judge Reford Bond, Houston B. Tehee, and Judge J. T. Dickerson, to draft a proposed law, and they have submitted the same to me, through the President and Secretary of the Co-ordinating Board, as made manifest by their letter hereto attached.

The law provides for the Board of Regents of the University to fix certain fees and tuition charges, and the same is lodged in the Board of Education and other Boards.

It is the opinion of the Co-ordinating Board and that of the Governor that schools of equal rank should have the same charges, and not have a high charge in one school of the same grade, and a low one in the other, and it is their opinion therefore that one Board should fix these fees; and, while it would appear from the Act creating the Board, House Bill No. 686, that they have such authority, there is some doubt as to whether the other statutes were repealed; and, in order to make their authority clear, it will be essential to pass this additional Act.

I attach hereto a copy of a Bill, as written by the Board, and as approved by the Governor. I trust that the Legislature can see fit to pass this Bill quickly.

Respectfully submitted, on this the 22nd day of June, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 9—By ABERNATHY (Pott.), MUNSON, BILLINGS, LOGSDON, GRAHAM, SUTHERLAND, STRICKLAND (Pontotoc) and SINGLETON.

A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of the ratification of the proposed child labor amendment to the Constitution of the United States of America.

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 11—By KIGHT, BATSON, LEECRAFT, HAILE and BROADDUS.

A House Concurrent Resolution calling upon the Governor to submit to us and open for consideration by the Legislature the question of amending the Constitution and Section Three of Article Seventeen thereof, so as to authorize the Legislature of the State to legislate with reference to the payment of pensions to aged and indigent persons, by the State, and to advise you and through you, the Honorable Senate, that the same have been signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolutions Nos. 9 and 11 and ordered, each, returned to the Honorable House.

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To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 16—By MARTIN, entitled:

An Act making an appropriation of Two Thousand Dollars for supplies, extra help, communication and sundry expenses in the office of the State Treasurer; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 16 was read at length for the fourth time, the enrolled copy signed in open session, by the President, and ordered returned to the Honorable House.

Senator Commons asked unanimous consent, which was granted, to extend an invitation to Senator Neill, of Wichita Falls, Texas, a member of the Texas State Senate, to address the Senate.

Senator Neill was introduced and urged the importance of the work of the Interstate Legislative Assembly.

#### GENERAL ORDER

SENATE CONCURRENT RESOLUTION NO. 4, by Chamberlin, et al, was taken up for consideration and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 4—By CHAMBERLIN, PAUL, COMMONS, And WHITAKER Of The Senate, And BATSON And COX Of The House.

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTA-



TIVES REQUESTING THE HONORABLE WILLIAM H. MURRAY, GOVERNOR OF THE STATE OF OKLAHOMA, TO SUBMIT TO THE FIRST EXTRAORDINARY SESSION OF THE FOURTEENTH LEGISLATURE A BILL OR JOINT RESOLUTION, HAVING FOR ITS PURPOSE THE EXTENSION OF THE 1932 AD VALOREM TAXES.

WHEREAS, the time has now expired throughout the State of Oklahoma for the payment of the first half of the 1932 ad valorem taxes and it is impossible, under the law, to pay one half of the 1932 ad valorem taxes at this time without the payment of all 1932 ad valorem taxes, and

WHEREAS, due to the recent rise in the prices of agriculture and commodity prices, and to the harvesting of agricultural products, it is now made possible for many of the tax payers in the State of Oklahoma to pay one half of their ad valorem taxes for 1932 and thus benefit the tax payers and the State of Oklahoma.

NOW THEREFORE BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Honorable Wm. H. Murray, Governor of the State of Oklahoma, be and hereby is respectfully requested to submit to the Legislature now in Session the matter of the extension of the 1932 ad valorem taxes, so that the time for the payment of the first half of the 1932 ad valorem taxes may be extended not later than June 30, 1933, and the time for the payment of the last half of the 1932 ad valorem taxes may be extended not later than the first day of October, 1933.

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Senator Chamberlin moved the adoption of Senate Concurrent Resolution No. 4.

Upon motion of Senator Paul, the previous question was ordered.

The vote occurring on the Chamberlin motion, it was declared adopted.

Senate Concurrent Resolution No. 4 was ordered referred for engrossment.

SENATE RESOLUTION NO. 10, by Briggs and Wilbanks, was taken up for consideration.

Upon motion of Senator Pugh, Senate Resolution No. 10 was ordered referred to the Committee on Banks and Banking, for consideration.

#### MOTION TO RECONSIDER

Senator MacDonald moved that the vote be reconsidered by which HOUSE BILL NO. 1, by Batson, et al, failed of passage.

Senator Nichols moved to table the MacDonald motion, which motion was seconded by Senator Fidler.

Senator Nance asked unanimous consent, which was granted, to discuss the motions before the Senate.

Senator Morrison asked unanimous consent, to which objections were voiced, to discuss the motions pending.

Upon motion of Senator Morrison, the rules of the Senate were suspended and he was permitted to discuss pending motions.

The vote occurring on the Nichols motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Stewart, Whitaker.  
Total, 27.

Nays: Briggs, Daugherty, Johnston, Lester, Nance,

Paul, Ray, Sowards, Stacey, Wilbanks, Willis. Total, 11.

Not voting: Reed, Taylor, Thomas. Total, 3.

Absent: Curnutt, Waldrep. Total, 2.

Excused: Garvin. Total, 1.

#### MESSAGES

The following Message from the Honorable House was received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 10—By GARLAND, GRAHAM, RAWLS, BEARD, PHILLIPS (Okfuskee), and BOYER of the House, and COMMONS, BALLARD, NICHOLS of the Senate.

An Act amending Enrolled Senate Bill Number 142, by Stewart, Memminger, Nance, Chamberlin, Ritzhaupt, Curnutt, Briggs, Taylor, Pugh, Howard, Lester and Commons of the Senate and Childers, Blocker and Massey of the House, as passed by the regular session of the Fourteenth Legislature of the State of Oklahoma, and signed by the Governor on the 27th day of April, 1933, by repealing Section Five thereof and renumbering the Sections; providing that in special elections where only one proposition is to be voted upon by the people, counters shall be dispensed with in the several precincts of the State; prescribing the manner thereof, and declaring an emergency, together with Conference Committee report thereon, and to inform you, and through you, the members of the Honorable Senate, that the conference report has been adopted by the House of Representatives, and the bill passed, AS AMENDED, thereby.

Respectfully,

R. M. McCOOL, Chief Clerk.

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The following Conference Committee Report on Engrossed House Bill No. 10 was read:

To the Honorable House of Representatives and the Honorable Senate of the State of Oklahoma:

We, your Conference Committee, appointed to confer on Engrossed Senate Amendments Nos. 1 to 11 inclusive, to Engrossed House Bill No. 10, have had the same under consideration and beg leave to report:

That the Senate recede from Senate Amendment No. 3;

That the House concur in Senate Amendments Nos. 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11.

Respectfully submitted,

A. L. COMMONS,

ROBT. C. GRAHAM,

HARDIN BALLARD,

R. C. GARLAND,

ROSS RIZLEY,

R. R. FITZGERALD.

Senate Conferees.

House Conferees.

Senator Commons moved the adoption of the Conference Committee Report, as read."

Senator MacDonald presiding.

President Burns presiding.

Senator Memminger, as a substitute, moved that the Senate refuse to adopt the Conference Committee Report on Engrossed House Bill No. 10 and request the Honorable House to grant a further conference thereon, which motion was tabled, upon motion of Senator Commons.

The vote occurring on the Commons motion, it was declared adopted.

House Bill No. 10, as amended in conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Commons, Dixon, Fidler, Fischl, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Moon, Morrison, Nichols,



Paul, Ray, Ritzhaupt, Rizley, Rutherford, Stewart, Taylor, Wilbanks, Willis. Total, 26.

Nays: Clark, Coppock, Memminger, Nance, Pugh, Stacey, Whitaker. Total, 7.

Not voting: Carlile, Daugherty, Howard, Hutchinson, Powers, Reed, Sowards, Thomas. Total, 8.

Absent: Curnutt, Waldrep. Total, 2.

Excused: Garvin. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Dixon, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Moon, Morrison, Nichols, Powers, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 30.

Nays: Clark, Coppock, Daugherty, Memminger, Nance, Paul, Pugh, Stacey, Whitaker. Total, 9.

Not voting: Hutchinson, Sowards. Total, 2.

Absent: Curnutt, Waldrep. Total, 2.

Excused: Garvin. 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.

Engrossed House Bill No. 10, together with Conference Committee Report thereon, was ordered returned to the Honorable House.

Senators Daugherty, Thomas and Reed asked unanimous consent, which was granted, to have the record show, had they been present at the time of the final passage of House Bill No. 10, as amended in conference, they would have voted "NAY."

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### MESSAGE

The following Message from the Governor was received and read:

TO THE HONORABLE SENATE AND HOUSE OF  
REPRESENTATIVES OF THE 'FOURTEENTH  
LEGISLATURE:

Gentlemen:

At the last session, I recommend the organization of a Ranger System, to aid in putting down crime, foreseeing the danger just ahead, and there is great danger of breaking down the law. This is illustrated by the recent horrible tragedy when five men were killed in Kansas City. In this State, in one county, a foul murder was committed; in another, a robbery, and the sheriff, knowing where they were, would not make an arrest; in another county, to which I sent, at the request of certain citizens, a man from the Bureau of Criminal Identification, this man reported seven murders had been committed in that county.

Recently, I had a man to bring "Pretty Boy" Floyd on the spot, to be killed by the deputy sheriff of the county. Four deputy sheriffs witnessed "Pretty Boy," his driver, and one other man drive out of the alley, and though just across the street, they let him escape without saying a word.

A number of Senators now feel as I felt last January, and have urged me now to submit the Bill to the Special Session,—the Bill introduced by Dr. Ritzhaupt of the Senate and Garland of the House.

I therefore submit to you this Bill, with the request that you pass it, if you can, speedily, and abolish the Criminal Bureau, and let there be a law enforcement agency of the State founded upon the Ranger System, which protects the peace officer.

Respectfully submitted, on this the 22nd day of June, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

FIRST READING

Senator Ritzhaupt asked unanimous consent, which was granted, to introduce the following bill, which was read for the first time:

SENATE BILL NO. 14—By RITZHAUPT, GARVIN, CARLILE, BRIGGS, MacDONALD, TAYLOR, WALDREP, LOGAN, NICHOLS, NANCE, FISCHL, RAY, DAUGHERTY, WILLIS, POWERS, of the Senate; GARLAND, CHAMBERS, DANIELS, of the House.—A Bill entitled an Act to establish a law enforcing organization to be known as the Oklahoma State Rangers; providing for the appointment of a colonel by the Governor with the advice and consent of the Senate and requiring him to furnish bond; providing for a headquarters staff and designating the members and numbers thereof; providing for the appointment of other members of the organization to consist of three lieutenants, six sergeants and thirty rangers; providing for the promulgation, establishment and enforcement of rules and regulations and for the discipline, maintenance and equipment, including radio receivers and for the establishment of offices and headquarters of such organization in the city of Oklahoma City; and for the establishment of sub-stations in the rural portions of the State of Oklahoma; providing for the location, construction and establishment of a radio broadcasting station, at or near the headquarters of such organization; providing for the equipment of said headquarters and sub-stations and for the sustenance, quarters, equipment and supplies for all officers and rangers of said organization and for all other expenses necessary in establishing, equipping, maintaining and operating said organi-

zation; and providing for investigation of all complaints against members of the organization and for their prosecution for violation of law; and repealing all laws in conflict and declaring an emergency.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 2 and Senate Concurrent Resolution No. 4 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 4 and ordered it transmitted to the Honorable House.

### THIRD READING

HOUSE BILL NO. 2 was considered under Third Reading.

Senator MacDonald asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 2, Line 6 1/4, Page 31, as follows:

By adding two sections numbered Sections 19 and 20, as follows, to-wit:

SECTION 19. A special election is hereby ordered to be held throughout the State on the 15th day of August, 1933, or any other date fixed by the Governor of the State, for the express purpose of referring House Bill No. 2, passed by the Extraordinary Session of the 14th Legislature of the State of Oklahoma, to a vote of the people of the State of Oklahoma, as provided in Sections 2 and 3 of Article 5 of the Constitution of the State of Oklahoma, and such referred measure shall not take effect and shall not be in force unless it is approved by a majority of the votes cast thereon at said special election.

SECTION 20. The ballot title for said referred measure shall be in the following form:



## BALLOT TITLE

Legislative Referendum No. -----

The Gist of the proposition is:

Shall House Bill No. 2, First Extraordinary Session of the Fourteenth Legislature of Oklahoma, providing for relief from ad valorem taxation by levying a one per cent sales tax upon gross proceeds of retail sales of all goods, wares, and merchandise, including food, confections, drinks, admission tickets, electricity, gas, telephone, telegraph and radiocasting service, prescribing exemptions, providing for the collection and disposition of revenue derived therefrom, prescribing rules and regulations for the enforcement of Act, prescribing penalties for violation thereof, making taxes and penalties a lien on vendors' property and providing legal remedy for aggrieved taxpayers, be approved?

Shall the Bill Be Approved?

☐

Yes

☐

No.

MacDONALD.

Senator Dixon asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend the MacDonald amendment, by striking the words, "or any other date fixed by the Governor of the State."

DIXON.

Senator Garvin asked to be recorded "present," which was the order.

Upon motion of Senator Nance, the previous question was ordered.

The vote occurring on the MacDonald amendment, it was declared adopted, the roll call thereon being as follows:

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Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Fidler, Howard, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Taylor, Thomas, Whitaker, Willis. Total, 31.

Nays: Ballard, Coppock, Dixon, Garvin, Jennings, Stacey, Stewart. Total, 7.

Not voting: Fischl, Hutchinson, Liggett, Wilbanks. Total, 4.

Absent: Curnutt, Waldrep. Total, 2.

Senators Chamberlin and Commons submitted the following motion:

Mr. President: We move that the rules of the Senate be suspended for the purpose of offering the following amendment to House Bill No. 2, Section 5: line 15, page 14, by inserting after the word, "to," and before the word, "the," the following: "the sale of food, used or usable for human consumption (except that this exempt shall not effect the taxation for prepared foods, confections and drinks, as provided in Section 4 hereof) nor to"

#### CHAMBERLIN and COMMONS.

The vote occurring on the Chamberlin and Commons motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Chamberlin, Commons, Fischl, Howard, Lester, Nance, Paul, Reed, Sowards, Taylor. Total, 10.

Nays: Ballard, Briggs, Carlile, Carmack, Clark, Coppock, Daugherty, Dixon, Fidler, Garvin, Hutchinson, Jennings, Johnston, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Liggett, Thomas. Total, 2.

Absent: Curnutt, Waldrep. Total, 2.

Senator Logan asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: We move to amend House Bill No. 2, line 1, page 15, by inserting after the word, "sale," the following: "nor to the sale of oil, gas or other minerals for re-sale and/or for manufacture and re-sale"

WHITAKER, COMMONS,  
LOGAN and RUTHERFORD.

Senator Morrison asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 2, line 18, page 30, by adding after the figures, "1933," and before the word, "is," the following, "and House Bill No. 229, of the 14th Legislature of the State of Oklahoma."

MORRISON.

Senator Morrison asked unanimous consent, to which objections were voiced, to consider his amendment.

Senator Morrison moved that the rules of the Senate be suspended for the purpose of considering his amendment, which motion failed of adoption.

Senator Whitaker asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 2, line 1, page 5, by striking the words, "the month of August, 1933," and inserting the following, "the first calendar month of the operation of this Act."

WHITAKER.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and House Bill No. 2, as amended, was considered engrossed and placed upon third reading and final passage.

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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 38.

Nays: Coppock, Nance. Total, 2.

Not voting: Garvin, Liggett Total, 2.

Absent: Curnutt, Waldrep. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Daugherty, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 38.

Nays: Coppock, Nance. Total, 2.

Not voting: Garvin, Liggett Total, 2.

Absent: Curnutt, Waldrep. 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 question being, "Shall House Bill No. 2, passed by the Extraordinary Session of the 14th Legislature of the State of Oklahoma, be submitted to a vote of the people of the State of Oklahoma, as provided in Section 2 and 3 of Article 5, of the Constitution of the



State of Oklahoma, at a Special Election to be held throughout the State of Oklahoma on the 15th day of August, 1933, or any other date fixed by the Governor of the State, and shall such election be called for that purpose?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Daugherty, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 37.

Nays: Dixon. Total, 1.

Not voting: Fidler, Fischl, Garvin, Liggett. Total,

4.

Absent: Curnutt, Waldrep. Total, 2.

The President announced that two-thirds of all the members elected to and constituting the Senate had voted "Aye," thereon and that the Senate had, by such vote, ordered a special election to be held throughout the State of Oklahoma on August 15th, 1933, or any other date fixed by the Governor of the State, on the adoption or rejection of House Bill No. 2.

House Bill No. 2, as amended, was ordered referred for engrossment.

Senator Garvin asked unanimous consent, which was granted, to have the record show, had he been present at the time of final passage of House Bill No. 2, he would have voted "AYE," on the bill, emergency section and the submission of the bill to a vote of the people.

Senator Chamberlin presiding.

### SECOND READING

The following bills were read for the second time and referred to the Committees indicated:

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SENATE BILL NO. 13—By PAUL, POWERS and WILLIS of the Senate, and HANKLA of the House.

Senator Paul asked unanimous consent, which was granted, to have Senate Bill No. 13 placed upon the calendar, without reference to a Committee.

SENATE JOINT RESOLUTION NO. 2—By RITZHAUPT, WILLIS, NICHOLS, JOHNSTON of the Senate and SUTHERLAND, LANDINGHAM, CHAMBERS and CLOYD of the House.

Senator Ritzhaupt moved that Senate Joint Resolution No. 2 be placed upon the calendar, without reference to a Committee.

Senator Nance, as a substitute, moved that Senate Joint Resolution No. 2 be referred to Judiciary Committee No. 2.

Senator Rizley, as a substitute for all pending motions, moved that further consideration of Senate Joint Resolution No. 2 be indefinitely postponed, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Garvin, Howard, Lester, MacDonald, Nance, Ray, Rizley, Sowards, Stewart, Whitaker, Wilbanks. Total, 17.

Nays: Clark, Coppock, Dixon, Fidler, Hutchinson, Jennings, Johnston, Logan, Memminger, Moon, Paul, Powers, Ritzhaupt, Rutherford, Stacey, Taylor, Thomas, Willis. Total, 18.

Not voting: Daugherty, Fischl, Liggett, Morrison, Nichols, Pugh, Reed. Total, 7.

Absent: Curnutt, Waldrep. Total, 2.

The vote occurring on the Nance motion, it was declared adopted.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 10—By GARLAND, GRAHAM, RAWLS, BEARD, PHILLIPS (Okfuskee), and BOYER of the House, and COMMONS, BALLARD, NICHOLS and RIZLEY of the Senate, entitled:

An Act relating to statewide primary and general elections and certain special elections; providing that the expense of such elections shall be paid by the State; except certain items which shall be paid by the counties; fixing per diem of precinct election boards; prescribing the method of paying the State's share of the expense of such election; making an appropriation therefor; providing for the dispensing of counters; providing for the appointment of watchers in special elections; and repealing Senate Bill No. 142 as passed by the Fourteenth Legislature and approved by the Governor on the 27th day of April, 1933, and all laws and parts of laws in conflict therewith; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Commons presiding.

House Bill No. 10 was read at length for the fourth time, the enrolled copy signed, in open session, and ordered returned to the Honorable House.

Senator Chamberlin presiding.

GENERAL ORDER

HOUSE BILL NO. 12, by Cox, et al, of the House,

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and Fidler, MacDonald and Ballard, of the Senate, was taken up for consideration.

Section 1 was read.

Senator Jennings submitted the following amendment, which by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 12, line 3, page 4, by striking after the word, "assigned," the remaining portion of line 3 and lines 4, 5, 6, 7, 8, 9, 10, 12 and 13.

JENNINGS.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 12, line 3, page 4, by striking after the word, "assigned," the remaining portion of line 3, and lines 4, 5, 6, 7, 8, 9, 10, to and including the word, "presentation," on line 11.

JENNINGS.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 12, line 9, page 5, by striking after the word, "any," the remaining portion of line 9 and lines 10, 11 and 12, and inserting the following: "charge or fee be made by any member or agent of the Oklahoma Tax Commission for the issuance of such certificates."

JENNINGS.

Senator Johnston submitted the following amendment, which was tabled, upon motion of Senator Ballard:

Mr. President: I move to amend House Bill No. 12, line 5, page 4, by striking the words, "the taxpayer resided when."

JOHNSTON.

Upon motion of Senator Ballard, Section 1 was adopted.



Section 2 was read and adopted, upon motion of Senator Ballard.

Upon motion of Senator MacDonald, House Bill No. 12 was advanced to engrossment and third reading.

Upon motion of Senator Nance, the rules of the Senate were suspended and House Bill No. 12 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

HOUSE BILL NO. 12 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Ray, Reed, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 37.

Not Voting: Daugherty, Liggett, Pugh, Ritzhaupt, Sowards. Total 5,

Absent: Curnutt, Waldrep. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Ray, Reed, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 37.

Not Voting: Daugherty, Liggett, Pugh, Ritzhaupt,

Sowards. Total, 5.

Absent: Curnutt, Waldrep. 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. 12, and ordered the same transmitted to the Honorable House.

#### GENERAL ORDER

Senator Paul asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 11, by Paul, Nance and Willis.

Upon motion of Senator Paul, Senate Bill No. 11 was advanced to engrossment and third reading.

Senator Paul asked unanimous consent, which was granted, to take up for consideration SENATE BILL NO. 12, by Paul and Nance.

Sections 1, 2, 3, 4, and 5 were read and adopted, upon motions of Senator Paul.

Upon motion of Senator Paul, Senate Bill No. 12 was advanced to engrossment and third reading.

Upon motion of Senator Paul, the rules of the Senate were suspended and Senate Bill No. 12 was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

SENATE BILL NO. 12 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carmack, Chamberlin, Clark, Commons, Daugherty, Fidler, Howard, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Briggs, Carlile, Coppock, Dixon,

Fischl, Garvin, Hutchinson, Liggett, Morrison, Reed, Sowards, Stewart. Total 12.

Absent: Curnutt, Waldrep. 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: Ballard, Carmack, Chamberlin, Clark, Commons, Daugherty, Fidler, Howard, Jennings, Johnston Lester, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not Voting: Briggs, Carlile, Coppock, Dixon, Fischl, Garvin, Hutchinson, Liggett, Morrison, Reed, Sowards, Stewart. Total, 12.

Absent: Curnutt, Waldrep. 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. 12 was ordered referred for engrossment.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 4.—By CHAMBERLIN, COMMONS, PAUL and WHITAKER of the Senate, and BATSON and COX of the House, entitled.

A Concurrent Resolution of the Senate and House

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of Representatives requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to submit to the first extraordinary session of the Fourteenth Legislature a bill or joint resolution, having for its purpose the extension of the 1932 ad valorem taxes, 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 acting speaker in open session.

Respectfully,

R. M. McCool, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 4 was ordered referred for enrollment.

#### FIRST READING

Senator Ritzhaupt asked unanimous consent, which was granted, to introduce the following bill which was read for the first time:

SENATE BILL NO. 15—By SENATE COMMITTEE ON EDUCATION.—An Act empowering and authorizing the Co-ordinating Board of the State of Oklahoma, created by an Act of the Fourteenth Legislature, and commonly designated as House Bill No. 686 approved on the 26th day of April, 1933, in their discretion, to prescribe and fix tuition fees in a just and reasonable sum per scholastic year, for the admission of students at all state supported educational institutions of higher learning in the State of Oklahoma; repealing all laws and parts of law in conflict therewith; and declaring an emergency.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 o'clock a. m., Friday, June 23d, 1933.



## TWENTY-FIFTH LEGISLATIVE DAY

Friday, June 23, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 38.

Absent: Fischl, Liggett, Reed, Sowards, Waldrep. Total, 5.

Excused: Fidler. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 2, Senate Bills Nos. 11 and 12, each, correctly engrossed.

HOWARD, Vice Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 2, as amended, and ordered it transmitted to the Honorable House.

The President, in open session, signed Engrossed Senate Bill No. 12 and ordered it transmitted to the Honorable House.

Senator Commons moved, when the Senate adjourns today, it adjourn to meet under the rules, on Monday, June 26th, which motion prevailed.

#### FIRST READING

The following Resolution was introduced and read for the first time:

SENATE JOINT RESOLUTION NO. 3—By CHAMBERLIN, COMMONS, WHITAKER, PAUL of the Senate and BATSON and COX of the House.—A Resolution authorizing an extension of time of payment of the first half of the 1932 ad valorem taxes in Oklahoma, until June 30, 1933, and authorizing an extension of time for the payment of the last half of the 1932 ad valorem taxes until September 1, 1933, and relieving the taxpayers of all penalty of such taxes if the first half of the same is paid on or before June 30, 1933, and declaring an emergency.

#### GENERAL ORDER

Upon motion of Senator Nichols, SENATE BILL NO. 4, by Nichols and Morrison, was advanced to engrossment and third reading.

Upon motion of Senator Commons, HOUSE BILL NO. 14, by Garland, et al, of the House, and Commons, et al, of the Senate, was ordered stricken from the calendar.

Upon motion of Senator Logan, SENATE RESOLUTION NO. 2, by Logan, Fischl and Curnutt, was ordered stricken from the calendar.

Upon motion of Senator Chamberlin, committee substitute for SENATE BILLS NOS. 2 and 6, by Judiciary Committee No. 1, was ordered stricken from the calendar.

Senator Carmack asked unanimous consent, which

was granted, to advance SENATE BILL NO. 5, by Carmack, to engrossment and third reading.

Upon motion of Senator Whitaker, HOUSE BILL NO. 3, by Gray, was ordered stricken from the calendar.

### SECOND READING

The following bills were read for the second time and referred to the Committees indicated:

SENATE BILL NO. 14—By RITZHAUPT, GARVIN, CARLILE, BRIGGS, MacDONALD, TAYLOR, WALDREP, LOGAN, NICHOLS, NANCE, FISCHL, RAY, DAUGHERTY, WILLIS, POWERS, of the Senate; GARLAND, CHAMBERS, DANIELS, of the House.—Referred to Judiciary Committee No. 2.

SENATE BILL NO. 15—By SENATE COMMITTEE ON EDUCATION.

Senator Ritzhaupt asked unanimous consent, to which objections were voiced, to refer Senate Bill No. 15 to the calendar, without reference to a Committee.

Senator Ballard moved that further consideration of Senate Bill No. 15 be indefinitely postponed, which motion was tabled, upon motion of Senator Ritzhaupt, the roll call thereon being as follows:

Aye: Carmack, Chamberlin, Commons, Daugherty, Garvin, Howard, Johnston, Lester, Memminger, Nichols, Paul, Pugh, Ray, Ritzhaupt, Taylor, Whitaker, Willis. Total, 17.

Nays: Ballard, Clark, Coppock, Curnutt, Dixon, Logan, Powers, Rizley, Stacey, Stewart. Total, 10.

Not voting: Briggs, Carlile, Hutchinson, Jennings, MacDonald, Moon, Morrison, Nance, Rutherford, Thomas, Wilbanks. Total, 11.

Absent: Fischl, Liggett, Reed, Sowards, Waldrep. Total, 5.

Excused: Fidler. Total, 1.

The President referred Senate Bill No. 15 to the Committee on Education.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Concurrent Resolution No. 4 correctly enrolled.

HOWARD, Vice Chairman.

The President, in open session, signed Enrolled Senate Concurrent Resolution No. 4 and ordered it transmitted to the Honorable House, for the signature of the Speaker.

### THIRD READING

Upon the request of Senator Paul, consideration of SENATE BILL NO. 11 was deferred until later in this legislative day.

Senator Nichols moved that the rules of the Senate be suspended and SENATE BILL NO. 4 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

### THIRD READING

SENATE 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: Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Jennings, Johnston, Lester, Logan, Memminger, Moon, Nichols, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Whitaker, Willis. Total, 25.

Nays: Ballard, Nance, Paul, Wilbanks. Total, 4.

Not voting: Briggs, Carlile, Carmack, Dixon, Hutchinson, MacDonald, Morrison, Ray, Taylor. Total, 9.

Absent: Fischl, Liggett, Reed, Sowards, Waldrep. Total, 5.

Excused: Fidler. 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: Ballard, Chamberlin, Clark, Commons, Coppock, Curnutt, Daugherty, Garvin, Howard, Jennings, Johnston, Lester, Logan, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Briggs, Carlile, Carmack, Dixon, Hutchinson, MacDonald, Morrison, Ray. Total, 8.

Absent: Fischl, Liggett, Reed, Sowards, Waldrep. Total, 5.

Excused: Fidler. 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. 4 was ordered referred for engrossment.

Upon motion of Senator Chamberlin, the Senate recessed for 10 minutes.

The Senate reassembled, with the President presiding.

### THIRD READING

SENATE BILL NO. 11 was considered.

Senator Paul asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 11, line 1, page 11, by adding after the figure, "1," and before the word, "none," the following, "from and after January 1st, 1934."

STEWART.

SENATE BILL NO. 11 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Clark, Commons, Coppock, Currutt, Daugherty, Dixon, Jennings, Johnston, Lester, Logan, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Carlile. Total, 1.

Not voting: Briggs, Carmack, Chamberlin, Garvin, Howard, Hutchinson, MacDonald, Rutherford, Total, 8.

Absent: Fischl, Liggett, Reed, Sowards, Waldrep. Total, 5.

Excused: Fidler. Total, 1.

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. 11 was referred for re-engrossment.

Senator Nance moved that a Committee of 3 be appointed, to work with a like committee from the Honorable House, in perfecting a bill, revising the laws relating to the bonding of county treasurers.

The motion prevailed, the President appointing as such special Committee, Senators Nance, Willis and Dixon.

Senator Nance asked unanimous consent, which was granted, to be relieved of serving on the Special Committee, appointed under his motion, requesting the appointment of Senator Briggs in his stead.

#### GENERAL ORDER

SENATE BILL NO. 13, by Paul, Powers and Willis, of the Senate, and Hankla, of the House, was considered.

Section 1 was read.

Senator Willis submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 13, lines 5 and 6, page 3, by changing the word, "statements," to "ledgers"

WILLIS.

Upon motion of Senator Paul, Section 1, as amended, was adopted.

Section 2 was read and adopted, upon motion of Senator Paul.

Sections 3, 4, 5, 6, 7, 8 and 9 were read and adopted, upon motions of Senator Willis.

Senator Johnston asked unanimous consent, which was granted, to amend Senate Bill No. 13, by striking the words, "Commissioners of the Land Office," wherever they may appear and inserting the words, "School Land Commission."

Upon motion of Senator Willis, Senate Bill No. 13 was advanced to engrossment and third reading.

Upon motion of Senator Willis, the rules of the Senate were suspended and Senate Bill No. 13 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SENATE 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: Ballard, Clark, Commons, Coppock, Currutt, Daugherty, Dixon, Garvin, Hutchinson, Jennings, Johnston, Lester, Logan, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Briggs, Carlile, Carmack, Chamberlin, Howard, MacDonald, Morrison, Ray. Total, 8.

Absent: Fischl, Liggett, Reed, Sowards, Waldrep. Total, 5.

Excused: Fidler. 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: Ballard, Clark, Commons, Coppock, Curnutt, Daugherty, Dixon, Garvin, Hutchinson, Jennings, Johnston, Lester, Logan, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Briggs, Carlile, Carmack, Chamberlin, Howard, MacDonald, Morrison, Ray. Total, 8.

Absent: Fischl, Liggett, Reed, Sowards, Waldrep. Total, 5.

Excused: Fidler. 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. 13 was ordered referred for engrossment.

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: Carmack, Chamberlin, Clark, Commons, Daugherty, Howard, Johnston, Lester, Memminger, Nance, Nichols, Paul, Pugh, Taylor, Thomas, Whitaker, Willis. Total, 17.

Nays: Ballard, Coppock, Hutchinson, Jennings, Logan, Powers, Ritzhaupt, Rizley, Rutherford, Stacey, Wilbanks. Total, 11.

Not voting: Briggs, Carlile, Curnutt, Dixon, Gar-



vin, MacDonald, Moon, Morrison, Ray, Stewart. Total, 10.

Absent: Fischl, Liggett, Reed, Sowards, Waldrep. Total, 5.

Excused: Fidler. Total, 1.

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 Carmack served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 5 failed of passage.

Upon motion of Senator Commons, the Senate adjourned to meet under the rules on Monday, June 26th, 1933.

## TWENTY-SIXTH LEGISLATIVE DAY

Monday, June 26, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President, who announced a quorum of the Senate was not present.

The Senate was declared at ease until 1:45 p. m.

The Senate reassembled, with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Carlile, Chamberlin, Curnutt, Fidler, Fuchs, Garvin, Howard, Hutchinson, Johnston, Liggett, Lyman, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Rutherford, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 32.

Absent: Briggs, Carmack, Commons, Coppock, Dixon, Lester, Paul, Powers, Sowards. Total, 9.

Excused: Clark, Daugherty, Jennings. Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 4—By CHAMBERLIN, COMMONS and WHITAKER of the Senate, and BATSON and COX of the House, entitled:

A Concurrent Resolution of the Senate and House of Representatives requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to submit to the First Extraordinary Session of the Fourteenth Legislature a Bill or Joint Resolution, having for its purpose the extension of the 1932 and valorem taxes, and to advise you, and through you, the Honorable Senate that the same has been signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 4 was ordered referred to the Secretary of State.

To the President of the Senate,

Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 12—By COX, COE, CONNER, CAVINS, ABERNATHY (Pott.), ANGLIN, BOYER, BRAZELL, BROADDUS, CLINE, COPELAND, DANIELS, DUKE, EBY (Tulsa), GARLAND, GLENN, GRAHAM, HARP, HAYS, HENDERSON, HINDS, HUTCHINGS, JONES, KENAN, LEE-CRAFT, LOWRANCE, MARSHALL, MARTIN, MISENHEIMER, MOONEY, MORSE, OTTESEN, PARKS, PAXTON, ROBERTS, SHOEMAKE, SMALLEY, SPEAR, STEWART, STRICKLAND (Marshall), SULLIVAN, STURGELL, WAGNER, WHITFORD, WOOTEN, LOGSDON, PALMER, DARKS, CLOYD, HUGHES, HAILE, GRAY, WILLIAMS, ALLEN, BLOCKER, REMUND, PHILLIPS (Okfuskee), GRIS-SO, SUTHERLAND, ULMARK, HART, SINGLETON, GRUNERT, GIBSON, ABERNETHY (Harmon), CHILDERS, WORTHINGTON, LANDINGHAM, MUNSON, KING (Creek), COLLINS, BEAVER,

CAVITT, TURNER, McELHANEY, SPECK, HANKLA, FRALEY, BENNETT, WINGO, WATSON, LINDSEY, BURNHAM, JOHNSON (Comanche), JOHNSON (Osage), BEAMAN, ELLIS, MALLORY, EASON, EBEL (Pontotoc), ARMSTRONG, HOLLIMAN, RAWLS, BATSON, ALBRIGHT, JESSEE, STRICKLAND (Pontotoc), WILMOT, TIMMONS, CHAMBERS, DOUTHAT, O'NEILL, MRS. DAVIS, NEILL, FITZGERALD, HOGG, BABB, BUSHYHEAD, HILL, TODD and WRIGHT, of the House, and FIDLER, MacDONALD and BALLARD of the Senate.

An Act providing for refunds to motor vehicle owners who purchased licenses for the year 1933 to the effective date of House Bill 305, Fourteenth Legislature, 1933; authorizing the issuance of refund certificates in payment of such refunds; authorizing the acceptance of such refund certificates in payment of motor vehicle license fees to January 1, 1935; limiting the issuance of such refund certificates to December 21, 1933; authorizing the assignment of such refund certificates and limiting their acceptance to the county where original taxpayer resided except where such taxpayer has removed to another county; providing for the issuance of such refund certificates, for expenses therefor and for the enforcement of this Act by the Oklahoma Tax Commission; amending Section 12304, Oklahoma Statutes 1931; 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 Acting Speaker, in open session.

Respectfully,

R. M. McCOOL, Chief Clerk

House Bill No. 12 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

Senator Howard submitted the following Committee Report:



Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 4, 11 and 13, each, correctly engrossed.

HOWARD, Vice Chairman.

The President, in open session, signed Engrossed Senate Bills Nos. 4, 11 and 13 and ordered each transmitted to the Honorable House for consideration.

A telegram, addressed to the President of the Senate, from Joe E. Storey, superintendent of schools at Waurika, was read, urging the passage of the sales tax, with the emergency, after which it was referred to the Committee on Revenue and Taxation.

#### SECOND READING

The following resolution was read for the second time and, by unanimous consent, ordered referred to the calendar without reference to a committee:

SENATE JOINT RESOLUTION NO. 3—By CHAMBERLIN, COMMONS, WHITAKER, PAUL of the Senate and BATSON and COX of the House.

Upon motion of Senator Whitaker, the Senate recessed for two hours.

The Senate, at 4:30 p. m., reassembled, with the President presiding

Upon motion of Senator Morrison, the Senate adjourned to meet under the rules.

## TWENTY-SEVENTH LEGISLATIVE DAY

Tuesday, June 27, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 39.

Absent: Carmack, Liggett. Total, 2.

Excused: Curnutt, Daugherty, Jennings. Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has refused to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 2—By MAL-  
LORY and SUTHERLAND.

An Act providing for relief from ad valorem taxation by levying a sales tax upon the gross proceeds derived from all sales of goods, wares and merchandise, including food, confections and drinks prepared by

hotels, restaurants or other dispensers and served or otherwise disposed of, and from all sales of tickets or admissions to places of amusement, and from all sales of electricity and gas, and from all sales of telephone, telegraph and radiocasting services; defining terms; prescribing the rates of such taxes; prescribing certain exemptions; providing for the disposition of the revenues arising hereunder; providing for the computation and collection of such taxes and for the enforcement of this Act by the Oklahoma Tax Commission; providing for the expenses of such collection and enforcement; empowering said commission to prescribe rules and regulations for the enforcement of this Act; prescribing penalties for the violation of this Act; authorizing refunds, making such taxes and penalties a lien on vendor's property; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable; repealing conflicting laws, and respectfully asks your Honorable Body for a conference thereon, and that the conference committee be composed of five members of the Senate and five members of the House of Representatives. The Speaker has appointed Representatives Leecraft, Massey, Johnson (Osage), Speck, and Wingo as Conferees.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Commons, the request of the Honorable House, for a conference on Engrossed House Bill No. 2, was ordered granted, the President appointing as Senate conferees thereunder, Senators Commons, Whitaker, Nichols, MacDonald and Fidler.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

*Twenty-seventh Day, Tuesday, June 27, 1933* 239

ENGROSSED HOUSE BILL NO. 18—By BAT-  
SON.

An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the Permanent Journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of said Session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Bill No. 18.

The following Messages from the Governor were received and read:

TO THE HONORABLE, THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:  
Gentlemen:

I hereby acknowledge the receipt of House Concurrent Resolution No. 9, of the Fourteenth Legislature of the State of Oklahoma, Special Session, requesting that the Governor of the State of Oklahoma address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma, opening up for its consideration the subject of the ratification of the proposed child labor amendment of the Constitution of the United States of America.

Inasmuch as this is a question that must be determined sooner or later, I hereby submit the subject proposed in said House Concurrent Resolution No. 9, to



the Fourteenth Legislature of the State of Oklahoma, at its present session for such action as may be deemed proper by said Legislature.

DONE, this 26th day of June, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA, Wm. H. MURRAY.

The Governor's message, was ordered referred to the Committee on Commerce and Labor.

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 10—By GARLAND, GRAHAM, RAWLS, BEARD, PHILLIPS (Okfuskee), and BOYER of the House, and COMMONS, BALLARD, NICHOLS and RIZLEY of the Senate.

An Act amending Enrolled Senate Bill Number 142—By Stewart, Memminger, Nance, Chamberlin, Ritzhaupt, Curnutt, Briggs, Taylor, Pugh, Howard, Lester and Commons of the Senate and Childers, Blocker and Massey of the House, as passed by the Regular Session of the Fourteenth Legislature of the State of Oklahoma, and signed by the Governor on the 27th day of April, 1933, by repealing Section Five thereof and renumbering the Sections; providing that in Special elections where only one proposition is to be voted upon by the people, counters shall be dispensed with in the several precincts of the State; prescribing the manner thereof, and declaring an emergency, which Bill I have this day signed and approved.

Witness my hand, this June 26th, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA, Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

*Twenty-seventh Day, Tuesday, June 27, 1933* 241

This is to advise you that I have filed with the Secretary of State

ENROLLED HOUSE BILL NO. 12.

An Act providing for refunds to motor vehicle owners who purchased licenses for the year 1933 to the effective date of House Bill 305, Fourteenth Legislature, 1933; authorizing the issuance of refund certificates in payment of such refunds; authorizing the acceptance of such refund certificates in payment of motor vehicle license fees to January 1, 1935; limiting the issuance of such refund certificates to December 31, 1933; authorizing the assignment of such refund certificates and limiting their acceptance to the county where original taxpayer resided except where such taxpayer has removed to another county; providing for the issuance of such refund certificates, for expenses therefor and for the enforcement of this Act by the Oklahoma Tax Commission; amending Section 12304, Oklahoma Statutes 1931; and declaring an emergency, which Bill I have this day signed and approved.

Witness my hand, this June ----, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA, Wm. H. MURRAY.

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

ENROLLED HOUSE BILL NO. 16.

An Act making an appropriation of Two Thousand Dollars for supplies, extra help, communication and sundry expenses, in the office of the State Treasurer; and declaring an emergency,

which bill I have this day signed and approved.

Witness my hand, this June 23d, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA, Wm. H. MURRAY.

## GENERAL ORDER

SENATE CONCURRENT RESOLUTION NO. 6, by MacDonald, was taken up for consideration and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 6—By MacDonald.

A CONCURRENT RESOLUTION URGING THE ADMINISTRATOR OF FEDERAL INDUSTRIAL RECOVERY ACT, TO CALL A CONFERENCE OF REPRESENTATIVES FROM OIL PRODUCING STATES, REGULATING UNIFORM TAX LEGISLATION OR THE IMPOSITION OF A SEVERANCE TAX TO BE IMPOUNDED AND HELD IN TRUST IN EACH STATE AGAINST THE EXHAUSTION OF OIL AND GAS RESOURCES.

WHEREAS, in the past the taxation of the oil industry by the state, has been almost as chaotic as the conduct of the industry itself in the various states: in some states one system of taxation has obtained, in others a different system; in some states oil may pay more than its fair share of the operating expenses of the states, in others less. No effort has been made to secure uniformity of taxation, and in many instances the oil industry has played state against state by threatening to discriminate against the state that imposes the highest tax; and

WHEREAS, though oil is an exhaustible resource, and the oil states will, within a limited term of years, lose what is now their largest single source of revenue, aside from agriculture, no attempt has been made in any oil state, to impose a severance tax and impound for succeeding generations a share of the vast wealth now being produced for the benefit of the people of all the states; and

WHEREAS, under the new federal industrial con-

trol act it has been made possible for the first time to treat the oil industry as a whole, and under this act a national code is being drafted, to be approved by the federal administrator, acting for the President, under which wages and hours of labor will be standardized in the various oil-producing states, production will be limited to consumption and apportioned equitably among the various states, adequate prices will be guaranteed, the dumping of cheap foreign oil will be controlled, and consumers will be protected against excessive prices; and

WHEREAS, it is essential, under this new administration of the oil industry, that taxation by the various states be standardized, in so far as possible, and especially that provision be made for severance taxes, since it is but simple justice that the people of the nation, in whose service the oil and gas resources of the various states are being expended, should make provision whereby the states now producing oil and gas should not suffer when these vast natural resources are exhausted;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN, THAT:

The Administrator of the Federal Industrial Recovery Act be urged to call together the representatives of the oil industry and labor, representatives of the tax authorities of the various oil-producing states, to the end that provision be made for uniform tax legislation, to be submitted to the legislatures of all the states, under which fair and reasonable taxes may be imposed, uniform throughout the states, and especially that provision be made, in the states willing to take advantage of the provision, for the imposition of a severance tax, to be impounded and held in trust in each state against the exhaustion of oil and gas resources; and



BE IT FURTHER RESOLVED that copies of this resolution be sent to the President of the United States and the Federal Administrator, to the officials of the oil and gas code commission, and to the governors and tax authorities of the various oil producing states, with the request that immediate and concerted action be taken to bring about the uniform taxation which should be imposed, for the protection of the various states, as well as for the producers and for consumers generally.

Upon motion of Senator MacDonald, Senate Concurrent Resolution No. 6 was adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Chamberlin, Clark, Commons, Fischl, Garvin, Howard, Johnston, Lester, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Stacey, Thomas, Whitaker, Wilbanks, Willis. Total, 25.

Nays: Fidler, Rutherford. Total, 2.

Not voting: Ballard, Coppock, Dixon, Hutchinson. Moon, Morrison, Ritzhaupt, Rizley, Sowards, Stewart, Taylor, Waldrep. Total, 12.

Absent: Carmack, Liggett. Total, 2.

Excused: Curnutt, Daugherty, Jennings. Total, 3.

Senate Concurrent Resolution No. 6 was ordered referred for engrossment.

Senator Commons moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted "absent": Senators Ballard, Briggs, Carmack, Coppock, Dixon, Garvin, Liggett, MacDonald, Morrison, Reed, Ritzhaupt, Rizley, Sowards, Taylor and Waldrep.

The Sergeant-at-Arms was instructed to notify all absent members of the Senate's proceedings.

The following members of the Senate asked to be recorded "present," which was the order: Senators

Ritzhaupt, Briggs, Reed, Sowards, MacDonald, Garvin and Morrison.

Upon motion of Senator Whitaker, the Committee on Legislative Affairs was instructed to provide electric fans for the rear of the Senate Chamber.

Senator Whitaker moved that the motion be lifted from the table, by which the motion, to reconsider the vote by which HOUSE BILL NO. 1 failed of passage, was tabled, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Chamberlin, Commons, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Stacey, Whitaker, Wilbanks, Willis. Total, 22.

Nays: Clark, Fidler, Hutchinson, Logan, Moon, Morrison, Powers, Ritzhaupt, Rutherford, Stewart, Thomas. Total, 11.

Not voting: Ballard, Coppock, Dixon, Rizley, Taylor, Waldrep. Total, 6.

Absent: Carmack, Liggett. Total, 2.

Excused: Curnutt, Daugherty, Jennings. Total, 3.

Senator Moon moved that the Senate adjourn, to meet under the rules.

Senator Whitaker raised a point of order against the announced result of the roll call on the Whitaker motion, declaring its adoption required only a majority vote.

Senator Moon raised a point of order, stating his motion to adjourn was properly before the Senate, which point was sustained.

The vote occurring on the Moon motion, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Clark, Fidler, Moon, Morrison, Powers, Rutherford. Total, 6.

Nays: Briggs, Carlile, Chamberlin, Fischl, Garvin, Howard, Hutchinson, Johnston, Lester, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed,

Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 27.

Not voting: Ballard, Commons, Coppock, Dixon, Rizley, Waldrep. Total, 6.

Absent: Carmack, Liggett. Total, 2.

Excused: Curnutt, Daugherty, Jennings. Total, 3.

Senator Whitaker renewed his point of order against the announced result of the roll call on his motion, to lift from the table the motion, regarding House Bill No. 1.

The President declared he had not officially announced the result of the roll call on the Whitaker motion, regarding House Bill No. 1, except as to the vote, declaring the Whitaker point of order sustained.

Senators Ballard, Dixon and Taylor asked to be recorded "present," which was the order.

The President announced the MacDonald motion, to reconsider the vote by which House Bill No. 1 failed of passage, was before the Senate.

Upon motion of Senator Chamberlin, the previous question was ordered.

The vote occurring on the MacDonald motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Fischl, Garvin, Howard, Johnston, Lester, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Dixon, Fidler, Hutchinson, Moon, Morrison, Powers, Rutherford, Stewart, Waldrep. Total, 9.

Not voting: Coppock, Rizley. Total, 2.

Absent: Carmack, Liggett. Total, 2.

Excused: Curnutt, Daugherty, Jennings. Total, 3.

Senator Whitaker moved that House Bill No. 1 be referred to the Special Committee, appointed in the Democratic caucus, on the last legislative day.

Senator Hogan moved to amend the Whitaker motion, by providing that the Chairman of the Revenue and Taxation Committee be appointed as Chairman of a Special Committee, other members to be selected by such Chairman, to consider House Bill No. 1, which motion was tabled, upon motion of Senator Paul.

Senator Fischl moved to amend the Whitaker motion, by providing that House Bill No. 1 be referred to a Special Committee of eleven members, to be appointed by the President of the Senate, with the Chairman of the Revenue and Taxation Committee as the Chairman of said special committee, which motion was tabled, upon motion of Senator Commons.

Senator Nance announced the following as the Special Committee, appointed in the Democratic Caucus, for the purpose of considering House Bill No. 1: Senators Ballard, Carlile, Liggett, MacDonald, Memminger, Nance, Nichols, Whitaker and Willis.

Senator Coppock asked to be recorded "present," which was the order.

The vote occurring on the Whitaker motion, it was declared adopted.

Upon motion of Senator Whitaker, Senators Dixon and Rizley were added as members of the Special Committee, appointed to consider House Bill No. 1.

Upon motion of Senator Commons, the Senate adjourned to meet under the rules.



TWENTY-EIGHTH LEGISLATIVE DAY  
Wednesday, June 28, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Absent: Carmack, Liggett. Total, 2.

Excused: Daugherty. Total, 1.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

COMMITTEE REPORT

The following Committee Report was submitted, the bill ordered printed and placed upon the calendar:

Mr. President: We, your Judiciary Committee No. 2, to whom was referred Senate Bill No. 14, by Ritzhaupt, Garvin, Carlile, Briggs, MacDonald, Taylor, Waldrep, Logan, Nichols, Nance, Fischl, Ray, Daugherty, Willis and Powers of the Senate; and Garland, Chambers, and Daniels of the House, entitled:

A Bill entitled an Act to establish a law enforcing organization to be known as the Oklahoma State Rangers; providing for the appointment of a Colonel by the Governor with the advice and consent of the Senate and requiring him to furnish bond; specifying his term of office and providing for his removal; providing for

a headquarters staff and designating the members and numbers thereof; providing for the appointment of other etc.,

beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the Committee substitute as revised by the authors, do pass.

CHAMBERLIN, Chairman.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Concurrent Resolution No. 6 correctly engrossed.

HOWARD, Vice Chairman.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 6 and ordered it transmitted to the Honorable House, for consideration.

Senator Commons moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted "absent:" Senators Briggs, Carlile, Carmack, Dixon, Fischl, Garvin, Hutchinson, Liggett, Reed, Rutherford, Waldrep and Whitaker.

The Sergeant-at-Arms was instructed to notify all "absent" members of the Senate's proceedings.

Senators Hutchinson, Reed and Fischl asked to be recorded "present," which was the order.

#### SECOND READING

The following bill was read for the second time and, by unanimous consent, ordered placed upon the calendar without reference to a Committee:

ENGROSSED HOUSE BILL NO. 18—By Batson.

Upon motion of Senator Commons, House Bill No. 18 was advanced to engrossment and third reading.

#### GENERAL ORDER

HOUSE BILL NO. 8, by Committee on Appropriations, was taken up for consideration.

Section 1 was read.

Senator Memminger submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 8, line 9, page 3, by adding after the word, "fund," the following: "Provided no member of the Coordinating Board shall be paid or shall accept any part of the funds herein appropriated until the appointment of such member shall have been confirmed by the State Senate, as provided by law."

MEMMINGER.

Upon motion of Senator MacDonald, Section 1, as amended, was adopted.

Upon motion of Senator MacDonald, House Bill No. 8 was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and House Bill No. 8 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

HOUSE BILL NO. 8 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Chamberlin, Clark, Commons, Currutt, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Hutchinson, Rizley, Stacey. Total, 4.

Not voting: Briggs, Carlile, Dixon, Garvin, Morrison, Rutherford, Waldrep. Total, 7.

Absent: Carmack, Liggett. Total, 2.

Excused: Daugherty. Total, 1.

The Bill having received the constitutional ma-

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: Ballard, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Howard, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Coppock, Hutchinson, Rizley, Stacey. Total, 4.

Not voting: Briggs, Carlile, Dixon, Garvin, Morrison, Rutherford, Waldrep. Total, 7.

Absent: Carmack, Liggett. Total, 2.

Excused: Daugherty. 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. 8, as amended, was referred for engrossment.

Senators Briggs, Dixon and Rutherford asked to be recorded "present," which was the order.

Senator Fischl was recognized on a point of personal privilege.

Upon motion of Senator Ray, a vote of confidence was extended Senator Fischl.

Senator Curnutt moved that the call of the House be lifted, which motion failed of adoption.

Senator Garvin asked to be recorded "present," which was the order.

#### MESSAGE

The following Message from the Honorable House was received and read:



To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 7—By BOYER, entitled:

A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of the ratification of the proposed 21st article of amendment to the constitution of the United States of America,

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 acting speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Nichols asked unanimous consent, which was granted, to take up for immediate consideration House Concurrent Resolution No. 7, which was read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 7—By BOYER.

A CONCURRENT RESOLUTION REQUESTING THE HONORABLE WILLIAM H. MURRAY, GOVERNOR OF THE STATE OF OKLAHOMA, TO ADDRESS A COMMUNICATION TO THE EXTRAORDINARY SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA OPENING UP FOR ITS CONSIDERATION THE SUBJECT OF THE RATIFICATION OF THE PROPOSED 21ST ARTICLE OF

AMENDMENT TO THE CONSTITUTION  
OF THE UNITED STATES OF AMERICA.

WHEREAS, the Congress of the United States has proposed an amendment to the Constitution of the United States known as the "21st Article of Amendment," and

WHEREAS, it is necessary for said proposed amendment to be ratified by three-fourths of the states of the United States before same will become effective, and

WHEREAS, the subject of the ratification of said amendment cannot be considered by the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma except pursuant to a communication from the Governor of the State of Oklahoma opening up said subject for its consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EXTRAORDINARY SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, THE SENATE CONCURRING THEREIN:

SECTION 1. The Honorable William H. Murray, Governor of the State of Oklahoma, be and he is hereby respectfully requested to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of the ratification of the proposed 21st Article of Amendment to the Constitution of the United States of America.

Upon motion of Senator Nichols, House Concurrent Resolution No. 7 was adopted, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Chamberlin, Commons, Dixon, Fidler, Fischl, Jennings, Lester, Logan, MacDonald, Moon, Morrison, Nichols, Paul, Powers, Ray, Ritzhaupt, Rizley, Rutherford, Stewart, Whitaker, Wil-

banks. Total, 23.

Nays: Clark, Coppock, Curnutt, Garvin, Howard, Hutchinson, Johnston, Nance, Pugh, Reed, Sowards, Stacey, Taylor, Thomas, Willis. Total, 15.

Not voting: Carlile, Memminger, Waldrep. Total, 3.

Absent: Carmack, Liggett. Total, 2.

Excused: Daugherty. Total, 1.

The President, in open session, signed Engrossed House Concurrent Resolution No. 7 and ordered it returned to the Honorable House.

#### COMMITTEE REPORT

By unanimous consent, the following Committee Report was submitted and read:

Mr. President: We, your Special Committee to which was referred Engrossed House Bill No. 1, beg leave to report that we have had the same under consideration and recommend that the same do pass with the following amendments:

Amendment No. 1. That the Whitaker amendment to Section 6, adopted on June 19, 1933, and shown on page 205 and page 206 of the daily Senate Journal, be stricken; and that, in lieu thereof, the following amendment be adopted:

By striking in line 3, page 13, Section 6 (a) of House Bill No. 1, the word "normal" after the word "A" and before the word "tax"; also, by striking in line 14, page 13, Section 6 (b), after the word "the" and before the word "tax", the word "normal"; also, by striking on page 14 of Section 6 (5) lines 8 and 9 and inserting the following:

(5) Five per centum of the next \$4,000.00 of such excess amount;

(6) Six per centum of the remainder of such excess amount;

Also, amend Section 6, page 14, line 10, by striking the word "normal"; also amend Section 6, page 15,

by striking lines 4 and 5, and inserting the following:

(5) Five per centum of the next \$4,000.00 of such excess amount;

(6) Six per centum of the remainder of such excess amount.

Amendment No. 2. At line 7, page 26, by striking all of said line after the word "Act" and by striking all of lines 8, 9, 10, 11, 12, 13 and 14 and by inserting in lieu thereof the following:

And provided further that, in the case of income derived from oil and/or gas wells, any such tax payer may at his option deduct as an allowance for depletion, in lieu of the calculation of depletion as otherwise provided herein, twenty per centum of the gross income from such property during the taxable year, excluding from such gross income an amount equal to any rents and royalties paid or incurred by the tax payer in respect of the property. Such allowance shall not exceed 50 per centum of the net income of the tax payer (computed without allowance for depletion) from the property.

Amendment No. 3. By striking on page 29, line 11, Section 12 (c), the figures \$1,000.00 and insert in lieu thereof the figures \$500.00.

Amendment No. 4. That the Whitaker amendment to Section 17, adopted on June 20, 1933, and shown on page 221 of the daily Senate Journal, be stricken; and that, in lieu thereof, the following amendment be adopted:

Line 12, page 46, Section 17 (a), by striking, after the word "the" and before the word "tax", the word "normal"; also, by striking lines 11 and 12, page 47, Section 17 (5), and inserting the following:

"(5) Five per centum of the next \$4,000.00 of such excess amount; and

(6) Six per centum of the remainder of such excess amount."



Also, amend Section 17, page 47, by striking lines 13, 14, 15, 16 and 17.

Amendment No. 5. That the Whitaker amendment to Section 18, adopted on June 20, 1933, and shown on page 222 of the daily Senate Journal, be stricken; and that, in lieu thereof, the following amendment be adopted:

Line 11, page 48, Section 18 (a), by striking, after the word "the" and before the word "tax", the word "normal"; also, amend Section 18 (5), page 49, by striking lines 11 and 12, and inserting the following:

"(5) Five per centum of the next \$4,000.00 of such excess amount; and

(6) Six per centum of the remainder of such excess amount."

Also, amend Section 18, page 49, by striking lines 13, 14, 15, 16 and 17.

Amendment No. 6. That the Powers amendment to Section 19, adopted on June 20, 1933, and shown on page 222 of the daily Senate Journal, be stricken; and that, in lieu thereof, the following amendments be adopted:

Line 9, page 51, Section 19 (a) by striking, after the word "from" and before the word "state", the word "federal"; and by changing the period, after the word "whatsoever" in line 11, page 51, to a semicolon and by inserting thereafter the following words: "provided that the interest upon the obligations of the United States or its possessions, or upon securities issued under authority of an Act of Congress, the income from which is tax-free, shall not be included in such gross income."

Amendment No. 7. That the Briggs amendment to Section 19, adopted on June 20, 1933, and shown on page 224 of the daily Senate Journal, be stricken.

Amendment No. 8. That the title be amended, after the word "annual" and before the word "tax" on

line 3 of such title, by striking the word "normal"; and by striking, after the word "tax" on said line, the words "and a surtax".

WHITAKER, Chairman.

The amendments are to the printed copy of the bill.

Senator Whitaker moved the adoption of the Committee Report on House Bill No. 1.

Senator Curnutt, as a substitute, moved that the report of the Committee on House Bill No. 1 be printed in the journal and consideration deferred until the next legislative day.

Senator Carlile asked to be recorded "present," which was the order.

Senator Briggs, in lieu of all pending motions, moved that the report of the Committee on House Bill No. 1 be approved and each section of the bill, as amended by the report, be printed.

Senator Paul moved to amend the Briggs motion, by striking the word, "printed," and inserting the word, "mimeographed," which motion was adopted.

Senator Waldrep asked to be recorded "present," which was the order.

President Pro Tempore Stewart presiding.

The vote occurring on the Briggs motion, as amended, it was declared adopted.

Upon motion of Senator Logan, the call of the House was ordered lifted.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESO-

LUTION NO. 19—By BEAMAN and ABERNATHY (Pott.) and COX, entitled:

A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of amending the statutes of limitations by extending the time within which prosecution may be instituted for the violation by public officials of a public trust and the embezzlement of public funds, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Under the rules, House Concurrent Resolution No. 19 was ordered printed and placed upon the calendar. To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 10—By CURNUTT, entitled:

An Act amending Section 9 of House Bill No. 107, passed by the Fourteenth Legislature of the State of Oklahoma, and approved on the 26th day of April, 1933, by the Governor of the State of Oklahoma, amending Section 5630, Oklahoma Statutes, 1931, relating to investment of public funds in farm mortgages, repealing all Acts and parts of Acts in conflict herewith: and declaring an emergency,  
and to advise you, and, through you, the Honorable

*Twenty-eighth Day, Wednesday, June 28, 1933* 259

Senate that the same has been passed by the House of Representatives, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 10 were read, as follows:

Amendment No. 1. That Sturgell of the House be added as joint author.

Amendment No. 2. On page 3, on line 13 after the word "lands" strike the remainder of (g-1) and add the following: "except on the agricultural value of such lands only."

Upon motion of Senator Commons, the Senate adjourned, to meet under the rules.



## TWENTY-NINTH LEGISLATIVE DAY

Thursday, June 29, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Excused: Daugherty, Hutchinson. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### THIRD READING

HOUSE BILL NO. 18 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carmack, Clark, Commons, Curnutt, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Nichols, Paul, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 31.

Nays: Coppock, Powers. Total, 2.

Not voting: Briggs, Carlile, Chamberlin, Howard, Morrison, Nance, Pugh, Waldrep, Whitaker. Total, 9.

Excused: Daugherty, Hutchinson. 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: Ballard, Carmack, Clark, Commons, Curnutt, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Nichols, Paul, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Wilbanks, Willis. Total, 31.

Nays: Coppock, Powers. Total, 2.

Not voting: Briggs, Carlile, Chamberlin, Howard, Morrison, Nance, Pugh, Waldrep, Whitaker. Total, 9.

Excused: Daugherty, Hutchinson. 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, in open session, signed the engrossed copy of House Bill No. 18, and ordered the same transmitted to the Honorable House.

#### MESSAGE

The following Message from the Governor was received and read:

TO THE HONORABLE STATE SENATE,  
FOURTEENTH LEGISLATURE:

Gentlemen:

Report has come to me that a group of senators have gotten together and agreed upon an Income Tax Bill, and that the provisions of the Bill that are material and important are these:

Reduction of the rate to 6 per cent from 10;

Certain exemptions for the banks;

Depletion of 20 per cent instead of 27.

Now, the vital part of this Bill is the "Depletion

Clause," that permits the oil companies, and particularly the major ones, to escape. That is more important than rate, because, with such "depletion," they cannot be reached by any rate, whether it be 6 or 10.

The professional man has nothing in the Bill, nor has the ordinary business man, for depletion on his brains or goods. Depletion of cost is in the former bill, and that is all they are entitled to.

I was satisfied a week ago that you would not enact a good law, with the Emergency; and, now, it would appear to any analytical mind that some of the senators are trying to enact anything for an excuse, leading the people to believe the Senate had done something, when, as a matter of truth, the Bill would be very little better than the present law. But, I assure those gentlemen that they will not get away with it in the public mind.

I have told you before that I would veto such a Bill, and why can't you submit the old bill that you passed in the regular session to the people on the 15th of August, since the men most responsible for the defeat of the Bill plead, during the first days of this session, for an opportunity for the people to vote? Why not give them that opportunity?

In my message upon the convening of the Legislature in January, I submitted a complete program that would pay the debts, State and local; that would keep the Government in operation, economically administered, with recommendations for such economy; and to keep the common schools open.

You carried that program out, but did not fortify your work on the Revenue Bills, by leaving the Emergency off. Compromises that destroy should not be made just to fool the public. That contemptible method is the cause of the present condition of the country.

I re-convened you into this Extraordinary Session, in order that you might fortify that record, believing

that you would at least be faithful enough to your own record, if not steadfast to a course, for as long as sixty days; but, in that, I was mistaken; and I repeat, as I told a group of senators a week ago, their only hope is to submit all these bills to the people; and, when you propose it, you will find that the men who have upset the program, like Fidler, Rutherford, Jennings, Logan, Ballard, Dixon, and Curnutt, will then be opposed to the submission, although the burden of their song two weeks ago was to have these bills submitted to the people.

Respectfully submitted, on this the 29th day of June, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Curnutt moved that the Senate refuse to concur in Engrossed House Amendments to ENGROSSED SENATE BILL NO. 10, and ask the Honorable House to grant a conference thereon.

The motion prevailed, the President appointing as Senate Conferees under Engrossed Senate Bill No. 10, Senators Curnutt, Nichols and Rizley.

GENERAL ORDER

HOUSE BILL NO. 1, by Batson, Leecraft, et al, was taken up for consideration.

Senator Pugh submitted the following amendment, which was tabled, upon motion of Senator MacDonald:

Mr. President: I move to amend House Bill No. 1, paragraph (b), Section 12, of the Committee amendments, by striking "\$1,000.00," and inserting "\$750.00," and by striking "\$2,000.00," and insert "\$1,500.00."

Senator Whitaker submitted the following amendment, which was adopted:

PUGH.

Mr. President: I move to amend House Bill No. 1, by adding at end of Committee Amendment No. 2 the following: And provided further that, in the case of



income derived from coal and metal mines and sulphur mines or deposits, any such taxpayer may at his option deduct as an allowance for depletion in lieu of the calculation of depletion as otherwise provided for herein, the following per centum: In the case of coal mines, 5 per centum, in the case of metal mines, 15 per centum, and, in the case of sulphur mines or deposits, 20 per centum of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property. Such allowance shall not exceed 50 per centum of the net income of the taxpayer (computed without allowance for depletion) from the property.

WHITAKER.

Senator Moon raised a point of order against further consideration of House Bill No. 1, stating the vote had not been reconsidered by which it was previously advanced to engrossment and third reading.

Senator Whitaker raised a point of order against the Moon point of order, which was sustained, stating House Bill No. 1 had been withdrawn from the calendar when it was referred to a Special Committee.

Senator Powers submitted the following amendment:

Mr. President: I move to amend Section 19 (a), of House Bill No. 1, lines 7 and 8, page 5, by striking after the word, "stocks," in line 7, the remaining portion of said line, and line 8 up to and including the word, "bonds," and by striking the period after the word, "income," in line 17; and by adding after the word, "income," in line 13, the following: "The interest upon the bonds, warrants and other obligations of the State of Oklahoma and its various sub-divisions of government shall not be included in such gross income."

POWERS.

Senator Ballard, as a substitute, submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 1, line 11, page 51, by adding after the word, "securities," the words, "except warrants."

BALLARD.

Upon motion of Senator Commons, the Powers amendment was tabled.

Senator Paul submitted the following amendment:

Mr. President: We move to amend Section 42 of House Bill No. 1, line 1, page 89, by striking all of lines 1 to 8, inclusive, and on page 92, line 11, by striking after the word, "taxes," and before the word, "the," the word, "except," and substituting the word, "including," and on page 93, line 8, by striking all of lines 8 to 17, inclusive.

PAUL, NANCE, WILBANKS and RAY.

Senator Jennings raised a point of order against the Paul amendment, which was overruled, stating the amendment had been previously disposed of by the Senate.

Senator Nichols moved to table the Paul amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Fidler, Howard, Jennings, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Whitaker. Total, 21.

Nays: Clark, Coppock, Curnutt, Dixon, Fischl, Garvin, Johnston, Lester, Logan, Nance, Paul, Powers, Ray, Sowards, Taylor, Thomas, Wilbanks, Willis. Total, 18.

Not voting: Briggs, Pugh, Waldrep. Total, 3.

Excused: Daugherty, Hutchinson. Total, 2.

Senator Stewart submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend the Special Committee Amendments to House Bill No. 1, line 2, paragraph (a) of Section 12, page 3, by striking after the word, "act," all the rest of said paragraph.

STEWART.

Senator Moon submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 1, by striking Section 22 and renumbering succeeding sections.

MOON.

Senator Stewart submitted the following amendment, which was tabled, upon motion of Senator Pugh:

Mr. President: I move to amend House Bill No. 1, line 2, page 22, by striking after the word, "act," the rest of said paragraph (b) of Section 12.

STEWART.

Senator Wilbanks submitted the following amendment:

Mr. President: We move to amend House Bill No. 1, Section 42, line 2, page 89, by striking after the word, "to," and before the word, "computed," in line 3, the words, "and offset against its tax," and substituting therefor the following: "a deduction from its gross income," and on line 11, page 92, by striking after the word, "taxes," and before the word, "as," in line 13, the remainder of line 11, all of line 12 and the word, "state," in line 13; and on line 8, page 93, by striking all of lines 8 to 17, inclusive.

WILBANKS, PAUL, NANCE and RAY.

Senator Nichols raised a point of order against the Wilbanks amendment, which was overruled, stating it identical to an amendment previously disposed of.

Senator Fidler presiding.

Senator Nichols moved to table the Wilbanks

amendment, which motion, by unanimous consent, he withdrew.

President Burns presiding.

Upon motion of Senator Taylor, the previous question was ordered.

The vote occurring on the Wilbanks amendment, it was declared failed of adoption, the roll call thereon being as follows:

Ayes: Briggs, Clark, Coppock, Curnutt, Fischl, Garvin, Johnston, Lester, Logan, Nance, Paul, Powers, Ray, Taylor, Thomas, Wilbanks, Willis. Total, 17.

Nays: Ballard, Carlile, Carmack, Chamberlin, Commons, Fidler, Howard, Jennings, Liggett, MacDonald, Memminger, Moon, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Waldrep, Whitaker. Total, 23.

Not voting: Dixon, Sowards. Total, 2.

Excused: Daugherty, Hutchinson. Total, 2.

Upon motion of Senator Whitaker, House Bill No. 1 was advanced to engrossment and third reading.

Upon motion of Senator Whitaker, the rules of the Senate were suspended and House Bill No. 1, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Dixon, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Clark, Coppock, Curnutt, Fidler, Jennings,



Logan, Morrison, Powers, Rutherford, Stewart, Thomas, Waldrep. Total, 12.

Not voting: Sowards. Total, 1.

Excused: Daugherty, Hutchinson. 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 Curnutt moved that the emergency section to House Bill No. 1 be stricken, which motion was tabled, upon motion of Senator Nance.

By unanimous consent, roll call on the emergency section was deferred temporarily.

Senator Commons moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted "absent": Senators Sowards and Hutchinson.

The Sergeant-at-Arms was instructed to notify all absent members of the Senate's proceedings.

Senator Sowards asked to be recorded "present," which was the order.

The question being, "Shall House Bill No. 1 become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Dixon, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Coppock, Curnutt, Fidler, Jennings, Moon, Morrison, Powers, Rutherford, Thomas, Waldrep. Total, 10.

Excused: Daugherty, Hutchinson. 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. 1, as amended, was ordered referred for engrossment.

Senator Ballard served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which House Bill No. 1 was passed.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 20—By REMUND, ROBERTS, PAXTON, GRAHAM, PHILLIPS (Okfuskee), OTTESEN and GARLAND of the House, and BRIGGS, of the Senate.

A House Concurrent Resolution requesting the director of the Federal Emergency Conservation Work to allocate such funds, material, and men under his direction as may be necessary to effect certain improvements on property in Oklahoma owned and operated by the United Spanish War Veterans, Department of Oklahoma, for the care and benefit of aged, dependent, and disabled veterans of the war with Spain, and of the wives and widows of such veterans.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 16—By HANKLA, HAILE, SUTHERLAND, PARKS, NEILL, BRAZELL, KIRKPATRICK, PAXTON, MISENHEIMER, HART, WOOTEN, ALBRIGHT, MOONEY, COE, FITZGERALD, CAVITT, BOYER, EBEY (Pontotoc), JOHNSON (Comanche), STRICKLAND (Pontotoc), MASSEY, JOHNSON (Osage), BROADDUS, BENNETT, ELLIS,

PHILLIPS, COLLINS, LOGSDON, TIMMONS, BLOCKER, and CLINE.

A Concurrent Resolution, calling upon and requesting His Excellency, Wm. H. Murray, Governor of the State of Oklahoma, to submit to the Special Session of the Fourteenth Legislature which convened at the hour of one o'clock P. M. on the 24th day of May, 1933, at the Capitol building in the City of Oklahoma City, Oklahoma, in accordance with the proclamation of the Governor of Oklahoma under the date of the 20th day of May, 1933, to submit to the said Special Session of the Legislature for its immediate consideration and action the additional subject of legislation on the subject of licensing and regulating the owning and possessing of machine guns of any type whatsoever.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 18—By BEAMAN, PHILLIPS (Atoka), JONES, HANKLA, SULLIVAN, WINGO, MALLORY, CLOYD, KING (Coal), KING (Creek), WATSON, LINDSEY, ABERNATHY (Harmon), HENDERSON, ANGLIN, RAWLS, GARLAND, BABB, GIBSON, ARMSTRONG, STRICKLAND (Marshall), BLOCKER, BENNETT, HART, EBNEY, CHILDERS, SPEAR, DUNN, HILL and MASSEY.

A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of transportation of pupils to and from school,

and to advise you, and, through you, the Honorable Senate, that the same have been adopted by the House of Representatives and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolutions Nos. 16, 18 and 20 were ordered printed and placed upon the calendar.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE JOINT RESOLUTION NO. 2—By ABERNATHY (Pott.), MUNSON, BILLINGS, LOGSDON, GRAHAM, SUTHERLAND, STRICKLAND (Pontotoc), and SINGLETON, entitled:

A Resolution ratifying the proposed amendment to the Constitution of the United States to give Congress the power to limit, regulate and prohibit the labor of persons under eighteen years of age, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Joint Resolution No. 2.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 22—By HAILE, BATSON, and LEECRAFT, entitled:

An Act prescribing method of allocation of in-



come derived from sources within and without the State of Oklahoma which cannot be practicably segregated or where such income is derived from property and business employed in interstate commerce or in both interstate and intrastate commerce within the State of Oklahoma; authorizing the taxpayer and the Oklahoma Tax Commission to adopt a more accurate basis of allocation in certain cases; making the methods herein prescribed applicable to all unpaid income taxes whether already accrued under existing law, protested and unadjusted, or to hereafter accrue; repealing all conflicting laws; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Bill No. 22.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 7—By BOYER, entitled:

A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of the ratification of the proposed 21st Article of Amendment to the Constitution of the United States of America, and to advise you, and, through you, the Honorable Sen-

ate, that the same has been read for the fourth time and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolution No. 7 and ordered it returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 18—By BATSON, entitled:

An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the Permanent Journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of said Session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 18 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

#### FIRST READING

By unanimous consent, the following bills were introduced and read for the first time:

SENATE BILL NO. 16—By PAUL, NANCE, and

CARLILE.—An Act requiring the Commissioners of the Land Office to segregate and withhold from sale any of the public lands under their control and management, which is valuable for oil or gas, or which is deemed by them to be valuable for oil or gas, and declaring an emergency.

SENATE BILL NO. 17—By PAUL, NANCE and CARLILE.—An Act prescribing a method to be used by the Commissioners of the Land Office to obtain possession of public lands occupied by persons, firms or corporations in violation or in default of contract with the Commissioners of the Land Office, or unlawfully held by squatters, trespassers or otherwise, providing for appeals by aggrieved parties, and declaring an emergency.

SENATE BILL NO. 18—By PAUL, NANCE and CARLILE.—An Act creating a collection division in the Department of the Commissioners of the Land Office, prescribing the duties to be performed by such division, creating certain positions and making appropriations therefor, and declaring an emergency.

Upon motion of Senator Commons, the Senate adjourned, to meet under the rules.

## THIRTIETH LEGISLATIVE DAY

Friday, June 30, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Howard, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memming, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 42.

Excused: Daugherty, Hutchinson. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

Senator Nance moved that a Committee of 3 be appointed, to notify the Honorable House that it is the desire of the Senate to adjourn, at the end of this legislative day, until Wednesday, July 5, and respectfully request the Honorable House to grant its consent thereto.

The motion prevailed, the President appointing as such Special Committee, Senators Nance, Rutherford and Logan.

### RESOLUTION

The following Resolution was introduced and, by unanimous consent, taken up for immediate consideration and read at length, as follows:

SENATE RESOLUTION NO. 11—By NICHOLS, BALLARD, MacDONALD, BRIGGS, MORRISON,



WILBANKS, RITZHAUPT, RAY, MEMMINGER,  
JOHNSTON.

A RESOLUTION NAMING THE CHOCTAW  
COUNTY BRIDGE.

WHEREAS, the Highway Department is now engaged in the construction of a new bridge across the Kiamichi River in the eastern part of Choctaw County, Oklahoma; and

WHEREAS, in the near future said bridge will be completed; and

WHEREAS, the Honorable Paul Stewart, Senator of the 24th Senatorial District is almost wholly responsible for bringing to the attention of the Highway Department the necessity for the construction of said bridge; and

WHEREAS, through the untiring and ceaseless and faithful efforts of the said Senator, a contract was finally awarded for the construction of said bridge; and

WHEREAS, the people of Choctaw, McCurtain and Pushmataha Counties are all interested and benefited by the construction of said bridge; and

WHEREAS, the citizenship of said Senatorial District, particularly those of Choctaw County, feel that credit for the building of said bridge is due to the said Senator Stewart, and they desire to publicly give him credit for the same,

NOW, THEREFORE, BE IT RESOLVED BY  
THE SENATE OF THE STATE OF OKLAHOMA:

In view and because of the reasons above assigned, the said bridge constructed over the Kiamichi River in said County of Choctaw is and the same is hereby named in honor of the Sage of the Kiamichies, "The Paul Stewart Bridge."

Upon motion of Senator MacDonald, all members of the Senate, except those requesting otherwise, were added as joint authors of Senate Resolution No. 11.

Senators Paul and Stewart asked unanimous consent, which was granted, that their names be not placed as joint authors of Senate Resolution No. 11.

Upon motion of Senator Nance, Senate Resolution No. 11, as amended, was adopted.

Senate Resolution No. 11 was ordered referred for engrossment.

### SECOND READING

The following bills and resolutions were read for the second time and, by unanimous consent, ordered placed upon the calendar without reference to a Committee:

SENATE BILL NO. 16—By PAUL, NANCE and CARLILE.

SENATE BILL NO. 17—By PAUL, NANCE and CARLILE.

SENATE BILL NO. 18—By PAUL, NANCE and CARLILE.

ENGROSSED HOUSE BILL NO. 22—By HAILE, BATSON, and LEECRAFT.

ENGROSSED HOUSE JOINT RESOLUTION NO. 2—By ABERNATHY (Pott.), MUNSON, BILLINGS, LOGSDON, GRAHAM, SUTHERLAND, STRICKLAND (Pontotoc), and SINGLETON.

Upon motion of Senator Morrison, House Joint Resolution No. 2 was advanced to engrossment and third reading.

Senator Nance, on behalf of the Special Committee, appointed to notify the Honorable House of the Senate's desire to adjourn, at the end of this legislative day, until Wednesday, July 5th, and requesting the consent of the Honorable House thereto, reported the duty performed and that the Honorable House had given its consent to such adjournment.

The report of the Special Committee was ordered received and the committee discharged.

Senator Rutherford asked unanimous consent, which was granted, to be "excused," for the remainder of this legislative day.

#### GENERAL ORDER

SENATE BILL NO. 14, by Ritzhaupt, Garvin, Briggs, MacDonald, et al., was taken up for consideration.

Section 1 was read.

Senator Wilbanks moved that further consideration of Senate Bill No. 14 be indefinitely postponed.

Senator Chamberlin presiding.

Upon motion of Senator Nance, the Wilbanks motion was tabled, the roll call thereon being as follows:

Ayes: Briggs, Carmack, Chamberlin, Clark, Fischl, Garvin, Howard, Johnston, Liggett, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stewart, Taylor, Thomas, Willis. Total, 24.

Nays: Ballard, Coppock, Curnutt, Fidler, Jennings, Lester, Paul, Rizley, Stacey, Wilbanks. Total, 10.

Not voting: Carlile, Commons, Dixon, Logan, Powers, Waldrep, Whitaker. Total, 7.

Excused: Daugherty, Hutchinson, Rutherford. Total, 3.

Upon motion of Senator Ritzhaupt, Section 1 was adopted.

Section 2 was read and adopted, upon motion of Senator Ritzhaupt.

Section 3 was read.

Senator Fidler submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 14, line 10, page 3, by adding the following: "The Colonel shall have been a peace officer for not less than 15 years."

FIDLER.

Senator Fidler asked unanimous consent, which

was granted, to amend his amendment, by striking the word and figures, "15 years," and inserting the word and figures, "10 years."

Senator Paul asked unanimous consent, which was granted, to amend the Fidler amendment, by inserting the word, "salaried," after the word, "been," and before the words, "peace officer."

Senator Nance asked unanimous consent, which was granted, to amend the Fidler amendment, by striking the word and figures, "10 years," and inserting the word and figure, "8 years."

The vote occurring on the Fidler amendment, as amended, it was declared adopted.

Senator Stewart submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 14, line 9, page 3, by striking after the word, "Senate," the rest of the paragraph and inserting the following: "for a term of four years and shall not be removed only by a Court of competent jurisdiction for malfeasance in office, public drunkenness or corruption in office. Said Colonel or said employees shall not draw any salary or perform any duties until confirmed by the State Senate."

STEWART.

Senator Nance, as a substitute, submitted the following amendment, which, by unanimous consent, he withdrew.

Mr. President: I move to amend Senate Bill No. 14, line 10, page 3, by adding at the end of said line 10 the following: "The Colonel shall serve for a term of 4 years and shall draw no salary nor perform any duties, as such Colonel, until confirmed by the State Senate."

NANCE.

Upon motion of Senator Ritzhaupt, the Stewart amendment was tabled, the roll call thereon being as follows:



Ayes: Carlile, Carmack, Chamberlin, Clark, Fidler, Fischl, Garvin, Howard, Johnston, Lester, Memminger, Morrison, Nance, Nichols, Powers, Pugh, Ray, Ritzhaupt, Sowards, Taylor, Thomas, Whitaker, Willis. Total, 23.

Nays: Ballard, Briggs, Coppock, Curnutt, Dixon, Jennings, Paul, Reed, Rizley, Stacey, Stewart, Wilbanks. Total, 12.

Not voting: Commons, Liggett, Logan, MacDonald, Moon, Waldrep. Total, 6.

Excused: Daugherty, Hutchinson, Rutherford. Total, 3.

A Committee from the Honorable House, composed of Representatives Batson, Sutherland and Holliman, was received, requesting the consent of the Senate to the adjournment of the Honorable House, at the end of this legislative day, until Wednesday, July 5th.

Upon motion of Senator Nance, the request of the Honorable House was ordered granted and the Committee so advised.

### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 2—By MAL-LORY and SUTHERLAND.

An Act providing for relief from ad valorem taxation by levying a sales tax upon the gross proceeds derived from all sales of goods, wares and merchandise, including food, confections and drinks prepared by hotels, restaurants or other dispensers and served or otherwise disposed of, and from all sales of tickets or admis-

sions to places of amusement, and from all sales of telephone, telegraph and radiocasting services; defining terms; prescribing certain exemptions; providing for the disposition of the revenues arising hereunder; providing for the computation and collection of such taxes and for the enforcement of this Act by the Oklahoma Tax Commission; providing for the expenses of such collection and enforcement; empowering said Commission to prescribe rules and regulations for the enforcement of this Act; prescribing penalties for the violation of this Act; authorizing refunds; making such taxes and penalties a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable; repealing conflicting laws,

together with Conference Committee Report, and to advise you, and, through you, the Honorable Senate, that the same has been adopted by the House of Representatives and the Bill has been passed AS AMENDED thereby.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on Engrossed House Bill No. 2 was read, as follows, and, upon motion of Senator Commons, adopted:

#### CONFERENCE COMMITTEE REPORT

To the President of the Senate, and Speaker of the House of Representatives:

Gentlemen:

We, your Conference Committee, to whom was referred Engrossed House Bill No. 2, by Mallory and Sutherland, beg leave to report that we have had the same under consideration, and return the same herewith with the following recommendations:

That the House concur in Senate Amendment No. 1.

That the House concur in Senate Amendment No. 2.

That the House concur in Senate Amendment No. 3.

That the House concur in Senate Amendment No. 4.  
That the House concur in Senate Amendment No. 5.  
That the House concur in Senate Amendment No. 6.  
That the House concur in Senate Amendment No. 7.  
That the House concur in Senate Amendment No. 8.  
That the House concur in Senate Amendment No. 9.  
That the House concur in Senate Amendment No. 10.  
That the House concur in Senate Amendment No. 11.  
That the House concur in Senate Amendment No. 12.  
That the Senate recede from Senate Amendment No.

13.

Respectfully submitted,

Senate Conferees:

COMMONS,  
NICHOLS,  
MacDONALD,  
FIDLER,  
WHITAKER.

House Conferees:

LEECRAFT,  
MASSEY,  
SPECK,  
WINGO.

House Bill No. 2, as amended in conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Commons, Curnutt, Howard, Moon, Nance, Paul. Total, 6.

Not voting: Clark, Logan, Waldrep. Total, 3.

Excused: Daugherty, Hutchinson, Rutherford. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Coppock, Dixon, Fidler, Fischl, Garvin, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 32.

Nays: Commons, Curnutt, Howard, Moon, Nance, Paul. Total, 6.

Not voting: Clark, Logan, Waldrep. Total, 3.

Excused: Daugherty, Hutchinson, Rutherford. 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.

Engrossed House Bill No. 2, together with Conference Committee report thereon was ordered returned to the Honorable House.

Senators Clark and Logan asked unanimous consent, which was granted, to have the record show, had they been present at the time of the roll call on Engrossed House Bill No. 2, they would have voted "Aye," on the bill and emergency.

Senator Ballard moved that the vote be reconsidered by which HOUSE BILL NO. 1, by Batson, Lee-craft, et al, was passed, which motion was tabled, upon motion of Senator Nance.

Referring further to SENATE BILL NO. 14:

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 14, line 9, page 3, by striking after the word, "during,"



and inserting the words, "good behaviour," and inserting the word, "shall," after the word, "and," and before the word, "hold"

CURNUTT.

Senator Stewart, as a substitute, moved that Senate Bill No. 14 be referred to a Special Committee of 5, for the purpose of perfecting the said bill.

Senator Pugh moved to amend the Stewart motion, by providing instruction as follows: "to repeal the law creating the Bureau of Criminal Identification," which motion was adopted.

Senator Nance moved to table the Stewart motion, which motion, by unanimous consent, he withdrew.

The vote occurring on the Stewart motion, as amended, it was declared adopted, the Presiding Officer appointing as such Special Committee, Senators Ritzhaupt, Stewart, Fidler, Taylor and Nance.

Senator Nance moved that, when the Senate adjourns today, it adjourn to meet under the rules on Wednesday, July 5th, 1933, in accordance with the agreement had between the Senate and the Honorable House, which motion prevailed.

MESSAGES

The following Message from the Governor was received and read:

TO THE FOURTEENTH LEGISLATURE OF THE  
STATE OF OKLAHOMA, EXTRAORDINARY  
SESSION:

Gentlemen:

I advise you that I have this day approved Enrolled House Bill No. 18, by Batson, and filed the same with the Secretary of State.

This bill, appropriating Forty-Five Thousand (\$45,000.00) Dollars, to pay the mileage and per diem of members, salaries of employees, printing and other expenses of this extraordinary session, is the second such

bill, a similar bill for Sixty-One Thousand (\$61,000.00) Dollars having been approved by me on the 3d of June. You have appropriated for yourselves One-Hundred and Six Thousand (\$106,000.00) Dollars for this Special Session alone.

Your honorable body met May 24th, responding to a brief message in which I presented a concrete program that should have been disposed of in not exceeding ten days.

You have now been in session thirty-seven days and to this date have passed five bills, namely: a bill to refund the excess on automobile tags, a bill providing for the beer election and other elections, a bill appropriating Two Thousand (\$2,000.00) Dollars for necessary expenses of the office of the State Treasurer and the two appropriation bills to finance your own special legislative session.

I take occasion again to call your special attention to House Bill No. 7, introduced by Leecraft on May 30th, and printed June 1st, 1933, reappropriating \$27,429.46 for the purpose of making payment for the necessary expenses incurred by The Governor of the State, upon the good faith and credit and honor of the State, in the administration of the Emergency Relief and Construction Act of 1932, in furnishing relief and work-relief to needy and destitute and unemployed people in the State of Oklahoma.

The Federal Relief Act made no appropriation for necessary expenses such as postage, express charges, telegraph and long distance telephone service, the printing of letter-heads, reports, checks, claims, blank forms and necessary office supplies.

These necessary and unavoidable expenses must be borne by the State.

This identical appropriation was included, by the Fourteenth Legislature, at the regular session in House

Bill No. 625, the Omnibus Bill, but the Attorney General has held that the items should be appropriated in a separate bill.

These necessary supplies have been contracted for and in a large measure delivered, upon the good faith and credit of the State. The merchants and printers who furnished the supplies expected to receive their money within a reasonable time; they need the money; it is justly due; long over-due and to repudiate such an obligation is dishonest.

I am, therefore, asking you again to pass this House Bill No. 7, without delay and I hope that you will do so so that these creditors may receive their due, before you appropriate any more money for your own use and benefit.

Done, this June 30, A. D. 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has granted the request of your Honorable Body for a Conference on:

ENGROSSED SENATE BILL NO. 10—By CUR-  
NUTT,

An Act amending Section 9 of House Bill No. 187, passed by the Fourteenth Legislature of the State of Oklahoma, and approved on the 26th day of April, 1933, by the Governor of the State of Oklahoma, amending Section 5630, Oklahoma Statutes, 1931, relating to investment of public funds in farm mortgages, repealing

all Acts and parts of Acts in conflict therewith; and declaring an emergency,  
and the Speaker has appointed Representatives Johnson (Osage), Eason, and Lowrance, as Conferees thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 2—By MAL-  
LORY and SUTHERLAND.

An Act providing for relief from ad valorem taxation by levying a sales tax upon the gross proceeds derived from all sales of goods, wares and merchandise, including food, confections and drinks prepared by hotels, restaurants or other dispensers and served or otherwise disposed of, and from all sales of tickets or admissions to places of amusement, and to athletic events, and from all sales of electricity and gas, and from all sales of telephone, telegraph and radiocasting services; defining terms; prescribing the rates of such taxes; prescribing certain exemptions; providing for the disposition of the revenues arising hereunder; providing for the computation and collection of such taxes and for the enforcement of this Act by the Oklahoma Tax Commission; providing for the expenses of such collection and enforcement; empowering said Commission to prescribe rules and regulations for the enforcement of this Act; prescribing penalties for the violation of this Act; authorizing refunds; making such taxes and penalties a lien on vendors' property; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable; repealing conflicting laws; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 2 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

Senator Commons moved that the vote be reconsidered by which HOUSE BILL NO. 3, by Gray, was ordered stricken from the calendar.

Senator Fidler moved to table the Commons motion, which motion failed of adoption.

The vote occurring on the Commons motion, it was declared adopted.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 11 correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Resolution No. 11 and ordered it referred for enrollment.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 8 correctly engrossed.

HOWARD, Vice Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 8, as amended, and ordered it returned to the Honorable House.

### CONFERENCE COMMITTEE REPORT

Senator Curnutt submitted the following Conference Committee Report, which, upon his motion, was adopted:

Mr. President: We, your Conference Committee, appointed to confer on Engrossed House Amendments Nos. 1 and 2, to engross Senate Bill No. 10, beg leave to report we have had the same under consideration and hereby recommend:

That the Senate concur in House Amendment No. 1, and

That the House recede from House Amendment No. 2.

Respectfully submitted,

CURNUTT,

WALTER B. JOHNSON,

NICHOLS,

O. K. LOWRANCE,

RIZLEY,

T. W. EASON,

Senate Conferees.

House Conferees.

Engrossed Senate Bill No. 10, as amended in conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Johnston, Lester, Logan, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Memminger, Reed. Total, 2.

Not voting: Briggs, Coppock, Dixon, Fischl, Garvin, Howard, Jennings, Liggett, MacDonald, Rizley, Thomas, Waldrep. Total, 12.

Excused: Daugherty, Hutchinson, Rutherford. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Curnutt, Dixon, Fidler, Howard, Johnston, Lester, Logan, Memminger, Moon, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Briggs, Commons, Coppock, Fischl, Garvin, Jennings, Liggett, MacDonald, Morrison, Thomas, Waldrep. Total, 11.

Excused: Daugherty, Hutchinson, Rutherford. 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.

Engrossed Senate Bill No. 10, together with Conference Committee Report thereon, was ordered transmitted to the Honorable House, for consideration.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 1 correctly engrossed and Senate Resolution No. 11 correctly enrolled.

HOWARD, Vice Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 1, as amended, and ordered it returned to the Honorable House.

The Presiding Officer, in open session, signed Enrolled Senate Resolution No. 11 and ordered it referred to the Secretary of State.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 1—By BATSON, LEECRAFT and LANDINGHAM.

An Act providing for relief from ad valorem taxation by levying an annual normal tax and a surtax upon the net income of individuals, corporations, estates and trusts; by levying an annual tax on National Banking Associations, State Bank and Trust Companies, according to or measured by their net incomes authorized by method Four (4) of Section 5219, U. S. Revised Statutes as amended, relating to National Banking Associations, and complying therewith; providing for the disposition of the revenues arising hereunder; prescribing the rates of such taxes herein levied and defining terms; providing for specific exemptions to individual tax payers; exempting religious, charitable, eleemosynary, educational, benevolent, fraternal and other corporations or organizations not organized for profit; providing for the computation and collection of such taxes by the Oklahoma Tax Commission and empowering said Commission to enforce this Act and to prescribe and enforce rules and regulations in relation thereto; defining the powers of said Commission in the collection of additional and delinquent taxes and prescribing penalties for the violation of this Act; requiring returns by taxpayers and prescribing how the same shall be prepared and filed; making such taxes and penalties a lien on taxpayers' property; and for the enforcement thereof; requiring persons paying income to individuals to report same to said Commission; providing, in certain cases for withholding such



taxes at the source and providing method of payment; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable; repealing Sections 12370, 12371, and all of Articles 6 and 15, Chapter 66, Oklahoma Statutes, 1931, except as to accrued taxes and penalties and the collection and enforcement thereof, and repealing House Bill Number One (1), passed by the Fourteenth Legislature of Oklahoma, 1933, approved April 8, 1933, and all other Laws in conflict herewith; and declaring an emergency, and the same has been passed AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 1—By BATSON, LEECRAFT, and LANDINGHAM.

An Act providing for relief from ad valorem taxation by levying an annual tax upon the net income of individuals, corporations, estates and trusts; by levying an annual tax on National Banking Associations, State Banks and Trust Companies, according to or measured by their net incomes authorized by method four (4) of Section 5219, U. S. Revised Statutes as amended, relating to National Banking Associations, and complying therewith; providing for the disposition of the revenues arising hereunder; prescribing the rates of such taxes herein levied and defining terms; providing for specific exemptions to individual tax payers; exempting religious, charitable, eleemosynary, educational, benevolent, fraternal and other corporations or organizations not organized for profit; providing for the computation and collection of such taxes by the Oklahoma Tax Commission and empowering said

Commission to enforce this Act and to prescribe and enforce rules and regulations in relation thereto; defining the powers of said Commission in the collection of additional and delinquent taxes and prescribing penalties for the violation of this Act; requiring returns by taxpayers and prescribing how the same shall be prepared and filed; making such taxes and penalties a lien on Taxpayers' property, and for the enforcement thereof; requiring persons paying income to individuals to report same to said Commission; providing, in certain cases for withholding such taxes at the source and providing method of payment; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable; repealing Sections 12370, 12371, and all of Articles 6 and 15, Chapter 68, Oklahoma Statutes, 1931, except as to accrued taxes and penalties and the collection and enforcement thereof, and repealing House Bill Number One (1), passed by the Fourteenth Legislature of Oklahoma, 1933, approved April 8, 1933, and all other 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 fourth (4th) time and signed by the Acting Speaker in open Session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 1 was read for the fourth time, the enrolled copy signed, in open session by the Presiding Officer and ordered returned to the Honorable House.

Upon motion of Senator Commons, the Senate stenographers and pages were excused from their duties until Wednesday, July 5th, 1933.

Senator Commons moved that the Senate adjourn,

pursuant to agreement between the Honorable House and Senate, until Wednesday, July 5th, 1933, under the rules, which motion prevailed.

## THIRTY-FIRST LEGISLATIVE DAY

Wednesday, July 5, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Wilbanks, Willis. Total, 38.

Absent: Fischl, Moon, Thomas. Total, 3.

Excused: Daugherty, Fidler, Garvin. Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

The President, in announcing the death of Ex-Governor C. N. Haskell, appointed the following Committee, with instructions to draw and present suitable resolutions for the adoption of the Senate, out of respect to Governor Haskell: Senators Johnston, Moon, Logan, Nichols, Clark, Whitaker and Lester.

### COMMITTEE REPORT

Senator Ritzhaupt presented the following Special Committee Report, which was read:

Mr. President: We, your Special Committee, to whom was referred Senate Bill No. 14, by Ritzhaupt, Garvin, Carlile, Briggs, MacDonald, Taylor, Waldrep, Logan, Nichols, Nance, Fischl, Ray, Daugherty, Willis, and Powers of the Senate; and Garland, Chambers, and Daniels of the House, entitled:

A Bill entitled an Act to establish a law enforcing



organization to be known as the Oklahoma State Rangers; providing for the appointment of a Colonel by the Governor with the advice and consent of the Senate and requiring him to furnish bond; specifying his term of office and providing for his removal; providing for a headquarters staff and designating the members and numbers thereof; providing for the appointment of other members of the organization to consist, 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.

RITZHAUPT, Chairman.

### THIRD READING

HOUSE JOINT RESOLUTION NO. 2 was read for the third time at length, as follows:

ENGROSSED HOUSE JOINT RESOLUTION NO. 2—

By ABERNATHY (Pott.), MUNSON, BILLINGS, LOGSDON, GRAHAM, SUTHERLAND, STRICKLAND (Pontotoc), and SINGLETON.

A RESOLUTION RATIFYING THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO GIVE CONGRESS THE POWER TO LIMIT, REGULATE AND PROHIBIT THE LABOR OF PERSONS UNDER EIGHTEEN YEARS OF AGE, AND DECLARING AN EMERGENCY.

WHEREAS, the Sixty-eighth Congress of the United States of America in both Houses, by a constitutional majority of two-thirds thereof, has made the following proposition to amend the Constitution of the United States, in the following words, to-wit:

#### "JOINT RESOLUTION"

"Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which, when

ratified by the Legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

“ARTICLE\_\_\_\_\_.

“SECTION 1. The Congress shall have power to limit, regulate and prohibit the labor of persons under eighteen years of age.

“SECTION 2. The power of the several States is unimpaired by this article except that the organization of State laws shall be suspended to the extent necessary to give effect to the legislation enacted by the Congress.”

THEREFORE, BE IT RESOLVED BY THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA IN EXTRAORDINARY SESSION ASSEMBLED:

SECTION 1. That the proposed amendment to the Constitution of the United States of America as set forth in the preamble hereto is hereby ratified by the legislature of the State of Oklahoma.

SECTION 2. Certified copies of this Resolution shall be forwarded by the Governor of the State of Oklahoma to the President of the United States, the Secretary of State of the United States, the President of the Senate of the United States and the Speaker of the House of Representatives of the United States.

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 resolution shall take effect and be in full force from and after its passage and approval.

The question being, “Shall the Resolution pass?” the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Howard, Hutchinson, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford.

Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 29.

Nays: Jennings. Total, 1.

Not voting: Commons, Coppock, Dixon, Morrison, Nance, Paul, Powers, Wilbanks. Total, 8.

Absent: Fischl, Moon, Thomas. Total, 3.

Excused: Daugherty, Fidler, Garvin. Total, 3.

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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 30.

Not voting: Commons, Coppock, Dixon, Morrison, Nance, Paul, Powers, Wilbanks. Total, 8.

Absent: Fischl, Moon, Thomas. Total, 3.

Excused: Daugherty, Fidler, Garvin. 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, in open session, signed Engrossed House Joint Resolution No. 2 and ordered it returned to the Honorable House.

#### GENERAL ORDER

HOUSE BILL NO. 22, by Haile, Batson and Lee-craft, was taken up for consideration.

Upon motion of Senator Whitaker, House Bill No. 22 was advanced to engrossment and third reading.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 22,

line 3, page 3, by striking from line 3 the words, "either of," and by striking from lines 4 and 5, the following: "if approved by the Oklahoma Tax Commission and the taxpayer may," and inserting in lieu of the latter the word, "shall."

CURNUTT.

Senator Reed moved to table the Curnutt amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Howard, Johnston, Lester, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Stacey, Stewart, Taylor, Waldrep, Whitaker, Willis. Total, 23.

Nays: Ballard, Coppock, Curnutt, Hutchinson, Jennings, Logan, MacDonald, Powers, Rutherford, Total, 9.

Not voting: Dixon, Liggett, Morrison, Rizley, Sowards, Wilbanks. Total, 6.

Absent: Fischl, Moon, Thomas. Total, 3.

Excused: Daugherty, Fidler, Garvin. Total, 3.

Senator Curnutt asked unanimous consent, which was granted, to submit the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend House Bill No. 22, line 8, page 2, by inserting at the end of the line the following: "where the taxpayer and Oklahoma Tax Commission are unable to agree on the basis of allocating the net income for Oklahoma."

CURNUTT.

Upon motion of Senator Whitaker, the rules of the Senate were suspended and House Bill No. 22 was considered engrossed and placed upon third reading and final passage.

THIRD READING

HOUSE 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: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Howard, Hutchinson, Johnston, Lester, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Ballard, Curnutt, Jennings, Powers, Rutherford. Total, 5.

Not voting: Coppock, Dixon, Liggett, Morrison, Rizley, Waldrep. Total, 6.

Absent: Fischl, Moon, Thomas. Total, 3.

Excused: Daugherty, Fidler, Garvin. 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 Curnutt, the emergency section to House Bill No. 22 was ordered stricken.

Senator Curnutt served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which House Bill No. 22 was passed.

Senator Whitaker moved that the rules of the Senate be suspended for the purpose of reconsidering the vote by which House Bill No. 22 was passed, which motion prevailed.

Senator Whitaker moved that the vote be reconsidered by which House Bill No. 22 was passed, which motion was tabled, upon motion of Senator Chamberlin.

House Bill No. 22 was ordered referred for engrossment.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

*Thirty-first Day, Wednesday, July 5, 1933* 301

ENGROSSED HOUSE BILL NO. 23—By DANIEL, BLOCKER, MASSEY, and KIGHT, entitled:

An Act levying a stamp tax on the sale of cigarettes; prescribing the rate thereof; providing for stamps and the use thereof; providing for the enforcement of this Act by the Oklahoma Tax Commission and for rules and regulations in relation thereto; providing that the revenue derived hereunder, less expenses for collection and enforcement, shall be used to retire obligations of school districts and otherwise to reduce ad valorem taxes; creating a fund for the enforcement of this Act and for refunds, and making appropriations therefor; prescribing penalties 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Bill No. 23.

#### GENERAL ORDER

SENATE BILL NO. 16, by Paul, Nance and Carlile, was taken up for consideration.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 16, by striking lines 12 and 13, page 2, and inserting the following: "to enter upon said premise and explore for oil or gas, or both, and to erect and maintain thereon all necessary derricks, tanks, structures, lines or other fixtures, and equipment necessary to the drilling, digging, and producing of oil or gas therefrom and the right to remove any such derricks, tanks, lines or other structures erected or located thereon."

JENNINGS.

President Pro Tempore Stewart presiding.

The vote occurring on the Jennings amendment, it was declared adopted.

Senator Paul asked unanimous consent, which was granted, to defer, temporarily, further consideration of Senate Bill No. 16.

SENATE BILL NO. 17, by Paul, Nance and Carlile, was taken up for consideration.

Upon motion of Senator MacDonald, Senate Bill No. 17 was advanced to engrossment and third reading.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and Senate Bill No. 17 was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

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: Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Ballard, Coppock. Total, 2.

Not voting: Briggs, Dixon, Morrison, Reed, Rizley, Waldrep. Total, 6.

Absent: Fischl, Moon, Thomas. Total, 3.

Excused: Daugherty, Fidler, Garvin. 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: Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Howard, Hutchinson, Jennings, John-

ston, Lester, Liggett, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Ray, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Ballard, Coppock. Total, 2.

Not voting: Briggs, Dixon, Morrison, Reed, Rizley, Waldrep. Total, 6.

Absent: Fischl, Moon, Thomas. Total, 3.

Excused: Daugherty, Fidler, Garvin. 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.

Senate Bill No. 17 was ordered referred for engrossment.

SENATE BILL NO. 18, by Paul, Nance and Carhle, was taken up for consideration.

Sections 1, 2, 3 and 4 were read and adopted, upon motions of Senator Paul.

Upon motion of Senator Paul, Senate Bill No. 18 was advanced to engrossment and third reading.

Senator Paul asked unanimous consent to submit an amendment, striking Section 4 and providing that the salaries, referred to therein, shall be paid from funds appropriated for the School Land Department, during the regular session of the 14th Legislature.

Senator Curnutt raised a point of order against the Paul amendment, stating it would require a suspension of the rules, which point was sustained by the Chair.

Senator Nichols moved that the rules of the Senate be suspended for the purpose of amending Senate Bill No. 18, which motion failed of adoption.

Senator Paul moved that the vote be reconsidered by which Senate Bill No. 18 was advanced to engrossment and third reading.

Senator Nance presiding.

Senator Paul asked unanimous consent, which was granted, to withdraw his motion.



Senator Chamberlin moved that the rules of the Senate be suspended and Senate Bill No. 18 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

### THIRD READING

SENATE BILL NO. 18 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Nance, Paul, Ray, Ritzhaupt, Rizley, Rutherford, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Ballard, Hutchinson, Morrison, Nichols, Pugh, Reed. Total, 6.

Not voting: Jennings, Powers, Sowards, Stewart, Waldrep. Total, 5.

Absent: Fischl, Moon, Thomas. Total, 3.

Excused: Daugherty, Fidler, Garvin. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 31.

Nays: Hutchinson. Total, 1.

Not voting: Jennings, Powers, Rutherford, Sowards, Stewart, Waldrep. Total, 6.

Absent: Fischl, Moon, Thomas. Total, 3.

Excused: Daugherty, Fidler, Garvin. 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.

Senate Bill No. 18 was ordered referred for engrossment.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 22 and Senate Bill No. 17, each, correctly engrossed.

HOWARD, Vice Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 22, as amended, and ordered it returned to the Honorable House; signed, in open session, Engrossed Senate Bill No. 17 and ordered it transmitted to the Honorable House for consideration.

Referring further to the Special Committee Report on SENATE BILL NO. 14:

Upon motion of Senator Ritzhaupt, the Committee Report submitted on Senate Bill No. 14 was adopted.

Upon motion of Senator Ritzhaupt, Senate Bill No. 14, as amended, was ordered printed.

Senator Ritzhaupt moved that further consideration of Senate Bill No. 14 be set for Special Order at 2:00 o'clock, p. m., on the next legislative day.

Senator Curnutt, as a substitute, moved that Senate Bill No. 14 be set for Special Order next Saturday, which motion was tabled, upon motion of Senator Memminger.

Senator MacDonald called up for consideration SENATE BILL NO. 14.

Senator Chamberlin, moved that further consideration of Senate Bill No. 14 be postponed, until 2:00 p. m., on the next legislative day.

Senator Ballard moved that the Senate adjourn, to meet under the rules, which motion prevailed.

## THIRTY-SECOND LEGISLATIVE DAY

Thursday, July 6, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President, who announced a quorum of the Senate was not present.

The President declared the Senate recessed for one hour.

At 2:30 p. m., the Senate reassembled, with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 41.

Excused: Coppock, Daugherty, Fidler. Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### MESSAGES

The following Messages from the Governor were received and read:

To the Honorable House and Senate of the 14th Legislature, Special Session:

Gentlemen:

The law provides under a Bill of the Regular Session for the deposit by the County Treasurers of county funds with the State Treasurer. The general law also provides that the State Treasurer shall pay 3 per cent thereon.

The banks refuse to accept any of this money and pay 3 per cent, and, indeed, not more than 2 per cent at this time, for the reason that they can get Indian Funds and Federal Funds for less than 3 per cent. Consequently, the State would be at considerable loss making payment of 3 per cent when only 2 could be had.

Therefore, it becomes essential for action upon the part of Your Honorable Body.

I therefore submit for your consideration, and open the question, that you provide by law that the State Depository Board, consisting of the Governor, Treasurer, and the Attorney General, may raise or lower the rate on deposit, made with the State Treasurer, or made by the County Treasurers, to meet this situation, to the end that they may provide for a rate that will **balance**; and, in the event there comes a time when the rate may be raised higher than 2 per cent, they may meet such situation by a resolution of said Board.

Immediate action is urged and requested.

Respectfully submitted, on this the 5th day of July, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

To the Honorable House and Senate of the Fourteenth  
Legislature, Special Session:  
Gentlemen:

I hereby notify you that I have signed House Bill No. 1, known as the Income Tax Law, and I do so only because it is just one step forward in a final solution and accomplishment of a just income tax statute.

I regret that the fight for success must continue for two years longer, but I told the people in 1930 that I "had enlisted for the duration of the war for just tax laws," realizing at the time that all reforms are slow of accomplishment.

We must now needs defeat certain senators who



are openly hostile to these policies, and others who pretend to be loyal to them, but, on every occasion, seek to serve themselves and the interests which they really represent, by pointing out to their constituents in the primary next year their short-comings in the Senate when considering in the Committee the whole when no record vote was made.

The Income Tax Law adopted by the 13th Legislature of two years ago was a miserable compromise, which gives us a revenue of but \$2,500,000.00. This law raising the per cent to six, and particularly because that rate begins after the earning of \$14,000.00, based upon the present revenues obtained, will give us 4½ or possibly \$5,000,000.00, whereas, the bill passed in the regular session, and on which I urged you to place the Emergency, would give us \$10,000,000.00, which, together with the Select Sales Tax and the Cigarette Tax of three cents a package, would result in a revenue, 90 per cent of which would have benefited the schools of the State, giving them a program as follows:

From Income Tax, without "depletion clause"	\$10,000,000.00
From Cigarette Tax, at 3c a package	2,750,000.00
From Select Sales Tax, at 2 per cent, exempting the farmer, food and clothing of the poor	3,000,000.00
<b>TOTAL</b>	<b>\$15,750,000.00</b>

We need all of that to arrange for a new school program that the "weak school" problem may not longer vex us.

Under your program of reducing the Sales Tax to 1 per cent and applying it to everything except the farmer's product, will result in practically the same tax as the one passed in the Regular Session; then, your reduction of the Cigarette Tax from 3 per cent to 2 per

cent will lower that to approximately \$1,000,000.00; then, with your Income Tax, containing the "depletion clause," you will have a possible \$5,000,000.00, which means a difference in the two programs of \$6,000,000.

In this compromise of the loss of \$6,000,000.00, every cent of which was needed to finance the schools and State Government, you compromised with such men as J. Woody Dixon, Hardin Ballard, Stacey, et al, rather than follow the advice of the Governor and sustain your own records in the regular session.

I accept it only because it were better to accept a "half loaf than no loaf at all," and I shall leave you to answer to your constituents why you made this compromise, following the Oklahoman. Doubtless the Dixons and Ballards and Staceys will be prating next summer as candidates for re-nomination that they voted for an income tax, where they had fought every inch of ground from the beginning of my administration in reform of taxes, but they will have to answer to their constituents why they gave up to the oil companies \$5,000,000.00, by placing in the "depletion clause," and why were they so anxious to serve these great concerns by putting into the bill the "depletion clause," and why they serve the bootlegging cigarette makers of this city in reducing the cigarette tax from 3 to 2 per cent, and giving the bootleggers three-fourths of a million dollars, and denying that amount to the school children of this State.

You will go home boasting of your magnificent work, but, before the schools are out next spring, the people will discover that your boast was an empty one and that your hope was a vain one.

Posterity will suffer the consequences of our heeding not the wisdom expressed by that pioneer apostle of the French Republic, Danton, who taught:

“Next to bread, education is the need of the people.”

And this means the common schools of the masses; not the institutions of higher learning of the ruling classes.

“Oh, our common schools—

We read it in our country story—

Therein lies our hope, our power, our wealth,  
And there our future glory.”

And the legislator who would strike them down, when an opportunity is offered to vouchsafe them, should at least have his motives challenged; for he is an enemy to the race, a traitor to our popular-controlled institutions, including the Republic itself.

Now, I propose to my friends in the Senate, or, rather, I mean those men in the Senate and House who believe in a just tax policy, and I am informed that there are 23 of those votes in the Senate, to adopt an elimination of the “depletion clause” in the form of an amendment to this Bill, which I have signed, and now becomes a law, and then, refer it to the people; then we can vote on that measure in the general election next year.

By your immediate consideration of such amendment, taking out of that one section the “depletion clause,” through this method, we can yet pick up \$3,000,000.00 more to aid the school children of this State.

I urge, I implore you to do so at once.

Though disgusted with certain pretended supporters of these policies, yet, I am not disheartened, because I realize that any reform requires a long and continuous battle, and we have already made headway since 1930, and two more years of fighting might enable us to win in the Legislature that will convene in January, 1935. We surely shall win by retiring the Ballards, the Dixons, the Staceys, et al, and electing a Governor who will

stand steadfast for the policies, and I assure you that I shall be on the battle line, head erect, facing the East, in the hope of this final success.

We have re-written the tax laws governing the "machinery" of collection, beginning with a Tax Commission, until we have completed that "machinery." We have now but to press forward until the program of assessment shall have been completed. We have traveled a long way already, and success is just ahead. By retiring these groups of politicians, following intrigue, barter, and trade, as a policy of State, rather than wholesome policies, we shall serve the public.

With these accomplishments, I submit my own efforts to an intelligent public, with a clear mind and conscience, without the necessity of apologizing for my own steadfast course, leaving those who have faltered and become faint by the wayside to make their own explanation to their constituents.

Respectfully submitted, on this the 5th day of July,  
A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

Senator Chamberlin presiding.

To the Honorable House of Representatives and Senate  
of the Fourteenth Legislature, Special Session:

Gentlemen:

I have received House Bill No. 2, commonly called the Sales Tax Bill, and this is to notify you that since you have limited it to June 30, 1935, when, by its terms, it expires, I shall let it lie in my office for five days, and then file it with the Secretary of State.

Gentlemen in the Legislature who advocate this law do so, realizing that the common man who does not see the tax when he pays it will therefore not object; and thereby will become reconciled to the tax; and, while that is true, it nevertheless follows that to levy a tax



that in the end will prove burdensome upon the poor and tend to continue their poverty, leaving the big concern to amass a great fortune, as has been the order of the day for a quarter of a century, until mental cunning has all but destroyed the economic forces of the Government and the Republic itself, would be unwise.

The American Government collects off of sugar alone nearly \$150,000,000.00 annually, and the people do not object, because they do not see it, and this is the theory upon which politicians act on a Sales Tax, and, though admitted it may be good politics, it is not good morals, nor sound economics, nor statesmanship; but subserves the tendency of the past few years of Statecraft degenerating into barter and trade and unscrupulous intrigue; and I shall not be a party to it, knowing the baneful effect upon the public.

True enough, the rate in this Bill of but 1 per cent is insignificant, but it is the beginning that will double and treble the rate as the years go along, at the behest of great income makers, who have endeavored and succeeded to a large measure to escape their just share of taxation; and, in the end, it will be extended even to the farmer's product, when he sells it. Inch by inch, like a creeping malady, will this system of taxation creep upon the Oklahoma citizen, to the detriment of their prosperity. It will be used as used in Latin-America, where they unhesitatingly tell you that their high Sales Tax on the cost of living is for the express purpose of keeping the peon poor, and they are very successful at it.

The proposition of a Sales Tax is not a new thing,—it is as old as civilization itself; and, through the years, has often upset civilizations during the long march of the people to attain that goal of righteous government that would become a reflex of the people's best interests.

The deciding factor that built up the renowned Mogul Empire of Oriental Europe and Asia, under

Chinghis Kaghan, who destroyed the distasteful Sales Tax and adopted for the first time a gross income tax, which, though high, amounting to 10 per cent on all, yet, under it, as the sole tax, substituted for ad valorem and sales tax, they prospered and the farmer lent his aid to the government of Chinghis Kaghan.

The Sales Tax was inaugurated in Ancient Greece; and, during the period, upset her civilization, because it grew from insignificant rates to rates so high that it placed the cost of living beyond the reach of the common citizen.

It was in force under Louis XV of France, and was one of the most cogent causes that started the "Bloody Revolution," and, in later years, "The Reign of Terror."

The noted Salt Tax showed itself in its most disastrous form; beginning first at one cent a pound, it rose to twenty-five cents a pound, with a provision that every person over seven years of age was obliged, under heavy penalties, to purchase 25 pounds of salt a year, and one of that purchase should be used for the curing of meat, under penalty of confiscation of the meat.

Under Louis XVI, the financial minister, Tergot, a man of genuine regard for the public weal, sought to take from the nobility a portion of their pension and compel the nobility to pay a portion of the taxes, thus to relieve the bourgeoisie, or middle, and the poorer classes, and, he was unceremoniously dismissed as Minister of Finance in this commendable effort to adjust taxes in proportion to the ability to pay.

Later, the Government of France, burdened with heavy debt, Louis XVI called into counsel the nobility, and then asked why they should not pay some of the taxes, and the conference immediately disbanded. Louis XVI yielded to them, and the French people had but one alternative,—resist both the tax and the King, who lost

his head on the guillotine; and, later, France was one of the first countries in the world to adopt an Income Tax, which restored peace and prosperity to her citizenship.

In America, since the adoption of the Income Tax some 25 years ago, those who were thus obliged to pay a tax have the same contempt for governmental authority as the nobility of France, and now seek to substitute a Sales Tax, beginning with an insignificant rate, to be followed by an increase of that rate year after year, with a corresponding reduction in the rate of the income tax; and I regret to find members of the Legislature falling for such a program.

This special program is the program worked out by Gaylord of the *Daily Oklahoman* and *Times*, and I am astonished at some men in both Houses of the Legislature yielding to that program. It is not a wholesome program, but one with a consummate, selfish design to lull the people into submission by fair promises and deceptive methods.

Why should not the oil barons and the producers of great wealth who continue to amass great fortunes, which can be checked only through taxation,—I ask the question, why can they not pay taxes? Why should a policy be adopted that in the end will fall upon the great middle class and the poor of the land, through the double method of an increase in the cost of living and the payment of the tax until the great middle class will be destroyed, and there will be a duplication of Old World economics and Government, with but two classes,—the hopeless poor and the ruling rich, which, sooner or later, will cause to be repeated in this fair land the same horrors of the “Reign of Terror,” which characterized the movement of the French people?

Let us go no further than use such system to meet an emergency. To do this, the people must needs question every candidate for the Legislature in the primaries

next year, otherwise, the Legislature meeting in January, 1935, will extend this law.

Such taxation is never justifiable, except "as emergency," like war, or for the payment of public debt; and your limit of two years to pay outstanding school warrants is my only reason for not vetoing it; but the intention of this tax, as shown by its advocates, Gaylord of the Daily Oklahoman; the Tulsa World, Times; News; and Tribune; and all the corporate interests of the State, shows their consummate design.

Cost of living will rise, and, evidently, with other policies in harmony with such a tax, will the American people become divided into two distinct classes,—the ruling and wealthy class on one hand and the helpless poor on the other.

Government will continue to centralize, and, eventually, the whole will be controlled by a military dictatorship. The control of government by the rich and powerful in no age of the world was ever democratic.

Gentlemen who court expediency for self promotion and aggrandizement may indulge in such intrigue, but I shall not do so.

For the foregoing reasons, and others equally cogent, do I, with a clear mind and conscience, adhere to this position, and let this Bill become a law by constitutional operation, solely as an emergency measure.

Respectfully submitted, on this the 5th day of July, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

President Burns presiding.

To the Honorable the House of Representatives and  
Senate, Fourteenth Legislature, Special Session:

Gentlemen:

The laws governing collection of tax placed upon



beverages, or may hereafter be placed upon them, is defective.

Therefore, I have authorized the Tax Commission to draft and prepare bills which were submitted to the Legislature on yesterday.

I therefore open up for your consideration and action the enactment of "machinery" of the law for collection of such taxes under any existing law or any law which may hereafter be enacted, governing the sale of beverages, et cetera.

I also submit to you a bill hereto attached, by Anglin, entitled:

AN ACT PROVIDING FOR TRANSPORTATION OF PUPILS IN THE STATE OF OKLAHOMA.

The object of said Act is primarily to permit the transportation of high school pupils from one district to points outside of the district, for your action and consideration.

Submitted, on this the 6th day of July, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA: Wm. H. MURRAY.

The following Messages from the Honorable House were received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 23—By PAXTON.

A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma for legislative consideration, the subject of privileges and immunities of members of the Legislature.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 8—By ABERNATHY (Harmon), ARMSTRONG, BEARD, CLINE, CLOYD, DOUTHAT, ELLIS, GARLAND, GRAHAM, GRUNERT, HINDS, JOHNSON (Osage), KENAN, LOGSDON, PHILIPS (Okfuskee), ROBERTS, SINGLETON, SMALLEY, STRICKLAND (Marshall), WATSON, WHITFORD, REMUND and OTTESEN of the House and RAY, HUTCHINSON, CHAMBERLIN, COMMONS, CURNUTT, DAUGHERTY, DIXON, HOWARD, LOGAN, MacDONALD, MEMMINGER, MORRISON, RITZHAUPT, RUTHERFORD and WHITAKER of the Senate.

A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of the reorganization of the Board of Trustees of the Union Soldiers' Home; and the management of and appropriation for said Home, and to advise you, and, through you, the Honorable Senate, that the same have been adopted by the House of Representatives and signed by the Speaker Pro Tempore in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolutions Nos. 8 and 23 were ordered printed and placed upon the calendar.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLU-

TION NO. 25—By MARTIN, BROADDUS, SHOE-MAKE, LEECRAFT and BATSON of the House, and MOON and WHITAKER of the Senate, entitled:

A Resolution expressing regret at the death of the Honorable C. N. Haskell, first Governor of Oklahoma; commending him and his patriotic unselfish service to the people of the State of Oklahoma; extending the sympathy of the members of the Fourteenth Legislature and the people of the State of Oklahoma to the bereaved family; authorizing the Speaker of the House and President of the Senate to appoint a Committee of five members of the House and the Senate to attend the funeral, and directing the Senate Auditor and the Chief Clerk of the House to arrange for a suitable floral offering, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon the request of Senator Moon, Engrossed House Concurrent Resolution No. 25, was ordered referred to the Special Senate Committee, appointed on the last legislative day, to draw and present suitable resolutions, concerning the death of ex-Governor Charles N. Haskell.

To The President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE JOINT RESOLUTION NO. 2—By ABERNATHY (Pott.), MUNSON, BILLINGS, LOGSDON, GRAHAM, SUTHERLAND, STRICKLAND (Pontotoc), and SINGLETON.

A Resolution ratifying the proposed amendment to

the Constitution of the United States to give congress the power to limit, regulate and prohibit the labor of persons under eighteen years of age, 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 Pro Tem in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Joint Resolution No. 2 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 22—By HAILE, BATSON, and LEECRAFT.

An Act prescribing method of allocation of income derived from sources within and without the State of Oklahoma which cannot be practicably segregated or where such income is derived from property and business employed in interstate commerce or in both interstate and intrastate commerce within the State of Oklahoma; authorizing the taxpayer and the Oklahoma Tax Commission to adopt a more accurate basis of allocation in certain cases; making the methods herein prescribed applicable to all unpaid income taxes whether already accrued under existing law, protested and unadjusted, or to hereafter accrue; repealing all conflicting laws; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 22 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

#### COMMITTEE REPORT

The following supplemental Committee Report was submitted and, upon motion of Senator Ritzhaupt, adopted:

Mr. President: We, your Committee on Employment beg leave to make the following supplemental report and recommendation: We recommend that Bess Lavigne take the place of Dave Boyer as Chief Enrolling and Engrossing Clerk, and further recommend that Eleandor Colley take the place of Bess Lavigne as Stenographer, and that L. E. Rader take the place of Eleandor Colley as Assistant Enrolling and Engrossing Clerk.

Respectfully submitted,

RITZHAUPT, Vice-Chairman.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 18 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Bill No. 18 and ordered it transmitted to the Honorable House.

#### SECOND READING

The following bill was read for the second time and, by unanimous consent, ordered placed upon the calendar, without reference to a committee:

ENGROSSED HOUSE BILL NO. 23—By DANIEL, BLOCKER, MASSEY, and KIGHT.

### GENERAL ORDER

SENATE BILL NO. 16, by Paul, Nance and Carlile, was taken up for further consideration.

Senator Paul asked unanimous consent, which was granted, to strike from Senate Bill No. 16 Section No. 2, and renumber the succeeding section.

Upon motion of Senator Paul, Senate Bill No. 16 was advanced to engrossment and third reading.

Senator Paul asked unanimous consent, which was granted, to add the name of Senator Lester as a joint author of Senate Bill No. 16.

Upon motion of Senator Paul, the rules of the Senate were suspended and Senate Bill No. 16, as amended, was considered engrossed and placed upon third reading and final passage.

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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 35.

Not Voting: Commons, Dixon, Howard, Sowards, Taylor, Waldrep. Total, 6.

Excused: Coppock, Daugherty, Fidler. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Curnutt, Fischl, Garvin, Hutchinson, Jenn-

ings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 35.

Not Voting: Commons, Dixon, Howard, Sowards, Taylor, Waldrep. Total, 6.

Excused: Coppock, Daugherty, Fidler. 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.

Senate Bill No. 16 was ordered referred for engrossment.

HOUSE BILL NO. 3, by Gray, was taken up for consideration.

Section 1 was read.

Senator Nichols presiding.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 3, line 2, page 2, by adding after the words contained in said line a new paragraph as follows: "The provisions of this Act shall automatically terminate on July 1, 1935."

WHITAKER.

Senator Logan submitted the following amendment:

Mr. President: I move to amend Engrossed House Bill No. 3, by striking all the sections therein contained and substitute in lieu therefor the following sections:

Section 1. The title of this act shall be the "Oklahoma Cigarette Dealers License Tax."

Section 2. No person shall be permitted to engage in the business of selling cigarettes either as a wholesaler or retailer without first having applied for and obtained a license from the State Tax Commission, which shall be issued for a fee of \$40.00 per year, payable quarterly. Separate license shall be required for

each place of business of such wholesaler or retailer.

"Place of business," as used in this section, shall mean the place where orders for cigarettes are received, or where cigarettes are sold or kept for sale; or, if sold from any vehicle, the vehicle on which or from which such cigarettes are sold.

Application for a license must be subscribed and sworn to by the person owning the business or having an ownership interest therein. If the applicant is a corporation, the application may be executed by a duly authorized officer or agent. Application shall be made on forms prepared and furnished by the Commission, and shall, in addition to any other information which the Commission may require, set forth the name of the applicant (and in case of partnerships, the name of the partners, thereof), the applicant's postoffice address, whether the application is for a license as a wholesaler or a retailer, and the location of the place of business to which the license shall apply; and in case of a retailer, the nature of the business of the applicant and what other business, if any, is carried on at the same place.

Section 3. Two per centum (2%) of all moneys collected under this act shall be placed to the credit of a fund to be designated as "The Oklahoma Cigarette License Tax Enforcement Fund", to be used for the collection of licenses and enforcement of said act; that any person, firm, corporation or association that shall sell cigarettes without having first obtained a license as herein provided shall be guilty of a misdemeanor and upon conviction, shall be convicted and fined in the sum of not more than One Thousand (\$1000.00) dollars nor less than Three Hundred (\$300.00) dollars, and may be incarcerated in the County jail for a period not to exceed sixty days.

Section 4. Ninety-eight per centum (98%) of the moneys collected hereunder shall be apportioned quarterly to the several common school districts of the State



on a scholastic enumeration per capita distribution basis; and shall be distributed to the various Counties in accordance with existing law for distribution of like funds; and the distribution to the various Counties shall be made by the Commission as soon as practicable after the close of each quarterly period ending March 31st, June 30th, September 30th and December 31st of each year.

The moneys so apportioned and distributed to each school district shall not be considered as income or revenue for the fiscal year in which they are collected or the fiscal year in which they are apportioned, and shall not be appropriated or taken into consideration in the making of any appropriation or in estimating revenue to be received from sources other than ad valorem taxes, but shall be used for the following purposes:

(a) Each school district receiving any moneys hereunder shall first use the same to pay and retire all outstanding warrants which shall have been legally issued against a valid appropriation and which shall have been outstanding and unpaid for at least one year prior to the beginning of the fiscal year in which the moneys are distributed to such school districts; the oldest of said outstanding warrants shall be paid first and others shall be paid in the order of their date of issue.

(b) When any school district shall have paid all such outstanding warrants, as hereinbefore provided, or shall have accumulated sufficient funds to pay the same, or should any such school district have no outstanding warrants which have been outstanding and unpaid for at least one year prior to the beginning of the fiscal year in which the moneys collected hereunder are distributed to such school district, the moneys apportioned to such school district under the provisions of this Act shall be credited to its sinking fund for the purpose of retiring its outstanding bond indebtedness.

(c) When any school district shall have paid, ~~or~~

accumulated sufficient funds to pay, such outstanding warrants, as hereinbefore provided, or should such school districts have no outstanding warrants which have been outstanding and unpaid for at least one year prior to the beginning of the fiscal year in which the moneys collected hereunder are distributed to such school districts; and when any school district shall have paid all outstanding bond indebtedness, or accumulated sufficient funds to pay such bond indebtedness at maturity, or should any such school district have no bond indebtedness, the moneys collected and apportioned hereunder shall be used by such school district to reduce the rate of ad valorem taxation in accordance with the provisions of Section 12499, Oklahoma Statutes, 1931, including the provisions thereof relating to the participation of the State Common School Equalization Fund.

Section 5. That the license issued hereunder to cigarette dealers shall not be in lieu of any tax that may be required to be paid by cigarette dealers for the sale of cigarettes under any general sales tax, this may be adopted by the State of Oklahoma. That House Bill No. 229 of the General Session laws of the regular 1933 session and known as the "Oklahoma Cigarette Stamp Tax", is hereby repealed; also Sections 1950, 1951, and 1952 Oklahoma Statutes 1931 relating to issuance of license for the sale of cigarettes are hereby expressly repealed.

Section 6. 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.

LOGAN.

Senator Nance raised a point of order against the Logan amendment, which was overruled, stating it an effort to substitute a license tax bill for a stamp tax bill

and, further, that it was not germane to the bill under consideration.

Senator Commons moved to table the Logan amendment, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Garvin, Johnston, Liggett, Memminger, Moon, Nance, Nichols, Paul, Pugh, Ray, Whitaker. Total, 15.

Nays: Ballard, Briggs, Clark, Hutchinson, Jennings, Logan, MacDonald, Morrison, Powers, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Thomas, Wilbanks. Total, 17.

Not voting: Curnutt, Dixon, Fischl, Howard, Lester, Sowards, Taylor, Waldrep, Willis. Total, 9.

Excused: Coppock, Daugherty, Fidler. Total, 3.

President Burns presiding.

Senator Carmack moved that further consideration of House Bill No. 3 be indefinitely postponed.

Senator Morrison, as a substitute, moved to amend the Logan amendment, by providing a license fee of \$30.00.

Senator Jennings raised a point of order against the Morrison motion, which was sustained, stating the Carmack motion a superior one.

Senator Nance moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were recorded "absent": Senators Dixon, Fischl, Paul, Taylor, Waldrep and Willis.

The Sergeant-at-Arms was directed to notify all absent members to come into the Senate Chamber.

Upon motion of Senator Curnutt, the Senate adjourned to meet under the rules.

## THIRTY-THIRD LEGISLATIVE DAY

Friday, July 7, 1933.

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Ritzley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 40.

Excused: Coppock, Daugherty, Fidler, Moon. Total, 4.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### SPECIAL COMMITTEE REPORT

Senator Johnston submitted the following Special Committee Report, which, upon his motion, was adopted:

Mr. President and Members of the Senate: We your special committee to whom was referred House Concurrent Resolution No. 25, expressing regret at the death of the late Charles N. Haskell, first Governor of Oklahoma, commending him and his patriotic service to the people of the State of Oklahoma; extending the sympathy of the members of the Fourteenth Legislature and of the people of the State of Oklahoma to the members of the bereaved family of the State of Oklahoma authorizing the Speaker of the House of Representatives and the President of the Senate to appoint special committees of five members of the House and five members



of the Senate to attend the funeral, and directing the Senate Auditor and the Chief Clerk of the House to arrange for a suitable floral offering, beg leave to report the same back to the Senate with our Cordial endorsements thereon. This resolution is a timely and fitting tribute of recognition to Governor Charles N. Haskell and we add our endorsement thereunto and recommend that the same be unanimously adopted by the Senate.

JOHNSTON, Chairman  
MOON, Vice-chairman  
WHITAKER,  
LOGAN,  
NICHOLS,  
CLARK,  
LESTER.

By unanimous consent, ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 25 was taken up for consideration and read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 25—By: MARTIN, BROADDUS, SHOEMAKE, LEECRAFT and BATSON of the House, and MOON and WHITAKER of the Senate.

A RESOLUTION EXPRESSING REGRET AT THE DEATH OF THE HONORABLE C. N. HASKELL, FIRST GOVERNOR OF OKLAHOMA; COMMENDING HIM AND HIS PATRIOTIC UNSELFISH SERVICE TO THE PEOPLE OF THE STATE OF OKLAHOMA; EXTENDING THE SYMPATHY OF THE MEMBERS OF THE FOURTEENTH LEGISLATURE AND THE PEOPLE OF THE STATE OF OKLAHOMA TO THE BE-  
REAVED FAMILY; AUTHORIZING THE SPEAKER OF THE HOUSE AND PRESIDENT OF THE SENATE TO APPOINT A COMMITTEE OF FIVE MEMBERS OF THE HOUSE AND THE SENATE TO ATTEND

THE FUNERAL, AND DIRECTING THE  
SENATE AUDITOR AND THE CHIEF  
CLERK OF THE HOUSE TO ARRANGE  
FOR A SUITABLE FLORAL OFFERING.

WHEREAS, information has been received that the Honorable Charles N. Haskell, First Governor of the State of Oklahoma, has departed this life, and

WHEREAS, it is the desire of both Houses of the Fourteenth Legislature of the State of Oklahoma, now assembled in Extraordinary Session, to do appropriate honor to his memory on account of his unselfish patriotic and everlasting services to the People of the State of Oklahoma, and

WHEREAS, the said Charles N. Haskell, for a period of more than thirty (30) years rendered to the State of Oklahoma and to her people that kind and character of public service which springs from the mind and heart of a man of honor and integrity, and a man who is imbued with the ideals of worth-while public service, and

WHEREAS, the life and character of the Honorable Charles N. Haskell have been an inspiration to many men and women who have striven forward in the field of public service in Oklahoma, and.

WHEREAS, in the passing of the said Honorable C. N. Haskell the State of Oklahoma, her people, and the Nation as a whole, have suffered a distinct and irreparable loss,

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, AND THE SENATE:

That in the death of the said Honorable Charles N. Haskell, the family has lost a devoted father, and the people of the State of Oklahoma have lost a patriotic, unselfish, and lovable public servant.

BE IT FURTHER RESOLVED, that the Fourteenth Legislature, in Extraordinary Session assembled, extends to his family the sympathy of its membership

and of the people of the State of Oklahoma as a whole, and the Speaker of the House of Representatives, and the President of the Senate are directed to appoint a committee of five from each of the House and Senate to attend the funeral of the said Charles N. Haskell.

BE IT FURTHER RESOLVED, that a copy of these resolutions be forwarded to the family of the deceased, and furnished to the press.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives and the Senate Auditor are directed to arrange for suitable floral offerings for the House of Representatives and the Senate, to be composed of one flower from each Senator and each Representative as a personal tribute of esteem and respect to the first Governor of Oklahoma.

Senator MacDonald moved that the members of the Senate be added as joint authors of Engrossed House Concurrent Resolution No. 25, which motion prevailed.

Upon motion of Senator Stewart, House Concurrent Resolution No. 25, as amended, was adopted.

House Concurrent Resolution No. 25, as amended, was ordered referred for engrossment.

The President appointed Senators Johnston, Moon, Rutherford, Whitaker and Clark, as the Senate Committee provided for under House Concurrent Resolution No. 25.

#### MESSAGES

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 7—By: LEE-  
CRAFT, entitled:

An Act making an appropriation from the General

Revenue Fund of the State of Oklahoma for the purpose of making payment for necessary expenses incurred and to be incurred by the Governor of the State of Oklahoma, and to be approved by him, in the administration for the State of Oklahoma of the Emergency Relief and Construction Act of 1932 in furnishing relief, and work-relief to needy and destitute people and in relieving the hardship resulting from unemployment in the State of Oklahoma, and repealing an item of appropriation in House Bill No. 625, approved May 3rd, 1933, known as the Omnibus Bill of the Fourteenth Legislature, under the Caption Federal Work-Relief in the sum of \$27,429.-46,

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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Bill No. 7.

The following Messages from the Governor were received and read:

TO THE HONORABLE SENATE AND HOUSE OF  
REPRESENTATIVES, 14th LEGISLATURE,  
SPECIAL SESSION:

Gentlemen:

There is quite a demand for extension of time for payment of ad valorem tax.

You have a Bill, or Joint Resolution, pending, providing for extension of the first payment until July 1st, and the second to September 1st.

I suggest that you substitute August 1st for the first payment, and then leave in the Bill the second payment to September 1st, and pass it in that form, and I shall gladly sign it; and, for the purpose of passing the Bill in that form, I hereby open the question for your consideration.



Respectfully submitted, on this the 7th day of July,  
A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

The foregoing Message from the Governor was  
ordered referred to the Committee on Revenue and Taxa-  
tion.

TO THE HONORABLE THE HOUSE OF REPRESENTATIVES AND THE SENATE, FOURTEENTH LEGISLATURE, SPECIAL SESSION:  
Gentlemen:

To meet an emergency in Pushmataha County, I hereby authorize the consideration for the passage of a Bill, by Senator Stewart, hereto attached.

Respectfully submitted, on this the 7th day of July,  
A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.  
FIRST READING

The following bills were introduced and read for the first time:

SENATE BILL NO. 19—By STEWART.—An Act empowering the Board of County Commissioners of all counties in the State, where the Court House, or records of the county, or any part thereof, have been destroyed by fire, lightning, windstorm, or otherwise, to use the money or funds collected from insurance to restore the building, furniture, books, and equipment so destroyed, without appropriation by the Excise Board, and empowering the Board of County Commissioners to cause property to be assessed and to make assessment lists, rolls, and tax rolls, and to employ additional help to make such lists and rolls, and to direct by proclamation persons holding tax receipts to file the same with the County Treasurer and to declare when property is delinquent for non-payment of taxes for failure to file tax receipts, and empowering County Com-

missioners to direct the County Attorney to foreclose lien of County for non-payment of taxes under same procedure as foreclosure of mortgages in District Court, and empowering Board of Commissioners to audit and determine cash balances on hand of the funds of the county and sub-divisions thereof, and making said Act and the remedies therein provided cumulative, and declaring an emergency.

SENATE BILL NO. 20—By RIZLEY of Senate, WILLIAMS and COX of House.—An Act authorizing the Commissioners of the Land Office to sell certain school and public lands owned by the State of Oklahoma, to be used in connection with certain drainage and flood control projects and providing for the appraisalment of said lands and improvements before the sale thereof and the method and procedure of appraisalment and sale of same, and declaring an emergency.

#### 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 School Lands, to whom was referred Senate Bill No. 3—By Carlile, Nichols, and Johnston entitled:

An Act amending Section 11 House Bill 187, passed by the Fourteenth Legislature and approved on the 26th day of April, 1933; Providing the method for selling land acquired by the state through mortgage foreclosure; Amending Section 13, House Bill 187; Making an appropriation to make said Act effective; 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.

ROSS RIZLEY, Chairman.

Mr. President: We, your Committee on Education

to whom was referred Senate Bill No. 15 by Senate Committee on Education entitled:

An Act empowering and authorizing the co-ordinating Board of the State of Oklahoma, created by an Act of the Fourteenth Legislature, and commonly designated as House Bill No. 686 approved on the 26th day of April, 1933, in their discretion, to prescribe and fix tuition fees in a just and reasonable sum per scholastic year, not to exceed the maximum prescribed, for the admission of students at all state supported Educational Institutions of Higher Learning in the State of Oklahoma; Repealing all laws and parts of law in conflict herewith, beg leave to report that we had the same under consideration and herewith return the same with the recommendation that the Committee Substitute do pass.

RITZHAUPT, Chairman.

Senator Ritzhaupt moved the adoption of the Committee Report on Senate Bill No. 15.

Senator Stacey, as a substitute, moved that Senate Bill No. 15 be re-referred to the Committee on Education, for further consideration.

Senator Ballard, in lieu of all pending motions, moved that further consideration of Senate Bill No. 15 be indefinitely postponed.

Senator Memminger moved to table the Ballard motion.

Senator Curnutt moved that the Senate adjourn to meet at 10:00 o'clock, Saturday, July 8th.

Senator Nance raised a point of order against the Curnutt motion, which was sustained, stating a roll call had been ordered on the Memminger motion.

The vote occurring on the Memminger motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul,

Pugh, Ray, Reed, Ritzhaupt, Sowards, Thomas, Whitaker, Willis. Total, 24.

Nays: Ballard, Curnutt, Dixon, Hutchinson, Logan, Morrison, Powers, Rizley, Rutherford, Stacey, Stewart, Taylor, Wilbanks. Total, 13.

Not Voting: Clark, Waldrep. Total, 2.

Excused: Coppock, Daugherty, Fidler, Moon, Total, 4.

Excused From Voting: Jennings. Total, 1.

#### SPECIAL COMMITTEE REPORT

Senator Johnston asked unanimous consent, which was granted, to submit the following Committee Report, which, upon his motion, was adopted:

MR. PRESIDENT:

and

MEMBERS OF THE OKLAHOMA STATE SENATE.

We your special committee upon whom was conferred the prerogative and assigned the solemn duty of preparing appropriate expression and tribute to Governor Charles N. Haskell and his life works and to do honor to his memory, beg leave to report that we herewith submit what to us seems a meet and proper expression of public and official estimation of this great and good man and we respectfully suggest its acceptance, approval and adoption as the Senate's tribute to Oklahoma's first Governor.

JOHNSTON, CHAIRMAN.

MOON, VICE-CHAIRMAN.

CLARK

NICHOLS

WHITAKER

LOGAN

LESTER



---

# Charles N. Haskell

A Tribute to  
Oklahoma's First Governor  
by the  
Oklahoma State Senate

Again we are called upon to note that the writing hand moves on. This time Oklahoma's distinguished citizen, Charles N. Haskell, her first Governor, has passed into the Valley of the Shadow.

Departing, he leaves an honored name, a cherished place in the memory of all Oklahomans. He has gone to consort with the patriots of all time and of every nation.

Of his early life we know but little but we do know him,—and we are satisfied with the result. Born in Ohio in 1860 he took up his abode with us in 1901. Arriving at Muskogee he found a grown up country town. What appeared insurmountable to others became to this man of action an opportunity.

Reared on a farm and reveling in the great outdoors and having a native genius for construction he became a town builder; built street car and inter-urban lines and promoted and built railroads. Started a Tide Water project from Ft. Gibson for the purpose of establishing lower freight rates for his adopted town. Commodious hotels, stately business houses, new additions, improved streets and a city of homes and a greater Muskogee were his gift to his community and to the State.

This constructive genius could not be satisfied with mere mechanical results, but these were the harbinger of a highly developed inward urge and a lofty call to public service. He founded the New State Tribune, made this newspaper the sponsor of a statehood movement that was to arouse the nation.

Having set himself industriously to this great task he never faltered. The result was the Sequoyah Convention advocating separate statehood for Indian Territory. As such it was a challenge to Oklahoma and to the American Congress. It became the unanswerable argument for Statehood.

The Statehood bill was passed and Governor Haskell became a prominent figure in the twin territories. He was one of the chief organizers of the Constitutional Convention, during which he formed associations with the leaders who were to control the destiny of the new state and he established a life-time alliance with delegate William H. Murray, who was made President of the Convention.

As a delegate he was a diplomatic organizer, a great harmonizer, a pacificator, and the friend and confidant of the entire membership. He wrote many of its sections and took active part in every deliberation.

As First Governor of Oklahoma he did more than occupy a station. He comprehended those broad principles and a mastership of the almost infinite detail essential to sound policy and to wise public administration in a situation requiring profound understanding and fraught with infinite peril. His administrative triumphs were a literal example of the "Survival of the Fittest in the midst of a Hostile Environment."

His administration began November, 1907, with Statehood, and concluded with the convening of the Third Legislature in January, 1911. A lawyer by profession with an uncanny understanding of the requirements of the hour, the needs of the people, a keen interest and a discriminating comprehension of public needs and of state welfare,—his inaugural address at Guthrie, delivered on the south steps of the Carnegie Library, lifted him into national prominence.

He set about the vitalization of the Constitution and the organization of the State on constitutional lines with such vigor and superb policy that the Forty-sixth became the radiant and attractive star of the American Flag.

During the First Legislature Governor Haskell delivered a message and conjoined thereto a resolution creating a commission to thunder at the door of Congress and to awaken the various states of the American Union to the transcendent importance of amending the Federal Constitution to provide for the election of United States Senators by direct vote of the people. The result was electrical and the impact was irresistible.

Guthrie, the Territorial Capital, was filled with public officers and the hibernating place of a coterie of retainers who moulded the sentiment of the town and community. They were socially established and resented removal. The invasion of the newcomers brought on by the state election was antagonized. Corporation and special privilege ideas were intensively reflected. The leading people were critical and hostile, the local courts searched for opportunities to hamper, obstruct and even hamstring the processes of Government in the new State. Social ostracism was extensively practiced. It became more and more intolerable. The people felt that the State and its institutions belonged to them and that Guthrie should be grateful to be the Capital, and that it was an ill flavored seasoning which rendered life in the capital of the state a hotbed of discontent. This, together with the aspirations of other communities soon led to a state-wide campaign for removal of the capital.

The decisive character of Governor Haskell, his quickness to act and his inimitable ability to grasp information and solve difficult situations were never better illustrated than in his personal canvass of the votes, summoning the public officers, and requiring them to bring the great Seal of the State and meet him at Oklahoma City where he declared the result and the world awakened to find at Sunup following the election that the officers were beyond the venue of the Guthrie lawyers and judges and that Oklahoma City was the capital of our State.

Throughout his administration as Governor, and more especially in his service on the County Seat and County Di-

vision Committee of the Constitutional Convention, his practical mind, his intuitive knowledge of the law, and his insight into what the law should in fact be enabled him to discern the underlying principle at issue.

— He found the middle ground and usually brought belligerent forces and rival interests into friendly compact. The people of the State owe to him a deep and permanent debt of gratitude. Contenders over county seats and over county boundaries, towns demanding new institutions, special privileges snarling at being disturbed, lobbyists and corporate clamorings for legal advantage, innumerable popular demands, office hunters and hungry politicians seeking place and a salary, a solicitor's face in every window and a demanding hand at every door encamped around about him and each and all had their hearing. Like every good-hearted man he often conceded too much and sometimes made serious mistakes, but his constant concern was to conserve the best interest of the State and send the disappointed solicitants away with a feeling that a denial was either a personal favor or a state necessity.

In a high degree Governor Haskell became a national character. Oklahoma's progressive constitution, his activities in its formation, his administrative wisdom and energy, his dramatic personality, his peculiar aptitude and rich endowments silhouetted his outline on the national horizon. He was a Democrat in politics, in principle and in affection. He trusted the people and his standard rule of conduct was to espouse no cause he could not defend before the people. Although a railroad promoter and builder, he was the unbiased and fearless advocate of their rigid regulation.

In public life his services were not given to clients, nor to retainers, nor to advertising patrons, nor to those who had employed him, and in public life he came, not to get or to demand, but to give and the generosity of that gift was superb.

With boundless energy he worked twenty hours a day, giving himself and every ounce of his capacity to the public welfare. He cared not place, except as a means of service.



In 1908 he headed the Oklahoma delegation to the National Democratic Convention at Denver and for a few months was Treasurer of the Democratic Campaign Committee. He was the real co-laborer and in spirit and in fact the spokesman for William J. Bryan in writing the platform of that Convention.

In 1920 he again headed the Oklahoma delegation at the National Convention, which in that year met at San Francisco and as such was committed to and faithfully labored for Oklahoma's own United States Senator, Robert L. Owens, for the nomination for President.

In 1928 he was a delegate to the National Democratic Convention at Houston.

In 1932 he was the Oklahoma Patriarch at the Chicago Democratic Conclave.

At each convention and in his speeches and in numerous articles appearing in the public press he disclosed an intimate understanding of the big money masters of America and ruthlessly exposed many of their venal practices and their corrupt usage of the public funds in their own interest to the detriment of the people.

In private life he engaged in activities which made and lost several fortunes and in those processes made fortunes for others who prospered by his counsel and advice.

In his family relations he had an outstanding reputation for love and respect to his own wife, and most tender consideration for his children. He is survived by his wife, Mrs. Lillie E. Haskell, his daughters, Mrs. Frances Edmondson and Mrs. Jane Richardson. He loved and adored them, they revered and honored him, and we share their deep and genuine sorrow.

Some expression of insight into the character of Governor Haskell is not only befitting but should serve a high and exalted public purpose.

In public office he was free from corruption. Though he was the leader in the deliberations of the committee on county lines and county seats when hundreds of towns had committees

attending the sessions with heavy purses, yet he left its deliberations lean and poor and by the time he had retired from the Governor's office he had become utterly impoverished.

Upon the platform and in debate he ignored the elements, arts, and graces of oratory but marshalled facts, arrayed statistics, and piled up figures and illustrated events in unsurmountable mass, connecting them with pungent sentences, abounding in stinging sarcasm, cutting wit and with a grim humor that carried his point.

He possessed a deep insight into human psychology based on a reverence for public duty which is best demonstrated in his selection of the first judges of the Court of Criminal Appeals when he selected for its members Judges Henry M. Furman, H. G. Baker and Thomas H. Doyle.

He declared that though he deemed knowledge of the law of vast importance in a court dealing with the liberties of the citizens, but rising above and far beyond this elemental necessity that the public welfare prescribed that this court should be composed of men of the noblest human impulses and a rich and abiding sympathy of heart.

Living, Governor Haskell was an example of Oklahoma's lusty advent into state sovereignty; in death, he moves with solemn majesty into a deeper recognition of his worth. He was an explorer, yet he lingered to give permanence to his discoveries. He was more than a pioneer, he established and gave reality and enduring value where he wrought. He lived to see his work accepted and enjoyed by the legatees of his favor. His associates recount with ever increasing pride their labors with him, and his works arise and call him blessed.

It is as "C. N." the battler that the world best knows Governor Haskell. Rough, ready, rugged old fighter, his entire life was beset with contests and his character molded for conquest. He had a hot temper, admirably regulated, a genuine love of debate, coupled with an abundant readiness to enter into battle for public principle.

When in action his personality seized the imagination and

held the affections. He could fight without hating. He would say anything in the category to, or about, an antagonist; yet, the man never lived whom he would wilfully libel or scandalize. He would denounce, but would never traduce. He considered that cause lost which had to be defended by defamation of character, and regarded a victory won by lies as a personal defeat.

In his armory there were no poison gas, no poison arrow. He occasionally made flank movements but his favorite method was by direct frontal attack

The passage of many winters over his head, the challenge to battle on many a stormy front did not lessen his ardor nor quench his desire to meet life's responsibilities with his rugged face set firmly toward the goal. No human has ever seen this man of blood and iron falter, but heroic in strength and sublime in courage, as he met the tasks of earth, we know he answered the summons with that calm which he met every issue of life.

*"Soldier, rest, thy warfare's o'er,  
Sleep the sleep that knows no breaking  
Dream of battle fields no more,  
Days of toil and nights of waking."*

Our friend will walk the way with us no more and while Oklahoma's flag is at half mast and our citizens sorrow and his family mourn, it is more a grief for ourselves than for him.

That his last earthly consciousness should have been on July 4, like that of Thomas Jefferson, it is a fitting close to a life of patriotic service.

Is this the end of life? Does love and sacrifice lead but to the grave? No, no. Blessed assurance. Even the space allotted to his pensive dust is now and forever shall be a hallowed spot, a shrine for the people of our state, yea for every true pioneer. Hope, tender and persuasive whispering to the soul bids the mourner to raise his eyes from the dust of earth to the heavens that bend above him. The sky begins at the ground and ascends to infinity. This earth is one of the stars,

Time is a throb of eternity, life a heartbeat of the infinite.

Indestructibility is the first law of nature. Forms perish, their substance persists. The written records of man reveal the lives and events of antiquity. The "memory of nature" holds in sacred vigil the processes of God through the lapse of ages.

The constructive force of unselfish and noble lives can never die. They pass from generation to generation. They animate and inspire the hearts of nations yet unborn. Will the works of man and the story of man persist longer than himself? No structure is as great as its builder. The act is not greater than the actor. The composer is greater than his noblest anthem.

*"Death is but a path that must be trod, if man would ever pass to God."*

Let us so live that by the performance of duty we may prove that his example and his devotion shall not have been in vain, and that upon our part we shall be esteemed worthy of the several stations we assume to fill, and may it be our portion to share a like affection in the hearts of our fellow men.

Henry S. Johnston, Chairman  
Chas. E. Moon, Vice-Chairman  
Joe M. Whitaker  
Allen G. Nichols  
David M. Logan  
W. T. Clark  
Pres S. Lester

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Upon motion of Senator Rutherford, copy of the above report and tribute, was ordered sent to the family of the late C. N. Haskell.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Concurrent Resolution No. 25 and Senate Bill No. 16 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendment to and Engrossed House Concurrent Resolution No. 25, as amended, and ordered it returned to the Honorable House; signed, in open session, Engrossed Senate Bill No. 16 and ordered it transmitted to the Honorable House, for consideration.

Senators Nance and Rutherford asked to be "excused," from attendance in the Senate on the next legislative day, which requests were ordered granted.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 o'clock, a. m., Saturday, July 8th, 1933.

## THIRTY-FOURTH LEGISLATIVE DAY

Saturday, July 8, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nichols, Powers, Pugh, Reed, Ritzhaupt, Ritzley, Sowards, Stacey, Stewart, Taylor, Thomas, Waldrep, Whitaker, Wilbanks, Willis. Total, 31.

Absent: Briggs, Dixon, Jennings, Paul, Ray. Total, 5.

Excused: Clark, Coppock, Daugherty, Fidler, Johnston, Moon, Nance, Rutherford. Total, 8.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

The President announced matters were on his desk for the consideration of the Senate, in executive session.

Upon motion of Senator Commons, the Senate closed its doors and went into executive session.

\* \* \*

The Senate reassembled, in open session, with the President presiding, who announced the Senate had, in executive session, advised and consented to the confirmation of the following executive nomination:

BOYD McMAHAN, Altus, Oklahoma, for membership on the Game Commission, to take the place of Gid Graham, time expired.

### MESSAGES

The following Message from the Governor was received and read:

To the Honorable the Senate and House of Representatives, Fourteenth Legislature, Special Session:  
Gentlemen:

The Senate, in enacting Senate Bill No. 371, made the enacting clause read as follows:

**"BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF OKLAHOMA."**

That is in violation of the Constitution, found in Article 5, which provides that the enacting clause of all bills shall be:

**"BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA."**

And, therefore, Senate Bill No. 371 is a nullity.

Also, House Bill No. 257 has no enacting clause at all, as shown in the original copies filed with the Secretary of State; and, therefore, it is also a nullity.

I herewith send attached copies of the two said bills, trusting that you may enact both of them without change except to add the necessary enacting clause.

Since Your Body has, from the beginning, desired to pass upon the question of the Repeal of the 18th Amendment, and have filed resolution in my office, I hereby submit that question, to be considered by Your Honorable Bodies, in obedience to the United States Submission Resolution; but, remember, I do not submit in this the question of the repeal of the Constitution of the State of Oklahoma, or its modification of change, but solely the question of the 18th Amendment of the Constitution of the United States.

Respectfully submitted, on this the 8th day of July, A. D., 1933.

**BY THE GOVERNOR OF THE STATE OF OKLAHOMA: Wm. H. MURRAY.**

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 25—By MARTIN, BROADDUS, SHOEMAKE, LEECRAFT and BATSON of the House, and MOON and WHITAKER of the Senate, entitled:

A Resolution expressing regret at the death of the Honorable C. N. Haskell, First Governor of Oklahoma; commending him and his patriotic unselfish service to the people of the State of Oklahoma; extending the sympathy of the members of the Fourteenth Legislature and the people of the State of Oklahoma to the bereaved family; authorizing the Speaker of the House and President of the Senate to appoint a committee of five members of the House and the Senate to attend the funeral, and directing the Senate Auditor and the Chief Clerk of the House to arrange for a suitable floral offering, and that the same has been adopted by the House of Representatives AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 25—By MARTIN, BROADDUS, SHOEMAKE, LEECRAFT and BATSON of the House, and MOON, WHITAKER, BALLARD, BRIGGS, CARLILE, CARMACK, CHAMBERLIN, CLARK, COMMONS, COPPOCK, CURNUTT, DAUGHERTY,



DIXON, FIDLER, FISCHL, GARVIN, HOWARD, HUTCHINSON, JENNINGS, JOHNSTON, LESTER, LIGGETT, LOGAN, MacDONALD, MEMMINGER, MORRISON, NANCE, NICHOLS, PAUL, POWERS, PUGH, RAY, REED, RITZHAUPT, RIZLEY, RUTHERFORD, SOWARDS, STACEY, STEWART, TAYLOR, THOMAS, WALDREP, WILBANKS, WILLIS, entitled:

A Resolution expressing regret at the death of the Honorable C. N. Haskell, First Governor of Oklahoma; commending him and his patriotic unselfish service to the people of the State of Oklahoma; extending the sympathy of the members of the Fourteenth Legislature and the people of the State of Oklahoma to the bereaved family; authorizing the Speaker of the House and President of the Senate to appoint a committee of five members of the House and the Senate to attend the funeral, and directing the Senate Auditor and the Chief Clerk of the House to arrange for a suitable floral offering, and to advise you, and, through you, that the same has been signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolution No. 25 and ordered it returned to the Honorable House.

Senator Commons moved, when the Senate adjourns today, it adjourn to meet under the rules on Monday, July 10th, which motion prevailed.

#### FIRST READING

The following bills were introduced and read for the first time:

SENATE BILL NO. 21—By the SOLDIERS' RELIEF COMMITTEE of the Senate and the SOLDIERS' RELIEF COMMITTEE of the House.—An Act making appropriation for the operation and maintenance of the

Soldiers' Tubercular Sanatorium, and declaring an emergency.

SENATE BILL NO. 22—By MacDONALD, HUTCHINSON, WILBANKS and WHITAKER of the Senate; CLOYD, REMUND and SULLIVAN of the House.—An Act creating awards and decorations to be bestowed upon members of the federally recognized national guard, including an Oklahoma Distinguished Service Cross; an Oklahoma Distinguished Service Medal; Spanish War Service Medal; Mexican Border Service Medal; World War Service Medal; certain long Service Medals; and providing for other medals to be awarded for any War or Campaign or mobilization which the Federal Government shall recognize by awarding Service Medals; providing for a Board to be selected by order of the Governor to select designs, ribbons, and symbols for Medals; providing for the publication of general orders necessary to carry out provisions of this Act; and declaring an emergency.

#### SECOND READING

The following bills were read for the second time and, by unanimous consent, ordered placed upon the calendar, without reference to a Committee:

SENATE BILL NO. 19—By STEWART.

SENATE BILL NO. 20—By RIZLEY, of the Senate, WILLIAMS and COX of the House.

HOUSE BILL NO. 7—By LEECRAFT.

#### GENERAL ORDER

Senator Commons asked unanimous consent, which was granted, to amend SENATE CONCURRENT RESOLUTION NO. 7, by Commons, of the Senate, and Batson, of the House, by striking from line 9, page 2, the word and figures, "June 27," and inserting the word and figures, "July 14."

Senator Logan asked unanimous consent, which was

granted, to withdraw SENATE CONCURRENT RESOLUTION NO. 5, by Logan, from the calendar.

#### RESOLUTION

Senator Nichols asked unanimous consent, which was granted, to introduce the following resolution:

SENATE RESOLUTION NO. 12—By NICHOLS.  
—A Resolution requiring the Corporation Commission of the State of Oklahoma to furnish full account of its stewardship in the matter of conservation of natural resources, and particularly shall it report whether or not the local refineries of the State are being given equitable consideration in the allocation of crude oil produced in the State.

Senator Nichols asked that Senate Resolution No. 12 be taken up for immediate consideration, which was the order, and the resolution was read at length, as follows:

SENATE RESOLUTION NO. 12—By NICHOLS.

A RESOLUTION REQUIRING THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA TO FURNISH FULL ACCOUNT OF ITS STEWARDSHIP IN THE MATTER OF CONSERVATION OF NATURAL RESOURCES, AND PARTICULARLY SHALL IT REPORT WHETHER OR NOT THE LOCAL REFINERIES OF THE STATE ARE BEING GIVEN EQUITABLE CONSIDERATION IN THE ALLOCATION OF CRUDE OIL PRODUCED IN THE STATE.

WHEREAS, there was heretofore passed by the House of Representatives and this body, in regular session assembled, a statute or law known as House Bill 481; and,

WHEREAS, the same was intended to be and was an exercise of the police power of the State to con-

serve natural resources from waste and therefore promote the public welfare; and,

WHEREAS, said legislation was entrusted to the Corporation Commission for administration; and,

WHEREAS, the Congress of the United States recently enacted a law known as the National Industrial Recovery Act, wherein certain power looking to the regulation of the production and marketing of crude oil and its refined products was vested in the President of the United States; and,

WHEREAS, in accordance with the terms of said National Legislation a code was adopted, and section (a) of Article 1 thereof reads:

“In the administration of this code, refineries having inadequate supplies of crude petroleum shall be given fair and equitable consideration in allocation of crude.”

and,

WHEREAS, such Congressional Legislation is an exercise of the National police power; and,

WHEREAS, Oklahoma now has situated within her confines several independent refineries employing and operated by local labor; and,

WHEREAS, economic conditions prevailing in this State demand and require that said industries be not destroyed and the labor thereby employed be not rendered idle; and,

WHEREAS, it is charged in the courts, in the public press, and in national magazines, that said House Bill 481 is being so administered by the Corporation Commission as that said local industries are being destroyed and confiscated and the citizens of the State therein and thereby employed deprived of such employment, and as a consequence thereof of the means of supporting themselves; and,



WHEREAS, if this be true this constitutes maladministration or misadministration of said law;

NOW THEREFORE, BE IT RESOLVED by the Senate of the State of Oklahoma that the Corporation Commission of the State of Oklahoma be required to furnish a full account of its stewardship in this matter, and particularly shall it report whether or not the local refineries of the State are being given equitable consideration in the allocation of crude oil produced in this State; and,

BE IT FURTHER RESOLVED that a committee composed of 5 members of this body be forthwith named to inquire into and report upon the question:

Does House Bill 481, as administered by the Corporation Commission, promote economy in the affairs of the State of Oklahoma and its citizens?

Senator Pugh presiding.

Senator Nichols moved that Senate Resolution No. 12 be adopted.

Senator Curnutt, as a substitute, moved that Senate Resolution No. 12 be referred to the Committee on Oil and Gas, with instructions to report on Monday, July 10th.

President Burns presiding.

Senator Ballard raised a point of order against consideration of Senate Resolution No. 12, on this legislative day, citing Rule 18.

Senator Nichols asked unanimous consent, which was granted, to defer further consideration of Senate Resolution No. 12 until the next legislative day.

#### GENERAL ORDER

SENATE JOINT RESOLUTION NO. 3, by Chamberlin, Commons, Whitaker and Paul, of the Senate, and Batson and Cox, of the House, was taken up for consideration.

The Preamble was read and adopted, upon motion of Senator Chamberlin.

Section 1 was read.

Senators Chamberlin and Whitaker submitted the following amendment, which was adopted:

Mr. President: We move to amend Senate Joint Resolution No. 3, by striking the word and figures, "June 30th," wherever the same occur in the title and resolution and inserting the word and figure, "August 1st."

CHAMBERLIN and WHITAKER.

Upon motion of Senator Chamberlin, Section 1, as amended, was adopted.

Senator Memminger submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend Senate Joint Resolution No. 3, by adding a new section, to be known as Section 2, as follows: "Section 2. Any County Treasurer in the State of Oklahoma who has collected any penalty on the 1932 ad valorem taxes is hereby authorized and instructed to refund such penalty collected to the party having paid same."

MEMMINGER.

Senator Memminger moved that Senate Joint Resolution No. 3 be referred to the Committee on Revenue and Taxation, with instructions to amend the resolution to provide for the refund of penalties collected on the 1932 ad valorem taxes, which motion was tabled, upon motion of Senator Commons.

Upon motion of Senator Chamberlin, Senate Joint Resolution No. 3 was advanced to engrossment and third reading.

SENATE BILL NO. 14—By Ritzhaupt, Garvin, Briggs, MacDonald, et al, was taken up for further consideration.

President Pro Tempore Stewart presiding.

Section 3 was read.

Senator Pugh submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 14, line 4, page 5, by adding after the word, "in," and before the words, "Oklahoma City," the following: "State Capitol Building or Historical Building in"

PUGH.

Senator Commons, as a substitute, moved that further consideration of Senate Bill No. 14 be indefinitely postponed.

Senator Whitaker asked to be recorded "Excused," for the remainder of this legislative day, which was the order.

Senator Chamberlin, in lieu of all pending motions, moved that further consideration of Senate Bill No. 14 be postponed until the next legislative day.

Senator Ballard raised a point of order against the Chamberlin motion, citing Rule 25, which point was sustained.

Upon motion of Senator Morrison, the Senate adjourned, to meet under the rules on Monday, July 10th, 1933.

## THIRTY-FIFTH LEGISLATIVE DAY

Monday, July 10th, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 36.

Absent: Dixon, Nance, Paul, Waldrep. Total, 4.

Excused: Clark, Coppock, Daugherty, Fidler. Total, 4.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### MESSAGES

The following Messages from the Governor were received and read:

To the Honorable the House of Representatives and Senate, Fourteenth Legislature, Special Session:

Gentlemen:

Owing to the difficulties of County Treasurers to make bond, and due to the amount of interest now allowed to be paid by banks for the deposit of public moneys, and for other reasons, I hereby open up for your consideration and passage three several bills:

House Bill No. 30, by Phillips of Okfuskee, and Kight;

House Bill No. 31, by Phillips of Okfuskee, and Kight;



House Bill No. 32, by Phillips of Okfuskee, and Kight.

These Bills should be passed substantially as written.

Bill No. 31 is of tremendous importance, to stop the issuance of warrants in violation of law, and to prevent the loss of the sinking fund for the payment of bonds; and, therefore, the Bill, in that particular, should be passed without change.

All three of these Bills are essential. I would change only certain verbiage, to clarify, and only provide in the first Bill for the approval by the County or District Judge rather than the County Commissioners, for the reason that they would know the law better than the average County Commissioner, and they could be held responsible, whereas an "alibi" often occurs where you have a bureau, or board, to pass upon such things; but substantially, as written and introduced, should these three Bills be passed, and at once.

Respectfully submitted, on this the 10th day of July, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

To the Honorable Senate and House of Representatives,  
Fourteenth Legislature, Special Session:

Gentlemen:

Some years ago, when the City of Tulsa had thirty or forty thousand more people than it has now, and a larger volume of business, the Legislature of Oklahoma created Four Courts of Common Pleas, at the county's and city's expense.

Whether all four were then needed, which is doubtful, they certainly do not need now more than two.

The Legislature forced this extra official budget on the City of Tulsa without their consent, and they have no means by which they can rid themselves of this ex-

pense, except by the Legislature that created it.

There is now a vacancy, which I have left for nearly six months unfilled, with the hope of saving those people some of their burden of taxes; but, even though I appoint no one until 1934, they would elect one who could not be dispensed with without the action of the Legislature.

I therefore open up the question, and urge you to pass an Act abolishing one of these Common Pleas Courts of Tulsa, now vacant, and thus save this amount of taxes from the people of Tulsa.

The Honorable Senator from that district, a few days ago, boldly said in an impassioned speech, betraying anger, that the Governor of Oklahoma had not attempted any program or policy of economy. Therefore, in opening this subject, I challenge him to make some effort of economy and save his neighbors and friends some of the tax burdens upon them.

Respectfully submitted, on this the 10th day of July, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

The following Messages from the Honorable House were received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 28—By GARLAND, STURGELL, GRAHAM, BATSON, CHAMBERS, and KIGHT, of the House, and BALLARD, NICHOLS, and COMMONS of the Senate, entitled:

An Act providing for the enforcement of the laws of the State imposing license fees and taxes upon non-intoxicating beverages containing more than one half

of one per centum of alcohol, by volume, and not more than three and two tenths per centum of alcohol, by weight; defining terms; providing the manner of issuing licenses to wholesalers and retail dealers; providing that taxes shall be paid by wholesalers, and by retail dealers, in certain cases; prescribing the conditions under which sales of beverages as herein defined, may be made and the taxes thereon may be paid; providing how such taxes may be paid and for reports and returns thereof; providing for reports by manufacturers and retail dealers; prescribing penalties for failure to pay taxes, for failure to make returns and reports and for the violation of laws and the rules and regulations of the Oklahoma Tax Commission; providing for liens upon taxpayers' property and for tax warrants; providing how such beverages may be transported; providing cities, towns or other governmental subdivisions may levy an occupation tax or license fee which shall not be in excess of that levied upon other similar classes of business; providing for the revocation of licenses; providing for injunctions; providing for remedy by suit against taxpayers; providing a legal remedy for aggrieved taxpayers; prescribing the manner in which such beverages shall be labeled and prohibiting the use of any substitute therefor; providing that the provisions of this Act shall be severable, that its provision shall not be a burden upon interstate commerce, 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Bill No. 28.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 29—By ANGLIN, ARMSTRONG, ALBRIGHT, COLLINS, LEE-CRAFT, JOHNSON (Comanche), MALLORY, MASSEY, COX, WINGO, ALLEN, SULLIVAN, DUKE, CLOYD, BEAVER, BUSHYHEAD, MARSHALL, SHOEMAKE, DAVIS, HOLLIMAN, LINDSEY, and WATSON, PAXTON, JESSEE, JONES, LANDINGHAM, McELHANEY, SPEAR, DARKS, MUNSON, STRICKLAND (Marshall), STEWART, EBEE (Pontotoc), HILL, BILLINGS, entitled:

An Act providing for transportation of pupils from one school district to another school district in the State of Oklahoma, fixing limitations upon such transportation and the district to be charged with the costs of the same, repealing all Acts or 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Bill No. 29.

#### COMMITTEE REPORT

Senator Ritzhaupt moved that the Report on SENATE BILL NO. 15, submitted on July 7th, be accepted.

Senator Jennings, as a substitute, moved that the Report of the Committee on Senate Bill No. 15 be rejected and the bill re-referred to the Committee on Education.

Senator Ritzhaupt moved to table the Jennings



motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Chamberlin, Commons, Garvin, Howard, Johnston, Lester, Liggett, MacDonald, Memminger, Moon, Nichols, Pugh, Reed, Ritzhaupt, Sowards, Taylor, Willis. Total, 19.

Nays: Curnutt, Hutchinson, Jennings, Logan, Powers, Rizley, Stacey, Stewart. Total, 8.

Not voting: Ballard, Briggs, Fischl, Morrison, Ray, Rutherford, Thomas, Whitaker, Wilbanks. Total, 9.

Absent: Dixon, Nance, Paul, Waldrep. Total, 4.

Excused: Clark, Coppock, Daugherty, Fidler. Total, 4.

The vote occurring on the Ritzhaupt motion, it was declared adopted.

Senator Rizley moved that the rules of the Senate be suspended and Senate Bill No. 15 be taken up for immediate consideration, which motion failed of adoption.

#### SECOND READING

The following bills were read for the second time and, by unanimous consent, ordered placed upon the calendar without reference to a Committee:

SENATE BILL NO. 21—By THE SOLDIERS' RELIEF COMMITTEE of the Senate and the SOLDIERS' RELIEF COMMITTEE of the House.

Upon motion of Senator Chamberlin, Senate Bill No. 21 was advanced to engrossment and third reading.

SENATE BILL NO. 22 — By MacDonald, HUTCHINSON, WILBANKS and WHITAKER of the Senate; CLOYD, REMUND and SULLIVAN of the House.

Upon motion of Senator MacDonald, Senate Bill No. 22 was advanced to engrossment and third reading. Senator Chamberlin presiding.

#### GENERAL ORDER

Senators Commons and Howard asked unanimous

consent, which was granted, to strike SENATE RESOLUTION NO. 6, by Commons and Howard, from the calendar.

SENATE CONCURRENT RESOLUTION NO. 7, by Commons, of the Senate, and Batson, of the House, was taken up for consideration and read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 7—By COMMONS of the Senate and BATSON of the House.

A CONCURRENT RESOLUTION FIXING THE DAY AND THE HOUR OF THE SINE DIE ADJOURNMENT OF THE FIRST EXTRAORDINARY SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA.

WHEREAS, The time for the adjournment sine die in the First Extraordinary Session of the Fourteenth Legislature has not been fixed; and,

WHEREAS, The Constitution of the State of Oklahoma provides that one House cannot adjourn more than three days without the consent of the other; and,

WHEREAS, No hour and day for the final adjournment of the First Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma has been specifically fixed in pursuance of said constitutional provisions.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the hour of twelve o'clock noon, July 14th, 1933, be, and the same is, hereby fixed as the hour and day of the final adjournment of the First Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma.

Upon motion of Senator Commons, Senate Concurrent Resolution No. 7 was adopted.

Senate Concurrent Resolution No. 7 was ordered referred for engrossment.

Upon the request of Senator Ritzhaupt, consideration of SENATE BILL NO. 14, by Ritzhaupt, et al, was deferred for this legislative day, the bill to retain its place on the calendar.

SENATE BILL NO. 3, by Carlile, Nichols and Johnston, was taken up for consideration.

Section 1 was read.

Senator Memminger submitted the following amendment, which was tabled, upon motion of Senator Carmack:

Mr. President: I move to amend Senate Bill No. 3, line 7, page 2, by striking after the word, "to," and before the word, "all," the following, "one-half of," and by striking after the word, "rights," in line 12, page 2, the balance of line 12 and all of lines 13, 14, 15, 16, 17 and 18, page 2, and all of line 1, page 3.

MEMMINGER.

Senator Logan submitted the following amendment, which was tabled, upon motion of Senator Nichols:

Mr. President: I move to amend Senate Bill No. 3, line 9, page 5, by striking the words, "one-tenth," and inserting the words, "one-fifth"

LOGAN.

Senator Logan submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 3, line 9, page 6, by adding: "All lands sold under the provisions of this Section shall become taxable from the date of the Certificate of Purchase and said taxes shall be assessed against the holder of said Certificate of Purchase."

LOGAN.

Senator Briggs submitted the following amendment, which was tabled, upon motion of Senator Memminger:

Mr. President: I move to amend Senate Bill No. 3, line 1, page 2, by inserting after the end of the line the following: "Provided that, in lieu of reserving and retaining title to one-half undivided interest in oil, gas and other mineral rights—by agreement with purchaser—the Commissioners of the Land Office may, at the time of sale or thereafter, when deemed necessary or advisable, convey to the purchaser or owner the fee title of right, title, interest in and to the oil, gas or mineral rights in, to or under one-half the acreage in exchange for reservation or conveyance to it from the purchaser or owner of all his right, title or interest in and to the oil, gas or other mineral rights to the remaining one-half the acreage, same to be consummated under rules and regulations to be approved by the Commission."

BRIGGS.

Upon motion of Senator Nichols, Section 1, as amended, was adopted.

Section 2 was read.

The Presiding Officer recognized Representative Graham, who introduced Jack Dempsey to the Senate.

Referring further to SENATE BILL NO. 3:

Senator Stewart submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 3, line 10, page 11, by inserting after the word, "the," and before the word, "Governor," the words, "Commissioners of the Land Office," and by striking the remainder of the sentence.

STEWART.

Senator Fischl presiding.

Senator Nichols moved to table the Stewart amendment, which motion prevailed, the roll call thereon being as follows:



Ayes: Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Nichols, Pugh, Sowards, Taylor, Whitaker. Total, 16.

Nays: Ballard, Briggs, Curnutt, Hutchinson, Jennings, Logan, Moon, Morrison, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Wilbanks, Willis. Total, 15.

Not Voting: Liggett, Powers, Ray, Reed, Thomas. Total, 5.

Absent: Dixon, Nance, Paul, Waldrep. Total, 4.

Excused: Clark, Coppock, Daugherty, Fidler. Total, 4.

Senator Stewart submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 3, line 10, page 11, by inserting after the word, "Governor," the words, "by and with the approval and consent of the Commissioners of the Land Office."

STEWART.

President Burns presiding.

The vote occurring on the Stewart amendment, the roll call was as follows:

Ayes: Ballard, Briggs, Curnutt, Hutchinson, Jennings, Logan, MacDonald, Moon, Morrison, Powers, Reed, Rizley, Rutherford, Stacey, Stewart, Wilbanks. Total, 16.

Nays: Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Memminger, Nichols, Pugh, Sowards, Taylor, Whitaker. Total, 16.

Not Voting: Ray, Ritzhaupt, Thomas, Willis. Total, 4.

Absent: Dixon, Nance, Paul, Waldrep. Total 4.

Excused: Clark, Coppock, Daugherty, Fidler. Total, 4.

The President, in announcing the result of the roll

call, voted "AYE," declaring the Stewart amendment adopted.

Senator Curnutt submitted the following amendment:

Mr. President: I move to amend Senate Bill No. 3, line 17, page 11, by inserting after the word, "Secretary," the following, "by and with the consent and approval of a majority of the Commissioners."

CURNUTT.

Senator Briggs asked to be "excused," for the remainder of this legislative day, which was the order.

Senator Chamberlin moved to table the Curnutt amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Howard, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Nichols, Pugh, Reed, Ritzhaupt, Rizley, Sowards, Taylor, Whitaker, Wilbanks, Willis. Total, 24.

Nays: Curnutt, Hutchinson, Jennings, Moon, Morrison, Powers, Rutherford, Stacey, Stewart. Total, 9.

Not Voting: Ray, Thomas. Total, 2.

Absent: Dixon, Nance, Paul, Waldrep. Total, 4.

Excused: Briggs, Clark, Coppock, Daugherty, Fidler. Total, 5.

Senator Jennings submitted the following amendment, which was tabled, upon motion of Senator Carmack:

Mr. President: I move to amend Senate Bill No. 3, line 11, page 11, by striking lines 11, to 16, both inclusive.

JENNINGS.

Senator Ballard submitted the following amendment, which was tabled, upon motion of Senator Stewart:

Mr. President: I move to amend Senate Bill No. 3, line 1, page 12, by striking the words, "attorneys and."

BALLARD.

Senator Curnutt submitted the following amendment, which was adopted:

Mr. President: 1 move to amend Senate Bill No. 3, lines 1 to 18, page 12, by striking after the word, "Act," the remainder of the Section.

CURNUTT.

Upon motion of Senator Chamberlin, Section 2, as amended, was adopted.

Upon motion of Senator Logan, Section 3 was ordered stricken.

Upon motion of Senator Logan, Senate Bill No. 3, as amended, was advanced to engrossment and third reading.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Joint Resolution No. 3 correctly engrossed.

LIGGETT, Chairman.

### THIRD READING

Senator Chamberlin asked unanimous consent, which was granted, to amend Engrossed Senate Joint Resolution No. 3, line 6, by striking after the word, "penalty," the word, "until," and inserting the word, "if."

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: Ballard, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Moon, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Ritzley, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks. Total, 30.

Nays: Memminger, Powers, Willis. Total, 3.

Not Voting: Ray, Thomas. Total, 2.

Absent: Dixon, Nance, Paul, Waldrep. Total, 4.

Excused: Briggs, Clark, Coppock, Daugherty, Fidler. 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 become an emergency measure?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Moon, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Ritzley, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks. Total, 30.

Nays: Memminger, Powers, Willis. Total, 3.

Not Voting: Ray, Thomas. Total, 2.

Absent: Dixon, Nance, Paul, Waldrep. Total, 4.

Excused: Briggs, Clark, Coppock, Daugherty, Fidler. 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 Joint Resolution No. 3, as amended, was ordered referred for re-engrossment.

#### GENERAL ORDER

SENATE BILL NO. 19, by Stewart, was taken up for consideration.

Senator Stewart submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 19 line 8 page 2 by adding after the word "Property," and before the word "or," the following: "or any money in the treasury to the credit of any such county in the Court House Fund" and by adding the following after the word "law" in line 5, page 3, the following: "or without notice or bid where in the judgment of the Board of County Commissioners said Court House can



be built, equipped and supplies can be bought at a lower and better price," and by adding the following: after word "property" and before the word "to" in line 10 page 3 the following: "any the court house fund" and by adding: page 5 line 15 the following: "for the past 3 years" and by adding in line 12, page 8, the following: "and any money on hand in the county treasury to the credit of the court house fund" and by striking after the word "house" line 16, page 8, all the rest of Section 9, and amend the title after the word "destroyed," add the following: and the "Court House Fund."

STEWART.

Upon motion of Senator Stewart Senate Bill No. 19 was advanced to engrossment and third reading.

Upon motion of Senator Stewart, the rules of the Senate were suspended and Senate Bill No. 19 was considered engrossed and placed upon third reading and final passage.

SENATE 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: Ballard, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, Memminger, Moon, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Ritzley, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: MacDonald, Powers, Ray, Thomas. Total, 4.

Absent: Dixon, Nance, Paul, Waldrep. Total, 4.

Excused: Briggs, Clark, Coppock, Daugherty, Fidler. 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 emer-

gency measure?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, Memminger, Moon, Morrison, Nichols, Pugh, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 31.

Not Voting: MacDonald, Powers, Ray, Thomas. Total, 4.

Absent: Dixon, Nance, Paul, Waldrep. Total, 4.

Excused: Briggs, Clark, Coppock, Daugherty, Fidler. 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. 19, as amended, was ordered referred for engrossment.

SENATE BILL NO. 20, by Rizley, of the Senate, and Williams and Cox, of the House, was taken up for consideration.

Sections 1 and 2 were read and adopted, upon motions of Senator Rizley.

Section 3 was read.

Senator Ritzhaupt submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 20, by striking Section 3.

RITZHAUPT.

Upon motion of Senator Rizley, Section 3 was adopted.

Section 4 was read and adopted, upon motion of Senator Rizley.

Sections 5 and 6 were read and adopted, upon motions of Senator Chamberlin.

Sections 7 and 8 were read and adopted, upon motions of Senator Rizley.

Upon motion of Senator Rizley, Senate Bill No. 20 was advanced to engrossment and third reading.

Senator Curnutt served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which SENATE BILL NO. 3 was advanced to engrossment and third reading.

Senator Rizley moved that the rules of the Senate be suspended and Senate Bill No. 20 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

#### THIRD READING

SENATE BILL NO. 20 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Carlile, Carmack, Chamberlin, Commons, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Memminger, Morrison, Nichols, Powers, Pugh, Reed, Rizley, Rutherford, Sowards, Stewart, Whitaker, Wilbanks, Willis. Total, 23.

Nays: Ballard, Curnutt, Ritzhaupt, Stacey, Taylor. Total, 5.

Not Voting: Fischl, Liggett, Logan, MacDonald, Moon, Ray, Thomas. Total, 7.

Absent: Dixon, Nance, Paul, Waldrep. Total, 4.

Excused: Briggs, Clark, Coppock, Daugherty, Fidler. Total, 5.

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 Rizley, the emergency section to Senate Bill No. 20 was ordered stricken.

Senate Bill No. 20, as amended, was ordered referred for engrossment.

Senator Johnston moved that one thousand (1000) copies of the Senate's Tribute to the memory of the

late C. N. Haskell, be ordered printed, which motion prevailed.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Concurrent Resolution No. 7 and Senate Joint Resolution No. 3, each, correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 7 and Engrossed Senate Joint Resolution No. 3 and ordered each transmitted to the Honorable House for consideration.

#### GENERAL ORDER

Senator Nichols requested the consideration of SENATE RESOLUTION NO. 12, by Nichols.

Senator Curnutt moved that the Senate adjourn, to meet under the rules, which motion prevailed.



## THIRTY-SIXTH LEGISLATIVE DAY

Tuesday, July 11, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 37.

Absent: Dixon, Nance, Waldrep. Total, 3.

Excused: Briggs, Coppock, Daugherty, Fidler. Total, 4.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### FIRST READING

The following resolutions were introduced and read for the first time:

SENATE JOINT RESOLUTION NO. 4—By COMMONS of the Senate and HARP of the House.—A Resolution authorizing an extension of ten days time from July 13, 1933, in which the various county treasurers of the State of Oklahoma may qualify, and declaring an emergency.

SENATE JOINT RESOLUTION NO. 5 — By NICHOLS, RIZLEY and CARMACK.—A Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma relating to Section 32, Article 6, of said Constitution.

SENATE CONCURRENT RESOLUTION NO. 8

—By CURNUTT.—A Resolution declaring it to be the Legislative intent in the enactment of Section 3404, Oklahoma Statutes 1931, that the terms “prevented or obstructed” to mean preventing or obstructing cause of the arbitrary refusal of surety companies to write County Treasurers’ bonds.

Senator Curnutt asked unanimous consent, which was granted, to take up for immediate consideration Senate Concurrent Resolution No. 8, which was read at length as follows:

SENATE CONCURRENT RESOLUTION NO. 8—By CURNUTT.

A RESOLUTION DECLARING IT TO BE THE LEGISLATIVE INTENT IN THE ENACTMENT OF SECTION 3404, OKLAHOMA STATUTES 1931, THAT THE TERMS “PREVENTED OR OBSTRUCTED” TO MEAN PREVENTING OR OBSTRUCTING CAUSE OF THE ARBITRARY REFUSAL OF SURETY COMPANIES TO WRITE COUNTY TREASURERS’ BONDS.

WHEREAS, numerous county treasurers who have been elected to that office have been unable to make the required surety company bond for the reason that the surety companies doing business in this state have arbitrarily refused to write the bond on the ground that said sureties may be liable for the loss sustained by a county through a bank failure; and,

WHEREAS, it is through no fault of the individuals elected to the office of county treasurer that they have been unable to secure a bond; and,

WHEREAS, the Legislature has now under consideration certain bills designed to make it possible for said county treasurer to qualify by making the bond prescribed by law;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE SPECIAL SESSION OF THE FOURTEENTH LEGISLATURE, THE HOUSE CONCURRING THEREIN, THAT:

SECTION 1. It is hereby declared to be the legislative intent in the enactment of Section 3404, Oklahoma Statutes 1931, that the terms "prevented or obstructed in any manner from entering upon the duties of such office" are intended to mean any obstruction preventing the county treasurer from qualifying by giving the bond prescribed by law for the reason that the surety company has arbitrarily refused to write the bond through no personal fault of the person elected county treasurer.

It is declared to be the intent of the legislature that all county treasurers who are unable to qualify by the giving of said bond because the surety companies will not execute the bond on the ground that the surety will be liable in the case of bank failure of a bank where county funds have been deposited, shall have twenty (20) days after the termination of such preventing or obstructing cause in which to qualify. The boards of county commissioners of the various counties of the State are hereby directed to allow such county treasurer-elect twenty (20) days after the termination of such obstruction within which to qualify and said board shall not appoint any person to fill said office until after the expiration of the twenty days after the preventing cause has been terminated.

Senators Wilbanks and Carmack asked unanimous consent, which was granted, to be added as joint authors of Senate Concurrent Resolution No. 8.

Upon motion of Senator Curnutt, Senate Concurrent Resolution No. 8, as amended, was adopted.

Senate Concurrent Resolution No. 8 was ordered referred for engrossment.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 19, 20, 21 and 22, each, correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Bills Nos. 19 and 20 and ordered each transmitted to the Honorable House, for consideration.

#### SECOND READING

The following bills were read for the second time and referred to the Committees indicated:

ENGROSSED HOUSE BILL NO. 28—By GARLAND, STURGELL, GRAHAM, BATSON, CHAMBERS, and KIGHT of the House, and BALLARD, NICHOLS, and COMMONS of the Senate.—Referred to Committee on Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 29—By ANGLIN, et al.

By unanimous consent, House Bill No. 29 was ordered placed upon the calendar, without reference to a Committee.

#### MESSAGE

The following Message from the Governor was received and read:

To The Honorable,  
The Fourteenth Legislature  
Of the State of Oklahoma  
Gentlemen:

This will acknowledge the receipt of House Joint Resolution No. 2, by Abernathy (Pott.), Munson, Billings, Logsdon, Graham, Sutherland, Strickland (Pontotoc) and Singleton, of the Special Session, being:

A Resolution ratifying the proposed Amendment to the Constitution of the United States to give Congress the power to limit, regulate and pro-



hibit the labor of persons under eighteen years of age, and declaring an emergency, which I have this day filed with the office of the Secretary of State.

I further notify you that in accordance with law, I have transmitted a certified copy of the same to the Presiding Officer of the United States Senate, to the Speaker of the House of Representatives of the United States and to the Secretary of State of the United States.

Done, this July 11th, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

A telegram, addressed to Senator Lester, over the name of J. D. Bender, Chairman Drug Welfare League, 3d Congressional District, was read, urging opposition to a luxury tax in any form.

#### GENERAL ORDER

Upon motion of Senator MacDonald, HOUSE BILL NO. 7, by Leecraft, was advanced to engrossment and third reading.

#### THIRD READING

Senator Chamberlin asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 21, line 4½, page 3, by adding a new section as follows: "House Bill No. 257, as enacted by the Fourteenth Legislature and approved by the Governor on March 22, 1933, is hereby repealed." And by renumbering the emergency section.

#### CHAMBERLIN.

SENATE BILL NO. 21 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin,

Clark, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 32.

Not voting: Morrison, Paul, Rutherford, Sowards, Wilbanks. Total, 5.

Absent: Dixon, Nance, Waldrep. Total, 3.

Excused: Briggs, Coppock, Daugherty, Fidler. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 32.

Not voting: Morrison, Paul, Rutherford, Sowards, Wilbanks. Total, 5.

Absent: Dixon, Nance, Waldrep. Total, 3.

Excused: Briggs, Coppock, Daugherty, Fidler. 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.

Senate Bill No. 21, as amended, was ordered referred for engrossment.

Senator Hutchinson asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No.

22, line 5, page 2, by adding after the word, "Act," the following: "Provided for the purposes of this Act, officers and enlisted men of the Regular Army, assigned to the Oklahoma National Guard as instructors and assistant instructors, shall be considered as officers and enlisted men of the Oklahoma National Guard."

HUTCHINSON.

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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 32.

Not Voting: Paul, Ritzhaupt, Rutherford, Sowards, Wilbanks. Total, 5.

Absent: Dixon, Nance, Waldrep. Total, 3.

Excused: Briggs, Coppock, Daugherty, Fidler. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Moon, Morrison, Nichols, Powers, Pugh, Ray, Reed, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 32.

Not Voting: Paul, Ritzhaupt, Rutherford, Sowards, Wilbanks. Total, 5.

Absent: Dixon, Nance, Waldrep. Total, 3.

Excused: Briggs, Coppock, Daugherty, Fidler.  
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.

Senate Bill No. 22, as amended, was ordered referred for engrossment.

GENERAL ORDER

HOUSE CONCURRENT RESOLUTION NO. 23, by Paxton, was taken up for consideration and read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 23—By PAXTON.

A CONCURRENT RESOLUTION REQUESTING THE HONORABLE WILLIAM H. MURRAY, GOVERNOR OF THE STATE OF OKLAHOMA, TO ADDRESS A COMMUNICATION TO THE EXTRAORDINARY SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA FOR LEGISLATIVE CONSIDERATION, THE SUBJECT OF PRIVILEGES AND IMMUNITIES OF MEMBERS OF THE LEGISLATURE.

WHEREAS, the people of the State of Oklahoma are entitled to the free and unhampered services of each, every and all the members of the Legislature without such member, or members, or any of them being harassed and embarrassed by service of summons or garnishment or other process and giving their time and attention to such matters while the Legislature is in session; and

WHEREAS, it is impossible for the people of the State of Oklahoma to have the full, complete and unhampered services of each, every and all the members of the Legislature as long as such members are subject to service of summons, garnishment and other processes



while the Legislature is in session; and

WHEREAS, many members of the Legislature in the past have been harrassed and embarrassed by service of summons and other process and having to give same their time and attention and preventing the people from having the full, free and complete services of their Legislators while in session; and

WHEREAS, such practices will continue unless prohibited by legislation; and

WHEREAS, such legislation cannot be considered at this Extraordinary Session of the Legislature, unless this subject is submitted by the Honorable William H. Murray, Governor of the State of Oklahoma; and

WHEREAS, the evil herein set out can and should be remedied at the earliest possible moment.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EXTRAORDINARY SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, THE SENATE CONCURRING THEREIN, THAT:

SECTION 1. The Honorable William H. Murray, the Governor of the State of Oklahoma, be and he is hereby respectfully requested to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma for its legislative consideration the subject; privileges and immunities of members of the Legislature.

Upon motion of Senator Commons, further consideration of House Concurrent Resolution No. 23 was indefinitely postponed

President Pro Tempore Stewart presiding.

SENATE RESOLUTION NO. 12, by Nichols, was taken up for further consideration.

Senator Nichols moved the adoption of Senate Resolution No. 12.

Senator Jennings, as a substitute, moved the adop-

tion of the following amendment:

Mr. President: I move to amend Senate Resolution No. 12 line 17-1/2 page 3 as follows: by adding the following paragraphs:

Whereas, prior to the passage of said House Bill No. 481, Lt. Col. Cicero I. Murray had full and complete charge of the enforcement of the valid orders made by the Corporation Commission of the State of Oklahoma, relating to the conservation of oil and gas in the Oklahoma City Oil Field, by virtue of certain executive orders issued by the Chief Executive of this State; and

Whereas, the testimony adduced before the Special Oil and Gas Investigating Committee appointed by this Body during the regular session of the Fourteenth Legislature, disclosed that the said Cicero I. Murray had received a sum in excess of \$168,000.00 from certain corporations and individuals while so in charge of the enforcement of such orders; and

Whereas, said committee caused a subpoena to be issued and be served upon said Cicero I. Murray commanding him to appear before said committee; and

Whereas, the Chief Executive issued the following order to said Cicero I. Murray, namely:

March 13, 1933

“Colonel Cicero I. Murray,  
Perrine Building,  
Oklahoma City, Oklahoma  
Dear Sir:

In pursuance of advice from you that you have been repeatedly called as a witness before the Senate Investigating Committee, and that they now request your attendance before said Committee, and your request as to what I shall do in respect to attending and as to recognizing other subpoenas, I wish to advise that you are now in active duty in the Oklahoma National Guard, in command of the troops therein, under my order and direction, and you shall so remain in said position and

active service, and under the laws of the State of Oklahoma, and not subject to any process, and immune from arrest for any offense other than treason or a felony; and you shall proceed to perform your duty as such officer and not obey any request or subpoena to testify or appear, except with my permission granting the right.

Yours sincerely,

(Signed) Wm. H. Murray, Governor."

and;

Whereas, the said Cicero I. Murray wholly failed and refused to respond to said subpoena and refused to appear before such committee to account for the monies so received by him; and

Whereas, no accounting has been made by the said Cicero I. Murray for the funds so received by him as aforesaid; and"

AND BY ADDING A NEW PARAGRAPH BETWEEN LINES 9 AND 10, PAGE 4, TO READ AS FOLLOWS:

"Be it further resolved that said Cicero I. Murray be required to furnish a full and complete account of all money received or received and disbursed by him under the aforesaid appointment so made by the Chief Executive of this State; and"

#### JENNINGS.

Senator Thomas moved that further consideration of Senate Resolution No. 12 be indefinitely postponed, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Curnutt, Fischl, Jennings, MacDonald, Moon, Morrison, Powers, Pugh, Ray, Reed, Rutherford, Stacey, Stewart, Taylor, Thomas, Wilbanks. Total, 19.

Nays: Chamberlin, Clark, Commons, Garvin, Howard, Hutchinson, Johnston, Lester, Liggett, Memminger, Nichols, Ritzhaupt, Rizley, Sowards, Whitaker, Willis. Total, 16.

Not Voting: Logan, Paul. Total, 2.

Absent: Dixon, Nance, Waldrep. Total, 3.

Excused: Briggs, Coppock, Daugherty, Fidler.  
Total, 4.

Senator Nichols served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which consideration of Senate Resolution No. 12 was indefinitely postponed.

Senator Ballard raised a point of order against the Nichols notice, which was overruled, stating he did not vote with the majority.

Senator Curnutt moved that the rules of the Senate be suspended for the purpose of reconsidering the vote by which consideration of Senate Resolution No. 12 was definitely postponed, which motion failed of adoption.

Upon motion of Senator Commons, HOUSE CONCURRENT RESOLUTION NO. 8, by Abernathy, et al, was ordered stricken from the calendar, the roll call thereon being as follows:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Johnston, Lester, Liggett, Memminger, Moon, Nichols, Pugh, Reed, Taylor, Whitaker, Wilbanks. Total, 18.

Nays: Clark, Curnutt, Hutchinson, Jennings, Morrison, Powers, Ray, Ritzhaupt, Rizley, Rutherford. So-wards, Stacey, Stewart, Thomas, Willis. Total, 15.

Not Voting: Howard, Logan, MacDonald, Paul.  
Total, 4.

Absent: Dixon, Nance, Waldrep. Total, 3.

Excused: Briggs, Coppock, Daugherty, Fidler. To-  
tal, 4.

Upon motion of Senator Commons, HOUSE CONCURRENT RESOLUTION NO. 18, by BEAMAN, et al, was ordered stricken from the calendar.

Upon motion of Senator Commons, HOUSE CONCURRENT RESOLUTION NO. 16, by Hankla, et al, was ordered stricken from the calendar.



Senator Ballard moved that HOUSE BILL NO. 3, by Gray, be stricken from the calendar, which motion was tabled, upon motion of Senator Chamberlin.

Senator Commons moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following members were noted "absent:" Senators Ballard, Carlile, Curnutt, Dixon, Garvin, Liggett, Logan, Nance, Paul and Waldrep.

The Sergeant-at-Arms was instructed to bring absent members into the Senate Chamber.

Senators Carlile, Garvin and Curnutt asked to be recorded "present," which was the order.

#### SPECIAL COMMITTEE REPORT

Senator Rizley submitted the following Special Committee report, which, upon motion of Senator Nichols, was adopted:

#### REPORT OF THE COMMITTEE ON SCHOOL LANDS DESIGNATED AS A SPECIAL COM- MITTEE FOR THE PURPOSE OF INVES- TIGATING THE SCHOOL LAND DEPARTMENT

To the Honorable the State Senate of the State of Oklahoma:

We, your Committee on School Lands, who pursuant to Senate Resolution No. 1 of the Extraordinary Session of the Fourteenth Legislature were designated as a Special Investigating Committee, for the purpose of investigating the School Land Department, beg leave to submit the following report:

That under and pursuant to said resolution the Committee duly organized itself on May 26, 1933, for the purpose of taking testimony and generally carrying out the purport and intent and instructions contained in said resolution, and subsequent to said organization or said Committee, the Committee has proceeded to take a large volume of testimony having to do with the com-

plete operation of the School Land Department, have gone into its loans and all of its other assets and have gone into its operations since the beginning of statehood, and desires to and does submit the following findings of fact and the conclusions of the Committee as to what we deem proper and necessary steps to be taken to the end that the huge trust fund, belonging to the school children of this state, be kept intact and that the department may be more efficiently and economically operated.

Under the Constitution of this state the following elective state officials constitute the School Land Board or more properly designated the Commissioners of the Land Office of the State of Oklahoma, namely: The Governor; the President of the Board of Agriculture; State Superintendent of Public Instruction; State Auditor and the Secretary of State. Under the law the Commissioners have only, in the opinion of your Committee, such authority and the right to prescribe such rules and regulations for the conduct or handling of the affairs of the department as may be given to them by the Legislature; and up until the regular session of the Fourteenth Legislature only very meager rules and regulations had theretofore been prescribed for the guidance of the Commissioners in the exercise of their official duties.

Your Committee finds that the three principal assets of the school land department might properly be divided under three separate heads, namely: The land belonging to the department and included therein purchase certificates outstanding against lands sold by the department; the loans of the department; and bonds and securities. The Committee finds from the inception of the department only meager books and records, and wholly inadequate records have been kept and maintained. That while under the law it was, and is, the duty of the State Examiner and Inspector to install and

set up a proper set of records for the handling of the business of the department that at no time has there ever been installed an adequate set of records, and this, in the opinion of the Committee, has largely contributed to the many haphazard and careless discrepancies and inconsistencies brought to light in the handling of the many assets belonging to the department.

For instance: Notwithstanding the fact that this department has had in excess of fifty million dollars in loans, while it may seem unbelievable, nevertheless it is true, that they have never had or maintained a collection department of any kind or character but that the handling and collection of the interest on these huge amounts of loans, as well as the payments of principal and interest coming due from time to time on the purchase certificates—these items and the handling of the same have been co-mingled and handled without any adequate records or any set-up of a department, such as would be necessary in a business of this kind. On the other hands, the evidence before the Committee disclosed that the department has carried on an enormously huge bond business, especially since 1919 and up to and including 1929, and that they have never had a bond or security department or a set of books made up and set aside having for their purpose the disclosures of these many bond transactions. In other words the handling of these different items of assets and the business in general has been carried on without adequate records and without system.

The purpose and intent of this investigation as set up in the resolution directing the investigation was to find out whether the many charges made against the department by those in high place in office of this state, and others, in which accusations were made that political favoritism had been shown in the handling of the department and especially in making loans and that a huge brokerage business had been carried on with the funds



of the department; that many of the assets of the department had been lost, not only through carelessness and negligence but by corruption; and the Committee has labored diligently and has subpoenaed many, many witnesses before it for the purpose of determining the truth or falsity of these accusations, having in mind only one objective and that is to lay the blame, if any, where it properly belongs; to recover such assets, if any, that have been squandered and to enact laws which will properly and adequately safeguard in the future this sacred trust fund.

Under the heading of loans made through political connivance and for political preferment, your Committee finds from the evidence that political preference has been used in a great many instances in securing loans with the School Land Department to the end that loans aggregating thousands and thousands of dollars have been made to those in high political place, either in office or out, as a result of which the state has and will lose, in the judgment and opinion of your Committee, a vast amount of money from this fund.

It is, of course, impossible in this report to go into detail and cite the many, many cases that were brought before the Committee but in this connection, suffice to say that between the years of 1919 and 1929, according to the evidence adduced before the Committee loans of more than four hundred in number, aggregating in excess of \$1,250,000 were made by the department, upon which, in most cases, in fact in practically every case there was never an interest payment made, and in the balance of cases not to exceed one interest payment was ever made. This, in the opinion of your Committee, is sufficient upon its face to show that practically all of these loans, at least a substantial majority of them, were not made in good faith and that it was merely an indirect way of selling these tracts of land to the state, and



a great many of these loans disclose upon their face that they were made to those occupying high places in politics, either in or out of office and were manipulated by designing bankers and unscrupulous real estate men.

Two counties in southeastern Oklahoma seemed to be especially adapted to these schemes. The record discloses that in one case a man by the name of Grady Wilson, a man by the name of L. B. Norman and a man by the name of Salmon borrowed seven thousand dollars from the Commissioners of the Land Office upon a tract of land, the purchase price of which was only fifty-five hundred dollars. That in addition to paying the entire purchase price with money secured from the School Land Department these gentlemen divided the excess spoils of some fifteen hundred dollars between them. Mr. Norman, one of the gentlemen who participated in this land transaction is now and has been for several years one of the appraisers of the department. His employment did not commence until some six or seven months after this land transaction, and he has appeared before the Committee and rather recanted for the part that he had to do with the transaction.

There can be nothing but condemnation for this sort of a transaction. In many, many other instances, according to the evidence, men who were insolvent or who owned no property would accept deeds to lands, immediately thereafter school land loans would be secured and then the lands reconveyed to the original holder. In nearly every instance it developed that these lands were of little value, that the security was wholly inadequate and that it was just a scheme that, in some instances, bankers and in many instances, real estate men, had of using the School Land Department for their own private and personal use and gain.

One of the most glaring examples brought out by the testimony before the Committee was the case in

which two separate tracts were owned by one E. Dunlop. These two tracts were conveyed, one to H. E. Whitfield and the other to Roger Whitfield. Immediately the Whitfields secured a \$5,000 loan each on the two tracts of land and immediately thereafter reconveyed the lands to E. Dunlop. The evidence discloses that the Whitfields are insolvent and were perhaps at the time the loans were made. The entire proceeds of these two loans, namely \$10,000, was paid to E. Dunlop. The security for these two loans has been reappraised and the startling disclosure was made by the reappraisement that one of the tracts of land which had been appraised formerly in excess of \$10,000 for the purpose of obtaining the \$5,000 loan, is now valued at \$1200.00; the other that was appraised by T. N. Williams, one of the appraisers, in excess of \$10,000, on which a \$5,000 loan was secured is now valued at \$1300.

In nearly all of these so-called political loans or loans that were manipulated by speculators, a reappraisement of the lands discloses that the security is almost negligible and that the land is not now, nor was never, worth any way nearly as much as the loan obtained thereon.

It is impossible in this report to point out each and every of the many, many specific cases of the character of the above that were brought to the attention of the Committee, as a result of which the Committee, of course, can only reach one conclusion and that is that political preferment, and in some cases connivance, at least with the appraisers, was the cause that produced the results above enumerated. It also developed that in many, many cases that farmers, while honest but obscure, had honest applications pending before the Department for loans and applications were sidetracked and left to wait while those who, it was thought, could deliver a precinct or two were given the right-of-way.

## BONDS AND SECURITIES

In connection with the bond transactions the Committee finds that since the inception of the department approximately seventeen million dollars in bonds and other securities have been purchased, either by cash or through trade of securities for other securities. That this practice seems to have been most prevalent between the years 1920 and 1929. Prior to 1920 many thousands of dollars of Liberty bonds of the various issues were purchased by the School Land Department, and we think it only fair to say that while the bonds would not draw to exceed  $4\frac{3}{4}\%$ , or perhaps the majority of them less than  $4\frac{3}{4}\%$  interest, that the purchases were made largely through a spirit of patriotism and, of course, were deemed by everyone to be a safe and sound investment. The record also discloses that millions of dollars of state bonds, municipal bonds, school district bonds, funding bonds of the counties and municipalities have been purchased.

The Constitution provides for this sort of investment. It gives preference first to the loaning of money on real estate and second to the purchase of state and county bonds. After 1920 most of the Liberty bonds were traded and exchanged for state, school district and other municipal bonds. This, no doubt, under the theory first of the preference given to the latter class of securities, and second to the fact that they drew a higher rate of interest.

In view of the huge bond transactions carried on by the department, mostly through the Secretary of the department, and especially in view of the fact that in most of the cases the trades and exchanges were made with bond brokers, we are constrained to find that this huge dealing in bonds, especially with these bond brokers, was not contemplated by the framers of the Constitution, and even though only in a few instances

have we been able to find any specific losses, we criticise the practice and view with alarm any department of our state engaging in a trading match with experienced bond brokers who undoubtedly will obtain the better end of the trade, else why make it? Undoubtedly what the framers of the Constitution had in mind when they directed, or rather permitted, the investment of this sacred trust fund in the bonds of the state, and its various subdivisions was largely for the accommodation of the state and its subdivisions, in cases of emergency and undoubtedly they contemplated that these bonds would be purchased directly from the state, or its subdivision offering the security. Without making any accusation this kind of practice certainly would open the door to those who might be inclined to accept commissions or to split commissions and contributions from bond merchants who were eager and anxious to make the sale of such.

#### THE POLLARD DEAL

Evidence adduced before the Committee discloses that one Sam Pollard, while acting as Assistant Secretary to the School Land Commissioners, embezzled and stole approximately \$48,000 of the funds of the department. Due to the fact that no adequate bond record was kept it was a very easy matter for a shrewd, designing gentleman like Mr. Pollard to embezzle in the way that he did.

It seemed Pollard while acting as Assistant Secretary and between the years 1923 and 1928, clipped coupons from various bonds and securities held and owned by the School Land Department, would forward the coupons to the fiscal agency at New York and in return would receive, in most instances, payable to him but in some instances to the Commissioners, a draft or cashier's check for the remittance he had sent. He would then take the draft or check to the First National Bank



in Oklahoma City and have issued in lieu thereof various and sundry other cashier's checks, payable in some instances to himself, in some instances to W. A. Durant, the Secretary, and in some instances to others. These cashier's checks he, in at least two instances, had made payable to one John Rainbolt, one of the appraisers and a trusted employee of the department. In the case of Rainbolt he forged, or rather wrote the endorsement himself, and the Committee desires to say in passing that at no time, according to the undisputed evidence, did Mr. Rainbolt have any knowledge of any of these transactions. On the other hand the evidence discloses that Mr. Rainbolt has been for many years a valued and trusted employee of the department.

These embezzlements over the period of years aggregated in excess of \$45,000. Pollard was called before the Committee and brazenly and in a bravado manner, and with a great deal of gusto, admitted these things, and one of the sad things about the whole affair was that the auditors who discovered the theft did not discover it until after the Statute of Limitations had run, whereby Mr. Pollard might be prosecuted for embezzlement. The Committee, however, is of the opinion that he may be prosecuted under the Federal Statutes for failing to file an income tax return. As a legal proposition the Committee may be wrong but nevertheless we feel that there is sufficient authority to authorize his prosecution in the Federal Court, and recommend that he be prosecuted to the full extent of the law.

#### THE DEPARTMENT IN GENERAL

As was said in the beginning the department is made up of various elective state officials, hereinbefore described, and has been in the past operated by and through a Secretary. The practice has been that the Secretary be nominated by the Governor and approved by a majority of the Commissioners. He holds his office

at the will of the Commissioners. The department also dealing with funds that are subject to loan has seven appraisers, three of which in the past have been nominated by the Governor, and one by each of the respective Commissioners.

Under the practice when an application for a farm loan was made the appraiser in whose district the land is located is assigned by the Secretary to make the inspection. After the inspection is made, the application, together with the inspection, is brought before the Commission as a body for the purpose of approving or rejecting the loan. In the past the Commissioners themselves have had little to do with the approval of the loans except in a perfunctory manner. According to the evidence the practice is that, on the date that the Commissioners are in session the Secretary presents the various and sundry loan applications then pending, and as a rule the loans are read and a blanket motion is made to approve the loans. Hence it is almost impossible to fix the responsibility for the many bad loans that have been made. The attitude of the various Commissioners being that they must rely upon the Secretary, the attitude of the Secretary is that he must rely upon the appraiser, and in making these loans we want to say in passing that it is a strange coincidence, to say the least, that in a great percentage of the cases where loans were made, and especially where bad loans were made, the appraiser returned an appraisement for exactly double the amount of the loans. The rule is, of course, that the loan can only be made for 50% of the value of the land but it is a coincidence that in most of these cases the land is worth exactly twice the amount of the loan.

This evidence causes the Committee to conclude that the appraiser, knowing the amount of the loan, fixed his appraisement accordingly. The Committee, therefore,

concludes as a matter of practice, that the appraiser should not know the amount of the loan that the applicant has applied for. The practice in the past has been to furnish the appraiser with a copy of the application. Of course, there is no way to preclude the appraiser from talking to the applicant but the Committee feels that the less the appraiser knows about the amount the applicant is seeking to obtain, the more likely he is to appraise the land for its real value. We condemn the practice that has prevailed in the past of having the Governor name three of the appraisers and the Commissioners each one and think that the appraisers should be appointed as a result of an investigation made by the entire School Land Commission.

#### THE SECRETARY

The position of Secretary is one of the most important of any position in the state. To him in the past has largely fallen the operation of the entire assets that comprise this huge trust fund. While in the past most of the responsibility of the department has fallen upon his shoulders, yet he has had very little to say in the organization of the department.

We think it fair to say that in too many instances the employees of the department, including the subheads of the department, have been named by the respective Commissioners and while they should be subordinates of the Secretary, they have considered themselves not his subordinates but on an entirely equal footing. If the Secretary is to administer efficiently and honestly the affairs of the department, then he ought to be in a position to have something to say about those who are working under him.

It is, therefore, the opinion of this Committee that the Secretary should have the right to employ and discharge those in the department who are his subordinates. It is, of course, presumed that if he is big enough and

is qualified to hold the position of Secretary that he will not arbitrarily abuse the power to employ and discharge the help of the department.

Inasmuch as the testimony taken by and on behalf of the Commissioners placed all responsibility for bad loans on either the Secretary or the appraisers, and inasmuch as none of the Commissioners seemed to want to share the responsibility of said losses, your Committee is of the opinion that the Secretary should be appointed by the Governor, with the right of a majority of the Commission to remove him at any time for cause. We are of the opinion, however, that when a Secretary is once chosen he ought not to be removed except for good cause shown. In other words, why should an efficient Secretary be removed simply because of a change in administrations? We further recommend that the Secretary should be allowed to discharge all help employed by him.

This sacred trust fund should not be treated as a political fund. There should be no politics or political preferment used in this department. This sacred trust fund belongs to the school children of this state whether they be high or low, Democrats, Republicans or Socialists, Methodists, Baptists or Catholics, and it is a sad commentary to think that politics and favoritism should be shown in the management and handling of this department.

Considerable space in the record was devoted by certain witnesses and investigators to the question of fixing definitely the responsibility for general and specific acts and policies in the department. In other words, in response to the many interrogatories propounded concerning many of the things that have happened in the department, including the bad loans, the almost universal answer has been that the responsibility, especially in the case of bad loans, rested entirely upon the appraisers



and the Secretary. In other words, it seems to be the theory of the Commissioners that because the specific cases of what later developed to be loans procured through political preferment, or by designing and unscrupulous politicians, bankers and real estate promoters that, inasmuch as all of the facts were not brought to the attention of the Commissioners that the responsibility is not theirs and that such responsibility rested necessarily upon the Secretary, appraisers, clerks, stenographers and subordinate employees of the department. With this theory and contention this Committee is unable to agree.

Your Committee invites attention to the fact that under the Constitution and laws of the state, the School Land Commission is composed of the Governor and other elective state officials, as pointed out in the beginning of this report, which Commission within certain limitations has vested in it all of the power and authority relating to the hiring of the employees and to determining the policies and administering the affairs of said department. While authority can be delegated and it is frequently necessary to do so, it is certainly incontrovertible that responsibility cannot be delegated nor evaded. While your Committee does not charge that the various state officers who, from time to time, by reason of the office to which they have been elected have been members of this Commission would have permitted many of these loans. had all of the facts been brought to their attention, and while your Committee does not charge that the failure to see that proper and adequate records which would permit a more successful functioning of the department, had they been installed, was specifically called to the attention of the Commissioners, we do say that the responsibility to see that these things were complied with was the responsibility of the entire Commission, and that the School Land Commission is

wholly and solely responsible for the policies of the School Land Department, and for the method and manner in which such policies are administered by said Commission and the employees thereof; and that without regard to the time required of them for performing the duties of the office to which they were elected, each individual Commissioner should and must give to the department such of his time as is necessary in administering its policies, and such time and attention as is necessary to insure an honest and efficient handling of the funds and resources dedicated to the school children of the State of Oklahoma.

It is the opinion of your Committee that a casual examination of a loan file would be sufficient to put the Commissioners on inquiry, and in most of these flagrant cases a casual examination of the loan files at the time the loan was approved would have called the attention of the Commissioners to the character of the loan, and to the intent and purpose of the applicant.

For instance it developed in the testimony that a certain bank in this state, that had secured title to a tract of land, had the tract divided into three separate tracts and that three officers of the bank, or at least persons connected with the bank, made three separate loans of \$10,000 each from the department, and while these loans may ultimately be paid, it was never intended that \$30,000 of this sacred trust fund should go into the coffers of one institution. This \$30,000 could have been divided into a number of smaller loans that would have gone to honest, conscientious, needful farmers.

A very casual examination of these loan files by the Commissioners would have disclosed the true facts. In view of the conditions as disclosed by the investigation and the fact that no one seems to want to accept the full responsibility for this department, and in view of the fact that, at the present time, there is almost seventeen millions of dollars in delinquent loans pending

in the department, and that the Commission is constituted of elective state officials, who do not seem to be able to give the time and attention to the handling of a huge trust fund of this kind, we have come to the conclusion that while various acts can be and should be passed to close as tightly as possible the door to excessive loans, and while penalties should be provided for more effective punishment of recreant public officials who have been shown in the past to have wasted the school funds, yet it must not be forgotten that constructive action is necessary, in addition to the enactment of stricter penal statutes.

Such a business as that of the School Land Department cannot be handled alone by stricter rules. In every case of land appraisement and the making of a loan, individual judgment is necessary. Too much red tape may ruin one of the chief purposes of the Commission, that of making cheap loans to Oklahoma farmers. More essential even than the enactment of strict laws against wrongdoing by employees of the Commission is the creation of a plan whereby men of character and judgment may be secured to administer the affairs of this vast public institution.

We commend the Honorable William H. Murray, Governor of Oklahoma, for his employment of special auditors to make an audit of the School Land Commission, which in our opinion was right and necessary. The result was that Willson & Garnett were employed and made a detailed compilation which in many respects does not rise to the dignity of the audit contemplated.

The Committee further desires to commend the efforts of the State Examiner and Inspector through the able assistance of Mr. A. R. Barber in discovering and bringing to light in excess of \$8,000.00, of the shortage that occurred during the administration of Sam Pollard as Assistant Secretary, said \$8,000.00 being in addition

to the amount that was found by the audit made by the firm, Willson & Garnett.

If the evidence in this hearing has shown anything, it has been that, as it exists at present and as it has existed since statehood, the Commission is not effective. Governor Murray admits this when he seeks to have the Secretary and other employees of the Commission placed under his sole direction. The Committee recommends that a Constitutional amendment be submitted which would cure this defect. Further reference to the said Constitutional amendment appears at length in other portions of this report. However, pending the adoption of the Constitutional amendment, your Committee begs to submit and recommend that until said amendment is adopted the Secretary should be appointed by the Governor as heretofore pointed out.

While there have been instances brought out during our investigation of embezzlement and bribery by far the greater proportion of the losses that have been incurred have followed by the making of loans under political pressure. Elective Commissioners hoping perhaps to court favor from local politicians have been too lenient in the making of loans, appraisers themselves appointed rather for political reasons than experience and character, and dependent upon the continued favor of the Commissioners for their jobs tried to make appraisals pleasing to the powers of the moment.

In view of the necessary absorption of the five elective Commissioners in the duties of their own offices, they are dependent largely upon the Secretary for the actual operation of the affairs of the department. This official, appointed customarily by the Governor with the approval of the other Commissioners, has sought first to gain political strength for the Governor and then of the other four Commissioners through his operation of the office. The whole system, therefore, has been one



that invites politics instead of the safeguarding of the public funds, and that means inevitably looseness.

No amount of penalizing statutes can cure this essential weakness of the present system.

It is, therefore, the opinion of your Committee that by Constitutional amendment the present elective Commission should be abolished and an appointive Commission of three created in its stead, to be nominated by the Governor, and confirmed by the Senate, and to hold office subject only to removal for cause through court action. This Commission should then be given complete control over the appointment of a Secretary and other subordinate officials, the Commissioners themselves giving full time and attention to the department. This being done not nearly so many subordinates would be necessary. In the past, in the case of the Highway Commission, the Game and Fish Commission, and others, the Legislature has recognized the evil of political control of governmental departments in charge of various business affairs of the state. Unfortunately, the efforts of the Legislature to create Commissions to handle these affairs free from political domination has been more or less of a failure because these changes have not been accomplished through Constitutional amendments. Statutes enacted by one Legislature have been repealed by the next.

In the case of the School Land Commission the desired result of taking the department out from under political domination cannot be obtained except through a Constitutional amendment. The terms of Section Thirty-two, Article Six of the Constitution are so plain that no mere statutory effort to restrict the powers of the present Commission can accomplish much.

In order, therefore, to remove the vast assets trusted to the School Land Commission as far as possible from the manipulations of politicians, men interested in patronage rather than in preserving the dowry of the

school children of the state, this Legislature should submit to a vote of the people, before the new state officials are elected in 1934, a Constitutional amendment definitely taking the School Land Commission out of the control of partisan, patronage politics.

The Committee desires to express its appreciation at the painstaking and tireless efforts manifested by Judge Beckett in bringing to light many things uncovered by this investigation. We feel that Judge Beckett has rendered this Committee valuable service and has also rendered valuable service to the people of the state, in taking such steps as were necessary to fully acquaint the people of the state with the true conditions of the School Land Commission. We desire to congratulate him upon the fearless and honest manner in which he discharged his duties as Secretary to the School Land Commission, and your Committee feels that the public as a whole is deeply indebted to him for causing to be brought to light the inexcusable and indefensible conditions existing in the School Land Commission. We therefore conclude that Judge Beckett has been an able, fair, fearless and honest public official.

In the meantime and somewhat following out the suggestion of ex-Governor R. L. Williams, a Citizens Advisory Committee of three high class, honest individuals should be selected by the Governor to aid and assist the department in the handling of this huge trust fund.

We, your Committee, therefore, earnestly urge and recommend the following:

1. Speedy and adequate legislation that will more closely and as tightly as possible close the door to excessive loans.

2. Adequate penalties for more effective punishment of officials or other persons who have violated the duties of their office, and have conspired or connived toward securing benefits from this trust fund.

3. We recommend that the State Treasurer of Okla-

homa make a formal demand of Sam Pollard for payment to the state of any and all monies missing during his administration, this demand to be the basis for such civil and criminal actions and prosecutions as the Attorney General may deem mete and proper in the premises.

4. That the Secretary be given the right to employ and discharge the subordinates in the department.

5. That the appraisers be appointed by a majority of the Commissioners, after the filing of application for the position and a thorough investigation of their character and their fitness be determined.

6. That the State Examiner and Inspector once each six months, in person or by sufficient representatives, take complete charge of the financial portion of the Land Office to assure full and complete access to every book, paper, file and financial statement, including the auditing and counting of the money, bonds, securities, notes and other personal assets.

7. That the State Examiner and Inspector immediately prepare the proper, necessary and adequate records for the department, and each subdivision thereof, to the end that a proper bookkeeping system may be established for the department.

8. That a new subdivision of the department be immediately created to be known as the Collection Department, to be installed with a proper set of books and records under the direction of the State Examiner and Inspector, and that a competent person be placed in charge of such Collection Department with adequate help and facilities to operate the same.

9. That the Legislature should submit to the vote of the people of this state, prior to the election of state officials in 1934, a Constitutional amendment setting up a Board consisting of three members to be appointed by

the Governor, to be given the sole responsibility of administering the affairs of this sacred trust.

Respectfully submitted,

Ross Rizley, chairman.

Senator Nichols, moved that 200 copies of the Special Report of the School Land Committee be ordered printed.

Senator Liggett asked to be recorded "present," which was the order.

Senator Ray presiding.

Senator Curnutt moved to table the Nichols motion, which motion failed of adoption.

The vote occurring on the Nichols motion, it was declared adopted.

Upon motion of Senator Moon, the call of the House was ordered lifted.

#### RESOLUTION

By unanimous consent, the following resolution was introduced:

SENATE RESOLUTION NO. 13—By JOHNSTON—A RESOLUTION REQUESTING THE SUPREME COURT OF THE STATE OF OKLAHOMA TO CAUSE DISBARMENT OF ALL MEMBERS OF THE BAR WHO ENGAGE IN LOBBYING IN VIOLATION OF THE LAW OF THE STATE OF OKLAHOMA AND RULES OF THE LEGISLATURE.

Senator Johnston asked that Senate Resolution No. 13 be read.

Senator Curnutt raised a point of order, which was sustained, stating, under the rules, consideration of Senate Resolution No. 13 goes over until the next legislative day.

Senator Moon raised a point of order against Senate Resolution No. 13, which was overruled, stating



the Governor had not submitted such matter to the Special Session.

Senator Carmack moved that further consideration of Senate Resolution No. 13 be indefinitely postponed.

Senator Chamberlin raised a point of order against the Carmack motion, which was sustained, stating the Curnutt point of order had delayed consideration of Senate Resolution No. 13, on this legislative day.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 34—By REMUND, OTTESEN, ABERNATHY (Harmon), ARMSTRONG, BEARD, CLINE, CLOYD, DOUTHAT, ELLIS, GARLAND, GRUNERT, GRAHAM, HINDS, JOHNSON, KENAN, LOGSDON, PHILLIPS (Okfuskee), STRICKLAND (Marshall), SINGLETON, SMALLEY, WATSON, CAVITT, SULLIVAN, LEE-CRAFT, MALLORY, LINDSEY, BEAVER, GRAY, KING, (Coal), BUSHYHEAD, MARSHALL, PAXTON and ROBERTS of the House and RAY, HUTCHINSON, CHAMBERLIN, CURNUTT, COMMONS, DAUGHERTY, DIXON, HOWARD, LOGAN, MacDONALD, MEMMINGER, MORRISON, RITZHAUPT, RUTHERFORD and WHITAKER of the Senate.

An Act making appropriation for the operation and maintenance of the Soldiers' Tubercular Sanatorium, repealing House Bill No. 257 passed by the Fourteenth Legislature of Oklahoma, 1933 approved the 17th Day of February, 1933; and declaring an emergency.

ENGROSSED HOUSE BILL NO. 35—By BAT-  
SON.

An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the permanent Journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of said Session by the Speaker of the House of Representatives and the President pro tempore of the Senate, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer announced First Readings of Engrossed House Bills Nos. 34 and 35.

Senator Whitaker moved that the Senate Auditor be instructed to purchase for each member of the Senate five dollars' worth of postage.

Senator Stewart moved to amend the Whitaker motion, by including postage in the same amount for the President of the Senate, which motion was adopted.

Senator Curnutt moved to table the Whitaker motion which motion failed of adoption.

The vote occurring on the Whitaker motion, as amended, it was declared adopted.

The Senate was declared at ease until 3:30 p. m.

The Senate reassembled, at 3:30 p. m., with Senator Ray presiding.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled bills begs leave to report Senate Bills Nos. 21 and 22, each correctly engrossed.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Bills Nos. 21 and 22 and ordered each transmitted to the Honorable House, for consideration.

Upon motion of Senator Commons, the Senate adjourned, to meet under the rules.

## THIRTY-SEVENTH LEGISLATIVE DAY

Wednesday, July 12, 1933

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 38.

Absent: Liggett, Moon, Waldrep, Wilbanks. Total, 4.

Excused: Coppock, Fidler. Total, 2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### COMMITTEE REPORTS

The following Committee Report was submitted, the bill ordered printed and placed upon the calendar:

Mr. President: We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 28, by Garland, Sturgell, Graham, Batson, Chambers and Kight of the House, and Ballard, Nichols and Commons of the Senate, entitled:

An Act providing for the enforcement of the laws of the State imposing license fees and taxes upon non-intoxicating beverages containing more than one-half of one per centum of alcohol, by volume, and not more than three and two-tenths per centum of alcohol, by weight; defining terms; providing the manner of issuing licenses to wholesalers and retail dealers; providing that taxes



shall be paid by wholesalers, and by retail dealers, 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.

WHITAKER, Chairman.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 3 and Senate Concurrent Resolution No. 8 correctly engrossed.

HOWARD, Vice Chairman.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 8 and ordered it transmitted to the Honorable House.

#### SECOND READING

The following bills and resolutions were read for the second time:

SENATE JOINT RESOLUTION NO. 4—By COMMONS of the Senate and HARP of the House.

Upon motion of Senator Commons, the rules of the Senate were suspended and Senate Joint Resolution No. 4 was ordered placed upon the calendar, without reference to a Committee.

SENATE JOINT RESOLUTION NO. 5—By NICHOLS, RIZLEY and CARMACK.

Upon motion of Senator Nichols, the rules of the Senate were suspended and Senate Joint Resolution No. 5 was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 34—By REMUND, et al., of the House, and RAY, HUTCHINSON, CHAMBERLIN, CURNUTT, COMMONS, DAUGHERTY, DIXON, HOWARD, LOGAN, MacDONALD, MEMMINGER, MORRISON, RITZHAUPT, RUTHERFORD and WHITAKER of the Senate.

By unanimous consent, Engrossed House Bill No.

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34 was ordered placed upon the calendar, without reference to a Committee.

Upon motion of Senator Chamberlin, House Bill No. 34 was advanced to engrossment and third reading.

ENGROSSED HOUSE BILL NO. 35—By BATSON.

Upon motion of Senator MacDonald, the rules of the Senate were suspended and House Bill No. 35 was ordered placed upon the calendar, without reference to a Committee.

#### GENERAL ORDER

By unanimous consent, HOUSE BILL NO. 35, by Batson, was taken up for immediate consideration.

Section 1 was read.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 35 as follows: In Section 1, after the figures "\$10,000.00" insert the following: "To provide for the erection of a suitable monument at the grave of the late ex-Governor C. N. Haskell, under the direction of the Governor of Oklahoma, \$5,000.00."

MacDONALD.

Senator MacDonald submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 35 as follows: After the word "and" and before the word "declaring," insert the following: "Making an appropriation for the erection of a monument at the grave of the late ex-Governor C. N. Haskell, to be expended under the direction of the Governor of Oklahoma, and"

MacDONALD.

Senator Commons submitted the following amendment, which was adopted:

Mr. President: I move to amend Section 1 of House

Bill No. 35, by striking the figures, "\$5,000.00," and inserting the figures, "\$9,000.00."

COMMONS.

Upon motion of Senator MacDonald, Section 1, as amended, was adopted.

Upon motion of Senator Commons, House Bill No. 35 was advanced to engrossment and third reading.

Senator Whitaker asked unanimous consent, which was granted, to take up for immediate consideration HOUSE BILL NO. 28, by Garland, et al.

Section 1 was read and adopted, upon motion of Senator Whitaker.

Section 2 was read.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend Engrossed House Bill No. 28, Line 2, Page 4, as follows: By adding after the word "use" at the end of said line, the following: "and such definition shall include State and County fair associations and special licenses may be issued for the sale of non-intoxicating beverages as herein defined by such associations for the sum of \$25.00 for each license; and, shall, also, include railways for the sale of such beverages, and licenses may be issued for each dining car or railway train, which railways and dining cars shall pay the same license fees as regular retail dealers."

WHITAKER.

Upon motion of Senator Ballard, Section 2, as amended, was adopted.

Section 3 was read.

Senator Morrison submitted the following amendment:

Mr. President: I move to amend Engrossed House Bill No. 28, Line 4, Page 5, as follows: By striking after

the word "use" all of the balance of line 4 and all of lines 5 and 6.

MORRISON.

Senator Memminger, as a substitute, submitted the following amendment:

Mr. President: I move to amend Engrossed House Bill No. 28, Line 5, Page 5, as follows: By striking after the word, "within," and before the word, "of," the following: "one block," and substituting the following: "Five Hundred (500) feet."

MEMMINGER.

Senator Ballard moved to table the Memminger amendment, which motion prevailed, the roll call thereon being as follows:

Ayes: Ballard, Briggs, Carlile, Carmack, Commons, Curnutt, Garvin, Jennings, Lester, Logan, MacDonald, Morrison, Nance, Nichols, Powers, Ray, Rizley, Rutherford, Stewart, Thomas. Total, 20.

Nays: Chamberlin, Clark, Daugherty, Johnston, Memminger, Paul, Pugh, Ritzhaupt, Stacey, Taylor, Whitaker, Willis. Total, 12.

Not voting: Dixon, Fischl, Howard, Hutchinson, Reed, Sowards. Total, 6.

Absent: Liggett, Moon, Waldrep, Wilbanks. Total, 4.

Excused: Coppock, Fidler. Total, 2.

Senator Nance raised a point of order against the Morrison motion, which was sustained, stating Committee Amendments to Engrossed House Bill No. 28 had not been adopted by the Senate.

Senator Whitaker appealed from the decision of the Chair.

The Presiding Officer put the question, "Shall the Chair be sustained?" and, upon a roll call, as follows, the Chair was declared sustained:



Ayes: Ballard, Carlile, Clark, Curnutt, Dixon, Garvin, Jennings, Lester, Logan, MacDonald, Morrison, Nance, Paul, Powers, Ray, Rizley, Thomas. Total, 17.

Nays: Briggs, Carmack, Chamberlin, Commons, Johnston, Memminger, Nichols, Pugh, Reed, Ritzhaupt, Sowards, Stacey, Taylor, Whitaker, Willis. Total, 15.

Not voting: Daugherty, Fischl, Howard, Hutchinson, Rutherford, Stewart. Total, 6.

Absent: Liggett, Moon, Waldrep, Wilbanks. Total, 4.

Excused: Coppock, Fidler. Total, 2.

Senator Memminger submitted the following amendment:

Mr. President: I move to amend Engrossed House Bill No. 28, Line 5, Page 5, as follows: By adding after the word, "use," the following: "such beverage shall not be sold nor license issued for the sale of same, within Five Hundred (500) feet of any institution of higher learning."

#### MEMMINGER.

Senator Curnutt raised a point of order against the Memminger amendment, which was overruled, stating it identical with one previously disposed of by the Senate.

Senator Ballard moved to table the Memminger amendment, which motion prevailed.

Upon motion of Senator Nance, Section 3 was adopted.

Sections 4 and 5 were read and adopted, upon motions of Senator Ballard.

Senator Nichols presiding.

Section 6 was read.

Upon motion of Senator Whitaker, Committee Amendments Nos. 2 and 3 to Engrossed House Bill No. 28 were adopted.

Senator Whitaker submitted the following amendment, which was adopted:

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Mr. President: I move to amend House Bill No. 28, Line 1, Page 17, as follows: By adding a new paragraph after such line as follows: "In cases where Retail Dealers, as herein defined, are liable for the payment of the taxes imposed by any law of the State upon the sale of non-intoxicating beverages as therein defined, on account of purchases from without the State, or otherwise, where the tax is not paid by the wholesaler or manufacturer, upon demand of the Oklahoma Tax Commission, such retail dealer, as defined herein, shall likewise give a bond in the amount of \$1,000.00; and such bond shall be in such form and with such sureties, securities or collateral as said Commission may require and approve, payable to the State of Oklahoma and conditioned upon compliance with the provisions of any laws of the State relating to the sale of non-intoxicating beverages, as herein defined and the rules and regulations of the Oklahoma Tax Commission, in pursuance thereof.

WHITAKER.

Upon motion of Senator Commons, Section 6, as amended, was adopted.

Sections 7 and 8 were read and adopted, upon motions of Senator Ballard.

Senator Pugh moved that Committee Amendment No. 4 be adopted.

Senator Commons, as a substitute, moved the adoption of the following amendment:

Mr. President: I move to amend House Bill No. 28, line 5, page 24, by striking after the word, "adopted," all the remainder of the section.

COMMONS.

President Burns presiding.

The vote occurring on the Commons amendment, it was declared adopted.

Senator Briggs submitted the following amendment:

Mr. President: I move to amend House Bill No. 28,

as follows: By inserting a new section between Sections 8 and 9 a new section to be "Section 9," the following: "Section 9. Funds collected by the Oklahoma Tax Commission under the terms and provisions of House Bill No. 647 passed by the regular session of the 14th Oklahoma Legislature and pursuant to the provisions of this Act, shall be available for distribution to the several school districts at the close of each quarter annual period and shall be available for expenditure by such school districts for the purposes provided by said House Bill No. 647 immediately upon receipt thereof," and the succeeding sections be renumbered accordingly.

BRIGGS.

Senator Commons raised a point of order against the Briggs amendment, which was overruled, stating it was not germane to House Bill No. 28.

Senator Curnutt moved to table the Briggs amendment, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Carlile, Commons, Curnutt, Garvin, Howard, Nichols, Rizley. Total, 7.

Nays: Ballard, Briggs, Carmack, Chamberlin, Clark, Daugherty, Dixon, Jennings, Johnston, Lester, Logan, MacDonald, Memminger, Morrison, Nance, Paul, Powers, Pugh, Ray, Reed, Rutherford, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 27.

Not voting: Fischl, Hutchinson, Ritzhaupt, Sowards. Total, 4.

Absent: Liggett, Moon, Waldrep, Wilbanks. Total, 4.

Excused: Coppock, Fidler. Total, 2.

The vote occurring on the Briggs amendment, it was declared adopted.

Senator Ballard submitted the following amendment:

Mr. President: I move to amend House Bill No.

28, line 5, page 24, by adding after the word, "adopted," the following: "Provided further that from and after January 1st, 1934, the annual license fee, required of every retail dealer referred to in this Act, or in House Bill No. 647, of the Regular Session of the 14th Legislature, shall pay an annual license or permit to the State of Oklahoma in the sum of \$25.00."

BALLARD.

Senator Nance submitted the following amendment, which was tabled, upon motion of Senator Commons:

Mr. President: I move to amend the Ballard amendment, by striking the figures, "\$25.00," and inserting the figures, "\$50.00."

NANCE.

Upon motion of Senator Commons, the Ballard amendment was tabled, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Curnutt, Daugherty, Howard, Hutchinson, Johnston, Memminger, Nichols, Pugh, Reed, Stacey, Taylor, Thomas, Whitaker, Willis. Total, 19.

Nays: Ballard, Clark, Dixon, Fischl, Garvin, Jennings, Lester, Logan, MacDonald, Nance, Paul, Powers, Ray, Ritzhaupt, Rutherford, Sowards, Stewart. Total, 17.

Not Voting: Morrison, Rizley. Total, 2.

Absent: Liggett, Moon, Waldrep, Wilbanks. Total, 4.

Excused: Coppock, Fidler. Total, 2.

Senator MacDonald moved that the vote be reconsidered by which the Nance amendment to the Ballard amendment was tabled, which motion, by unanimous consent, he withdrew.

Senators Nance and Ballard submitted the following amendment:

Mr. President: We move to amend House Bill No.



28, line 5, page 24, by adding after the word, "adopted," the following: "Provided further that from and after January 1, 1934, the annual license fee required of every retail dealer, referred to in this Act or in House Bill No. 647, of the Regular Session of the Fourteenth Legislature, shall pay an annual license or permit to the State of Oklahoma in the sum of \$48.00."

NANCE and BALLARD.

Senator Curnutt raised a point of order against the Nance-Ballard amendment, stating it not germane to House Bill No. 28.

Upon motion of Senator Commons, House Bill No. 28 was advanced to engrossment and third reading.

Senator Commons asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 28, by adding a new section, as follows: "Section 16. 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," and by amending the title to conform with adopted amendments.

COMMONS.

Senator Commons moved that the rules of the Senate be suspended and House Bill No. 28, as amended, be considered engrossed and placed upon third reading and final passage, which motion prevailed.

#### THIRD READING

HOUSE 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, Mac-

Donald, Morrison, Nance, Nichols, Paul, Pugh, Ray, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Willis. Total, 31.

Nays: Memminger, Powers, Reed, Ritzhaupt, Thomas. Total, 5.

Not Voting: Briggs, Garvin. Total, 2.

Absent: Liggett, Moon, Waldrep, Wilbanks. Total, 4.

Excused: Coppock, Fidler. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Daugherty, Dixon, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, MacDonald, Morrison, Nance, Nichols, Paul, Pugh, Ray, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Whitaker, Willis. Total, 31.

Nays: Memminger, Powers, Reed, Ritzhaupt, Thomas. Total, 5.

Not Voting: Briggs, Garvin. Total, 2.

Absent: Liggett, Moon, Waldrep, Wilbanks. Total, 4.

Excused: Coppock, Fidler. 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. 28, as amended, was ordered referred for engrossment.

Notice having been lodged, Senator Johnston moved that the vote be reconsidered by which SENATE BILL NO. 3, by Carlile, Nichols and Johnston, was advanced to engrossment and third reading.

Senator Curnutt moved to table the Johnston mo-

tion, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Clark, Curnutt, Dixon, Hutchinson, Jennings, Powers, Rizley, Rutherford, Sowards, Stacey, Thomas. Total, 11.

Nays: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Howard, Johnston, Lester, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Taylor, Whitaker, Willis. Total, 21.

Not Voting: Ballard, Garvin, Logan, MacDonald, Reed, Stewart. Total, 6.

Absent: Liggett, Moon, Waldrep, Wilbanks. Total, 4.

Excused: Coppock, Fidler. Total, 2.

The vote occurring on the Johnston motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Daugherty, Fischl, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Sowards, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 24.

Nays: Ballard, Curnutt, Dixon, Jennings, Morrison, Powers, Rizley, Rutherford, Stacey. Total, 9.

Not Voting: Clark, Hutchinson, Logan, Reed, Ritzhaupt. Total, 5.

Absent: Liggett, Moon, Waldrep, Wilbanks. Total, 4.

Excused: Coppock, Fidler. Total, 2.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration

ENGROSSED HOUSE CONCURRENT RESOLU-

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TION NO. 27—By LOGSDON, BEARD, TIMMONS, KIRKPATRICK and COE.

A Resolution calling upon, and requesting his excellency, William H. Murray, Governor of the State of Oklahoma to submit to the Special Session of the Fourteenth Legislature, for its immediate consideration, the subject of legislation providing for the appointment of county purchasing agents by the County Commissioners in such counties throughout the State of Oklahoma as the County Commissioners thereof may find and deem are necessary,

and to advise you, and, through you, the Honorable Senate that the same has been adopted by the House of Representatives and signed by Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Under the rules, House Concurrent Resolution No. 27 was ordered printed and placed upon the calendar.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE JOINT RESOLUTION  
NO. 3—By PHILLIPS (Okfuskee), BABB, STURGELL, PAXTON, MISENHEIMER, WHITFORD, BROADDUS, CHAMBERS, GARLAND, BOYER, REMUND, FITZGERALD, KIGHT, BATSON, and DOUTHAT.

A Joint Resolution providing for the method and manner of nominating delegates to a state convention to ratify or reject the proposed Twenty-First Article of amendment to the Constitution of the United States; providing for the call of county conventions and prescribing qualifications of delegates to county conventions; providing for the time, place and manner of hold-



ing same; providing for the holding of congressional district conventions and prescribing qualifications of delegates and manner, time and place of holding same; providing for the manner in which delegates shall be elected and manner in which convention of delegates shall meet; providing for payments of expenses; providing manner of certifying results of the election and result of the ballot of delegates, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Joint Resolution No. 3.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 30—By PHILIPS of Okfuskee and KIGHT.

An Act amending Senate Bill No. 127, Regular Session of the Fourteenth Legislature, providing for the execution of the bond or bonds by the County Treasurer of the various counties of the state, prescribing the condition of such bond or bonds, providing for the approval thereof and for the prorating of the liability where more than one bond is executed, providing for a board to approve the surety or sureties on said bond or bonds and for an examination of the books and records of such treasurer, prescribing the conditions under which sureties may be allowed to withdraw therefrom, making other provisions with reference to said bonds, repealing all acts or parts of acts in conflict herewith, and declaring an emergency,

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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.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Bill No. 30.

Upon motion of Senator MacDonald, House Bill No. 30 was ordered printed.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 31—By PHILLIPS (Okfuskee), and KIGHT.

An Act creating a county depository board; authorizing the said board to designate depository banks and securities in which the county sinking fund may be invested; requiring county treasurers to invest sinking funds in said securities and to deposit county funds; 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 the House of Representatives and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Bill No. 31.

Upon motion of Senator Chamberlin, House Bill No. 31 was ordered printed.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 32—By PHILIPS of Okfuskee and KIGHT.

An Act amending Sections 5415, and 5419, Oklahoma Statutes, 1931, relating to the deposit daily of state funds in depository banks approved by a board composed of the Governor, the Attorney General and the State Treasurer, and providing that said depository board may authorize the daily deposits of funds in the hands of the State Treasurer in such depository banks at a rate of interest to be fixed by said board at not less than two per centum per annum, providing that said board may in emergency cases authorize the deposit of said funds and other funds in the custody of the State Treasurer subject to deposit in depository banks of the state to be deposited in the state fiscal agency; authorizing said depository board within limits to fix the rate of interest on all public funds deposited in the banks of this state, repealing Section 5420, Oklahoma Statutes 1931, and all other 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 passed by the House of Representatives and signed by acting speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The President announced First Reading of Engrossed House Bill No. 32.

Upon motion of Senator MacDonald, House Bill No. 32 was ordered printed.

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To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 10—By CUR-  
NUTT, entitled:

An Act amending Section 9 of House Bill No. 187, passed by the Fourteenth Legislature of the State of Oklahoma, and approved on the 26th day of April, 1933, by the Governor of the State of Oklahoma, amending Section 5630, Oklahoma Statutes, 1931, relating to investment of public funds in farm mortgages, repealing all Acts and parts of Acts in conflict herewith; and declaring an emergency,  
together with Conference Committee Report thereon, and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted by the House of Representatives and the Bill has been passed as amended thereby.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 10, together with Conference Committee Report thereon, was ordered referred for enrollment.

Senator Morrison moved that the Senate adjourn, which motion failed of adoption.

Referring further to SENATE BILL NO. 3:

Upon motion of Senator Johnston, the vote was reconsidered by which the Logan motion, striking Section 3, was adopted.

Senator Johnston moved that the vote be reconsidered by which Section 2 was adopted.

Senator Briggs presiding.

Senator Paul moved that the Senate work under a call of the House, which motion prevailed.



Upon a roll call being ordered, the following were noted, "absent": Senators Clark, Daugherty, Dixon, Fischl, Liggett, Logan, Moon, Morrison, Pugh, Ritzhaupt, Sowards, Waldrep and Wilbanks.

The Sergeant-at-Arms was instructed to bring all absent members into the Senate Chamber.

Senator Rutherford moved that the Senate adjourn, which motion failed of adoption.

Senator Chamberlin, in lieu of all pending motions, moved that the rules of the Senate be suspended for the purpose of advancing to engrossment and third reading Senate Bill No. 3, as reported to the Senate by the School Land Committee.

Senator Stewart moved to table the Chamberlin motion, which motion failed of adoption, the roll call thereon being as follows:

Ayes: Ballard, Hutchinson, Jennings, Logan, Morrison, Rizley, Rutherford, Stacey. Total, 8.

Nays: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Garvin, Howard, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Sowards, Taylor, Thomas, Whitaker, Willis. Total, 23.

Not voting: Curnutt, Daugherty, Dixon, Fischl, Powers, Ritzhaupt, Stewart. Total, 7.

Absent: Liggett, Moon, Waldrep, Wilbanks. Total, 4.

Excused: Coppock, Fidler. Total, 2.

The vote occurring on the Chamberlin motion, it was declared adopted.

Senator Chamberlin moved that the rules of the Senate be suspended and Senate Bill No. 3 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

Senator Curnutt moved that the vote be reconsidered by which Committee substitute for Senate Bill No.

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3 was advanced to engrossment and third reading, which motion was tabled, upon motion of Senator Paul.

Upon motion of Senator MacDonald, the previous question was ordered.

### THIRD READING

SENATE BILL NO. 3 was read for the "third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Commons, Fischl, Garvin, Howard, Johnston, Lester, Logan, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Sowards, Taylor, Thomas, Whitaker, Willis. Total, 25.

Nays: Clark, Curnutt, Dixon, Jennings, Morrison, Powers, Stacey, Stewart. Total, 8.

Not Voting: Ballard, Daugherty, Hutchinson, Rizley, Rutherford. Total, 5.

Absent: Liggett, Moon, Waldrep, Wilbanks. Total, 4.

Excused: Coppock, Fidler. 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 Curnutt, the emergency section to Senate Bill No. 3 was ordered stricken.

Senator Chamberlin moved that the rules of the Senate be suspended for the purpose of reconsidering the vote by which Senate Bill No. 3 was passed, which motion prevailed.

Senator Chamberlin moved that the vote be reconsidered by which Senate Bill No. 3 was passed, which motion was tabled, upon motion of Senator Nance.

Senator Chamberlin submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of Senate Bill No. 3, by striking therefrom the words, "AND DECLARING AN EMERGENCY."

CHAMBERLIN.

Senate Bill No. 3 was ordered referred for engrossment.

Upon motion of Senator MacDonald, the Senate adjourned, to meet under the rules.

## THIRTY-EIGHTH LEGISLATIVE DAY

Thursday, July 13, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President, who announced the Senate at ease for 15 minutes.

The Senate reassembled, with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 39.

Absent: Daugherty, Moon, Waldrep. Total, 3.

Excused: Coppock, Garvin. Total, 2.

The President announced a quorum present

Prayer was offered by the Chaplain.

The Journal for the previous legislative day was declared approved.

### SECOND READING

The following bills were read for the second time:

ENGROSSED HOUSE BILL NO. 30—By PHILLIPS of Okfuskee and KIGHT.

Upon motion of Senator Commons, the rules of the Senate were suspended and House Bill No. 30 was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE JOINT RESOLUTION NO. 3—By PHILLIPS (Okfuskee), BABB, STURGELL, PAXTON, MISENHEIMER, WHITFORD, BROADDUS, CHAMBERS, GARLAND, BOYER, RE-



MUND, FITZGERALD, KIGHT, BATSON and DOUTHAT.

Upon motion of Senator Commons, the rules of the Senate were suspended and House Joint Resolution No. 3 was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 31—By PHILIPS (Okfuskee) and KIGHT.

By unanimous consent, House Bill No. 31 was ordered placed upon the calendar, without reference to a Committee.

ENGROSSED HOUSE BILL NO. 32—By PHILIPS of Okfuskee and KIGHT.

By unanimous consent, House Bill No. 32 was ordered placed upon the calendar, without reference to a Committee.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 35 correctly engrossed.

HOWARD, Vice Chairman.

#### THIRD READING

Upon motion of Senator Chamberlin, HOUSE BILL NO. 34, by Remund, et al, was ordered stricken from the calendar.

HOUSE BILL NO. 35 was read at length for the third time.

Senator Commons asked unanimous consent, which was granted, to submit the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 35, line 11, page 2, by changing lines 11, 12 and 13 to read as follows:

“To provide for the erection of suitable monuments at the graves of the late ex-Gov-

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ernor Lee Cruce and the late ex-Governor C. N. Haskell, under the direction of the Governor of Oklahoma, in the amount of \$2,500.00, each ----- "\$5,000.00"  
And by amending the title to conform therewith.

COMMONS.

Senator Stewart asked unanimous consent, which was granted, to submit the following amendment:

Mr. President: I move to amend House Bill No. 35, line 1, page 7, after the word, "laws," the following: "of the regular and first extraordinary session, which shall be compiled in the same volume, said additional expense of the Acts of the Extraordinary session to be an additional expense, chargeable against the appropriation hereof and"

STEWART.

Senator MacDonald moved that House Bill No. 35 be referred to a Special Committee, for the purpose of further considering the bill.

The MacDonald motion prevailed, the President appointing as such Special Committee, Senators Stewart, Nance and Carlile.

MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 21—By THE SOLDIERS' RELIEF COMMITTEE of the Senate, and the SOLDIERS' RELIEF COMMITTEE of the House.

An Act making appropriation for the operation and maintenance of the Soldiers' Tubercular Sanatorium; re-

pealing House Bill No. 257 as enacted by the Fourteenth Legislature and approved by the Governor on March 22, 1933; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 21 was ordered referred for enrollment.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 7—By COMMONS and CHAMBERLIN of the Senate and BATSON of the House.

A Concurrent Resolution fixing the day and the hour of the sine die adjournment of the First Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma,

and to advise you, and, through you, the Honorable Senate, that the same has been adopted, AS AMENDED, by the House of Representatives and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Concurrent Resolution No. 7 was read as follows:

Amendment No. 1. Page 1. To make the date of adjournment sine die the 15th day of July, 1933, at the hour of two o'clock P. M.

Senator Commons moved that further consideration of Senate Concurrent Resolution No. 7, as amended by

the Honorable House, be deferred until the next legislative day.

Senator Jennings, as a substitute, moved that the Senate refuse to concur in Engrossed House Amendment to Engrossed Senate Concurrent Resolution No. 7.

Senator Commons moved to table the Jennings motion, which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Howard, Johnston, Lester, MacDonald, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Taylor, Whitaker, Willis. Total, 21.

Nays: Ballard, Curnutt, Dixon, Fidler, Hutchinson, Jennings, Logan, Rizley, Rutherford, Stacey, Thomas, Wilbanks. Total, 12.

Not voting: Fischl, Liggett, Morrison, Powers, Sowards, Stewart. Total, 6.

Absent: Daugherty, Moon, Waldrep. Total, 3.

Excused: Coppock, Garvin. Total, 2.

Senator Ballard presiding.

The vote occurring on the Commons motion, it was declared adopted.

Senator Jennings asked unanimous consent, to which objections were voiced, to revert to the Order of Business—JOURNAL CORRECTION.

Senator Jennings moved that the Senate revert to the Order of Business—Journal Correction, which motion was tabled, upon motion of Senator Commons.

Senator Curnutt moved that the Senate Journal for Wednesday, July 12th, be corrected in certain particulars.

Senator Nance raised a point of order against the Curnutt motion, which was sustained, stating the motion would require a suspension of the rules.

Senator Curnutt moved that the rules of the Senate be suspended for the purpose of making a motion to



correct the Senate Journal for Wednesday, July 12th, in certain particulars.

The Chair ruled the Curnutt motion out of order, stating a motion to suspend the rules for the purpose of correcting the Senate Journal, would be entertained.

Senator Jennings asked consent, to which objections were voiced, to submit an explanation in support of his motion to revert to the Order of Business—Journal Correction.

#### GENERAL ORDER

Senator MacDonald moved that HOUSE JOINT RESOLUTION NO. 3, by Phillips, et al, be advanced to engrossment and third reading, which motion prevailed.

Upon motion of Senator Commons, HOUSE CONCURRENT RESOLUTION NO. 27, by Logsdon, et al, was ordered stricken from the calendar.

Upon motion of Senator Nichols, the Senate proceeded to the consideration of SENATE JOINT RESOLUTION NO. 5, by Nichols, Rizley and Carmack.

Section 1 was read.

Senator Stewart submitted the following amendment:

Mr. President: I move to amend Senate Joint Resolution No. 5, by striking all of line 6, page 1.

STEWART.

Upon motion of Senator Commons, the Stewart amendment was tabled, the roll call thereon being as follows:

Ayes: Carlile, Carmack, Commons, Fischl, Howard, Johnston, Liggett, Logan, MacDonald, Memminger, Nichols, Paul, Ray, Taylor, Whitaker, Willis. Total, 16.

Nays: Ballard, Clark, Curnutt, Fidler, Jennings, Lester, Pugh, Reed, Ritzhaupt, Stacey, Stewart, Thomas, Wilbanks. Total, 13.

Not voting: Briggs, Chamberlin, Dixon, Hutchin-

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son, Morrison, Nance, Powers, Rizley, Rutherford, Sowards. Total, 10.

Absent: Daugherty, Moon, Waldrep. Total, 3.

Excused: Coppock, Garvin. Total, 2.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 28 and Senate Bill No. 3 correctly engrossed.

HOWARD, Vice Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 28, as amended, and ordered it returned to the Honorable House; signed, in open session, Engrossed Senate Bill No. 3 and ordered it transmitted to the Honorable House, for consideration.

Referring further to SENATE JOINT RESOLUTION NO. 5:

Senator Curnutt submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Joint Resolution No. 5, lines 5 and 6, page 2, by striking after the word, "and," line 5, and before the word, "such," in line 6, the following, "confirmed by the Senate," and inserting the following, "shall be confirmed by two-thirds of the Senate."

CURNUTT.

Senators Logan and Wilbanks submitted the following amendment, which, by unanimous consent, they withdrew:

Mr. President: We move to amend Senate Joint Resolution No. 5, page 2, by adding after the word, "Senate," and before the word, "such," the following: "Provided such Commissioners shall not take office until confirmed by the Senate."

LOGAN and WILBANKS.

Senator Ritzhaupt submitted the following amendment, which was tabled upon motion of Senator Fidler:

Mr. President: I move to amend Senate Joint Resolution No. 5, line 6, page 2, by striking after the word, "the," and before the period, the word, "Senate," and substituting the following, "by a majority of the House of Representatives"

RITZHAUPT.

Senator Whitaker submitted the following amendment:

Mr. President: I move to amend Senate Joint Resolution No. 5, line 12, page 2, after the word, "terms," by striking the remainder of said line and striking lines 13, 14, 15 and line 16, to and including the word, "appointed," and inserting the following, "co-extensive with that of the Governor."

WHITAKER.

President Burns presiding.

Senator Stewart, as a substitute, submitted the following amendment:

Mr. President: I move to amend Senate Joint Resolution No. 5, line 4, page 2, by adding after the word, "members," and before the word, "who," the words, "one of whom," and by striking the word, "who," line 4, and adding after the word, "Senate," the following: "one of whom shall be appointed by the Senate and the President Pro Tempore shall be ex-officio member of said Commission and shall not draw any salary during any session of the legislature."

STEWART.

Senator Curnutt, as a substitute for all pending motions, moved the adoption of the following amendment:

Mr. President: I move to amend Senate Joint Resolution No. 5, lines 4, 5, and 6, page 2, by striking after the word, "members," line 4, and before the word, "such," line 6, the words, "who shall be appointed as

follows—one by the Governor, one by the State Senate and one by the House of Representatives.”

CURNUTT.

Upon motion of Senator Paul, the Curnutt amendment was tabled.

The vote occurring on the Stewart amendment, it, was declared failed of adoption.

The vote occurring on the Whitaker amendment, it was declared adopted.

Senators Wilbanks and Logan submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 5, line 6, page 2, by adding after the word, “Senate,” and before the word, “such,” the following: “Provided such Commission shall not take office until confirmed by the Senate; provided further, if appointments are made when the Senate is not in session, confirmation may be given by written consent by a majority of the members of the Senate.”

WILBANKS and LOGAN.

Senator Pugh submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 5, line 17, page 2, by striking the figures, “\$4800.00,” and inserting the figures, “\$3600.00.”

PUGH.

Senator Whitaker submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Joint Resolution No. 5, line 11, page 2, by adding after the word, “Legislature,” the following: “qualifications of Commissioners may be prescribed by acts of the legislature.”

WHITAKER.

Senator Chamberlin submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Joint Res-



olution No. 5, following the Whitaker amendment, by adding: "and provided further each of said members shall be qualified as to the value of real estate, oil and gas lease values."

STEWART.

Upon motion of Senator Whitaker, Section 1, as amended, was adopted.

Sections 2 and 3 were read and adopted, upon motions of Senator Nichols.

Upon motion of Senator Nichols, Senate Joint Resolution No. 5 was advanced to engrossment and third reading.

Upon motion of Senator Nichols, the rules of the Senate were suspended and Senate Joint Resolution No. 5 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SENATE JOINT RESOLUTION NO. 5 was read for the third time at length, as follows:

SENATE JOINT RESOLUTION NO. 5—By NICHOLS. RIZLEY, and CARMACK.

A RESOLUTION PROVIDING FOR THE SUBMISSION OF A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF OKLAHOMA RELATING TO SECTION 32, ARTICLE 6, OF SAID CONSTITUTION.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE EXTRAORDINARY SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA:

SECTION 1. That the following proposed amendment to Section 32, Article 6, to the constitution of Oklahoma shall be referred to the people of the State of Oklahoma for their ratification or rejection at the next general election held in the State of Oklahoma, or any special election called therefor by the Governor,

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said proposed amendment to be in lieu of Section 32, Article 6, of the constitution of Oklahoma, being as follows, to-wit:

"Section 32. The Commissioners of the Land Office shall consist of three members who shall be appointed by the Governor and confirmed by the Senate. Provided such Commission shall not take office until confirmed by the Senate; provided, further, if appointments are made when the Senate is not in session, confirmation may be given by writing, signed by a majority of the members of the Senate. Such Commissioners shall have charge of the sale, rental, disposal and management of the school lands of the state and other public lands of the state and of the funds and proceeds derived therefrom under rules and regulations prescribed by the Legislature. Qualifications of Commissioners may be prescribed by acts of the Legislature. The Commissioners shall serve for terms co-extensive with that of the Governor. Each of said commissioners shall receive a salary of \$3,600.00 per annum until a different salary is fixed by the Legislature. Immediately upon said commissioners' qualifying, as provided by the laws of this state, they shall select a chairman, vice-chairman and secretary from their membership who shall perform the duties now enjoined upon such officers by existing laws."

SECTION 2. Said proposed amendment shall be submitted as provided by law, in the following form:

"Shall the proposed amendment be adopted?

( )  
( ) Yes  
( )  
( ) No"

SECTION 3. Said proposed amendment to the Constitution of the State of Oklahoma shall, upon receiving a majority vote of all electors voting at said election, become effective.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Howard, Jennings, Johnston, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Taylor, Whitaker, Wilbanks, Willis. Total, 26.

Nays: Ballard, Curnutt, Dixon, Fidler, Lester, Rutherford, Stewart. Total, 7.

Not voting: Fischl, Hutchinson, Logan, Morrison, Sowards, Thomas. Total, 6.

Absent: Daugherty, Moon, Waldrep. Total, 3.

Excused: Coppock, Garvin. Total, 2.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

Senate Joint Resolution No. 5 was ordered referred for engrossment.

Senator Johnston moved that the subject matter contained in HOUSE BILLS NOS. 30, by Phillips (Okfuskee) and Kight, 31, by Phillips (Okfuskee) and Kight and 32, by Phillips (Okfuskee) and Kight, be referred to Judiciary Committee No. 2, for consideration.

Senator Chamberlin moved to amend the Johnston motion by referring the subject matter to a Special Committee of 5, to be appointed by the President.

Senator Jennings moved to amend the Chamberlin amendment, by adding, "such committee to be instructed to report back not later than 1:45 p. m., on the next legislative day, which amendment was adopted.

The vote occurring on the Chamberlin motion, it was declared adopted.

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The vote occurring on the Johnston motion, as amended, it was declared adopted, the President appointing as the Special Committee, thereunder, Senators Johnston, Chamberlin, Curnutt, Ballard and Willis.

### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE JOINT RESOLUTION  
NO. 3—By CHAMBERLIN, COMMONS, WHITAKER,  
and PAUL of the Senate, and BATSON and COX of  
the House.

A Resolution authorizing an extension of time of payment of the first half of 1932 ad valorem taxes in Oklahoma, until August 1, 1933, and authorizing an extension of time for the payment of the last half of the 1932 ad valorem taxes until September 1, 1933, and relieving the taxpayers of all penalty of such taxes if the first half of the same is paid on or before August 1, 1933; 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, AS AMENDED, and signed by the speaker in open session.

Respectfully,  
R. M. McCOOL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Joint Resolution No. 3 was read as follows, and, upon motion of Senator Chamberlin, adopted:

ENGROSSED AMENDMENT NO. 1: That the name of Cloyd be added as a joint author of Senate Joint Resolution No. 3.

The President, in open session, signed Engrossed



House Amendment to Engrossed Senate Joint Resolution No. 3 and ordered the resolution, as amended, referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has refused to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 28—By GARLAND, STURGELL, GRAHAM, BATSON, CHAMBERS and KIGHT of the House, and BALLARD, NICHOLS, and COMMONS of the Senate.

An Act providing for the enforcement of the laws of the state imposing license fees and taxes upon non-intoxicating beverages containing more than one half of one per centum of alcohol, by volume, and not more than three and two tenths per centum of alcohol, by weight; defining terms; providing the manner of issuing licenses to wholesalers and retail dealers; providing that taxes shall be paid by wholesalers, and by retail dealers, in certain cases; prescribing the conditions under which sales of beverages as herein defined, may be made and the taxes thereon may be paid; providing how such taxes may be paid and for reports and returns thereof; providing for reports by manufacturers and retail dealers; prescribing penalties for failure to pay taxes, for failure to make returns and reports and for the violation of laws and the rules and regulations of the Oklahoma Tax Commission; providing for liens upon taxpayers' property and for tax warrants; providing how such beverages may be transported; providing cities, towns or other governmental subdivisions may levy an occupation tax or license fee which shall not be in excess of that levied upon other similiar classes of business; providing for the revocation of licenses; providing for in-

junctions; providing for remedy by suit against taxpayers; providing a legal remedy for aggrieved taxpayers; prescribing the manner in which such beverages shall be labeled and prohibiting the use of any substitute therefor; providing that the provisions of this act shall be severable, that its provisions shall not be a burden upon interstate commerce,

and requests your Honorable Body to grant a conference thereon. The Speaker has appointed Representatives Garland, Fitzgerald, Bennett, Duke, and Marshall, as Conferees.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Commons, the request of the Honorable House, for a conference on Engrossed House Bill No. 28, was ordered granted, the President appointing as Senate conferees thereunder Senators Commons, Whitaker, Morrison, Wilbanks and Ballard.

Senator Jennings moved that the Senate adjourn, to meet under the rules, which motion, by unanimous consent, he withdrew.

#### GENERAL ORDER

HOUSE BILL NO. 29, by Anglin, et al, was taken up for consideration.

Senator Jennings moved that House Bill No. 29 be advanced to engrossment and third reading.

Senator Fidler raised a point of order against advancing House Bill No. 29, which was sustained, stating the bill had not been read.

Section 1 was read and adopted, upon motion of Senator Chamberlin.

Sections 2, 3 and 4 were read and adopted, upon motions of Senator Wilbanks.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No.

29, by adding a new section, as follows: "Section 5. 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." And by amending the title to conform thereto.

#### NANCE

Senators Curnutt, Pugh, Wilbanks, Ray, Johnston, Paul and Fidler asked to be added as joint authors of House Bill No. 29, which was the order.

Upon motion of Senator Wilbanks, House Bill No. 29 was advanced to engrossment and third reading.

Upon motion of Senator Wilbanks, the rules of the Senate were suspended and House Bill No. 29 was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

HOUSE 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 34.

Not voting: Fischl, Logan, Morrison, Sowards, Thomas. Total, 5.

Absent: Daugherty, Moon, Waldrep. Total, 3.

Excused: Coppock, Garvin. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Fidler, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 34.

Not voting: Fischl, Logan, Morrison, Sowards, Thomas. Total, 5.

Absent: Daugherty, Moon, Waldrep. Total, 3.

Excused: Coppock, Garvin. 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. 29 was ordered referred for engrossment.

### GENERAL ORDER

SENATE JOINT RESOLUTION NO. 4, by Commons, of the Senate, and Harp, of the House, was taken up for consideration.

Upon motion of Senator Commons, Senate Joint Resolution No. 4 was advanced to engrossment and third reading.

Upon motion of Senator Commons, the rules of the Senate were suspended and Senate Joint Resolution No. 4 was considered engrossed and placed upon third reading and final passage.

### THIRD READING

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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritz-



haupt, Rizley, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Carlile, Fidler, Fischl, Jennings, Logan, Morrison, Rutherford, Sowards, Thomas. Total, 9.

Absent: Daugherty, Moon, Waldrep. Total, 3.

Excused: Coppock, Garvin. 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: Ballard, Briggs, Carmack, Chamberlin, Clark, Commons, Curnutt, Dixon, Howard, Hutchinson, Johnston, Lester, Liggett, MacDonald, Memminger, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Carlile, Fidler, Fischl, Jennings, Logan, Morrison, Rutherford, Sowards, Thomas. Total, 9.

Absent: Daugherty, Moon, Waldrep. Total, 3.

Excused: Coppock, Garvin. 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 Joint Resolution No. 4 was ordered referred for engrossment.

#### GENERAL ORDER

SENATE BILL NO. 14, by Ritzhaupt, et al, was taken up for further consideration.

Section 4 was re-read.

The Pugh amendment, submitted on another legislative day, was read.

Senator Carmack, as a substitute, moved that further consideration of Senate Bill No. 14 be indefinitely postponed.

Senator Nance moved to table the Carmack motion,

which motion prevailed, the roll call thereon being as follows:

Ayes: Briggs, Carlile, Clark, Howard, Johnston, Liggett, MacDonald, Memminger, Nance, Nichols, Powers, Ray, Reed, Ritzhaupt, Stewart, Taylor, Whitaker, Willis. Total, 18.

Nays: Ballard, Carmack, Chamberlin, Commons, Curnutt, Dixon, Hutchinson, Jennings, Paul, Pugh, Ritzley, Rutherford, Stacey, Wilbanks. Total, 14.

Not voting: Fidler, Fischl, Lester, Logan, Morrison, Sowards, Thomas. Total, 7.

Absent: Daugherty, Moon, Waldrep. Total, 3.

Excused: Coppock, Garvin. Total, 2.

Senator Nance moved that Senate Bill No. 14, as amended by the Special Committee, be advanced to engrossment and third reading.

Senator Pugh moved to table the Nance motion.

Senator Wilbanks moved that the Senate adjourn, to meet under the rules, which motion, by unanimous consent, he withdrew.

Senator Jennings presiding.

The vote occurring on the Pugh motion, it was declared failed of adoption.

The vote occurring on the Nance motion, it was declared adopted.

Senator Garvin asked to be recorded "present," which was the order.

Senator Ritzley moved that the rules of the Senate be suspended and Senate Bill No. 14 be considered engrossed and placed upon third reading and final passage, which motion prevailed.

### THIRD READING

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: Briggs, Carlile, Carmack, Clark, Garvin,

Johuston, Liggett, Logan, MacDonald, Memminger, Nance, Nichols, Ray, Reed, Ritzhaupt, Stewart, Taylor, Whitaker, Willis. Total, 19.

Nays: Ballard, Chamberlin, Commons, Curnutt, Dixon, Howard, Hutchinson, Jennings, Paul, Powers, Pugh, Rizley, Rutherford, Stacey, Wilbanks. Total, 15.

Not voting: Fidler, Fischl, Lester, Morrison, Sowards, Thomas. Total, 6.

Absent: Daugherty, Moon, Waldrep. Total, 3.

Excused: Coppock. Total, 1.

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 Ritzhaupt served notice on the Senate that he would, on some future legislative day, move to reconsider the vote by which Senate Bill No. 14 failed of passage.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Joint Resolutions Nos. 4 and 5 correctly engrossed.

HOWARD, Vice Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Joint Resolutions Nos. 4 and 5 and ordered, each, transmitted to the Honorable House, for consideration.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

*Thirty-eighth Day, Thursday, July, 13, 1933* 447

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 29—By KIRKPATRICK.

A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, in the event a second Extraordinary Session of the Fourteenth Legislature is convened, to include in said call the subject of amending Section 12645 of the Compiled Oklahoma Statutes of 1931, for the purpose of amending same to provide that the terms of not more than two members of each local excise and equalization board shall expire at the same time, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Under the rules, Engrossed House Concurrent Resolution No. 29 was ordered printed and placed upon the Calendar.

Senator Memminger moved that the Senate proceed to the consideration of SENATE BILL NO. 15, by Committee on Education.

Senator Stacey, as a substitute, moved that further consideration of Senate Bill No. 15 be indefinitely postponed.

Senator Memminger moved to table the Stacey motion.

Upon motion of Senator Logan, the Senate adjourned, to meet under the rules.



## THIRTY-NINTH LEGISLATIVE DAY

Friday, July 14, 1933

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by President Pro Tempore Stewart.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Fidler, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 40.

Absent: Daugherty, Dixon, Moon, Waldrep. Total, 4.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

Senator Commons moved that the Senate concur in Engrossed House Amendment to ENGROSSED SENATE CONCURRENT RESOLUTION NO. 7, by Commons, of the Senate, and Batson, of the House, as read on the last legislative day.

Senator Curnutt moved to table the Commons motion, which motion failed of adoption.

Senator Curnutt, as a substitute, moved that the Senate adjourn sine die at 2:00 p. m., which motion failed of adoption.

The vote occurring on the Commons motion, it was declared adopted.

Senate Concurrent Resolution No. 7, as amended, was read at length.

Upon motion of Senator Commons, Senate Concurrent Resolution No. 7, as amended, was adopted.

Senate Concurrent Resolution No. 7 was ordered referred for enrollment.

Senator Paul moved that a Committee of 5 be appointed, with instructions to call upon the Honorable House of Representatives and respectfully request that Body to consider on this legislative day SENATE BILLS NOS. 7, 9, 11, 12, 13, 16, 17 and 18, which motion prevailed, the Presiding Officer appointing as such Special Committee, Senators Paul, MacDonald, Nance, Commons and Curnutt.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 8—By CURNUTT, WILBANKS and CARMACK.

A Resolution declaring it to be the legislative intent in the enactment of Section 3404, Oklahoma Statutes 1931, that the terms "prevented or obstructed" to mean preventing or obstructing cause of the arbitrary refusal of surety companies to write county treasurers' bonds, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 8 was ordered referred for enrollment.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 28—By GARLAND, STURGELL, GRAHAM, BATSON, CHAMBERS, and KIGHT of the House, and BALLARD, NICHOLS, and COMMONS of the Senate.

An Act providing for the enforcement of the laws of the State imposing license fees and taxes upon non-intoxicating beverages containing more than one-half of one per centum of alcohol, by volume, and not more than three and two-tenths per centum of alcohol, by weight; defining terms, providing the manner of issuing licenses to wholesalers and retail dealers; providing that taxes shall be paid by wholesalers, and by retail dealers, in certain cases; prescribing the conditions under which sales of beverages as herein defined, may be made and the taxes thereon may be paid; providing how such taxes may be paid and for reports and returns thereof, providing for reports by manufacturers and retail dealers; prescribing penalties for failure to pay taxes, for failure to make returns and reports and for the violation of laws and the rules and regulations of the Oklahoma Tax Commission; providing for liens upon taxpayers' property and for warrants; providing how such beverages may be transported; providing cities, towns or other governmental subdivisions may levy an occupation tax or license fee which shall not be in excess of that levied upon other similar classes of business; providing for the revocation of licenses; providing for injunctions; providing for remedy by suit against taxpayers; providing a legal remedy for aggrieved taxpayers; prescribing the manner in which such beverages shall be labeled and prohibiting the use of any substitute there-

*Thirty-ninth Day, Friday, July 14, 1933* 451

for; providing that the provisions of this Act shall be severable, that its provisions shall not be a burden upon interstate commerce,

together with Conference Committee Report thereon, and to advise you, and, through you, the Honorable Senate, that the Conference Committee Report has been adopted by the House of Representatives and the Bill has been passed as amended thereby.

Respectfully,

R. M. McCOOL, Chief Clerk.

Conference Committee Report on Engrossed House Bill No. 28 was read, as follows:

To the Honorable House of Representatives and Honorable Senate of the State of Oklahoma:

Gentlemen:

We, your conference committee, appointed to confer on House Bill No. 28, by Garland and Sturgell, have had under consideration the Senate Amendments to said bill and, after due consideration thereof, beg leave to report as follows:

First. That the House concur in Senate Amendments Nos. 1, 2, 3, 4, and 6; and that Senate Amendment No. 5 be amended by adding the following paragraph:

"In order that the distribution of the funds provided herein shall be made immediately available for distribution to the various school districts of the State, the county treasurers and the treasurers of independent school districts, shall immediately after the apportionment of such funds, add to the estimate of each school district under their jurisdiction, the amount received from this source and school districts warrants may be written against such increased estimate in the manner now provided by law."

Second. That a new section be added after Section 8, to be numbered Section 9, as follows:



Section 9. (a) It shall be unlawful for any manufacturer, wholesaler or retail dealer of non-intoxicating beverages, as herein defined, who has in his possession, displays or exhibits for sale, sells or transports or causes to be transported, within this State, any such non-intoxicating beverages as herein defined, in violation of any of the provisions of this Act or any other law of the State relating to the sale of such non-intoxicating beverages; and all such non-intoxicating beverages found in the possession of any such person shall be subject to confiscation and destruction, in the name of the State of Oklahoma, on relation of the Oklahoma Tax Commission, in the same manner as liquors possessed in violation of laws of the State relating to the possession, transportation or sale of intoxicating liquors, and the procedure therein provided shall be followed, as nearly as may be practicable, by the Oklahoma Tax Commission, in the enforcement of the provisions of this Section.

(b) The State of Oklahoma, on relation of the Oklahoma Tax Commission, is hereby authorized to institute legal action, in any court of competent jurisdiction, against the owner or operator of any automobile, truck or other means of transportation of any non-intoxicating beverages, as herein defined, who may be in violation of any of the laws of the State relating to the transportation of such beverages, or the identification of such trucks or other means of transportation, or the provisions relating to invoices; and such legal proceedings shall subject any such automobile, truck or other means of transportation so used to confiscation and sale, according to the same procedure now provided by the laws of the State for sale of vehicles used in violation of such laws prohibiting the possession, transportation or sale of intoxicating liquors.

(c) It shall be the duty of the County Attorneys of the respective counties of the State to enforce the pro-

visions of this section and authority is hereby conferred upon said County Attorneys to maintain any suit necessary therefor, in the name of the State of Oklahoma on relation of such County Attorney; and, in all cases instituted by the State of Oklahoma, on relation of the Oklahoma Tax Commission, it shall also be the duty of the County Attorney of the County in which the proceeding is brought, to prosecute said action, either in conjunction with the Oklahoma Tax Commission or independently thereof.

Third. And that the remaining sections be re-numbered accordingly.

Fourth. That the title be amended to conform to said amendments.

Respectfully submitted,

R. C. GARLAND,  
R. A. FITZGERALD,  
DAYTON BENNETT,  
A. F. DUKE,  
W. J. MARSHALL,  
House Conferees.

COMMONS,  
BALLARD,  
WILBANKS,  
Senate Conferees.

Senator Commons moved that the Senate refuse to adopt the conference committee report on Engrossed House Bill No. 28 and request the Honorable House to grant a further conference thereon, the Senate Conferees, heretofore appointed on the bill, to be reappointed for the further conference, which motion prevailed.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 40—By EASON.

An Act amending House Bill No. 111 passed by the Fourteenth Legislature amending Section 6875 Oklahoma Statutes, 1931, relating to the bond of Independent School District Treasurers, and providing for the designation of the County Treasurer as Treasurer of Independent School Districts; providing the Governing Board of any Independent School District may designate the County Treasurer as depository for funds in such districts, providing penalty, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Upon motion of Senator Commons, further consideration of Engrossed House Bill No. 40 was indefinitely postponed.

#### RESOLUTION

Senator Rizley submitted the following resolution, which, by unanimous consent, was taken up for immediate consideration and read at length:

SENATE RESOLUTION NO. 14 — By RIZLEY, NICHOLS, LOGAN.

A RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO ASSIST THE STATE OF OKLAHOMA IN FLOOD CONTROL AND RIVER IMPROVEMENT PROJECTS; AND DESIGNATING E. E. BLAKE WITH THE AUTHORITY TO PRESENT THE SAME TO THE FEDERAL AUTHORITIES.

WHEREAS, the control of floods and the improvement of rivers are matters of the greatest interest to the State of Oklahoma, and

WHEREAS, the annual loss from unrestrained floods runs into millions of dollars, and

WHEREAS, the State suffers equally from the loss of its waters and periods of drouth, and

WHEREAS, many of the people in the State of Oklahoma are in great need of employment, and

WHEREAS, the State of Oklahoma has heretofore through the Commissions of Drainage, Reclamation and Irrigation surveyed the streams of the State of Oklahoma and developed a complete reservoir system of control in the protection of the valleys and properties, projects and means of transportation, security of the mails and military movements, and

WHEREAS, said plan has been examined, checked and approved by many of the most famous engineers and economists of America, and

WHEREAS, the Chambers of Commerce of the State have uniformly endorsed the plan and labored diligently to secure its approval and execution, and

WHEREAS, flood control and river improvement are the greatest major projects outside of roads ready to be carried out immediately and ready to offer the greatest amount of employment to the greatest public benefit, and

WHEREAS, E. E. Blake, public spirited citizen of the State of Oklahoma has devoted more than ten years to the study and development of this plan, assisted by more than 200 of the ablest hydraulic engineers in the Mississippi basin, and,

WHEREAS, the plan and work have been unanimously adopted by the flood control committee of the Congress of the United States, and

WHEREAS, it has been approved by the Congress of the United States by an amendment of the appropriations bill for the checking and examination of the plan, and

WHEREAS, the said E. E. Blake was chairman of the State Commission of Oklahoma and was elected and



active for more than ten years as chairman of the Interstate Commission for the control of the Arkansas and Red Rivers.

NOW, THEREFORE, BE IT RESOLVED by the Senate of the State of Oklahoma that it considers the best interests of the State of Oklahoma that the Governor should name and designate the said E. E. Blake to present the matter of water conservation, river improvement and flood control to the Federal authorities, requesting and pray that the same be carried out under the National Recovery Act, and

BE IT FURTHER RESOLVED THAT THE SAID E. E. Blake be authorized to represent the people of the State of Oklahoma in that capacity before the Federal authorities at Washington in such matter.

Upon motion of Senator Nichols, Senate Resolution No. 14 was adopted and referred for engrossment.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 29 correctly engrossed and Senate Joint Resolution No. 3, Senate Bills Nos. 10 and 21, each, correctly enrolled.

HOWARD, Vice Chairman.

The President Pro Tempore, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 29, as amended, and ordered the bill returned to the Honorable House.

Senate Joint Resolution No. 3, and Senate Bills Nos. 10 and 21 were, each, read at length 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.

### THIRD READING

Senator Ballard moved that the vote be reconsidered by which HOUSE JOINT RESOLUTION NO. 3, by

Phillips, et al, was advanced to engrossment and third reading, which motion prevailed.

GENERAL ORDER

HOUSE JOINT RESOLUTION NO. 3, by Phillips, et al, was taken up for consideration.

Senator Pugh moved that further consideration of House Joint Resolution No. 3 be indefinitely postponed, which motion failed of adoption.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend House Joint Resolution No. 3, line 3, page 10, by striking the word, "not"

BALLARD.

Senator Ballard submitted the following amendment, which was adopted:

Mr. President: I move to amend House Joint Resolution No. 3, line 9, page 13, by adding after the word, "convention," the words, "or at any special election which may be called by the Governor."

BALLARD.

Senator Ballard asked unanimous consent, which was granted, to add the name of "Coe," as a joint author of House Joint Resolution No. 3.

Upon motion of Senator Ballard, House Joint Resolution No. 3 was advanced to engrossment and third reading.

Upon motion of Senator Ballard, Third Reading and final passage of House Joint Resolution No. 3 was set for Special Order at 5:00 o'clock, p. m., on this legislative day.

MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 4—By NICHOLS and MORRISON.

An Act amending Sections 4 and 7, of Senate Bill No. 372, of the Regular Session of the Fourteenth Legislature of the State of Oklahoma, relating to the State Board of Barber Examiners; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 4 was ordered referred for enrollment.

Senator Nance presiding.

Senator Commons moved that the Senate reconsider the vote, by which it refused to adopt the Conference Committee Report on ENGROSSED HOUSE BILL NO. 28 and requested the Honorable House to grant a further conference, and request the Honorable House to return the bill to the Senate for further consideration, which motion prevailed.

Senator Taylor moved that HOUSE JOINT RESOLUTION NO. 3, by Phillips, et al, be stricken from the calendar.

Senator Ballard raised a point of order against the Taylor motion, which was sustained, stating the resolution had been set for Special Order.

Senator Paul, on behalf of the Committee, appointed to request the Honorable House to consider on this legislative day SENATE BILLS NOS. 9, 11, 12, 13, 16, 17 and 18, reported the duty performed, after which the Committee was discharged.

GENERAL ORDER

HOUSE CONCURRENT RESOLUTION NO. 20, by Remund, et al, was taken up for consideration and read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 20—By REMUND, ROBERTS, PAXTON, GRAHAM, PHILLIPS (Okfuskee), OTTESEN and GARLAND of the House, and BRIGGS, of the Senate.

A HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF THE FEDERAL EMERGENCY CONSERVATION WORK TO ALLOCATE SUCH FUNDS, MATERIAL, AND MEN UNDER HIS DIRECTION AS MAY BE NECESSARY TO EFFECT CERTAIN IMPROVEMENTS ON PROPERTY IN OKLAHOMA OWNED AND OPERATED BY THE UNITED SPANISH WAR VETERANS, DEPARTMENT OF OKLAHOMA, FOR THE CARE AND BENEFIT OF AGED, DEPENDENT, AND DISABLED VETERANS OF THE WAR WITH SPAIN, AND OF THE WIVES AND WIDOWS OF SUCH VETERANS.

WHEREAS, the United Spanish War Veterans, Department of Oklahoma, have acquired a tract of Seven Hundred and Thirty (730) acres of timber land situated in Latimer County for the purpose of developing same to aid and assist in caring for and maintaining disabled, aged, indigent and dependent veterans of the War with Spain and the wives and widows of such veterans, by subdividing such land into tracts upon which such veterans may build cabins, plant and cultivate gardens and fruit, and raise poultry, and become either in whole or in part, self-supporting; and

WHEREAS, this project will not only relieve the State of Oklahoma and the Nation of the burden of caring for and maintaining such veterans and their wives



or widows, but will improve the spirit and morale of such persons by enabling them to become self-supporting citizens; and

WHEREAS, the work being carried on by the United Spanish War Veterans, Department of Oklahoma will be greatly assisted and facilitated by the construction of certain roads on and adjacent to this tract, and by the construction of dams on certain creeks thereon; and

WHEREAS, such work is of a nature contemplated by and included in the Emergency Conservation Work program being carried on by the United States Government,

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF OKLAHOMA, THE SENATE CONCURRING THEREIN, THAT

The Honorable Robert Fechner, Director of the Emergency Conservation Work of the United States Government be respectfully requested and urged to allocate men, material, and funds under his control to this project, and that the work be undertaken and completed at the earliest practical date.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Honorable Robert Fechner, Washington, D. C., and to United States Senators Elmer Thomas and Thomas P. Gore, and to the Nine (9) members of Congress from Oklahoma.

Upon motion of Senator Hutchinson, House Concurrent Resolution No. 20 was adopted.

The Presiding Officer, in open session, signed Engrossed House Concurrent Resolution No. 20 and ordered it returned to the Honorable House.

#### COMMITTEE REPORT

Senator Stewart moved that the Special Committee, appointed to consider HOUSE BILL NO. 35, be dis-

charged and that the bill be placed upon the calendar, under General Order, which motion prevailed.

HOUSE BILL NO. 35 was taken up for consideration.

Senator Stewart asked unanimous consent, which was granted, to strike from House Bill No. 35, the following words and figures:

“To provide for the erection of suitable monuments at the graves of the late ex-Governor Lee Cruce and the late ex-Governor C. N. Haskell, under the direction of the Governor of Oklahoma, in the amount of \$2500.00, each \$5000.00”

Senator Stewart moved that House Bill No. 35, as amended, be advanced to engrossment and third reading, which motion prevailed.

Upon motion of Senator Stewart, the rules of the Senate were suspended and House Bill No. 35, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

HOUSE BILL NO. 35 was read for the third time at length.

The question being, “Shall the Bill pass?” the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 31.

Not voting: Briggs, Curnutt, Fidler, Fischl, Hutchinson, Logan, Rutherford, Sowards, Wilbanks. Total, 9.

Absent: Daugherty, Dixon, Moon, Waldrep. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rizley, Stacey, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 31.

Not voting: Briggs, Curnutt, Fidler, Fischl, Hutchinson, Logan, Rutherford, Sowards, Wilbanks, Total, 9.

Absent: Daugherty, Dixon, Moon, Waldrep. 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.

House Bill No. 35 was ordered referred for engrossment.

HOUSE BILL NO. 7 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Garvin, Howard, Johnston, Lester, Memminger, Nance, Nichols, Paul, Pugh, Ray, Reed, Rizley, Stewart, Taylor, Thomas, Whitaker, Willis. Total, 24.

Nays: Ballard, Jennings, Rutherford, Stacey. Total, 4.

Not voting: Briggs, Fidler, Fischl, Hutchinson, Liggett, Logan, MacDonald, Morrison, Powers, Ritzhaupt, Sowards, Wilbanks. Total, 12.

Absent: Daugherty, Dixon, Moon, Waldrep. 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 Presiding Officer, in open session, signed the engrossed copy of House Bill No. 7 and ordered the same transmitted to the Honorable House.

#### GENERAL ORDER

Upon motion of Senator Stewart, SENATE BILL NO. 15, by Senate Committee on Education, was ordered stricken from the calendar.

Upon motion of Senator Commons, HOUSE CONCURRENT RESOLUTION NO. 29, by Kirkpatrick, was ordered stricken from the calendar

Upon motion of Senator Stewart, SENATE RESOLUTION NO. 13, by Johnston, and SENATE BILL NO. 5, by Carmack, were ordered stricken from the calendar.

Upon motion of Senator Ritzhaupt, SENATE BILL NO. 14, by Ritzhaupt, et al, was ordered stricken from the calendar.

Upon motion of Senator Stewart, HOUSE BILLS NOS. 3, by Gray, and 23, by Daniel, et al, were ordered stricken from the calendar.

#### SPECIAL COMMITTEE REPORT

Senator Johnston submitted the following Special Committee report:

Mr. President and members of Oklahoma State Senate that it reports that it has examined Engrossed House Bill Number 32 and recommends that: Section 1 be Amended on page 3 in line 6 by striking out the word State and inserting in lieu thereof the word "Public"

2. That line 7 after the word 'exceed' upon page 3, strike the words 'the capital stock of each bank' and insert in lieu thereof the following words, "the amount of approved legal securities pledged by such bank therefore or secure by approved surety bond".

3. Page 3 line 18 strike out the word "one" and



the figure "one" and insert after the figures 5418 the words "Oklahoma Statutes 1933."

4. On page four line fourteen, strike out the words "any cost accruing thereon."

5. On page 6 line 4 strike out the word "same" immediately before the word "rate" and also strike out before the word "charge" and before the word "interest" the words "that is", and insert in said line four after the word "pay" and before the word "the" the words following "not less than" and in line 5 strike out the first word of the line to-wit the word "the."

6. Page 6, line 12 strike the words "of the state."

7. Page 7, line 3, after the word "treasurer" and before the word "and" insert the word "depositors."

8. Page 7, section 5, line 4 after the words "fifty-four twenty" insert the following words "and section 5957."

We find the bill is timely and good and should pass and these amendments are designed as corrective and in the interest of accuracy.

JOHNSTON,  
CHAMBERLIN,  
WHITAKER,  
BRIGGS,  
WILLIS,  
CURNUTT.

#### GENERAL ORDER

HOUSE BILL NO. 32, by Phillips (Okfuskee) and Kight, was taken up for consideration.

Senator Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 32, as follows: That line 7, page 3, after the word, "exceed," strike the words, "the capital stock of each bank," and insert the words, "the amount of approved legal securi-

ties pledged by such bank therefor or secured by approved surety bond."

JOHNSTON

Senator Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 32, line 6, page 3, by striking the word, "state," and inserting the word, "public"

JOHNSTON

By unanimous consent, further consideration of Section 1 was temporarily deferred.

Section 2 was read.

Senator Johnston submitted the following amendment, which was adopted by unanimous consent:

Mr. President: I move to amend House Bill No. 32, line 14 page 4, by striking the words, "any cost accruing thereon."

JOHNSTON

Upon motion of Senator Chamberlin, Section 2, as amended, was adopted.

Section 3 was read.

Senator Commons presiding.

Senator Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 32, line 18, page 3, by striking the word and figure, "one (1)," and insert the words and figures, "Oklahoma Statutes, 1933"

JOHNSTON

Upon motion of Senator Johnston, Section 3, as amended, was adopted.

Section 4 was read.

Senator Jennings submitted the following amendment:

Mr. President: I move to amend House Bill No. 32, by striking Section 4.

JENNINGS.

Senator Nance presiding.

Senator Paul moved that House Bills Nos. 30, 31 and 32 be ordered printed, with the proposed amendments of the Special Committee, to which the subject matter of the said bills was referred.

Senator MacDonald, as a substitute, moved that House Bills Nos. 30, 31 and 32 be re-referred to the Special Committee, to which the subject matter of the said bills was referred, for further consideration, the bills, as amended by said Special Committee, to be ordered printed, showing said amendments in italics, which motion prevailed.

#### MESSAGE

The following Message from the Honorable House was received and read:

To The President of the Senate,  
Building.

SIR:

Pursuant to your request of your Honorable Body, I am returning herewith:

ENGROSSED HOUSE BILL NO. 28—By GARLAND, STURGELL, GRAHAM, BATSON, CHAMBERS and KIGHT of the House and BALLARD, NICHOLS and COMMONS of the Senate.

An Act providing for the enforcement of the laws of the State imposing license fees and taxes upon non-intoxicating beverages containing more than one half of one per centum of alcohol by volume, and not more than three and two tenths per centum of alcohol, by weight; defining terms, providing the manner of issuing licenses to wholesale and retail dealers; providing that taxes shall be paid by wholesalers and by retail dealers in certain cases; prescribing the conditions under which sales of beverages as herein defined, may be made and the taxes thereon may be paid; providing how such taxes may be paid and for reports and returns thereof; providing for reports by manufacturers and retail dealers; prescribing

penalties for failure to pay taxes, for failure to make returns and reports and for the violation of laws and the rules and regulations of the Oklahoma Tax Commission; providing for liens upon taxpayers' property and for tax warrants; providing how such beverages may be transported; providing cities, towns or other governmental subdivisions may levy occupation tax or license fees which shall not be in excess of that levied upon other similar classes of business; providing for the revocation of licenses; providing injunctions; providing for remedy by suit against taxpayers; providing a legal remedy for aggrieved taxpayers; prescribing the manner in which such beverages shall be labeled and prohibiting the use of any substitute therefor; providing that the provisions of this Act shall be severable, that its provisions shall not be a burden upon interstate commerce, together with Conference Committee Report thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Commons moved that the Conference Committee Report on Engrossed House Bill No. 28, heretofore read on this legislative day, be adopted, which motion prevailed.

HOUSE BILL NO. 28, as amended in conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rutherford, Stacey, Stewart, Whitaker, Wilbanks, Willis. Total, 28.

Nays: Memminger, Thomas. Total, 2.

Not voting: Briggs, Fidler, Fischl, Hutchinson, Logan, Powers, Reed, Rizley, Sowards, Taylor. Total, 10.



Absent: Daugherty, Dixon, Moon, Waldrep. 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: Ballard, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Garvin, Howard, Jennings, Johnston, Lester, Liggett, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Rutherford, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Not voting: Briggs, Fidler, Fischl, Hutchinson, Logan, Powers, Reed, Rizley, Sowards, Taylor. Total, 10.

Absent: Daugherty, Dixon, Moon, Waldrep. 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.

Engrossed House Bill No. 28, together with Conference Committee Report thereon, was ordered returned to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Joint Resolution No. 3 and House Bill No. 35, each correctly engrossed, and Senate Concurrent Resolution No 7 correctly enrolled.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 35, as amended, and ordered it returned to the Honorable House; signed, in open session, Enrolled

Senate Concurrent Resolution No. 7 and ordered it transmitted to the Honorable House, for the signature of the Speaker.

Senator Ballard moved that the Senate recess, to meet at 4:30 p. m.

Senator Pugh as a substitute, moved that the Senate adjourn to meet under the rules.

Senator Curnutt, as a substitute for all pending motions, moved that the Senate adjourn to meet at 10:00 a.m. Saturday, July 15th.

Senator Paul, as a substitute, moved that when the Senate adjourns today, it adjourn to meet at 10:00 a. m. tomorrow, which motion prevailed.

Senator Curnutt raised a point of order against the Paul motion, which was overruled, citing subdivision (b) of Rule 25, relating to procedure of motion.

#### MESSAGES

The following Messages from the Governor were received and read:

TO THE FOURTEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA:

Gentlemen:

This is to advise you that I have this day filed with the Secretary of State

HOUSE BILL NO. 22, By BATSON, HAILE and LEECRAFT.

of the Special Session of the Fourteenth Legislature of the State of Oklahoma, relating to the method of determining taxable net incomes, which bill I have this day signed and approved.

Witness my hand, this July 8th A. D., 1933.

BY THE GOVERNOR OF THE STATE OF  
OKLAHOMA: Wm. H. MURRAY.

TO THE HONORABLE THE HOUSE OF REPRESENTATIVES AND SENATE, 14TH LEGISLATURE, SPECIAL SESSION:

Gentlemen:

You have doubtless read in the newspapers a purported interview by the Attorney General, J. Berry King, to the effect that by reason of the action of the Governor, the State had a judgment against it for the payment of \$165,000.00, for the value of a bridge and franchise across Red River, between Durant and Denison.

Not for the purpose of correcting this error and the intended political effect, but for the purpose of protecting the future interests of the State and to make of record so that grafters in the future may not possibly injure the State by making payment of any such pretended judgment, do I submit this Message of record facts, for the purpose of having them printed in the Journals of the two Bodies.

First, the Attorney General brought suit to condemn the right-of-way across the Red River, near Denison, for the constructions of roads or approaches to the bridge, and the same was condemned and money deposited according to Oklahoma law, in the District Court at Durant.

Subsequent thereto, the receiver for the toll bridge intervened and sought an injunction in the Texas Federal Courts, which, when pointed out that the bridge was wholly in Oklahoma, became a nullity; whereupon, it will be recalled that a federal judge was sent from Arizona to Muskogee to hear an application for an injunction against the State, through the Governor of the State. The said injunction was issued, and, as Governor of the State, under and by authority of the Constitution of the States, I declared a military zone on the free bridge and approaches thereto for a distance of 1.7 miles, and directed the military authorities of the State not to recognize said injunction, unconstitutionally issued by the said Federal Court.

The judge, upon issuing said order, took an aeroplane out of the State; landed in Amarillo, and threatened

dire consequences against the Governor of the State; but the threat, like all gas, went into the air.

Failing in this, the Bridge Company went to Kansas City and appealed to Judge Pollock, a district Federal judge in that region, who, judging from his decisions, believes that any corporation is superior to a sovereign state and its people, directed the Bridge Company to go to Texas and bring suit that had been permitted by the Legislature of the State of Texas to be brought in the State Courts, but did not dismiss the case before his court.

The Bridge Company brought suit in Texas and lost it. They then returned to Pollock's court, who sent the case down for hearing in Muskogee, not only the case of the Receiver of the Bridge Company, but also the right-of-way case.

Immediately, I wrote the Attorney General of the State not to appear in the Bridge Case, for the reason that the Court had no jurisdiction, and I did not want even to appear to yield the jurisdiction. My attention was then called to the fact that at the same time, the right-of-way case, in which the State was interested, was pending, and would be tried at the same time; whereupon, I directed Malcolm E. Rosser, Sr., Esq., of Muskogee, Oklahoma, to appear in that case alone. Of the letter before recited, to the Attorney General, copies were sent to the United States Clerk at Muskogee; to the United States Attorney at Muskogee; to the Attorney General of the United States, with a view that Pollock should receive a copy, and that the Attorney General of the United States might take such action as he deemed wise. Whereupon, the Honorable Attorney General of the United States, over long distance telephone, made the observation that the United States ought to intervene, to which I agreed; whereupon, he employed Wm. C. Lewis, Assistant Attorney General of Oklahoma,



who alone had handled the Bridge Case up to that time.

Mr. Lewis was paid by the Federal Government, and is still in the employ of the Federal Government, devoting his entire time to this case, which he initiated and handled since the first case was filed, and not longer representing the Attorney General's Department of Oklahoma, but that of the United States. Hence, the case was better handled than it had ever been before.

The letter before referred to is in words and figures as follows, to wit:

“STATE OF OKLAHOMA

“Executive Department

March 13, 1933.

“Wm. H. Murray,

“Governor.

“Hon. J. Berry King, Attorney General,

“Oklahoma City, Oklahoma.

“Dear Sir:

“Attention of W. C. Lewis, Asst. Attorney General and Attorney of Record.

“I observe that the case of the State of Oklahoma ex rel J. Berry King, Attorney General, Vs. Eugene Rhea, Marshall Rainey and Red River Bridge Company is set for Monday, April 10, 1933, in the United States District Court for the Eastern District of Oklahoma, at Muskogee, with Hon. John C. Pollock as Judge.

“This case is the Red River Bridge case, involving the right not only of the State but of the Federal Government in maintaining a free bridge near a bridge built under a charter granted by the Chickasaw Nation of Indians many years ago, and is a second hearing and a result of a ruling of the said Judge Pollock on a motion to dismiss, directed by me as Governor for your appearance especially,

but not to yield or engage the State of Oklahoma as a party to said suit.

"It appears that the said Judge Pollock ruled that the toll bridge having been granted a charter in perpetuity by the Chickasaw Nation of Indians had therefore a perpetual right and executive franchise to construct a bridge across the river near Denison, Texas, and, therefore, the free bridge constructed by the State of Oklahoma and joined by the United States Government could not be opened for free traffic.

"You are hereby notified not to appear in that case further, because the State has no interest in the case. Perhaps the Federal Government has by reason of its money amounting to some \$200,000.00 in the construction of the bridge and its approaches, and in view of the further fact that the highway law of the Federal Government prohibits the "charging of tolls on any project constructed with federal money." But, since the State is not interfering in any way with the toll bridge, but merely keeping open the free bridge under the law by creating a military zone covering the entire bridge and to the Texas line on the South bank of the river and extending northwestward to Durant a distance of 1.7 miles, and in width 50 feet on each side of the center of the road, which military zone was created on July 23, 1931, and continued since, without revokal, but, for the most part, without patrol of troops.

"Further, since the State has not given permission for any citizen, natural or artificial, to sue the State on the controversy involved, and since no inferior federal court has jurisdiction to try any case where a state is a party, according to Section 2, paragraph 2 of Article 3 of the Constitution of the United States, and according to the 11th Amendment of the Constitution, no sovereign state is com-

pelled to answer any suit at law or in equity brought in any Federal Court by any citizen, natural or artificial, of the United States, or any foreign state; and, since the State owns a bridge, open free to the public, and is not in the market to purchase the bridge of proposed hearing by the Honorable Court, to determine the value of the toll bridge is no concern of the State of Oklahoma or its Chief Executive or any other officer of the State, nor will the State of Oklahoma make payment of such bridge or recognize any writ for such payment out of any court whatsoever; but it is the intention of the present Executive to permit no interference on the part of the State with the property of the Toll bridge, its owners, or receivers, but to maintain the free bridge owned by the State, with the power, military and civil, possessed by the State.

"I am informed that the grant of the Chickasaw Nation of Indians, of a "perpetual charter" was made on the assumption evidently that the Chickasaw Nation of Indians is an original Sovereignty, when, as a matter of truth, its only sovereignty was delegated by Congress, and therefore could not grant such charters except by the approval of Congress, and they could extend no further than the life of the Sovereignty of the Chickasaw Nation, which Sovereignty was completely withdrawn by Act of Congress and by the National Government years before. Any subsequent sovereignty except that of the United States succeeded to such sovereignty, while the State of Oklahoma, an "Original Sovereignty," organized by the people under authority of the Constitution of the United States, expressly was prohibited from any "perpetuities or monopolies," and the granting of such by the legislative or other power of the State.

"You are therefore instructed, and also all of



your deputies, not to appear in said case for any purpose whatsoever:

"By Order of The Governor of the State of Oklahoma:

(Signed) "Wm. H. Murray

"CC: M. V. McClure, Clerk of United States Court, Muskogee, Oklahoma.

"2 Copies to F. A. Rampendahl, U. S. District Attorney, Muskogee.

"1 Copy to Homer Cummings, Attorney General of U. S., Washington, D. C."

When the case was called, Judge Pollock announced a jury trial. He then directed the jury to do a thing unusual in courts, and which he himself stated at the time he had never done before; that is, he instructed the jury to find the value of the right-of-way, which the jury fixed at \$1,000.00; then, separately, to find the value of the physical properties of the toll bridge, which the jury fixed at \$65,000.00; and then to find the value of the franchise granted by the Chickasaw Nation, which the jury fixed at \$100,000.00. Then the Judge announced he would return to Kansas City and have a later hearing and render his opinion.

Mind you, the jury did not find these values against the State, but fixed the values in which the State of Oklahoma had no concern except the one value, the right-of-way.

The payment of the right-of-way of \$1,000.00 we are morally and legally bound to pay, but not for the properties of the bridge or the franchise, for the reason that the Court had no more jurisdiction than a justice of the peace on some side street in any town in this State.

I base this statement upon Article 3, Section 2, second paragraph of the Constitution of the United States:



“In all cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be a Party, the Supreme Court shall have original Jurisdiction. In all other Cases before mentioned, the Supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.”

Under that section, even though the State was made a party, no inferior court could try the case, but it must needs go to the Supreme Court of the United States.

Again, I quote the 11th Amendment to the Constitution of the United States, which reads as follows:

“The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.”

I may stop to observe that the adoption of Amendment 11 to the Federal Constitution grew out of the Georgia case, wherein the State of Georgia was sued by the Cherokee Indians, wherein the Federal Court issued a like order of this, and the State of Georgia resisted on the ground that no citizen could sue the Sovereign in America, which means the State without the Sovereignty's consent, which must be done by legislative act, and approved by the Governor, like other laws.

When an effort was made to enforce the decree of the Federal Court, which was a little over a hundred years ago, Governor Troup of Georgia called out the National Guards and prevented the execution of the order. This action of the Federal Court produced such excitement throughout the United States that immediately the 11th Amendment was submitted and quickly ratified, as above quoted.

And, notwithstanding that amendment, Judge Pol-

lock seeks to repeat, as do some other Federal Judges, the transaction of the Federal Judge prior to the enactment of the 11th Amendment.

I may pause here to say that I cannot apply this to any Federal Judge in Oklahoma, and particularly Federal Judge Vaught, here in the Capital, who ever since I have been Governor, has exercised most thorough judicial fairness, combined with sound judgment as to the limitations of the Constitution of the United States.

When Judge Pollock got ready to render his decision in Kansas City, he notified the attorneys to file "precedence" for judgment, and refused to hear argument of counsel, and rendered in Kansas City a judgment against the State for \$165,000.00; and he had no more jurisdiction to do that than had a justice of the peace in some remote precinct of Arkansas or Kansas.

It will be obeyed that the Judge left the State before he rendered this opinion, doubtless because he knew he was violating his oath and the Constitution of the United States, just as the judges left the State in the Oil Shut-Down, when jurisdiction was assumed contrary to the two provisions of the Constitution, above recited.

I call your attention to the fact that the Governor in each and every State, under the terms of the Constitution of the United States must swear to uphold the Constitution of the United States as well as that of his own State. That duty is enjoined upon me, and I shall not shirk that duty by permitting any Federal Judge to violate the Constitution of the United States in this State while I am Governor of the State.

It will be noticed in every case that when a Federal Judge issues an order against the Governor or the State, he immediately left the State; and it is well, because, when any judge renders such a decision, he ceases to be a judge, and becomes a private citizen, performing an act of insurrection against the laws of the State, and, connected with the clerk who might issue

the order and the marshal who might serve it, would be guilty of criminal conspiracy, in violation of the criminal laws of this State; and I may here suggest that any Federal Judge who commits such acts had better get him an aeroplane and get out of the State to avoid arrest.

As stated before, the purpose of this recitation is to say that the Bridge Company in future years, but not while I am in office, will attempt to collect this \$165,000.00. They can afford to pay \$50,000.00 out for bribe money, in order to collect it; they would likely proceed by giving the metropolitan press of Oklahoma City, Tulsa, and other places \$10,000.00 or \$15,000.00 to create an "atmosphere" for the payment; then they could use \$40,000.00 hiring members of the Legislature to put over the Bill.

It is certainly right, in any case where the State has given permission to bring a suit, to pay the judgment, but it is not right at any time for the State to pay a judgment rendered in a court that had no jurisdiction to try the case, in the first instance; and the public can now take notice that in the future years to come that if any member of either the House or the Senate of the Oklahoma Legislature introduces a bill for the payment of this \$165,000.00, the public can put him down as having been paid by the Bridge Company, for there is no more justice in the State's making the payment than should a justice of the peace in Kansas City or Arkansas render a like judgment against the State of Oklahoma, without permission of the State to bring the suit, in the first instance.

Even if the State had made a contract to make the payment, then the suit could not be brought without the State's permission.

These statements are clear, fundamental, under the Constitution of the United States.

Therefore, it becomes essential that a record be.

made in the Journals of both Houses of the Legislature, that the public may know these transactions, and not be bludgeoned and robbed out of \$165,000.00 by the arbitrary ruling of a judge who had no jurisdiction to render such a judgment.

Respectfully submitted, on this the 13th day of July, A. D., 1933.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA: Wm. H. MURRAY.

Senator Commons moved that the Senate recess, to meet at 4:45 p. m.

Senator Memminger, as a substitute, moved that the Senate adjourn, which motion failed of adoption.

The vote occurring on the Commons motion, it was declared adopted.

At 4:45 p. m. the Senate reassembled, with Senator Nance presiding.

Senators Dixon and Moon asked to be recorded "present," which was the order.

Senator Ballard moved that the Senate work under a call of the House.

Senator Pugh moved to table the Ballard motion, which motion failed of adoption.

The vote occurring on the Ballard motion, it was declared adopted.

Upon a roll call being ordered, the following were noted, "absent:" Senators Briggs, Chamberlin, Daugherty, Garvin, Howard, Johnston, Memminger, Moon, Paul, Powers, Pugh, Rizley, Sowards, Waldrep, Whitaker and Willis. •

The Sergeant-At-Arms was instructed to bring absent members into the Senate Chamber.

Senators Briggs, Chamberlin, Johnston, Moon, Powers, Pugh, Whitaker and Memminger asked to be recorded "present," which was the order.

Senator MacDonald read an article contained on



page 15, of the magazine "TIME," under date of July 17, 1933.

Senator Moon moved that a Special Committee be appointed, authorized to prepare and submit to the Senate suitable resolution, in reply to the article contained in the magazine, "Time."

The Moon motion prevailed, and Senators Moon, Johnston, Dixon, Nichols and Clark were appointed as the Special Committee, thereunder.

Senators Paul, Sowards and Willis asked to be recorded "present," which was the order.

Senator Commons moved that the Senate adjourn, which motion, by unanimous consent, he withdrew.

Senator Curnutt moved that the Senate adjourn, which motion failed of adoption.

Senator Commons moved that further consideration of HOUSE JOINT RESOLUTION NO. 3 be indefinitely postponed.

Senator Paul presiding.

Senator Garvin asked to be recorded "present," which was the order.

Senator Nance presiding.

Senator Commons asked unanimous consent, which was granted, to withdraw his motion, to indefinitely postpone consideration of House Joint Resolution No. 3.

### THIRD READING

HOUSE 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: Ballard, Briggs, Carlile, Chamberlin, Commons, Dixon, Fidler, Fischl, Garvin, Jennings, Lester, Logan, MacDonald, Moon, Morrison, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stewart, Whitaker, Wilbanks. Total, 26.

Nays: Carmack, Clark, Coppock, Curnutt, Hutch-

inson, Johnston, Liggett, Memminger, Powers, Pugh, Stacey, Taylor, Thomas, Willis. Total, 14.

Not voting: Howard, Rizley. Total, 2.

Absent: Daugherty, Waldrep. 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 Presiding Officer, in open session, signed the engrossed copy of House Joint Resolution No. 3, 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,  
Building

**SIR:**

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 19—By STEWART.

An Act empowering the Board of County Commissioners of all counties in the State, where the court house, or records of the county, or any part thereof, have been destroyed by fire, lightning, windstorm, or otherwise, to use the money or funds collected from insurance to restore the building, furniture, books, and equipment so destroyed, and the court house fund, without appropriation by the Excise Board, and empowering the Board of County Commissioners to cause property to be assessed and to make assessment lists, rolls, and tax rolls, and to employ additional help to make such lists and rolls, and to direct by proclamation persons holding tax receipts to file the same with the County Treasurer and to declare when property is delinquent for non-payment of taxes for failure to file tax receipts, and empowering County Commissioners to direct the County Attorney to foreclose lien of County for non-payment of taxes under

same procedure as foreclosure of mortgages in District Court, and empowering Board of Commissioners to audit and determine cash balances on hand of the funds of the county and sub-divisions thereof, and making said Act and the remedies therein provided cumulative; 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, AS AMENDED, and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 19 was read, as follows, and, upon motion of Senator Stewart concurred in by the Senate:

House Amendment No. 1. Page 3, Line 17, Section 5, striking from said line 17, on page 3, the words "any year or years," and substituting therefor: "Three years immediately prior to the first publication of said proclamation."

SENATE BILL NO. 19, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 39.

Not voting: Howard, Moon, Rizley. Total, 3.

Absent: Daugherty, Waldrep. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Curnutt, Dixon, Fidler, Fischl, Garvin, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, MacDonald, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 39.

Not voting: Howard, Moon, Rizley. Total, 3.

Absent: Daugherty, Waldrep. 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 Engrossed House Amendment to Engrossed Senate Bill No. 19 and ordered the bill, as amended, referred for enrollment.

Upon motion of Senator Chamberlin, the call of the House was ordered lifted.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 28—By GARLAND, STURGELL, GRAHAM, BATSON, CHAMBERS and KIGHT of the HOUSE, and BALLARD, NICHOLS and COMMONS of the SENATE.

An Act providing for the enforcement of the laws of the state imposing license fees and taxes upon nonintoxicating beverages containing more than one half of one per centum of alcohol, by volume, and not more than three and two-tenths per centum of alcohol, by weight; defining terms, providing the manner of issuing licenses to wholesalers



and retail dealers; providing that taxes shall be paid by wholesalers; and by retail dealers, in certain cases; providing for distribution under the terms and provisions of House Bill 647, Regular Session of the Fourteenth Legislature, etc., 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 28 was read for the fourth time at length, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

Senator MacDonald asked unanimous consent, which was granted, to be "excused" during the remainder of this legislative session.

Upon motion of Senator Commons, the Senate adjourned, to meet at 10:00 o'clock a. m., Saturday, July 15th, 1933.

## FORTIETH LEGISLATIVE DAY

Saturday, July 15, 1933

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Pursuant to adjournment, the Senate met at 10:00 o'clock, a. m., and was called to order by the President, who announced the Senate recessed for 15 minutes.

The Senate reassembled, with the President presiding.

Upon roll call, the following members were present:

Present: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, Memminger, Morrison, Nance, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 36.

Absent: Curnutt, Daugherty, Dixon, Moon, Waldrep. Total, 5.

Excused: Fidler, MacDonald, Rizley. Total, 3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

### JOURNAL CORRECTION

Senator Jennings moved to correct the Journal for the last legislative day, by striking therefrom the Message of the Governor, relative to the Red River Bridge case, which motion was tabled, upon motion of Senator Commons.

The Journal for the previous legislative day was declared approved.

### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has concurred in Senate amendments to:

ENGROSSED HOUSE BILL NO. 29—By ANGLIN, ARMSTRONG, ALBRIGHT, COLLINS, LEE-CRAFT, JOHNSON (Comanche), MALLORY, MASSEY, COX, WINGO, ALLEN, SULLIVAN, DUKE, CLOYD, BEAVER, BUSHYHEAD, MARSHALL, SHOEMAKE, DAVIS, HOLLIMAN, LINDSEY, STEWART, WATSON, PAXTON, JESSEE, JONES, LANDINGHAM, McELHANEY, SPEAR, DARKS, MUNSON, STRICKLAND (Marshall), EBEY (Pontotoc), HILL and BILLINGS, entitled:

An Act providing for transportation of pupils from one school district to another school district in the State of Oklahoma, fixing limitations upon such transportation and the district to be charged with the costs of the same, repealing all Acts or parts of Acts in conflict herewith,

and the same has been passed as amended.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has concurred in Senate amendments to:

ENGROSSED HOUSE BILL NO. 35—By BATSON, entitled:

An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the Permanent Journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of

said Session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, declaring an emergency,

And the same has been passed as amended.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 21—By THE SOLDIERS' RELIEF COMMITTEE OF THE SENATE, and THE SOLDIERS' RELIEF COMMITTEE OF THE HOUSE.

An Act making appropriation for the operation and maintenance of the Soldiers' Tubercular Sanatorium; repealing House Bill No. 257 as enacted by the Fourteenth Legislature and approved by the Governor on March 22, 1933; and declaring an emergency.

ENROLLED SENATE BILL NO. 10—By CURNUTT of the Senate and STURGELL of the House.

An Act amending Section 9 of House Bill No. 187 passed by the Fourteenth Legislature of the State of Oklahoma, and approved on the 26th day of April, 1933; by the Governor of the State of Oklahoma, amending Section 5630, Oklahoma Statutes, 1931, relating to investments of public funds in farm mortgages, repealing all Acts and parts of Acts in conflict herewith; and 1933; and declaring an emergency,

ENROLLED SENATE JOINT RESOLUTION NO. 3—By CHAMBERLIN, COMMONS, WHITAKER and PAUL of the Senate, and BATSON, COX and CLOYD of the House.

A Resolution authorizing an extension of time of payment of the first half of the 1932 ad valorem taxes in Oklahoma until August 1, 1933, and authorizing an



extension of time for the payment of the last half of the 1932 ad valorem taxes until September 1, 1933, and relieving the taxpayers of all penalty of such taxes if the first half of the same is paid on or before August 1, 1933; 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 Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Joint Resolution No. 3 and Enrolled Senate Bills Nos. 10 and 21 were, each, ordered referred to the Governor for consideration.

#### COMMITTEE REPORTS

Senator Johnston submitted the following Special Committee Reports:

Mr. President: We, your Special Committee to whom was referred Engrossed House Bill No. 30, by Phillips of Okfuskee and Kight, entitled:

An Act amending Senate Bill No. 127, Regular Session of the 14th Legislature, providing for the execution of the bond or bonds by the County Treasurer of the various counties of the State, prescribing the condition of such bond or bonds, providing for the approval thereof and for the prorating of the liability where more than one bond is executed, providing for a Board to approve the surety or sureties on said bond or bonds and for an examination of the books and records of such treasurer, prescribing the conditions under which sureties may be allowed to withdraw therefrom, making other provisions with reference to said bonds, repealing all other 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, as follows:

Page 2, Line 2, after the word "Legislature," and

before the word "is", insert the figures "1933."

Page 2, Lines 4 and 5, after the figures "35" and before the word "Section" strike the words "Session Laws 1931, being,"

Page 2, Line 10, after the word "bonds" and before the word "to" insert the words "the amount thereof to be fixed by the Board of County Commissioners."

Page 2, Line 16, after the word "county," and before the word "in" insert the words "such bond or bonds shall aggregate a sum not less than"

Page 2, Line 17, by striking the words "seventy-five" and writing in lieu thereof the word "fifty."

Page 2, Line 18, after the word "county;" strike the remainder of the line.

Page 3, strike all of lines 1, 2, 3, 4 and the syllables "urer;" of Line 5.

Page 4, Line 14, after the word "treasurer," by striking all the remainder of the line; and by striking all of Lines 15, 16 and inserting in lieu thereof the words "no surety shall be required to pay a greater portion of such loss than the ratio which its bond bears to the total bond, required."

HENRY S. JOHNSTON, Chairman.

Mr. President: We, your Special Committee to whom was referred Engrossed House Bill No. 31—By Phillips (Okfuskee) and Kight, entitled:

An Act creating a county depository board; authorizing the said board to designate depository banks and securities in which the county sinking fund may be invested; requiring county treasurers to invest sinking funds in said securities and to deposit county funds; repealing all 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.

Amendment 1. That Section (1) be stricken and the following be substituted in lieu thereof:

SECTION 1. A County Depository Board is hereby created to be composed of the County Judge, Chairman of the Board of County Commissioners and the County Attorney. Such Board shall designate one or more banks located in the County as depositories for *all public* funds, under the control of the County Treasurer and the County Treasurer is hereby authorized and directed to deposit county funds in banks and take securities therefor authorized by law, provided, that such securities shall be first approved by the depository board. Said funds shall draw interest on the average daily realized balances at a rate of not less than 2% per annum. *Provided, that the County Treasurer and his bondsmen shall not be liable for the loss of any funds deposited in the depository bank or banks, except for funds which he may deposit therein in excess of the amount of valid legal securities taken and approved for said deposit. Provided, however, that said treasurer and his bondsmen shall be liable for loss of any county funds deposited in a bank by said Board.*

Amendment 2. That Section (2) be stricken and that the following be substituted in lieu thereof:

SECTION 2. The Depository Board as created in Section 1 of this Act is hereby authorized and directed to designate the securities in which sinking fund moneys in possession of and under the control of the County Treasurer shall be invested and the County Treasurer shall not invest said sinking funds in any character or kind of securities until said securities have been first designated and approved by said County Depository Board. *Provided, that the County Treasurer and his bondsmen shall not be liable for the loss of any sinking funds legally invested in valid legal securities which have been designated and approved by the Depository Board.*

And provided further, that the sinking fund shall



only be invested in legally issued and outstanding warrants and bonds of the sub-division of the county to which such funds belong. When there is no bank in a county which is able or willing to put up security as required herein then the board named in this act, composed of the County Judge, Chairman of Board of County Commissioners and County Attorney may require the County Treasurer to place the same in trust with some banking institution of the County, not to be co-mingled with the funds of such banking institution or the deposits of the same, and shall be kept separate from any other funds in lock boxes in vault, or in an approved bank in another county, or with the State Treasury.

JOHNSTON, Chairman.

Mr. President: We, your Special Committee, to whom was referred House Bill No. 32 by Phillips (Okfuskee) and Kight, entitled:

An Act amending Section 5419, Oklahoma Statutes, 1931, relating to the deposit daily of State funds in depository banks approved by a board composed of the Governor, the Attorney General and the State Treasurer, and providing that said depository Board may authorize the daily deposits of funds in the hands of the State Treasurer in such depository banks at a rate of interest to be fixed by said Board at not less than two per centum per annum, 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.

Amendment 1. Section 1, line 6, page 3 be amended as follows: by striking after the word "the" and before the word "funds" the word "State" and inserting in lieu thereof the word "public."

Amendment 2. Section 1, line 7, page 3 be amended as follows: by striking after the word "the" and before the word "such" the remainder of the sentence and inserting in lieu thereof the following: "amount of ap-



proved legal securities pledged by such banks therefor."

Amendment 3. Section 2, line 16, page 3 be amended as follows: by striking after the word "thereof" and before the word "deposit" the word "to" and inserting in lieu thereof the word "shall."

Amendment 4. Section 2, line 18, page 3 be amended as follows: by inserting after the numbers (5418) and before the word "hereof" the words "Oklahoma Statutes 1931."

Amendment 4-a. Section 2, line 18, page 3 be amended as follows: by striking after the word "section" and before the numbers (5418) the word and number "one (1)."

Amendment 5. Section 2, line 14, page 4 be amended as follows: by striking after the word "and" and before the word "shall" the words "any costs accruing thereon."

Amendment 6. Section 3, line 4, page 6 be amended as follows: inserting after the word "pay" and before the word "the" the words "not less than."

Amendment 7. Section 3, line 4, page 6 be amended as follows: by striking after the word "the" and before the word "rate" the word "same."

Amendment 8. Section 3, line 4, page 6 be amended as follows: by striking after the word "interest" and before the word "charged" the words "that is."

Amendment 9. Section 4, line 3, page 7 be amended as follows: by inserting after the word "treasurers" and before the word "and" the comma (,) and the word "depositories."

Amendment 10. Section 5, line 4, page 7 be amended as follows: by inserting after the numbers "5420," and before the word "Oklahoma" the words and numbers "and section 5957."

JOHNSTON, Chairman.

GENERAL ORDER

HOUSE BILL NO. 30, by Phillips (Okfuskee) and Kight, was taken up for consideration.

Upon motion of Senator Nance, the amendments to House Bill No. 30, submitted by the Special Committee, were adopted by the Senate.

Upon motion of Senator Johnston, House Bill No. 30, as amended, was advanced to engrossment and third reading.

Senator Johnston moved that the Senate work under a call of the House, which motion prevailed.

Upon a roll call being ordered, the following were noted "absent:" Senators Chamberlin, Curnutt, Daugherty, Dixon, Moon, Morrison, Nichols, Ray, Rutherford, Sowards, Stewart, Thomas, Waldrep and Wilbanks.

The Sergeant-at-Arms was directed to bring absent members into the Senate.

Senators Stewart and Thomas asked to be recorded "present," which was the order.

HOUSE BILL NO. 31, by Phillips (Okfuskee) and Kight, was taken up for consideration.

Senator Briggs moved that the amendments to House Bill No. 31, submitted by the Special Committee, be adopted by the Senate, which motion prevailed.

Senator Briggs presiding.

Senators Fischl, Whitaker and Briggs submitted the following amendment, which was adopted:

Mr. President: We move to amend House Bill No. 31, line 4, page 1, by adding after the word, "attorney," the following: "The County Clerk shall be ex-officio Clerk of said Board and shall keep and preserve a record of the Acts and proceedings thereof."

FISCHL, WHITAKER and BRIGGS.

Senators Chamberlin and Ray asked to be recorded "present," which was the order.

Senator Pugh submitted the following amendment:

Mr. President: I move to amend House Bill No.

31, line 11, page 3, by adding after the word, "belong," and before the word, "when," the following: "but in no event shall said sinking fund, in the hands of the county treasurer, be invested in municipal bonds."

PUGH.

Senator Chamberlin presiding.

Senator Briggs, as a substitute, submitted the following amendment, which was adopted, by unanimous consent:

Mr. President: I move to amend House Bill No. 31, line 9, page 3, by inserting after the word, "in," and before the word, "legally," the following: "United States Government bonds, State bonds or warrants and," and in line 10, page 3, inserting after the word, "the," and before the word, "subdivision," the following, "county or any"

BRIGGS.

Senator Fischl submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 31, line 8, page 2, by adding after the word, "banks," and before the word, "except," the following, "by the closing or failure of such bank or banks"

FISCHL.

Senators Morrison, Rutherford and Wilbanks asked to be recorded "present," which was the order.

Senator Stewart submitted the following amendment, which was tabled, upon motion of Senator Nance:

Mr. President: I move to amend House Bill No. 31, line 11, page 3, by adding after the word, "belong," and before the word, "When," the following: "or the bonds of any subdivision of any of the counties or the county or State or United States government bonds or warrants of any of the subdivisions of the county to which the funds belong"

STEWART.

Senator Briggs submitted the following amendment,

which was adopted:

Mr. President: I move to amend House Bill No. 31, line 10, page 3, by striking after the word, "county," the words, "to which such funds belong," and inserting the following: "in which such funds have accrued in the hands of the county treasurer."

BRIGGS.

Senator Fischl submitted the following amendment, which, by unanimous consent, he withdrew:

Mr. President: I move to amend House Bill No. 31, lines 15 to 18, page 3, and lines 1 to 3, page 4, by striking the word, "may," in line 15, and inserting the word, "shall," and striking all of lines 16, 17, and 18, page 3, and lines 1, 2 and 3, page 4, after the word, "same," in line 16, and inserting the following, "with the state treasurer."

FISCHL.

Senator Fischl submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 31, lines 15 to 18, page 3, and line 1, page 4, by striking the word, "may," in line 15, and inserting the word, "shall;" by changing the word, "place," line 15, to "deposit," and by striking after the word, "same," in line 16, the remainder of said line and lines 17 and 18, page 3, and line 1, page 4, up to and including the word, "or."

FISCHL.

Senator Stewart submitted the following amendment, which was tabled, upon motion of Senator Memminger:

Mr. President: I move to amend House Bill No. 31, line 6, page 2, by striking "2%," and inserting "3%"

STEWART.

Senator Stewart submitted the following amendment, which was adopted:



Mr. President: I move to amend House Bill No. 31, line 11, page 3, by adding after the word, "belong," and before the word, "when," the following: "Provided, when funds of any subdivision of a county have been invested, as above provided, and a surplus exists, said funds may be invested in bonds of any other county of the state or subdivision thereof"

STEWART.

Senators Nichols and Sowards asked to be recorded "present," which was the order.

Senator Pugh submitted the following amendment:

Mr. President: I move to amend House Bill No. 31, line 11, page 3, by adding after the word, "belong," and before the word, "when," the following: "but in no event shall said sinking funds, in the hands of the county treasurer, be invested in bonds of any city or town"

PUGH.

### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate:

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 7—By Commons and Chamberlin of the Senate, and Batson of the House, entitled·

A Concurrent Resolution fixing the day and hour of the sine die adjournment of the First Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma,

and to advise you, and, through you, the Honorable Senate, that the same has been signed by the acting speaker of the House of Representatives.

*Fortieth Day, Saturday, July 15, 1933* 497

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 7 was ordered referred to the Secretary of State.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 20—By Remund, Roberts, Paxton, Graham, Phillips (Okfuskee), Ottesen, and Garland of the House, and Briggs of the Senate.

A House Concurrent Resolution requesting the Director of the Federal Emergency Conservation work to allocate such funds, material, and men under his direction as may be necessary to effect certain improvements on property in Oklahoma owned and operated by the United Spanish War Veterans, Department of Oklahoma, for the care and benefit of aged dependent and disabled veterans of the war with Spain, and of the wives and widows of such veterans, and to advise you, and, through you, the Honorable Senate, that the same has been signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk

The Presiding Officer in open session signed Enrolled House Concurrent Resolution No. 20 and ordered it returned to the Honorable House.

To the President of the Senate,

Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 7—By LEFCRAFT.

An Act making an appropriation from the General Revenue Fund of the State of Oklahoma for the purpose of making payment for necessary expenses incurred and to be incurred by the Governor of the State of Oklahoma, and to be approved by him, in the administration for the State of Oklahoma of the emergency relief and construction act of 1932 in furnishing relief, and work-relief to needy and destitute people and in relieving the hardship resulting from unemployment in the State of Oklahoma, and repealing an item of appropriation in House Bill No. 625, approved May 3rd, 1933, known as the Omnibus Bill of the Fourteenth Legislature, under the caption Federal Work-Relief in the sum of \$27,429.46,

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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 7 was read at length 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,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO 29—By ANGLIN, ARMSTRONG, ALBRIGHT, COLLINS, LEECRAFT, JOHNSON (Comanche), MALLORY, MASSEY, COX, WINGO, ALLEN, SULLIVAN, DUKE, CLOYD, BEAVER, BUSHYHEAD, MARSHALL, SHOEMAKE, DAVIS, HOLLIMAN, LINDSEY, STEWART, WATSON, PAXTON, JESSEE, JONES, LANDINGHAM, McELHANEY, SPEAR, DARKS. MUNSON,

STRICKLAND, (Marshall), EBEY (Pontotoc), HILL and BILLINGS.

An Act providing for transportation of pupils from one school district to another school district in the State of Oklahoma, fixing limitations upon such transportations and the district to be charged with the costs of the same, repealing all acts or parts of acts in conflict herewith.

ENROLLED HOUSE BILL NO. 35--By BATSON.

An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the Permanent Journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of said Session by the Speaker of the House of Representatives and the President pro tempore of the Senate, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bills Nos. 29 and 35 were, each, read at length for the fourth time, the enrolled copies signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 14 correctly engrossed and Senate Concurrent Resolution No. 8 and Senate Bill No. 4 correctly enrolled.

LIGGETT, Chairman.



The Presiding Officer, in open session, signed Engrossed Senate Resolution No. 14 and ordered it referred for enrollment; signed in open session, Enrolled Senate Concurrent Resolution No. 8 and ordered it transmitted to the Honorable House, for the signature of the Speaker.

Senate Bill No. 4 was read at length 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.

#### GENERAL ORDER

Referring further to HOUSE BILL NO. 31:

Senator Johnston submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 31, page 4, at the end of Section 2, as amended, by adding the following: "The liability of the state treasurer's bond shall extend to and cover the safety and protection of such funds so deposited."

JOHNSTON.

Senator Briggs submitted the following amendment:

Mr. President: I move to amend House Bill No. 31, line 11, page 3, by inserting after the Briggs Amendment No. 3, and before the next sentence, the following: "Provided, in the investment of such funds, no bonds shall be purchased at a price in excess of par and accrued interest."

BRIGGS.

Senator Briggs asked unanimous consent, which was granted, to amend his pending amendment, by inserting after the words, "no bonds," the words, "or other securities."

The vote occurring on the Briggs amendment, as amended, it was declared adopted.

Senator Wilbanks submitted the following amendment, which was adopted.

Mr. President: I move to amend House Bill No. 31, by striking from line 6, page 2, the following, "than 2% per annum," and inserting the following, "than the rate of interest paid the state by its Oklahoma depositories."

WILBANKS.

Upon motion of Senator Johnston, House Bill No. 31, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Johnston, the rules of the Senate were suspended and House Bill No. 31, as amended, was considered engrossed and placed upon third reading and final passage.

THIRD READING

HOUSE 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: Briggs, Carlile, Chamberlin, Clark, Commons, Coppock, Fischl, Howard, Hutchinson, Jennings, Johnston, Lester, Logan, Morrison, Nichols, Powers, Pugh, Ray, Reed, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 27.

Nays: Carmack, Garvin, Liggett, Memminger, Paul, Ritzhaupt. Total, 6.

Not voting: Ballard, Nance, Stewart. Total, 3.

Absent: Curnutt, Daugherty, Dixon, Moon, Waldrep. Total, 5.

Excused: Fidler, MacDonald, Rizley. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, Memminger, Morrison, Nichols, Paul, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 34.

Not voting: Nance, Stewart. Total, 2

Absent: Curnutt, Daugherty, Dixon, Moon, Waldrep. Total, 5.

Excused: Fidler, MacDonald, Rizley. 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.

Upon motion of Senator Johnston, the title of House Bill No. 31 was ordered amended to conform with the bill, as amended.

House Bill No. 31, as amended, was ordered referred for engrossment.

By unanimous consent, HOUSE BILL NO. 30, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

HOUSE BILL NO. 30 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, Memminger, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Paul. Total, 1.

Not voting: Nance, Stewart. Total, 2.

Absent: Curnutt, Daugherty, Dixon, Moon, Waldrep. Total, 5.

Excused: Fidler, MacDonald, Rizley. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Hutchinson, Jennings, Johnston, Lester, Liggett, Logan, Memminger, Morrison, Nichols, Powers, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Taylor, Thomas, Whitaker, Wilbanks, Willis. Total, 33.

Nays: Paul. Total, 1.

Not voting: Nance, Stewart. Total, 2.

Absent: Curnutt, Daugherty, Dixon, Moon, Waldrep. Total, 5.

Excused: Fidler, MacDonald, Rizley. 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. 30 was ordered referred for engrossment.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:



ENGROSSED SENATE BILL NO. 9—By PAUL, NANCE and CHAMBERLIN, Entitled:

An Act relating to the determination of value on lands offered as security for loans from funds held by the Commissioners of the Land Office, and prescribing a penalty for making false statements in connection 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 as amended, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 9 were read, as follows:

Amendment No. 1. After the word "thereon" at the end of Section 4, change the period to a semicolon and add the following: "and provided further that after the effective date of this Act, in no event shall a new loan be made in excess of eighty (80) per cent of the average assessed valuation of the land on which loan is to be made, for the last five assessments, immediately preceding the year in which the application is filed. Provided further that this provision shall in no way affect the renewal of loans now existing."

Amendment No. 2. Page 2, Section 3, Lines 10 and 11, by striking sub-section "Second" the same being lines 10 and 11.

Amendment No. 3. Page 1, Section 1, Line 6, by striking the words and figures "(5) years" and inserting the words and figures "(3) years."

Amendment No. 4. Page 2, Section 3, Line 8, by striking the word and figure "three (3)" and by inserting the word and figure "five (5)."

Amendment No. 5. Page 2, Section 3, Line 5, by

inserting after the word "office," "or upon request of the applicant for the loan."

Amendment No. 6. Page 1, Section 1, Line 2, by inserting after the words "land office" in line 2, the following: "shall have continuously owned the fee title to, and actually used by himself for agricultural purposes, upon which the loan is desired, at least one year prior to the date of such application," and inserting in Line 3 before the word "shall," the words "the applicant."

Senator Paul moved that the Senate refuse to concur in Engrossed House Amendments to Engrossed Senate Bill No. 9 and request the Honorable House to grant a conference thereon.

The Paul motion prevailed, the Presiding Officer appointing as Senate conferees thereunder, Senators Paul, Carmack and Nance.

Senator Whitaker moved that the vote be reconsidered by which HOUSE BILL NO. 3, by Gray, was ordered stricken from the calendar.

Senator Jennings, as a substitute, moved that the Senate recess to meet at 1:30 p. m., which motion failed of adoption.

Senator Briggs raised a point of order against the Whitaker motion, which was overruled, stating it would require a suspension of the rules.

Senator Jennings raised a point of order against the Whitaker motion, which was overruled, stating the required notice, to reconsider the vote by which House Bill No. 3 was stricken, had not been lodged.

The vote occurring on the Whitaker motion, it was declared adopted.

Senator Whitaker moved that the Logan amendment, to House Bill No. 3, submitted on July 6th, be ordered stricken from the bill.

Senator Jennings raised a point of order against fur-

ther consideration of House Bill No. 3, citing sub-division (b) of Senate Rule 20.

The Chair, in overruling the Jennings point of order, said, "until a motion for sine die adjournment has been adopted, action on House Bill No. 3 is in order."

Senator Morrison raised a point of order against the Whitaker motion, which was overruled, stating a similar motion had been disposed of, previously, by the Senate.

Senator Wilbanks, as a substitute, moved that further consideration of House Bill No. 3 be indefinitely postponed.

The Chair ruled the Wilbanks motion out of order, for the reason it was not a proper substitute.

Senator Ballard moved that the Senate recess, to meet at 2:00 p. m., which motion failed of adoption.

The vote occurring on the Whitaker motion, it was declared adopted, the roll call thereon being as follows:

Ayes: Carlile, Chamberlin, Clark, Commons, Fischl, Garvin, Howard, Johnston, Lester, Memminger, Nance, Nichols, Paul, Pugh, Ray, Ritzhaupt, Sowards, Taylor, Whitaker. Total, 19.

Nays: Ballard, Briggs, Carmack, Coppock, Hutchinson, Jennings, Logan, Morrison, Powers, Reed, Rutherford, Stacey, Stewart, Thomas, Wilbanks, Willis. Total, 16.

Not voting: Liggett. Total, 1.

Absent: Curnutt, Daugherty, Dixon, Moon, Wal-drep. Total, 5.

Excused: Fidler, MacDonald, Rizley. Total, 3.

Senator Wilbanks moved that further consideration of House Bill No. 3 be indefinitely postponed.

President Burns presiding.

Upon motion of Senator Whitaker, the Wilbanks motion was tabled, the roll call thereon being as follows:

Ayes: Carlile, Chamberlin, Clark, Commons, Coppock, Fischl, Garvin, Howard, Johnston, Lester, Mem-

minger, Nance, Nichols, Pugh, Ray, Ritzhaupt, Sowards, Taylor, Whitaker. Total, 19.

Nays: Ballard, Briggs, Carmack, Hutchinson, Jennings, Logan, Morrison, Powers, Reed, Rutherford, Stacey, Stewart, Thomas, Wilbanks, Willis. Total, 15.

Not voting: Liggett, Paul. Total, 2.

Absent: Curnutt, Daugherty, Dixon, Moon, Waldrep. Total, 5.

Excused: Fidler, MacDonald, Rizley. Total, 3.

Senator Reed moved that the Senate recess to meet at 2:00 o'clock, p. m., which motion failed of adoption.

Upon motion of Senator Jennings, the Senate recessed for one hour.

The Senate reassembled, with the President presiding.

#### RESOLUTION

Senator Ritzhaupt asked unanimous consent, which was granted, to introduce the following resolution:

SENATE CONCURRENT RESOLUTION NO. 9.—By Ritzhaupt, of the Senate, and Sutherland and Phillips (Okfuskee), of the House.—A CONCURRENT RESOLUTION PROVIDING FOR A RECESS OF THE SPECIAL SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, UNTIL NOVEMBER 1, 1933, AT WHICH TIME THE LEGISLATURE SHALL REASSEMBLE TO CONSIDER CERTAIN LEGISLATION WHICH THE STATE OF OKLAHOMA GRAVELY NEEDS.

Senator Ritzhaupt moved that Senate Concurrent Resolution No. 9 be taken up for immediate consideration.

Senator Chamberlin raised a point of order against the Ritzhaupt motion, citing Rule 18.

Senator Briggs, as a substitute, moved that the vote be reconsidered by which Senate Concurrent Resolution No. 7, by Commons, of the Senate, and Batson, of the



House, was adopted, which motion was tabled, upon motion of Senator Commons.

The Presiding Officer sustained the Chamberlin point of order.

Senator Ritzhaupt moved that the rules of the Senate be suspended for the purpose of considering Senate Concurrent Resolution No. 9.

Senator Chamberlin raised a point of order against the Ritzhaupt motion, which was sustained, stating the vote by which Senate Concurrent Resolution No. 7 was adopted would necessarily have to be reconsidered.

Senator Ritzhaupt moved to reconsider the vote by which the Commons motion, to table the Briggs motion to reconsider the vote by which Senate Concurrent Resolution No. 7 was adopted, was adopted.

Upon motion of Senator Commons, the Ritzhaupt motion was tabled.

Senator Nance asked unanimous consent, which was granted, to have the record show, had he been present at the time of Third Reading and final passage of HOUSE BILLS NOS. 30 and 31, he would have voted "NAY," on the bills.

Senators Fidler and Curnutt asked to be recorded "present," which was the order.

#### RESOLUTION

Senator Stewart asked unanimous consent, which was granted, to introduce the following resolution, which, upon his motion, was taken up for consideration and read at length:

SENATE RESOLUTION NO. 15—By STEWART.

A RESOLUTION NAMING THE BOGGY BRIDGE  
IN ATOKA COUNTY.

WHEREAS, the Highway Department is soon to contract for the construction of a new bridge across the Boggy River on Highway No. 19 in Atoka County, Oklahoma; and

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WHEREAS, in the near future said bridge will be completed; and

WHEREAS, the Honorable C. B. Memminger, Senator of the 20th Senatorial District is responsible for bringing to the attention of the Highway Department the necessity for the construction of said Highway and bridge; and

WHEREAS, through the untiring and ceaseless and faithful efforts of the said Senator, said Highway was finally completed and a contract is about to be awarded for the construction of said bridge; and

WHEREAS, the people of Atoka County are all interested and benefited by the construction of said bridge; and

WHEREAS, the citizenship of said Senatorial District, particularly those of Atoka County, feel that credit for the building of said Highway and bridge is due to the said Senator Memminger, and they desire to publicly give him credit for the same,

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA:

In view and because of the reasons above assigned, the said bridge constructed over the Boggy River on Highway No. 19 in said County of Atoka is and the same is hereby named, "The C. B. Memminger Bridge."

Upon motion of Senator Stewart, Senate Resolution No. 15 was adopted, and ordered referred for engrossment.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE JOINT RESOLUTION NO. 4—By COMMONS of the Senate, and HARP of the House.

A Resolution authorizing an extension of ten days time from July 13, 1933, in which the various County Treasurers of the State of Oklahoma may qualify; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Joint Resolution No. 4 was ordered referred for enrollment.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 3—By CARLILE, NICHOLS and JOHNSTON, entitled:

An Act amending Section 11, House Bill No. 187, passed by the Fourteenth Legislature and approved on the 26th day of April, 1933, providing the method for selling land acquired by the State through mortgage foreclosure; amending Section 13, House Bill 187; making an appropriation to make said Act effective, repealing all laws 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.

Respectfully,

R. M. McCOOL, Chief Clerk

Engrossed Senate Bill No. 3 was ordered referred for enrollment.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 7—By PAUL, entitled:

An Act making it a felony for any employee of the Commissioners of the Land Office or any person dealing with the Commissioners of the Land Office or said employees, directly or indirectly, to do or neglect or refuse to do certain acts, providing penalties 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, AS AMENDED, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 7 was read as follows:

Amendment No. 1. Page 1, Section 2, Lines 15 and 16. By striking the following words: "with intent to defraud the State."

Senator Paul moved that the Senate refuse to concur in Engrossed House Amendment to Engrossed Senate Bill No. 7 and request the Honorable House to grant a conference, thereon, which motion prevailed, the President appointing as Senate conferees, thereunder, Senators Paul, Nance and Carmack.

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to return herewith:



ENGROSSED SENATE BILL NO. 12—By PAUL and NANCE, entitled:

An Act prescribing a method to be used by the Commissioners of the Land Office in collecting delinquent interest or other delinquencies on obligations owing from state officers and/or state employees arising out of a loan of trust funds under the control and management of the Commissioners of the Land Office; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 12 was ordered referred for enrollment.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 22—By MacDONALD, HUTCHINSON, WILBANKS and WHITAKER of the Senate; CLOYD, REMUND and SULLIVAN of the House, entitled:

An Act creating certain awards and decorations to be bestowed upon members of the federally recognized National Guard, including an Oklahoma distinguished Cross; an Oklahoma distinguished medal; Mexican Border Service medal; World War service medal; certain long service medals; and providing for other medals to be awarded for any war or campaign or mobilization which the federal government shall recognize by awarding service medals; providing for a Board to be selected by order of the Governor to select designs, ribbons and symbols for medals; provid-

ing for the publication of general orders necessary to carry out provisions of this Act; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 22 was ordered referred for enrollment.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 30 correctly engrossed.

LIGGETT, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 30, as amended, and ordered it returned to the Honorable House.

#### GENERAL ORDER

Upon motion of Senator Nichols, SENATE RESOLUTION NO. 12, by Nichols, was ordered stricken from the calendar.

Senator Briggs requested consideration of HOUSE BILL NO. 32, by Phillips (Okfuskee) and Kight, which was the order.

Upon motion of Senator Briggs, the amendments proposed by the Special Committee, to which House Bill No. 32 was referred, were declared adopted.

Senator Morrison presiding.

Upon motion of Senator Johnston, House Bill No. 32, as amended by the Special Committee, was advanced to engrossment and third reading.

Upon motion of Senator Johnston, the rules of the Senate were suspended and House Bill No. 32, as

amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

HOUSE BILL NO. 32 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Garvin, Jennings, Johnston, Liggett, Logan, Memminger, Morrison, Nichols, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 29.

Nays: Nance, Paul. Total, 2.

Not voting: Coppock, Fischl, Howard, Hutchinson, Lester, Powers, Taylor. Total, 7.

Absent: Daugherty, Dixon, Moon, Waldrep. Total, 4.

Excused: MacDonald, Rizley. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Garvin, Jennings, Johnston, Liggett, Logan, Memminger, Morrison, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Nance. Total, 1.

Not voting: Coppock, Fischl, Howard, Hutchinson, Lester, Powers, Taylor. Total, 7.

Absent: Daugherty, Dixon, Moon, Waldrep. Total, 4.

Excused: MacDonald, Rizley. 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. 32, as amended, was ordered referred for engrossment.

Senator Liggett submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 14 and Senate Bill No. 3, each, correctly enrolled.

LIGGETT, Chairman.

The Presiding Officer, in open session, signed Enrolled Senate Resolution No. 14 and ordered it transmitted to the Secretary of State.

Senate Bill No. 3 was read at length 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.

Upon motion of Senator Chamberlin, a vote of thanks was extended the President, President Pro Tempore and officers of the Senate.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has granted the request of your Honorable Body for a conference on:

ENGROSSED SENATE BILL NO. 7—By PAUL, entitled:



An Act making it a felony for any employee of the Commissioners of the Land Office or any person dealing with the Commissioners of the Land Office or said employees, directly or indirectly to do or neglect or refuse to do certain acts, providing penalties therefor; and declaring an emergency,  
and the Speaker has appointed Representatives Garland, Spear, Hankla, and Burnham, as conferees thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has granted the request of your Honorable Body for a conference on:

ENGROSSED SENATE BILL NO. 9—By PAUL, NANCE and CHAMBERLIN.

An Act relating to the determination of value on lands offered as security for loans from funds held by the Commissioners of the Land Office, and prescribing a penalty for making false statements in connection therewith; and declaring an emergency,  
and the Speaker has appointed Representatives Phillips (Okfuskee), Phillips (Atoka), Hogg, and Armstrong as conferees thereon.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 3—By CARLILE, NICHOLS and JOHNSTON, entitled:

An Act amending Section 11, House Bill 187, passed by the Fourteenth Legislature and approved on the 26th day of April, 1933; providing the method for selling land acquired by the State through mortgage foreclosure; amending Section 13, House Bill 187, making an appropriation to make said Act effective; repealing all laws in conflict herewith,

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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 3 was ordered referred to the Governor, for consideration.

Senator Nance moved that the Honorable House be advised that there is no controversy upon SENATE BILL NO. 7, and ask the Honorable House to recall its conferees, appointed thereon, which motion prevailed.

Senator Nance moved that the vote be reconsidered by which the Senate refused to concur in Engrossed House Amendment to Engrossed Senate Bill No. 7 and requested a conference thereon, which motion prevailed.

Upon motion of Senator Nance, the Senate concurred in Engrossed House Amendment to Engrossed Senate Bill No. 7.

SENATE BILL NO. 7, as amended, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carmack, Chamberlin, Clark, Curnutt, Fidler, Garvin, Hutchinson, Jennings, Johnston, Liggett, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford,

Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis.  
Total, 28.

Not voting: Carlile, Commons, Coppock, Fischl,  
Howard, Lester, Logan, Powers, Sowards, Taylor.  
Total, 10.

Absent: Daugherty, Dixon, Moon, Waldrep. Total,  
4.

Excused: MacDonald, Rizley. 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-  
gency measure?" the roll was called with the following  
results:

Ayes: Ballard, Briggs, Carlile, Carmack, Cham-  
berlin, Clark, Commons, Curnutt, Fidler, Garvin, Jen-  
nings, Johnston, Liggett, Logan, Memminger, Morrison,  
Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford,  
Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks,  
Willis. Total, 30.

Nays: Nance. Total, 1.

Not voting: Coppock, Fischl, Howard, Hutchin-  
son, Lester, Powers, Taylor. Total, 7.

Absent: Daugherty, Dixon, Moon, Waldrep.  
Total, 4.

Excused: MacDonald, Rizley. 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. 7, as amended, was ordered referred  
for enrollment.

President Burns presiding.

#### MESSAGE

The following Message from the Honorable House  
was received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith:

ENROLLED HOUSE JOINT RESOLUTION NO. 3—  
By PHILLIPS (Okfuskee), BABB, STURGELL, PAXTON, MISENHEIMER, WHITFORD, BROADDUS, CHAMBERS, GARLAND, BOYER and REMUND, FITZGERALD, KIGHT, BATSON and DOUTHAT.

A Joint Resolution providing for the method and manner of nominating delegates to a State Convention to ratify or reject the proposed twenty-first Article of Amendment to the Constitution of the United States; providing for the call of County Conventions and prescribing qualifications of delegates to County Conventions; providing for the time, place and manner of holding same; providing for the holding of Congressional District Conventions and prescribing qualifications of delegates and manner, time and place of holding same; providing for the manner in which delegates shall be elected and manner in which convention of delegates shall meet; providing for payments of expenses; providing manner of certifying results of the election and result of the ballot of delegates, and to advise you, and, through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Acting Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Joint Resolution No. 3 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered returned to the Honorable House.

Senator Liggett submitted the following Committee Report:



Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Joint Resolution No. 4 and Senate Bills Nos. 12 and 22, each, correctly enrolled.

LIGGETT, Chairman.

Senate Joint Resolution No. 4 and Senate Bills Nos. 12 and 22 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.

#### CONFERENCE COMMITTEE REPORT

The following Conference Committee Report was submitted, and, upon motion of Senator Paul, adopted: To the President of the Senate and the Speaker of the House:

We, your Conference Committee, to whom was referred Senate Bill No. 9, by Paul, Nance and Chamberlin, entitled:

An Act relating to the determination of value on lands offered as security for loans from funds held by the Commissioners of the Land Office and prescribing a penalty for making false statements in connection 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 the Senate concur in all amendments except No. 1 from which the House receded.

Conferees of the House:      Conferees of the Senate:

LEE ARMSTRONG,

HOMER PAUL,

LEON C. PHILLIPS,

J. C. NANCE,

T. J. HOGG.

S. M. CARMACK.

SENATE BILL NO. 9, as amended in conference, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Fischl, Garvin,

Hutchinson, Johnston, Memminger, Morrison, Nance, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 29.

Not voting: Coppock, Howard, Jennings, Lester, Liggett, Logan, Powers, Sowards, Taylor. Total, 9.

Absent: Daugherty, Dixon, Moon, Waldrep. Total, 4.

Excused: MacDonald, Rizley. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Garvin, Jennings, Johnston, Liggett, Logan, Memminger, Morrison, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Rutherford, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Nance. Total, 1.

Not voting: Coppock, Fischl, Howard, Hutchinson, Lester, Powers, Taylor. Total, 7.

Absent: Daugherty, Dixon, Moon, Waldrep. Total, 4.

Excused: MacDonald, Rizley. 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. 9, together with Conference Committee Report thereon, was ordered transmitted to the Honorable House, for consideration.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and

Enrolled bills begs leave to report House Bill No. 31 and Senate Resolution No. 15, each, correctly engrossed and Senate Bill No. 7 correctly enrolled.

HOWARD, Vice Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 31, as amended, and ordered it returned to the Honorable House; signed, in open session, Engrossed Senate Resolution No. 15 and ordered it referred for enrollment.

Senate Bill No. 7 was read at length for the fourth time, the enrolled copy 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,  
Building

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has refused to concur in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 30—By PHILLIPS of Okfuskee and KIGHT.

An Act amending Senate Bill No. 127, Regular Session of the Fourteenth Legislature, providing for the execution of the bond or bonds by the County Treasurer of the various counties of the State, prescribing the condition of such bond or bonds, providing for approval thereof and for the prorating of the liability where more than one bond is executed, providing for a Board to approve the surety or sureties on said bond or bonds and for an examination of the books and records of such treasurer, prescribing the conditions under which sureties may be allowed to withdraw therefrom, making

other provisions with reference to said bonds, repealing all other Acts or parts of Acts in conflict herewith, and declaring an emergency, and asks your Honorable Body for a Conference thereon. The Speaker has appointed Representatives Phillips (Okfuskee), Childers, and Billings, as Conferees.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Briggs moved that the request of the Honorable House, for a conference on Engrossed House Bill No. 30, be granted and Senate conferees be appointed, which motion prevailed, the President appointing as conferees, thereunder, Senators Briggs, Chamberlin, Willis, Wilbanks and Johnston.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 13—By PAUL, POWERS and WILLIS of the Senate and HANKLA, WILLIAMS and OTTESEN of the House.

An Act establishing a system of collection and disbursement by the Commissioners of the Land Office and their officers and employees, and authorizing the State Examiner and Inspector to prescribe the forms and methods of keeping certain records; authorizing the employment of an auditor for the School Land Commission, making an appropriation for his salary and to purchase necessary supplies and equipment; providing for strict compliance with this Act and prescribing the penalty for failure or neglect to comply with the provisions of this Act or transacting business contrary to the said provisions; and declaring an emergency, and to advise you, and, through you, the Honorable Senate, that the same has been passed by the House of Rep-



representatives, AS AMENDED, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendment, being a substitute bill for Engrossed Senate Bill No. 13, was read as follows:

ENGROSSED HOUSE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 13—By PAUL, POWERS and WILLIS of the Senate and HANKLA, WILLIAMS and OTTESEN of the House.

AN ACT ESTABLISHING A SYSTEM OF COLLECTION AND DISBURSEMENT BY THE COMMISSIONERS OF THE LAND OFFICE AND THEIR OFFICERS AND EMPLOYEES, AND AUTHORIZING THE STATE EXAMINER AND INSPECTOR TO PRESCRIBE THE FORMS AND METHODS OF KEEPING CERTAIN RECORDS; AUTHORIZING THE EMPLOYMENT OF AN AUDITOR FOR THE SCHOOL LAND COMMISSION, MAKING AN APPROPRIATION FOR HIS SALARY AND TO PURCHASE NECESSARY SUPPLIES AND EQUIPMENT; PROVIDING FOR STRICT COMPLIANCE WITH THIS ACT AND PRESCRIBING THE PENALTY FOR FAILURE OR NEGLECT TO COMPLY WITH THE PROVISIONS OF THIS ACT OR TRANSACTING BUSINESS CONTRARY TO THE SAID PROVISIONS; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. The Commissioners of the Land Office of the State of Oklahoma shall cause to be kept in the office of said Commission the following styled

books: "Cash Journal," "General Journal" and "General Ledger," said books to be on forms prescribed by the State Examiner and Inspector and said Cash Journal shall be kept daily by the Cashier or his assistant.

The Cash Journal shall carry a detailed statement of each day's business and shall be divided into two separate classifications to be designated as follows:

Cash Collections, which must show the amount of all moneys received, name of payer, address, purpose and the number given the transaction by the Department, and the fund for which collected. Cash disbursements, which must show the amount of the check issued, name of payee, address, purpose, the number of the transaction given by the department, and the fund against which said check is drawn; also, the amount deposited with the State Treasurer, together with other information as may be required by the State Examiner and Inspector. The Cash Journal shall be balanced daily. The General Journal shall contain adjusting entries affecting auxiliary books or accounts carried in the General Ledger and transfer entries from said auxiliary books to the General Ledger; and, a detailed statement must be given each entry made therein. The General Ledger is hereby classified as a control book and shall show a brief and concise statement of each account carried therein, and said accounts shall be balanced with the close of each month and said account shall include the total amount of loans outstanding; the amount invested in Bonds, and the cash balance which must agree with that balance reflected by the Cash Journal and the balance credited to the Commissioners of the Land Office as shown by the Office of the State Treasurer. No change in the form or method of keeping a record of such collection or disbursement, the General Journal and General Ledger shall be made without the written consent of the State Examiner and Inspector. It is the purpose of this

Act that every transaction involving the collections and disbursements of the School Land Department shall be made a matter of daily record to be summarized at least once each month or as often as may be required by the Commissioners or the Secretary. Said order or orders so prescribed by the State Examiner and Inspector shall be spread of record in the minutes of the Commissioners of the Land Office.

SECTION 2. Each loan and investment, and other transactions, except inter-departmental transactions, made by the School Land Department shall be given an office number.

SECTION 3. The Cash Journal shall be balanced daily and the total of each day's receipts shall be deposited with the State Treasurer as now required by the State Depository Law. It shall be the duty of the Commissioners of the Land Office to notify each debtor to make their checks, drafts, or other transfer of moneys payable to the order of the Commissioners of the Land Office. No person shall have authority to endorse such checks, drafts or orders for moneys unless specifically authorized by a Resolution of a majority of the Commissioners. The endorsements on the checks, drafts or other evidence of transfers of moneys shall be in the following words:

"Pay to the order of the Treasury of the State of Oklahoma, for credit only to the Commissioners of the Land Office,"

and shall be signed by the person so designated by the Commissioners of the Land Office for such purpose. No person, firm or corporation shall cash or pay out on any such check, voucher, draft, money order or other evidence of transfers of money, or its equivalent, without said endorsements, and the endorsement of the State Treasurer appearing thereon.

Any person, firm or corporation violating this pro-



vision shall be guilty of a felony, and upon conviction, shall be punished by a fine of not less than \$100.00 nor more than \$1,000.00, or by imprisonment in the State Penitentiary for a term of not more than three years or both such fine and imprisonment; and shall be civilly liable to the State of Oklahoma, for the use and benefit of the fund which has sustained such loss in double the amount of the check, voucher, money order, draft or other evidence of transfer of money, so cashed or paid.

All checks or vouchers drawn against any fund or funds by the Commissioners of the Land Office shall be issued only by the Cashier upon written application of the head of the Division of the School Land Department, said check or voucher shall be signed in the name of the Commissioners of the Land Office by the Secretary or in his absence by the assistant Secretary and shall be countersigned by the head of the Division of the School Land Department affected. The form of check or voucher shall be prescribed by the State Examiner and Inspector and shall indicate on its face the purpose for which drawn, the amount and the account to which chargeable; and, no check shall leave the office until protected by some suitable protectograph. The checks shall be issued in triplicate, the original to be given to the payee, the duplicate to be delivered to the head of the Division who made application for said check, and the triplicate shall remain in the files in the Cashier's Office to become a part of the permanent records.

SECTION 4. The Cashier and/or his assistants shall issue individual receipts for all checks, drafts, money orders and moneys, or the equivalent thereof, received by the Department. The form of the receipt shall be prescribed by the State Examiner and Inspector and shall be in triplicate, the original thereof to go to the payer of the moneys, the duplicate shall be delivered to the head of the Department for which the funds



covered by the receipts were collected, and the triplicate shall remain in the Office of the Cashier to be made a part of the permanent records. The receipt shall specifically state the purpose for which the moneys were received.

SECTION 5. It shall be the duty of each and every head of the several divisions of the Department to keep in record book, the forms of which shall be prescribed by the State Examiner and Inspector, a correct record of the business transactions of the division over which he or she has charge.

SECTION 6. The Secretary to the School Land Commission shall cause all mail received by the Department to be opened by some employee designated by the Secretary in writing, assisted by two (2) other employees not connected with the Cashier's Office whose duty shall be to examine all incoming mail and make a proper duplicate record of all moneys therein received; the original copy to be delivered to the Secretary and the duplicate delivered to the Cashier. The entries on such reception record shall be made at the time of the opening of the letters and when completed shall be signed by the maker and witnessed by the employees assisting, who must also sign. All checks, drafts, money orders and moneys or the equivalent thereof, together with duplicate reception record shall be immediately and forthwith delivered to the Cashier who shall give his receipt therefor by signing the original copy of the reception record, and shall make proper entries on the record as provided above. No checks, drafts, or vouchers shall be cashed out of any funds held by the Commissioners of the Land Office. The Secretary to the Commissioners of the Land Office and the Cashier are charged jointly and severally with the proper keeping and it is hereby made their duty to see that the

above and foregoing reception records are correctly kept.

SECTION 7. Any person receiving mail pertaining to the affairs of the Commissioners of the Land Office shall immediately upon its receipt deliver the same to the Secretary or the proper person designated by him as provided in Section 6.

SECTION 8. It is the intention and purpose of this Act to set up within the School Land Department a double entry set of books which will inter-check with each other and provide an internal check on the transactions of the Department, and the State Examiner and Inspector is hereby required and it is hereby made his mandatory duty to prescribe the proper forms of double entry system of books herein designated, which shall be installed by the Commissioners of the Land Office.

SECTION 9. It is hereby made the mandatory duty of the Auditor of the Commissioners of the Land Office, whose office is hereinafter created, to present to the Commissioners of the Land Office at their regular meeting a summarized statement of all cash transactions for the period of time beginning at the close of the day prior to the last meeting date and ending at the close of the day next preceding the meeting of the said Commissioners of the Land Office, or any other day's business that the Commission may require. The Auditor shall assist and supervise other employees of the Department in the keeping of all subsidiary or auxiliary books of original entry and shall make all transfers of original entries through the General Journal to the General Ledger at the close of each month. When the books of original entries have been posted to the General Ledger at the close of each month, the Auditor is required to balance the General Ledger and submit his report to the Commissioners of the Land Office at their first meeting to be held the following month, showing

the status of each and every account carried in the General Ledger. At the close of each fiscal year ending June 30th, said Auditor shall render his report to the Commissioners of the Land Office after the books have been balanced for said fiscal year, showing the total amount of assets and liabilities held by the Department, and showing a revenue statement reflecting all receipts and disbursements together with losses and gains for said fiscal year; also, a statement of analysis of all lands, loans, bonds and coupons, contracts and judgments held by the Department. It shall also be the duty of said Auditor to at least once each fiscal year check or make an audit of the bond and investment registry to be kept by the Commission and compare the transaction shown therein with the cash transactions shown in the Cash Journal to ascertain whether or not the proper amount of moneys covering maturity of both interest and principal has been collected and deposited. It shall also be his duty by physical count to compare the bonds and coupons and such other securities, if any, held by the School Land Department with the entries recorded in said bond investment registry; and, shall furnish the Commission a schedule of such bonds and other securities held in the form of an investment showing the fund to which said bonds or securities are credited.

SECTION 10. For the purpose of carrying out the provisions of this Act, the Commissioners of the Land Office shall employ an "Auditor" at a salary not to exceed Twenty-four Hundred (\$2,400.00) Dollars per annum. Said Auditor must be a competent, qualified and experienced accountant, and must have had special training and experience in either county or state auditing, or thoroughly familiar with the system of accounting established in state departments.

SECTION 11. The said Auditor shall execute a good and sufficient bond in a sum not less than Ten



Thousand (\$10,000.00) Dollars, signed by some surety company authorized to do business in the State of Oklahoma and to be approved by the Commissioners of the Land Office. Said bond shall be in the name of the State of Oklahoma and for the use and benefit of the Commissioners of the Land Office, an additional bond may be required by the Commissioners of the Land Office as shall be deemed necessary to protect said office against any losses which may be sustained by reason of the negligence or any failure on the part of said auditor to perform any of the duties of his office, and for any misappropriations or misapplication of any funds or securities or thing of value belonging to said Commissioners of the Land Office.

SECTION 12. There is hereby appropriated out of any money in the Treasury of the State of Oklahoma to the credit of the General Revenue Fund not otherwise appropriated for the fiscal years ending June 30, 1934, and June 30, 1935, the following sums, or so much thereof as may be necessary for the purposes herein mentioned, and no other.

	1934	1935
Auditor, Salary	\$2,400.00	\$2,400.00
Equipment, Books and Printing	250.00	50.00
Fixed Charges, Premium on Bonds	75.00	75.00

SECTION 13. This Act shall be strictly complied with and if any official or employee of the Commissioners of the Land Office fails or neglects to comply with the provisions herein, or if any official or employee transacts any business of the Department contrary to the provisions herein, he shall be deemed guilty of a felony and upon conviction shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) and by imprisonment in the State Penitentiary for a term of not less than three



(3) years nor more than ten (10) years or by both such fine and imprisonment.

SECTION 14. 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 Paul, the Senate concurred in Engrossed House Amendment to Engrossed Senate Bill No. 13.

Senator Daugherty asked to be recorded "present," which was the order.

SENATE BILL NO. 13, as amended by the Honorable House, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Clark, Commons, Curnutt, Daugherty, Fidler, Fischl, Garvin, Hutchinson, Johnston, Memminger, Morrison, Nance, Paul, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Thomas, Whitaker, Wilbanks, Willis. Total, 26.

Not voting: Chamberlin, Coppock, Howard, Jennings, Lester, Liggett, Logan, Nichols, Powers, Pugh, Sowards, Stewart, Taylor. Total, 13.

Absent: Dixon, Moon, Waldrep. Total, 3.

Excused: MacDonald, Rizley. 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: Ballard, Briggs, Carlile, Carmack, Chamberlin, Clark, Commons, Curnutt, Fidler, Garvin, Jennings, Johnston, Liggett, Logan, Memminger, Morrison, Nichols, Paul, Pugh, Ray, Reed, Ritzhaupt, Ruth-

erford, Sowards, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 30.

Nays: Nance. Total, 1.

Not voting: Coppock Daugherty, Fischl, Howard, Hutchinson, Lester, Powers, Taylor. Total, 8.

Absent: Dixon, Moon, Waldrep. Total, 3.

Excused: MacDonald, Rizley. 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, in open session, signed Engrossed House Amendment to Engrossed Senate Bill No. 13 and ordered the bill, as amended, referred for enrollment.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 15 correctly enrolled.

HOWARD, Vice Chairman.

The President, in open session, signed Enrolled Senate Resolution No. 15 and ordered it referred to the Secretary of State.

#### RESOLUTION

Senator Briggs asked unanimous consent, which was granted, to introduce the following resolution, which was read at length:

SENATE RESOLUTION NO. 16—By: NANCE, PAUL, CARLILE, BRIGGS, CHAMBERLIN, GARVIN and COMMONS.

A RESOLUTION COMMENDING SENATOR PAUL STEWART, PRESIDENT PRO TEMPORE OF THE SENATE OF THE FOURTEENTH LEGISLATURE AND AUTHORIZING THE SENATE TO PRESENT TO THE PRESIDENT PRO TEMPORE

THE DESK, CHAIR AND GAVEL USED  
BY HIM AS PRESIDENT PRO TEMPORE  
OF THE STATE SENATE.

WHEREAS, the hour for closing the Extraordinary Session of the Fourteenth Legislature is approaching and the acts of commission and omission will soon pass into history; and

WHEREAS, It has been the custom of the State Senate at the close of the session to present the President Pro Tempore with his desk, chairs and gavel as a token of appreciation of his services to the state.

NOW, THEREFORE, BE IT RESOLVED BY THE STATE SENATE OF THE FOURTEENTH LEGISLATURE:

That we hereby express our most sincere thanks to the President Pro Tempore, Senator Paul Stewart, for his capable, fair and impartial rulings while presiding over the State Senate: that we extend to him this, our public record of good feeling for his able and fair administration of the duties of his exalted and trying position, and that we commend his ability and approve his high integrity in filling all responsibility which have been his to meet.

BE IT FURTHER RESOLVED: That in appreciation of the services of Senator Paul Stewart as President Pro Tempore of the State Senate that the State Senate present to Senator Paul Stewart the desk, chairs and gavel used by him during the Fourteenth session of the Legislature and that the Secretary of the State Senate be instructed to crate and ship same to him at his home address.

Upon motion of Senator Briggs, Senate Resolution No. 16 was adopted.

Senate Resolution No. 16 was ordered referred for engrossment.

A Committee from the Honorable House, com-



posed of Representatives Baird, Ellis and Rawls, was received, who advised the Senate that the Honorable House was ready to adjourn sine die.

### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the Speaker has appointed Representative Phillips (Atoka) in lieu of Representative Childers, as one of the conferees on:

ENGROSSED HOUSE BILL NO. 30—By PHIL-  
LIPS of Okfuskee and KIGHT, Entitled:

An Act amending Senate Bill No. 127, Regular Session of the Fourteenth Legislature, providing for the execution of the bond or bonds by the County Treasurer of the various counties of the state, prescribing the conditions of such bond or bonds, providing for approval thereof and for the prorating of the liability where more than one bond is executed, providing for a board to approve the surety or sureties on said bond or bonds and for an examination of the books and records of such treasurer, prescribing the conditions under which sureties may be allowed to withdraw therefrom, making other provisions with reference to said bonds, repealing all other acts or parts of acts in conflict herewith, and declaring an emergency.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Fidler presiding.

Senator Whitaker, on behalf of the Senate conferees, appointed under Engrossed House Bill No. 31, requested that the said Senate conferees be discharged



elected at the same election which adopted the Constitution.

TIME does not know that not a single delegate to the Constitutional Convention came on the floor of the Convention or even appeared in the Territorial Capitol with either a belt of cartridges or pistol upon his person, or gun in his baggage.

TIME does not know that Governor Haskell neither borrowed money from the State nor asked so to do.

TIME does not know that Governor Haskell never owed the State a dime in his life.

TIME does not know that the people of the State at an election called for the purpose determined the location of the Capitol and that Oklahoma City outran the combined votes of all its competitors and that Oklahoma City won the Capitol by an election so decisive that it was incontestable.

TIME does not know that the Government of the State and the Capital of the State follows the vote of the people and that Governor Haskell's duty was to be in the Capital chosen by the people and it was his business to see that the State Seal and the other State property were located therein or if TIME does know these things then TIME wilfully promulgated this scandal and defamation of the dead.

Only recently an eastern magazine defamed the character of a famous Oklahoman and paid off in damages after being sued for libel. This however, is not a sufficient nor fitting rebuke for the crime of malicious defamation upon the name of the dead. It has been truly said that the only defense a private citizen, or even a public official has against a scurrilous yellow newspaper or magazine is the double-barrelled shot gun but unfortunately its use is a violation of the law and in this particular case the heart of the man who

should use it had been forever stilled in death before his defamer appeared upon the scene.

It is doubtful whether this insult should be officially noticed but the Oklahoma State Senate, as an added tribute to the memory of the State's illustrious first Governor, takes this occasion to give official denunciation to this infamous libel and an exposure of the author who gave it expression and to *TIME*, the magazine whose circulation depends upon its brazen iniquity.

CHARLES MOON, Chairman

Senator Commons presiding.

Senator Briggs moved that the vote be reconsidered by which the Senate granted a conference on Engrossed House Bill No. 30, which motion prevailed.

Senator Briggs moved that the Senate request the Honorable House to recede from its request for a conference on Engrossed House Bill No. 30 and adopt Senate amendments thereto, which motion prevailed.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 30—By CHILDERS.

A Concurrent Resolution requesting that the student nurses now employed at Oklahoma University Hospital continue to be paid \$10.00 a month, out of the Revolving Fund, in order that they may be able to purchase their uniforms and other necessities of life,  
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.

Respectfully,

R. M. McCOOL, Chief Clerk.

By unanimous consent, House Concurrent Resolution No. 30 was taken up for consideration and read at length, as follows:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 30—By CHILDERS.

A CONCURRENT RESOLUTION REQUESTING THAT THE STUDENT NURSES NOW EMPLOYED AT OKLAHOMA UNIVERSITY HOSPITAL CONTINUE TO BE PAID \$10.00 A MONTH, OUT OF THE REVOLVING FUND, IN ORDER THAT THEY MAY BE ABLE TO PURCHASE THEIR UNIFORMS AND OTHER NECESSITIES OF LIFE.

WHEREAS, the Student nurses at the Oklahoma University Hospital have been informed that hereafter they will not receive ten dollars (\$10.00) per month to cover their expenses while they are student nurses at the Oklahoma University Hospital, and

WHEREAS, it appears that ten dollars (\$10.00) a month is a very small and insignificant sum to be paid to the young ladies who are rendering such valuable services to humanity while they are studying to become nurses; and

WHEREAS, it appears reasonable that they must have some amount of money with which to purchase their uniforms and maintain themselves and with which to purchase other necessities of life which are not furnished them by the said University Hospital, and

WHEREAS, it appears that many of the young ladies are about to become graduate nurses and have for several years while attending said University Hos-

pital rendered valuable services under the agreement with said University Hospital that they would have room and board and ten dollars (\$10.00) a month furnished them during the continuation of their services and studies at the said University Hospital; and

WHEREAS, it appears that the Board of Regents have adopted a rule discontinuing the monthly payment as aforesaid, which rule appears to be a violation of the contract and agreement made and entered into between said student nurses and the Oklahoma University Hospital.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EXTRAORDINARY SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF OKLAHOMA, THE SENATE CONCURRING THEREIN:

SECTION 1. That it is the sense of this body that said ten dollars (\$10.00) a month payment be continued and the agreement made by and between said student nurses and the University Hospital be carried out in order that the great good that has resulted by the instructions that the student nurses have received be not made in vain.

Upon motion of Senator Johnston, House Concurrent Resolution No. 30 was adopted.

The President, in open session, signed Engrossed House Concurrent Resolution No. 30 and ordered it returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 16—By PAUL, NANCE, CARLILE and LESTER, Entitled:



An Act requiring the Commissioners of the Land Office to segregate and withhold from sale any of the public lands under their control and management, which is valuable for oil or gas, or which is deemed by them to be valuable for oil or gas; 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, AS AMENDED, and signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 16 were read, as follows, and, upon motion of Senator Paul, concurred in by the Senate:

Amendment No. 1. Page 1. By adding a new section to be known as Section 2:

SECTION 2. Provided, that oil and gas lessee pay for surface damages to surface lessee for all damages done to surface by oil and gas lessee in his operations.

Amendment No. 2. By striking the emergency clause from the title and from the bill.

SENATE BILL NO. 16, as amended by the Honorable House, was read at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Ballard, Briggs, Carlile, Carmack, Commons, Coppock, Curnutt, Fidler, Fischl, Hutchinson, Johnston, Memminger, Morrison, Nance, Nichols, Paul, Ray, Reed, Ritzhaupt, Rutherford, Stacey, Stewart, Thomas, Whitaker, Wilbanks, Willis. Total, 26.

Not voting: Chamberlin, Clark, Daugherty, Garvin, Howard, Jennings, Lester, Liggett, Logan, Powers, Pugh, Sowards, Taylor. Total, 13.

Absent: Dixon, Moon, Waldrep. Total, 3.

Excused: MacDonald, Rizley. 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 Presiding Officer, in open session, signed Engrossed House Amendments to Engrossed Senate Bill No. 16 and ordered the bill, as amended, referred for enrollment.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 20—By RIZLEY of the Senate and WILLIAMS and COX of the House, entitled:

An Act authorizing the Commissioners of the Land Office to sell certain school and public lands owned by the State of Oklahoma, to be used in connection with certain drainage and flood control projects and providing for the appraisalment of said lands and improvements before the sale thereof and the method and procedure of appraisalment and sale of same, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 20 was ordered referred for enrollment.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 16 and House Bill No. 32 correctly engrossed.

HOWARD, Vice Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Resolution No. 16, and ordered it referred for enrollment.

The Presiding Officer, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 32, as amended, and ordered it returned to the Honorable House.

Senator Willis submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 16, Senate Bills Nos. 13, 19 and 20, each, correctly enrolled.

WILLIS, Acting Chairman.

The Presiding Officer, in open session, signed Enrolled Senate Resolution No. 16 and ordered it transmitted to the Secretary of State.

Senate Bills Nos. 13, 19 and 20 were, each, read at length 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 Message from the Honorable House, was received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House of Representatives has withdrawn its request for a Conference on:

ENGROSSED HOUSE BILL NO. 30—By PHILLIPS of Okfuskee and KIGHT.

An Act amending Senate Bill No. 127, Regular Session of the Fourteenth Legislature, providing for the execution of the bond or bonds by the County Treasurer



of the various counties of this State, prescribing the condition of such bond or bonds, providing for approval thereof and for the prorating of the liability where more than one bond is executed, providing for a board to approve the surety or sureties on said bond or bonds and for an examination of the books and records of such treasurers, prescribing the conditions under which sureties may be allowed to withdraw therefrom, making other provisions with reference to said bonds, repealing all other Acts or parts of Acts in conflict herewith, and declaring an emergency, and have discharged the Conferees and have concurred in Senate Amendments to said Bill.

Respectfully,

R. M. McCOOL, Chief Clerk.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled Bills begs leave to report Senate Bill No. 16 correctly enrolled.

HOWARD, Vice Chairman.

Senate Bill No. 16 was read at length 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.

Senator Nichols presiding.

#### MESSAGES

The following Messages from the Honorable House were received and read:

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to advise you, and, through you, the Honorable Senate, that the House has concurred in Senate Amendments to:



ENGROSSED HOUSE BILL NO. 32—By PHILIPS of Okfuskee and KIGHT.

An Act amending Sections 5415, and 5419, Oklahoma Statutes, 1931, relating to the deposit daily of State funds in depository banks approved by a Board composed of the Governor, the Attorney General and the State Treasurer, and providing that said depository board may authorize the daily deposits of funds in the hands of the State Treasurer in such depository banks at a rate of interest to be fixed by said Board at not less than two per centum per annum, providing that said Board may in emergency cases authorize the deposit of said funds and other funds in the custody of the State Treasurer subject to deposit in depository banks of the State to be deposited in the State Fiscal Agency; authorizing said Depository Board within limits to fix the rate of interest on all public funds deposited in the banks of this State, repealing Section 5420, Oklahoma Statutes 1931, and all other Acts and parts of Acts in conflict herewith, and declaring an emergency, and the same has been passed, AS AMENDED.

Respectfully,

R. M. McCOOL, Chief Clerk.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 8—By CURNUTT, WILBANKS, and CARMACK, entitled:

A Resolution declaring it to be the Legislative intent in the enactment of Section 3404, Oklahoma Statutes, 1931, that the terms "prevented or obstructed" to mean preventing or obstructing cause of the arbitrary refusal of surety companies to write County Treasurers' bonds,

and to advise you, and through you, the Honorable Senate that same has been signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 8 was ordered referred to the Secretary of State.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 4—By NICHOLS and MORRISON, entitled:

An Act amending Sections 4 and 7, of Senate Bill No. 372, of the Regular Session of the Fourteenth Legislature of the State of Oklahoma, relating to the State Board of Barber Examiners; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 4 was ordered transmitted to the Governor, for consideration.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 30—By PHILIPS of Okfuskee and KIGHT.

An Act amending Senate Bill No. 127, Regular Session of the Fourteenth Legislature, providing for the execution of the bond or bonds by the County Treasurer of the various counties of the State, prescribing

the condition of such bond or bonds, providing for the approval thereof and for the prorating of the liability where more than one bond is executed, providing for a Board to approve the surety or sureties on said bond or bonds and for an examination of the books and records of such treasury, prescribing the conditions under which sureties may be allowed to withdraw therefrom, making other provisions with reference to said bonds, repealing all other 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 30 was read at length 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,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 30—By CHILDERS, entitled:

A Concurrent Resolution requesting that the student nurses now employed at Oklahoma University Hospital continue to be paid \$10.00 a month, out of the revolving fund, in order that they may be able to purchase their uniforms and other necessities of life, and to advise you, and, through you, the Honorable Senate, that the same has been signed by the Speaker in open session.

Respectfully,

R. M. McCOOL, Chief Clerk.

The Presiding Officer, in open session, signed En-

rolled House Concurrent Resolution No. 30 and ordered it returned to the Honorable House.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 32—By PHILIPS (Okfuskee) and KIGHT, entitled:

An Act amending Sections 5415, and 5419, Oklahoma Statutes, 1931, relating to the deposit daily of State funds in depository banks approved by a Board composed of the Governor, the Attorney General and the State Treasurer, and providing that said depository Board may authorize the daily deposits of funds in the hands of the State Treasurer in such depository banks at a rate of interest to be fixed by said Board at not less than two per centum per annum, providing that said Board may in emergency cases authorize the deposit of said funds and other funds in the custody of the State Treasurer subject to deposits in depository banks of the State to be deposited in the State Fiscal Agency; authorizing said depository Board within limits to fix the rate of interest on all public funds deposited in the banks of this State, repealing Section 5420, Oklahoma Statutes, 1931, and all other 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

House Bill No. 32 was read at length 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,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 7—By PAUL.

An Act making it a felony for any employee of the Commissioners of the Land Office or any person dealing with the Commissioners of the Land Office or said employees, directly or indirectly to do or neglect or refuse to do certain Acts, providing penalties therefor; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 7 was ordered referred to the Governor, for consideration.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith

ENROLLED SENATE BILL NO. 12—By PAUL and NANCE.

An Act prescribing a method to be used by the Commissioners of the Land Office in collecting delinquent interest or other delinquencies or obligations owing from State officers and/or State employees arising out of a loan of trust funds under the control and management of the Commissioners of the Land Office; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 12 was ordered referred to the Governor, for consideration.

To the President of the Senate,  
Building.

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 13—By PAUL, POWERS and WILLIS of the Senate and HANKLA, WILLIAMS and OTTESEN of the House.

An Act establishing a system of collection and disbursement by the Commissioners of the Land Office and their officers and employees, and authorizing the State Examiner and Inspector to prescribe the forms and methods of keeping certain records; authorizing the employment of an auditor for the School Land Commission, making an appropriation for his salary and to purchase necessary supplies and equipment; providing for strict compliance with this Act and prescribing the penalty for failure or neglect to comply with the provisions of this Act or transacting business contrary to the said provisions; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 13 was ordered referred to the Governor, for consideration.

To the President of the Senate,  
Building

SIR:

I am directed by the House of Representatives to

return herewith:

ENROLLED SENATE BILL NO. 19—By STEWART, entitled:

An Act empowering the Board of County Commissioners of all counties in the State, where the Court House, or records of the county, or any part thereof, have been destroyed by fire, lightning, windstorm, or otherwise, to use the money or funds collected from insurance to restore the building, furniture, books and equipment so destroyed, and the court house fund, without appropriation by the Excise Board, and empowering the Board of County Commissioners to cause property to be assessed and to make assessment lists, rolls and tax rolls, and to employ additional help to make such lists and to direct by proclamation persons holding tax receipts to file the same with the County Treasurer and to declare what property is delinquent for non-payment of taxes for failure to file tax receipts, and empowering County Commissioners to direct the County Attorney to foreclose lien of county for non-payment of taxes under same procedure as foreclosure of mortgages in District Court, and empowering the Board of Commissioners to audit and determine cash balances on hand of the fund of the county and subdivisions thereof, and making said Act and the remedies therein provided cumulative; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 19 was ordered referred to the Governor, for consideration.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 20—By RIZLEY of the Senate and WILLIAMS and COX of the House, entitled:

An Act authorizing the Commissioners of the Land Office to sell certain school and public lands owned by the State of Oklahoma, to be used in connection with certain drainage and flood control projects and providing for the appraisement of said lands and improvements before the sale thereof and the method and procedure of appraisement and sale of same, 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 20 was ordered referred to the Governor, for consideration.

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE JOINT RESOLUTION NO. 4—By COMMONS of the Senate and HARP of the House, entitled:

A Resolution authorizing an extension of ten days time from July 13, 1933, in which the various County Treasurers of the State of Oklahoma may qualify; and declaring an emergency.

ENROLLED SENATE BILL NO. 16—By PAUL, NANCE, CARLILE, and LESTER, entitled:

An Act requiring the Commissioners of the Land Office to segregate and withhold from sale any of the public lands under their control and management, which



is valuable for oil or gas, or which is deemed by them to be valuable for oil or gas.

ENROLLED SENATE BILL NO. 22—By MacDONALD, HUTCHINSON, WILBANKS and WHITAKER of the Senate; CLOYD, REMUND and SULLIVAN of the House, entitled:

An Act creating certain awards and decorations to be bestowed upon members of the federally recognized National Guard, including an Oklahoma distinguished service Cross; an Oklahoma distinguished service medal; Spanish War service medal; Mexican Border service medal; World War service medal; certain long service medals; and providing for other medals to be awarded for any war or campaign or mobilization which the Federal Government shall recognize by awarding service medals; providing for a Board to be selected by order of the Governor to select designs, ribbons, and symbols for medals; providing for the publication of general orders necessary to carry out provisions of this Act; 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.

Respectfully,

R. M. McCOOL, Chief Clerk.

Enrolled Senate Joint Resolution No. 4 and Enrolled Senate Bills Nos. 16 and 22 were, each, ordered referred to the Governor, for consideration.

Senator Whitaker moved that a Committee of 3 be appointed, to notify the Honorable House that the Senate has completed its work and is ready to adjourn sine die, which motion prevailed, the Presiding Officer appointing as such committee, Senators Nance, Commons and Whitaker.

President Burns presiding.

Senator Commons moved that a committee of 3 be

appointed to notify the Governor that the Senate has finished its work and is ready to adjourn sine die, which motion prevailed, the President appointing as such committee, Senators Commons, Whitaker and Nance.

A Committee from the Honorable House, composed of Representatives Timmons, Batson, et al, was received, who advised the Senate that the House of Representatives is ready to adjourn sine die.

Senator Commons, on behalf of the Committee, appointed to notify the Governor that the Senate has finished its work and is ready to adjourn sine die, reported the duty performed, advising the Senate the Governor had no further Messages to present to the Senate, following which the Committee was discharged.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,  
Building  
SIR:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED SENATE BILL NO. 9—By PAUL, NANCE and CHAMBERLIN.

An Act relating to the determination of value on lands offered as security for loans from funds held by the Commissioners of the Land Office, and prescribing a penalty for making false statements in connection therewith; and declaring an emergency, together with Conference Committee Report thereon, and to advise you, and, through you the Honorable Senate, that the Conference Committee Report has been adopted by the House of Representatives and the Bill

has been passed by the House of Representatives, AS AMENDED, by such Report.

Respectfully,

R. M. McCOOL, Chief Clerk.

Engrossed Senate Bill No. 9, together with Conference Committee Report thereon, was ordered referred for enrollment.

Senator Whitaker, on behalf of the Committee appointed to notify the Honorable House that the Senate is ready to adjourn sine die, reported the duty performed, after which the Committee was ordered discharged.

Senator Howard submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 9 correctly enrolled.

Howard, Vice Chairman.

Senate Bill No. 9 was read at length 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.

#### MESSAGE

The following Message from the Honorable House was received and read:

To the President of the Senate,

Building

SIR:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 9—By PAUL, NANCE and CHAMBERLIN, entitled:

An Act relating to the determination of value on lands offered as security for loans from funds held by the Commissioners of the Land Office, and prescribing a penalty for making false statements in connection therewith; 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.

Respectfully,

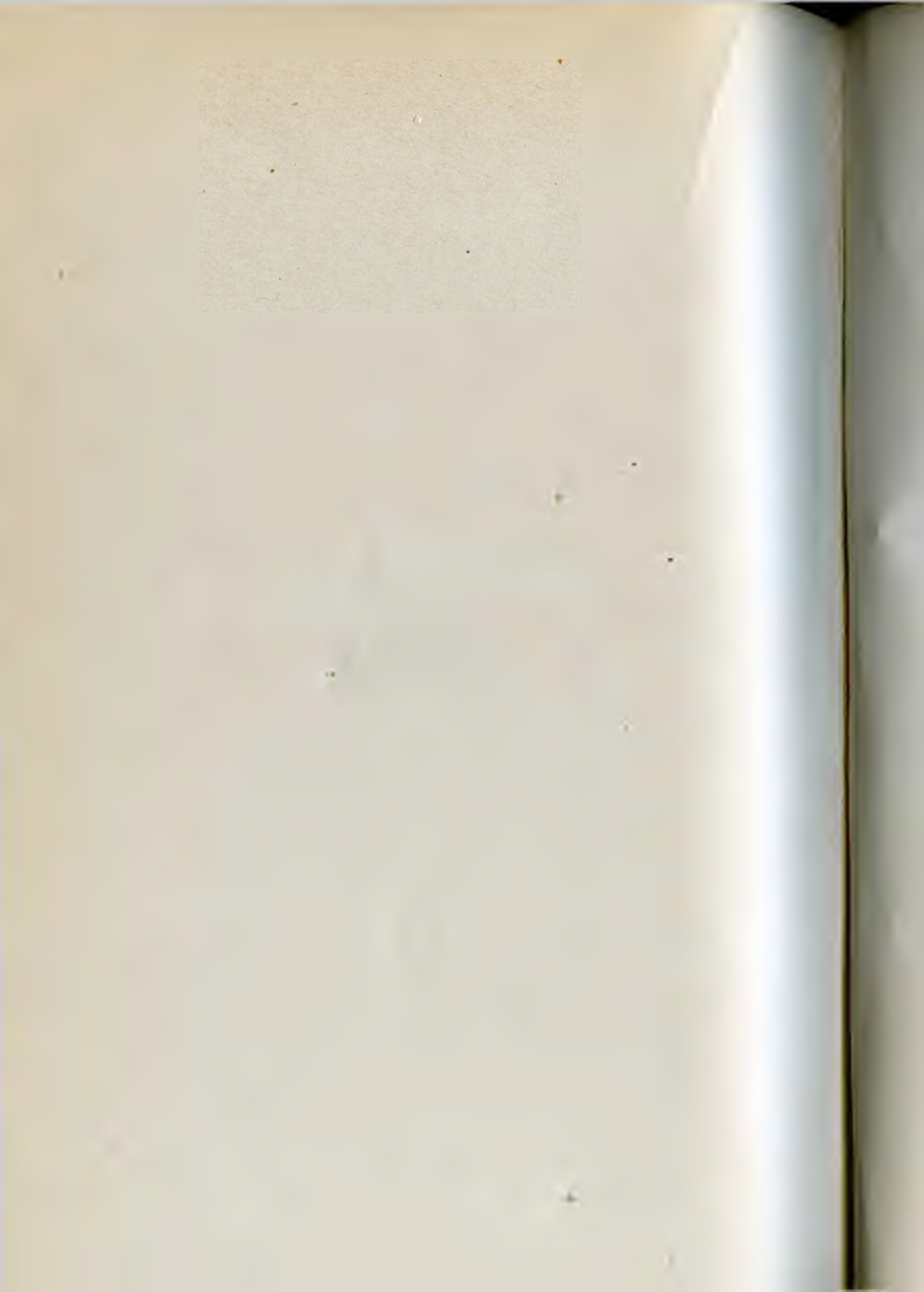
R. M. McCOOL, Chief Clerk.

Enrolled Senate Bill No. 9 was ordered referred to the Governor, for consideration.

The hour of 2:00 o'clock, p. m., having arrived, it was, upon motion of Senator Carlile, that the Senate of the First Extraordinary session of the Fourteenth Legislature adjourned sine die.



## INDEX



# Part I

## SENATE BILLS

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### SENATE BILL NO. 1—By COMMITTEE ON APPROPRIATIONS.

—An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the permanent Journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of said Session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, and declaring an emergency.

1st Reading .....	4
2nd Reading and Referred to Calendar .....	31
Stricken .....	43

### SENATE BILL NO. 2—By FIDLER, BALLARD, MacDONALD, MEMMINGER, RUTHERFORD, CURNUTT, and COE of the House.—

An Act authorizing the refund of that portion of motor vehicle registration fees for the year, 1933, paid under the provision of Section 10271, Oklahoma Statutes 1931, that is in excess of the amounts due for said year under the provisions of House Bill No. 305 of the Fourteenth Legislature of the State of Oklahoma; providing procedure thereof; and declaring an emergency.

1st Reading .....	5
2nd Reading and Referred to Calendar .....	32
Considered .....	91
Consideration Deferred .....	94
Referred .....	111
Reported .....	158
Stricken .....	225

SENATE BILL NO. 3—By CARLILE, NICHOLS and JOHNSTON.—An Act amending Section 11, House Bill 187, passed by the Fourteenth Legislature and approved on the 26th day of April, 1933; Providing the method for selling land acquired by the State through mortgage foreclosure; amending Section 13, House Bill 187; making an appropriation to make said Act effective; repealing portions of Senate Bill No. 27, passed by the Fourteenth Legislature providing

salaries for certain employees of the Land Office; repealing all laws in conflict herewith, and declaring an emergency.

1st Reading .....	27
2nd Reading and Referred .....	38
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Considered .....	362
Advanced and Referred .....	366
Reported .....	408
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Considered .....	423
3rd Reading .....	425
Referred .....	426
Reported and to House .....	433
Returned by House and Referred .....	510
4th Reading and to House .....	515
Returned by House and to Governor .....	517

SENATE BILL NO. 4—By NICHOLS and MORRISON.—An Act amending Sections 4 and 7, of Senate Bill No. 372, of the Regular Session of the Fourteenth Legislature of the State of Oklahoma, relating to the State Board of Barber Examiners, and declaring an emergency.

1st Reading .....	71
2nd Reading and Referred .....	73
Withdrawn .....	117
Advanced .....	225
3rd Reading .....	227
Referred .....	228
Reported and to House .....	236
Returned by House and Referred .....	458
Reported .....	449
4th Reading and to House .....	500
Returned by House and to Governor .....	517

SENATE BILL NO. 5—By CARMACK.—An Act repealing Section 8753, Oklahoma Statutes, 1931, relating to the State Market Commission; creating the State Market Commission as a Department in the State Board of Agriculture; providing that said department shall perform all the duties heretofore performed by the State Market Commission; authorizing the promulgation of official standards for fruits, vegetables, hay, or any other agricultural product; providing for the promulgation of rules and regulations for the carrying out of the provisions of this Act; authorizing the State Board of Agriculture to



co-operate with the United States Department of Agriculture in prescribing rules, regulations and provisions for inspection service, and fixing fees for such service; providing qualifications for certain employees in the State Market Commission, Department of the State Board of Agriculture; creating certain positions in said Department; fixing the salaries of such employees; making an appropriation to carry out the provisions of this Act; repealing all acts or parts of acts in conflict therewith, and declaring an emergency.

1st Reading .....	77
2nd Reading and Referred .....	83
Reported .....	172
Advanced .....	226
3rd Reading .....	231
Failed of Passage and Notice Lodged .....	232
Stricken .....	463

SENATE BILL NO. 6—By JENNINGS.—An Act authorizing the refund of that portion of motor vehicle registration fees for the year 1933 paid under the provisions of Section 10271, Oklahoma Statutes 1931, that is in excess of the amounts due for said year under the provisions of House Bill No. 305 of the Fourteenth Legislature of the State of Oklahoma; providing procedure therefor; and declaring an emergency.

1st Reading .....	91
2nd Reading and Referred to Calendar .....	94
Considered .....	109
Referred .....	111
Reported .....	158
Stricken .....	225

SENATE BILL NO. 7—By PAUL.—An Act making it a felony for any employee of the Commissioners of the Land Office or any person dealing with the Commissioners of the Land Office or said employees, directly or indirectly, to do or neglect or refuse to do certain acts, providing penalties therefor, and declaring an emergency.

1st Reading .....	108
2nd Reading and Referred .....	113
Withdrawn .....	129
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Referred .....	148
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Senate Refuses to Concur in House Amendments and Requests Conference -----	511
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House Requested to Discharge Conferees -----	517
Senate Concurs in House Amendments -----	517
3rd Reading -----	517
Referred -----	518
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Returned by House and to Governor -----	550

SENATE BILL NO. 8—By BALLARD.—An Act repealing Senate Bill Number 422 of the regular session of the Fourteenth Legislature of the State of Oklahoma, providing for the holding of a special election in the State of Oklahoma on the 11th day of July, 1933, for the express purpose of referring House Bill Number 647 of the regular session of the Fourteenth Legislature to a vote of the people and for other purposes and declaring an emergency.

1st Reading -----	113
2nd Reading and Referred -----	117

SENATE BILL NO. 9—By PAUL, NANCE and CHAMBERLIN.—An Act relating to the determination of value on lands offered as security for loans from funds held by the Commissioners of the Land Office, and prescribing a penalty for making false statements in connection therewith, and declaring an emergency.

1st Reading -----	117
2nd Reading and Referred to Calendar -----	119
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Referred -----	147
Reported -----	157
To House -----	158
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Returned by House -----	555
Referred -----	556
Reported, 4th Reading and To House -----	556

Returned by House .....	556
To Governor .....	557

SENATE BILL NO. 10—By CURNUTT.—An Act amending Section 9 of House Bill No. 187, passed by the Fourteenth Legislature of the State of Oklahoma, and approved on the 26th day of April, 1933, by the Governor of the State of Oklahoma, amending Section 5630, Oklahoma Statutes, 1931, relating to investment of public funds in farm mortgages repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

1st Reading .....	130
2nd Reading and Referred to Calendar .....	152
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3rd Reading .....	164
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Reported and to House .....	456
Returned by House .....	487
To Governor .....	488

SENATE BILL NO. 11—By PAUL, NANCE and WILLIS.—An Act prohibiting the Commissioners of the Land Office from investing trust funds under their control and management under certain conditions.

1st Reading .....	182
2nd Reading and Referred to Calendar .....	186
Considered and Advanced .....	221
Reported .....	224
Consideration Deferred .....	227
Considered and 3rd Reading .....	228
Referred .....	249
Reported and to House .....	236
House Requested to Consider .....	449

SENATE BILL NO. 12—By PAUL and NANCE.—An Act prescribing a method to be used by the Commissioners of the Land Office in collecting delinquent interest or other delinquencies on obliga-

tions owing from state officers and/or state employees arising out of a loan of trust funds under the control and management of the Commissioners of the Land Office.

1st Reading .....	182
2nd Reading and Referred to Calendar .....	186
Considered, Advanced and 3rd Reading .....	221
Referred .....	222
Reported .....	224
To House .....	225
House Requested to Consider .....	449
Returned by House and Referred .....	512
Reported, 4th Reading and to House .....	520
Returned by House .....	550
To Governor .....	551

SENATE BILL NO. 13—By PAUL, POWERS and WILLIS of the Senate, and HANKLA of the House.—An Act providing a system of handling collections and disbursements by the Commissioners of the Land Office and their officers and employees, and authorizing the State Examiner and Inspector to prescribe the forms and method of keeping same; prescribing duties of certain officers and employees; providing for a strict compliance with this Act and prescribing the penalty for failure or neglect to comply with this Act or transacting business contrary to the provisions of this Act; and declaring an emergency.

1st Reading .....	185
2nd Reading and Referred to Calendar .....	217
Considered .....	229
Advanced and 3rd Reading .....	230
Referred .....	231
Reported and to House .....	236
House Requested to Consider .....	449
Returned by House .....	523
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Referred .....	533
Reported, 4th Reading and to House .....	544
Returned from House and to Governor .....	551

SENATE BILL NO. 14—By RITZHAUPT, GARVIN, CARLILE, BRIGGS, MacDONALD, TAYLOR, WALDREP, LOGAN, NICHOLS, NANCE, FISCHL, RAY, DAUGHERTY, WILLIS, POWERS, of the Senate; GARLAND, CHAMBERS, DANIELS, of the House.—A Bill entitled an Act to establish a law enforcing organization to be known as the Oklahoma State Rangers; providing for the appointment of a



Colonel by the Governor with the advice and consent of the Senate and requiring him to furnish bond; providing for a headquarters staff and designating the members and numbers thereof; providing for the appointment of other members of the organization to consist of three lieutenants, six sergeants and thirty rangers; providing for the promulgation, establishment and enforcement of rules and regulations and for the discipline, maintenance and equipment, including radio receivers and for the establishment of offices and headquarters of such organization in the city of Oklahoma City; and for the establishment of sub-stations in the rural portions of the State of Oklahoma; providing for the location, construction and establishment of a radio broadcasting station, at or near the headquarters of such organization; providing for the equipment of said headquarters and substations and for the sustenance, quarters, equipment and supplies for all officers and rangers of said organization and for all other expenses necessary in establishing, equipping, maintaining and operating said organization; providing for investigation of all complaints against members of the organization and for their prosecution for violation of law; and repealing all laws in conflict and declaring an emergency.

1st Reading .....	210
2nd Reading and Referred .....	226
Reported .....	248
Considered .....	278-283
Referred to Special Committee .....	284
Reported .....	295
Considered .....	305-353
Consideration Deferred .....	362
Considered .....	444
Advanced and 3rd Reading .....	445
Failed of Passage and Notice Lodged .....	446
Stricken .....	463

SENATE BILL NO. 15—By SENATE COMMITTEE ON EDUCATION.—An Act empowering and authorizing the Co-ordinating Board of the State of Oklahoma, created by an Act of the Fourteenth Legislature, and commonly designated as House Bill No. 686 approved on the 26th day of April, 1933, in their discretion, to prescribe and fix tuition fees in just and reasonable sum per scholastic year, for the admission of students at all state supported educational institutions of higher learning in the State of Oklahoma; repealing all laws and parts of law in conflict therewith; and declaring an emergency.

1st Reading .....	223
2nd Reading and Referred .....	226

Reported .....	334
Report Considered .....	359-360
Report Adopted .....	360
Stricken .....	463

SENATE BILL NO. 16—By PAUL, NANCE, and CARLILE.—An Act requiring the Commissioners of the Land Office to segregate and withhold from sale any of the public lands under their control and management, which is valuable for oil or gas, or which is deemed by them to be valuable for oil or gas, and declaring an emergency.

1st Reading .....	273
2nd Reading .....	277
Consideration Deferred .....	302
Considered, Advanced and 3rd Reading .....	321
Referred .....	322
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Referred .....	543
Reported, 4th Reading and to House .....	545
Returned by House .....	553
To Governor .....	554

SENATE BILL NO. 17—By PAUL, NANCE and CARLILE.—An Act prescribing a method to be used by the Commissioners of the Land Office to obtain possession of public lands occupied by persons, firms or corporations in violation or in default of contract with the Commissioners of the Land Office, or unlawfully held by squatters, trespassers or otherwise, providing for appeals by aggrieved parties, and declaring an emergency.

1st Reading .....	274
2nd Reading .....	277
Considered, Advanced and 3rd Reading .....	302
Referred .....	303
Reported and to House .....	305
House Requested to Consider .....	449

SENATE BILL NO. 18—By PAUL, NANCE and CARLILE.—An Act creating a collection division in the Department of the Commissioners of the Land Office, prescribing the duties to be performed by such division, creating certain positions and making appropriations therefor, and declaring an emergency.

1st Reading .....	274
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2nd Reading .....	277.
Considered and Advanced .....	303
3rd Reading .....	304
Referred .....	305
Reported and to House .....	320
House Requested to Consider .....	449

SENATE BILL NO. 19—By STEWART.—An Act empowering the Board of County Commissioners of all counties in the State, where the Court House, or records of the county, or any part thereof, have been destroyed by fire, lightning, windstorm, or otherwise, to use the money or funds collected from insurance to restore the building, furniture, books, and equipment so destroyed, without appropriation by the Excise Board, and empowering the Board of County Commissioners to cause property to be assessed and to make assessment lists, rolls, and tax rolls, and to employ additional help to make such lists and rolls and to direct by proclamation persons holding tax receipts to file the same with the County Treasurer and to declare when property is delinquent for non-payment of taxes for failure to file tax receipts, and empowering County Commissioners to direct County Attorney to foreclose lien of County for non-payment of taxes under same procedure as foreclosure of mortgages in District Court, and empowering Board of Commissioners to audit and determine cash balances on hand of the funds of the county and sub-divisions thereof, and making said Act and the remedies therein provided cumulative, and declaring an emergency.

1st Reading .....	332
2nd Reading and Referred to Calendar .....	349
Considered .....	367
Advanced and 3rd Reading .....	368
Referred .....	369
Reported and to House .....	375
Returned from House .....	481
Senate Concurs in House Amendments .....	482
Referred .....	483
Reported, 4th Reading and to House .....	544
Returned from House and to Governor .....	552

SENATE BILL NO. 20—By RIZLEY of Senate, WILLIAMS and COX of House.—An Act authorizing the Commissioners of the Land Office to sell certain school and public lands owned by the State of Oklahoma, to be used in connection with certain drainage and flood control projects and providing for the appraisalment of said lands

and improvements before the sale thereof and the method and procedure of appraisement and sale of same, and declaring an emergency.

1st Reading .....	333
2nd Reading and Referred to Calendar .....	349
Considered .....	369
Advanced, Notice Lodged, Motion Disposed of, 3rd Reading and Referred .....	370
Reported and to House .....	375
Returned by House and Referred .....	543
Reported, 4th Reading and to House .....	544
Returned by House and to Governor .....	553

SENATE BILL NO. 21—By the SOLDIERS' RELIEF COMMITTEE of the Senate and the SOLDIERS' RELIEF COMMITTEE of the House.—An Act making appropriation for the operation and maintenance of the Soldiers' Tubercular Sanatorium, and declaring an emergency.

1st Reading .....	348
2nd Reading and Referred to Calendar .....	360
Considered and 3rd Reading .....	376
Reported .....	375
Referred .....	377
Reported and to House .....	406
Returned by House and referred .....	429
Reported and to House .....	487
Returned by House .....	487
To Governor .....	488

SENATE BILL NO. 22—By MacDONALD, HUTCHINSON, WILBANKS and WHITAKER of the Senate; CLOYD, REMUND and SULLIVAN of the House.—An Act creating awards and decorations to be bestowed upon members of the federally recognized national guard, including an Oklahoma Distinguished Service Cross; an Oklahoma Distinguished Service Medal; Spanish War Service Medal; Mexican Border Service Medal; World War Service Medal; certain long Service Medals; and providing for other medals to be awarded for any War or Campaign or mobilization which the Federal Government shall recognize by awarding Service Medals; providing for a Board to be selected by order of the Governor to select designs, ribbons, and symbols for Medals; providing for the publication of general orders necessary to carry out provisions of this Act; and declaring an emergency.

1st Reading .....	349
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2nd Reading and Referred to Calendar -----	360
Advanced -----	360
Reported -----	375
Considered and 3rd Reading -----	378
Referred -----	379
Reported and to House -----	406
Returned by House -----	512
Referred -----	513
Reported, 4th Reading and to House -----	520
Returned by House and to Governor -----	554

## SENATE JOINT RESOLUTIONS

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SENATE JOINT RESOLUTION NO. 1—By CHAMBERLIN, NICHOLS, and COMMONS.—A Joint Resolution authorizing and directing the Commissioners of the Land Office to institute suit against the State of Oklahoma for the purpose of ascertaining and determining the amount of losses which have occurred in the permanent school fund.

1st Reading .....	130
2nd Reading and Referred .....	152

SENATE JOINT RESOLUTION NO. 2—By RITZHAUPT, WILLIS, NICHOLS, JOHNSTON of the Senate and SUTHERLAND, LANDINGHAM, CHAMBERS and CLOYD of the House.—A Joint Resolution requesting Governor to submit to Legislature the question of a proposed constitutional amendment prohibiting members of the Legislature from voting for legislation while relatives within prescribed degrees are participating in state payroll.

1st Reading .....	185
2nd Reading and Referred .....	217

SENATE JOINT RESOLUTION NO. 3—By CHAMBERLIN, COMMONS, WHITAKER, PAUL of the Senate and BATSON and COX of the House.—A Resolution authorizing an extension of time of payment of the first half of the 1932 ad valorem taxes in Oklahoma, until June 30, 1933, and authorizing an extension of time for the payment of the last half of the 1932 ad valorem taxes until September 1, 1933, and relieving the taxpayers of all penalty of such taxes if the first half of the same is paid on or before June 30, 1933, and declaring an emergency.

1st Reading .....	225
2nd Reading and Referred to Calendar .....	236
Considered .....	352
Advanced .....	353
Reported, 3rd Reading and Referred .....	366
Reported and to House .....	371
Returned by House .....	439
Senate Concurs in House Amendments and Referred .....	439
Reported and to House .....	456
Returned by House .....	487
To Governor .....	488

SENATE JOINT RESOLUTION NO. 4—By COMMONS of the Senate and HARP of the House.—A Resolution authorizing an extension

of ten days time from July 13, 1933, in which the various county treasurers of the State of Oklahoma may qualify, and declaring an emergency.

1st Reading .....	372
2nd Reading and Referred to Calendar .....	408
Considered, Advanced and 3rd Reading .....	443
Referred .....	444
Reported and to House .....	446
Returned by House and Referred .....	510
Reported, 4th Reading and to House .....	520
Returned by House .....	553
To Governor .....	554

SENATE JOINT RESOLUTION NO. 5—By NICHOLS, RIZLEY and CARMACK.—A Resolution providing for the submission of a proposed amendment to the Constitution of the State of Oklahoma relating to Section 32, Article 6, of said Constitution.

1st Reading .....	372
2nd Reading and Referred to Calendar .....	408
Considered .....	432-433
Advanced and 3rd Reading .....	436
Referred .....	438
Reported and to House .....	446

# SENATE CONCURRENT RESOLUTIONS

**SENATE CONCURRENT RESOLUTION NO. 1—**By RIZLEY and CHAMBERLIN of the Senate and WILLIAMS of the House—A Joint and Concurrent Resolution of the Senate and House of Representatives request the Honorable William H. Murray of the State of Oklahoma to submit to the Special Fifteenth Session of the Legislature a bill having for its purpose the refunding to purchasers of Tractor and Automobile Tags the excess amount paid by such purchasers between the dates of January, 1933, and the final enacting of the law passed by the Fourteenth Legislature reducing the amount to be paid for such tags.

Introduced .....	5
Considered .....	5
Adopted and Referred .....	8
Reported and to House .....	31

**SENATE CONCURRENT RESOLUTION NO. 2—**By HUTCHINSON and JOHNSON, of the Senate, and EASON, of the House.—A Resolution expressing regret at the death of former Highway Commissioner John G. Parker, Jr., respect for his works as a citizen and public official, and sympathy for his bereaved family.

Introduced and Considered .....	60
Adopted and Referred .....	61
Reported and to House .....	72
Returned by House and Referred .....	82
Reported and to House .....	90
Returned by House .....	99
To Secretary of State .....	100

**SENATE CONCURRENT RESOLUTION NO. 3—**By MEMMINGER.—A Concurrent Resolution of the Senate and the House of Representatives, requesting the Board of Governors of the State Bar to recommend to the Supreme Court the admittance on Motion of all graduates of the Law School of the Oklahoma State University.

Introduced and Considered .....	160
Failed of Adoption .....	

**SENATE CONCURRENT RESOLUTION NO. 4—**By CHAMBERLIN, PAUL, COMMONS, and WHITAKER of the Senate, and BATSON and COX of the House.—A Concurrent Resolution of the Senate and House of Representatives requesting the Honorable William H.



Murray, Governor of the State of Oklahoma, to submit to the first extraordinary Session of the Fourteenth Legislature a bill or joint resolution, having for its purpose the extension of the 1932 ad valorem taxes,

Introduced .....	182
Considered .....	203
Adopted and Referred .....	205
Reported and to House .....	211
Returned by House .....	222
Referred .....	223
Reported and to House .....	227
Returned by House .....	233
To Secretary of State .....	234

SENATE CONCURRENT RESOLUTION NO. 5—By LOGAN.—A Concurrent Resolution adjourning the First Special Session of the Fourteenth Legislature of the State of Oklahoma on June 23, 1933, to reconvene on September 5, 1933, and stating the reasons therefor.

Introduced .....	185
Stricken .....	350

SENATE CONCURRENT RESOLUTION NO. 6—By MacDONALD —A Concurrent Resolution urging the administrator of federal industrial recovery Act, to call a conference of representatives from oil producing states, regulating uniform tax legislation or the imposition of a severance tax to be impounded and held in trust in each state against the exhaustion of oil and gas resources.

Introduced .....	186
Considered .....	242
Adopted and Referred .....	244
Reported and to House .....	249

SENATE CONCURRENT RESOLUTION NO. 7—By COMMONS of the Senate and BATSON of the House.—A Concurrent Resolution fixing the day and the hour of the sine die adjournment of the First Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma.

Introduced .....	200
Considered .....	349-361
Adopted and Referred .....	362
Reported and to House .....	371
Returned by House .....	430
Consideration Deferred .....	431

Senate Concurs in House Amendments .....	448
Adopted and Referred .....	448
Reported and to House .....	468
Returned by House .....	496
To Secretary of State .....	497

SENATE CONCURRENT RESOLUTION NO. 8—By CURNUTT.—

A Resolution declaring it to be the Legislative intent in the enactment of Section 3404, Oklahoma Statutes 1931, that the terms "prevented or obstructed" to mean preventing or obstructing cause of the arbitrary refusal of surety companies to write County Treasurers' bonds.

Introduced and Considered .....	373
Adopted and Referred .....	374
Reported and to House .....	408
Returned by House and Referred .....	449
Reported .....	499
To House .....	500
Returned by House and to Secretary of State .....	547

SENATE CONCURRENT RESOLUTION NO. 9—By RITZHAUPT,

of the Senate, and SUTHERLAND and PHILLIPS (Okfuskee), of the House.—A Concurrent Resolution providing for a recess of the Special Session of the Fourteenth Legislature of the State of Oklahoma, until November 1, 1933, at which time the Legislature shall reassemble to consider certain Legislation which the state of Oklahoma gravely needs.

Introduced .....	507
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# SENATE RESOLUTIONS

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**SENATE RESOLUTION NO. 1—By RIZLEY.**—A Resolution authorizing and directing the President of the Senate to appoint a committee to investigate the financial status of the School Land Department, alleged claims of favoritism, fraud and embezzlement, pertaining to the school funds and various and sundry other matters; authorizing the subpoena of witnesses and requiring said Special Committee to report its findings to the Senate of the State of Oklahoma for action thereon.

Introduced .....	28
Considered .....	38
Adopted and Referred .....	42
Reported and Referred .....	53
Reported and Referred .....	60
Reported and to Secretary of State .....	77

**SENATE RESOLUTION NO. 2—By LOGAN, FISCHL and CURNUTT.**—A Resolution protesting against the levying of an additional tax on gasoline by the Federal Government, as proposed in H. R. 5664, requesting the repeal of the one cent federal tax on gasoline, imposed in the Revenue Act of 1932, and urging the Congress of the United States to leave the field of gasoline excise taxes exclusively to the several States.

Introduced .....	28
Considered .....	28
Failed of Adoption and Notice Lodged .....	30
Stricken .....	225

**SENATE RESOLUTION NO. 3—By CHAMBERLIN.**—A Resolution commending and honoring the High School Debaters of Altus, Oklahoma, for having won the National High School Contest of 1933.

Introduced and Considered .....	45
Adopted and Referred .....	46
Reported and Referred .....	59
Reported and to Secretary of State .....	60

**SENATE RESOLUTION NO. 4—By FIDLER.**—A Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to submit to the Senate of the Extraordinary Fourteenth Session of the Legislature of the State of Oklahoma an itemized and detailed statement of all monies expended in the administration of House Resolution No. 9642, enacted by the 72nd Congress, relative to

the Relief of Destitution and the broadening of the lending powers of the Reconstruction Finance Corporation and creating employment for expediting public works.

Introduced .....	40
Considered .....	68
Failed of Adoption .....	70

SENATE RESOLUTION NO. 5—By WHITAKER, FIDLER, WALDREP, MOON, HOWARD, WILLIS and POWERS.—A Resolution calling the attention of the President of the United States and the Administration under the Industries Bill to the need of flood control and work looking toward the navigation of the Arkansas River; and requesting the members of Congress from Oklahoma to urge that the broad program of controlling the flood waters of the Arkansas River basin be presented to the Administrator and immediate action requested: and directing that copies of this Resolution be furnished to the Oklahoma Delegation in Congress.

Introduced .....	84
Considered .....	100
Consideration Deferred .....	114-117
Considered .....	120
Referred to Special Committee .....	124

SENATE RESOLUTION NO. 6—By COMMONS and HOWARD.—A Resolution calling the attention of the President of the United States, the United States Senators, Members of the House of Representatives of the Congress of the United States from Oklahoma and the Administration under the Industrial Bill to the need and necessity of the Construction of a Dam across Grand River in Northeast Oklahoma looking forward flood control, and the utilization of power in connection therewith.

Introduced .....	129
Stricken .....	381

SENATE RESOLUTION NO. 7—By RITZHAUPT.—A Resolution taking cognizance of a gift by Mrs. John H. Cotteral, of such belongings of the late Judge John H. Cotteral, that is a record of his admission to the Bar of the State of Kansas, his appointment as United States District Judge for the Western District of Oklahoma, by President Theodore Roosevelt and his appointment as United States Circuit Judge by President Calvin Coolidge.

Introduced and Considered .....	131
Adopted and Referred .....	132
Reported and Referred .....	151



Reported and to Secretary of State ----- 154

SENATE RESOLUTION NO. 8—By MEMMINGER.—A Resolution calling the attention of the President of the United States, The United States Senators, Members of the House of Representatives of the Congress of the United States from Oklahoma and the administration under the Industrial Bill to the need and necessity of the completion of the Clear Boggy drainage project in Atoka, Coal and Pontotoc Counties.

Introduced----- 132  
Referred ----- 133

SENATE RESOLUTION NO. 9—By MacDONALD.—A Resolution of respect for and in memory of O. L. Bodenheimer, Former National Commander of the American Legion, and Citizen and Statesman of the State of Arkansas.

Introduced and Considered ----- 182  
Adopted and Referred ----- 183  
Reported and Referred ----- 189  
Reported and to Secretary of State ----- 196

SENATE RESOLUTION NO. 10—By BRIGGS and WILBANKS.—A Resolution asking the management of the United States Home Owners Loan Corporation to set up and maintain an organization in Oklahoma in the interests of the borrowing public and free from the domination of Building and Loan Associations and Officers.

Introduced and Considered ----- 197  
Consideration Deferred ----- 198  
Considered and Referred ----- 205

SENATE RESOLUTION NO. 11—By NICHOLS, BALLARD, MacDONALD, BRIGGS, MORRISON, WILBANKS, RITZHAUPT, RAY, MEMMINGER, JOHNSTON.—A Resolution naming the Choctaw County Bridge.

Introduced ----- 275  
Considered ----- 275  
Adopted and Referred ----- 277  
Reported and Referred ----- 288  
Reported and to Secretary of State ----- 290

SENATE RESOLUTION NO. 12—By NICHOLS.—A Resolution requiring the Corporation Commission of the State of Oklahoma to furnish full account of its stewardship in the matter of conservation of natural resources, and particularly shall it report whether or not the

local refineries of the State are being given equitable consideration in the allocation of crude oil produced in the State.

Introduced and Considered .....	350
Consideration Deferred .....	352
Considered .....	380
Indefinitely Postponed .....	382
Notice Lodged and Disposed of .....	383
Stricken .....	513

SENATE RESOLUTION NO. 13—By JOHNSTON.—A Resolution requesting the Supreme Court of the State of Oklahoma to cause disbarment of all members of the Bar who engage in lobbying in violation of the law of the State of Oklahoma and rules of the Legislature.

Introduced .....	403
Stricken .....	463

SENATE RESOLUTION NO. 14—By RIZLEY, NICHOLS, LOGAN.—A Resolution requesting the Federal Government to assist the State of Oklahoma in Flood Control and River Improvement Projects; and designating E. E. Blake with the authority to present the same to the Federal Authorities.

Introduced and Considered .....	454
Adopted and Referred .....	456
Reported .....	499
Referred .....	500
Reported and to Secretary of State .....	515

SENATE RESOLUTION NO. 15—By STEWART.—A Resolution naming the Boggy Bridge in Atoka County.

Introduced and Considered .....	508
Adopted and Referred .....	509
Reported and Referred .....	522
Reported and to Secretary of State .....	533

SENATE RESOLUTION NO. 16—By NANCE, PAUL, CARLILE, BRIGGS, CHAMBERLIN, GARVIN and COMMONS.—A Resolution commending Senator Paul Stewart, President Pro Tempore of the Senate of the Fourteenth Legislature and authorizing the Senate to present to the President Pro Tempore the desk, chair and gavel used by him as President Pro Tempore of the State Senate.

Introduced and Considered .....	533
Adopted and Referred .....	534
Reported .....	543
Referred .....	544
Reported and to Secretary of State .....	544

## Part II

# ENGROSSED HOUSE BILLS

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ENGROSSED HOUSE BILL NO. 1—By BATSON, LEECRAFT and LANDINGHAM.—An Act providing for relief from ad valorem taxation by levying an annual normal tax and a surtax upon the net income of individuals, corporations, estates and trusts; by levying an annual tax on national banking associations, state banks and trust companies, according to or measured by their net incomes authorized by Method Four (4) of Section 5219, U. S. Revised Statutes as amended, relating to national banking associations, and complying therewith; providing for the disposition of the revenues arising hereunder; prescribing the rates of such taxes herein levied and defining terms; providing for specific exemptions to individual tax payers; exempting religious, charitable, eleemosynary, educational, benevolent, fraternal and other corporations or organizations not organized for profit, providing for the computation and collection of such taxes by the Oklahoma Tax Commission and empowering said Commission to enforce this Act and to prescribe and enforce rules and regulations in relation thereto; defining the powers of said Commission in the collection of additional and delinquent taxes and prescribing penalties for the violation of this Act; requiring returns by tax payers and prescribing how the same shall be prepared and filed; making such taxes and penalties a lien on taxpayers' property, and for the enforcement thereof, requiring persons paying income to individuals to report same to said Commission; providing, in certain cases for withholding such taxes at the source and providing method of payment; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable; repealing Sections 12370, 12371, and all of Article 6 and 15, Chapter 68, Oklahoma Statutes, 1931, except as to accrued taxes and penalties and the collection and enforcement thereof, and repealing House Bill Number One (1), passed by the Fourteenth Legislature of Oklahoma, 1933, approved April 8, 1933, and all other laws in conflict herewith; and declaring an emergency.

Received from House .....	97
1st Reading .....	98
2nd Reading and Referred .....	109
Withdrawn .....	154
Special Order .....	155

Considered .....	165-174-186-191
Advanced and 3rd Reading .....	193
Failed of Passage Notice Lodged .....	194
Motion to Reconsider Tabled .....	205
Motion to Table the Motion to Reconsider Reconsidered .....	245
Motion to Reconsider Adopted .....	246
Referred to Special Committee .....	247
Special Committee Report .....	254
Considered .....	263
3rd Reading .....	267
Referred .....	269
Notice Lodged to Reconsider .....	269
Notice Lodged Disposed of .....	283
Reported and to House .....	290
House Concurs in Senate Amendments .....	291
Returned by House .....	291
4th Reading and to House .....	293
Approved by Governor .....	307

ENGROSSED HOUSE BILL NO. 2—By MALLORY and SUTHERLAND, entitled: An Act providing for relief from ad valorem taxation by levying a sales tax upon the gross proceeds derived from all sales of goods, wares and merchandise, including foods, confections and drinks prepared by hotels, restaurants or other dispensers and served or otherwise disposed of, and from all sales of tickets or admissions to places of amusement, and from all sales of electricity and gas, and from all sales of telephone, telegraph and radiocasting services; defining terms; prescribing the rates of such taxes; prescribing certain exemptions; providing for the disposition of the revenues arising hereunder; providing for the computation and collection of such taxes and for the enforcement of this Act by the Oklahoma Tax Commission; providing for the expenses of such collection and enforcement; empowering said Commission to prescribe rules and regulations for the enforcement of this Act; prescribing penalties for the violation of this Act; authorizing refunds; making such taxes and penalties a lien on vendors' property; providing a legal remedy for aggrieved taxpayers; declaring the provisions of this Act to be severable; repealing conflicting laws.

Received from House .....	107
1st Reading .....	108
2nd Reading and Referred .....	113
Majority Report .....	137
Minority Report .....	139



Minority Report Adopted .....	141
Special Order .....	141
Consideration Deferred .....	150
Considered .....	198
Advanced .....	198
Reported .....	211
Considered .....	211
3rd Reading .....	214
Referred .....	216
Reported and to House .....	224
House Refuses to Concur in Senate Amendments and Requests Conference .....	236
Conference Granted .....	238
Conference Committee Report Adopted .....	281
To House .....	283
Returned by House .....	287
4th Reading and to House .....	288
Action by Governor .....	311

ENGROSSED HOUSE BILL NO. 3—By GRAY, entitled: An Act levying a stamp tax on the sale of cigarettes; prescribing the rate thereof; providing for licenses; defining terms; providing for stamps and the use thereof; providing for the enforcement of this Act by the Oklahoma Tax Commission and for rules and regulations in relation thereto; providing that the revenue derived hereunder, less expenses for collection and enforcement, shall be used to retire obligations of school districts and otherwise to reduce ad valorem taxes; creating a fund for the enforcement of this Act and for refunds and for redemption of unused stamps, and making appropriations therefor; prescribing penalties; providing that the taxes hereby levied shall be in lieu of all other taxes and repealing Sections 1950, 1951 and 1952, Oklahoma Statutes 1931; providing that the provisions of this Act are severable; and declaring an emergency.

Received from House .....	107
1st Reading .....	108
2nd Reading and Referred .....	113
Withdrawn .....	154
Stricken .....	226
Vote to Strike from Calendar Reconsidered .....	288
Considered .....	322
Stricken .....	463
Vote to Strike from Calendar Reconsidered .....	505

ENGROSSED HOUSE BILL NO. 5—By MARTIN, entitled: An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the Permanent Journal and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of said session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, and declaring an emergency.

Received from House -----	52
1st Reading -----	53
2nd Reading, Considered and Advanced -----	62
Reported -----	72
3rd Reading -----	73
To House -----	74
House Concurs in Senate Amendments -----	78
Returned by House -----	78
4th Reading and to House -----	79
Action by Governor -----	85

ENGROSSED HOUSE BILL NO. 7—By LEECRAFT, entitled: An Act making an appropriation from the General Revenue Fund of the State of Oklahoma for the purpose of making payment for necessary expenses incurred and to be incurred by the Governor of the State of Oklahoma, and to be approved by him, in the administration for the State of Oklahoma of the Emergency Relief and Construction Act of 1932 in furnishing relief, and work-relief to needy and destitute people and in relieving the hardship resulting from unemployment in the State of Oklahoma, and repealing an item of appropriation in House Bill No. 625, approved May 3rd, 1933, known as the Omnibus Bill of the Fourteenth Legislature, under the caption Federal Work-Relief in the sum of \$27,429.46.

Received from House -----	330
1st Reading -----	331
2nd Reading and Referred to Calendar -----	349
Advanced -----	376
3rd Reading -----	462
To House -----	463
Returned by House -----	497
4th Reading and to House -----	498

ENGROSSED HOUSE BILL NO. 8—By COMMITTEE ON APPROPRIATIONS, entitled: An Act making an appropriation from the

General Revenue Fund of the State of Oklahoma for making payment for necessary expenses of the members of the Co-ordinating Board while engaged in the actual discharge of their official duties as such members, and declaring an emergency.

Received from House .....	133
1st Reading .....	133
2nd Reading and Referred to Calendar .....	153
Considered .....	249
Advanced and 3rd Reading .....	250
Referred .....	251
Reported and to House .....	288

ENGROSSED HOUSE BILL NO. 10—By GARLAND, GRAHAM, RAWLS, BEARD, PHILLIPS (Okfuskee), and BOYER of the House, and COMMONS, BALLARD, NICHOLS and RIZLEY of the Senate, entitled: An Act amending Enrolled Senate Bill Number One Forty-two, by Stewart, Memminger, Nance, Chamberlin, Ritzhaupt, Curnutt; Briggs, Taylor, Pugh, Howard, Lester and Commons of the Senate, and Childers, Blocker and Massey of the House, as passed by the regular session of the Fourteenth Legislature of the State of Oklahoma, and signed by the Governor on the 27th day of April, 1933, by repealing Section Five thereof and renumbering the sections; providing that in special elections where only one proposition is to be voted upon by the people, counters shall be dispensed with in the several precincts of the State; prescribing the manner thereof, and declaring an emergency.

Received from House .....	115
1st Reading .....	116
2nd Reading and Referred .....	119
Reported .....	128
Special Order .....	129
Considered .....	142
Advanced .....	143
3rd Reading .....	144
Referred .....	145
Reported and to House .....	157
House Refuses to Concur in Senate Amendments and Requests Conference .....	190
Conference Granted .....	191
Conference Committee Report .....	206
Conference Committee Report Adopted .....	207
To House .....	208
Returned by House .....	218

4th Reading and to House .....	218
Action by Governor .....	240

ENGROSSED HOUSE BILL NO. 12—By COX, COE, CONNER, CAVINS, ABERNATHY, (Pott.), ANGLIN, BOYER, BRAZELL, BROADDUS, CLINE, COPELAND, DANIELS, DUKE, EBY (Tulsa), GARLAND, GLEN, GRAHAM, HARP, HAYS, HENDERSON, HINDS, HUTCHINGS, JONES, KENAN, LEECRAFT, LOWRANCE, MARSHALL, MARTIN, MISENHEIMER, MOONEY, MORSE, OTTESEN, PARKS, PANTON, ROBERTS, SHOEMAKE, SMALLEY, STEWART, SPEAR, STRICKLAND (Marshall), SULLIVAN, STURGELL, WAGNER, WHITFORD, WOOTEN, LOGSDON, PALMER, DARKS, CLOYD, HUGHES, HAILE, GRAY, WILLIAMS, ALLEN, BLOCKER, REMUND, PHILLIPS (Okfuskee), GRISSO, SUTHERLAND, ULMARK, HART, SINGLETON, GRUNERT, GIBSON, ABERNETHY (Harmon), CHILDERS, WORTHINGTON, LANDINGHAM, MUNSON, KING (Greek), COLLINS, BEAVER, CAVITT, TURNER, McELHANEY, SPECK, HANKLA, FRALEY, BENNETT, WINGO, WATSON, LINDSEY, BURNHAM, JOHNSON (Comanche), JOHNSON (Osage), BEAMAN, ELLIS, MALLORY, EASON, EBEL, (Pontotoc), ARMSTRONG, HOLLIMAN, RAWLS, BATSON, ALBRIGHT, JESSEE, STRICKLAND (Pontotoc), WILMOT, TIMMONS, CHAMBERS, DOUTHAT, O'NEIL, MRS. DAVIS, NEILL, FITZGERALD, HOGG, BABB, BUSHYHEAD, HILL, TODD and WRIGHT, of the House, and FIDLER, MacDONALD and BALLARD of the Senate.—An Act providing for refunds to motor vehicle owners who purchased licenses for the year 1933 prior to the effective date of House Bill 305, Fourteenth Legislature, 1933; authorizing the issuance of refund certificates in payment of such refunds; authorizing the acceptance of such refund certificates in payment of motor vehicle license fees to January 1, 1935; limiting the issuance of such refund certificates to December 31, 1933; authorizing the assignment of such refund certificates and limiting their acceptance to the county where original taxpayer resided except where such taxpayer has removed to another county; providing for the issuance of such refund certificates, for expenses therefor and for the enforcement of this Act by the Oklahoma Tax Commission; amending Section 12304, Oklahoma Statutes 1931: and declaring an emergency.

Received from House .....	134
1st Reading .....	135
2nd Reading and Referred to Calendar .....	153
Considered .....	218
Advanced and 3rd Reading .....	220



To House .....	221
Returned by House .....	234
4th Reading and to House .....	235
Action by Governor .....	241

ENGROSSED HOUSE BILL NO. 14—By GARLAND, GRAHAM, RAWLS, BEARD, REMUND, PHILLIPS (Okfuskee), BOYER of the House, and COMMONS, BALLARD, NICHOLS and RIZLEY of the Senate, entitled: An Act amending Senate Bill No. 142, by Stewart, Memminger, Nance, Chamberlin, Ritzhaupt, Curnutt, Briggs, Taylor, Pugh, Howard, Lester, and Commons of the Senate and Childers, Blocker and Massey of the House, as passed by the regular session of the Fourteenth Legislature of the State of Oklahoma and signed by the Governor of the State of Oklahoma on the 27th day of April, 1933, relating to state-wide primary and general elections and certain special elections; providing that the expense of such elections shall be paid by the State; except certain items which shall be paid by the counties; fixing per diem of precinct election boards; prescribing the method of paying the State's share of the expense of such election; making an appropriation therefor; providing for dispensing of counters; providing for the appointment of watchers in special elections and repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Received from House .....	135
1st Reading .....	136
2nd Reading and Referred to Calendar .....	153
Stricken .....	225

ENGROSSED HOUSE BILL NO. 16—By MARTIN, entitled: An Act making an appropriation of Two Thousand Dollars for supplies, extra help, communication and sundry expenses, in the office of the State Treasurer; and declaring an emergency.

Received from House .....	136
1st Reading .....	137
2nd Reading and referred .....	153
Reported .....	162
Considered, advanced and 3rd reading .....	173
To House .....	174
Returned by House .....	203
4th Reading and to House .....	203
Action by Governor .....	241

ENGROSSED HOUSE BILL NO. 18—By BATSON.—An Act making an appropriation to pay the mileage and per diem of members

of the House of Representatives and the Senate and the per diem of employees and for the printing of the Permanent Journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two houses of said Session by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, and declaring an emergency.

Received from House -----	239
1st Reading -----	239
2nd Reading and advanced -----	249
3rd Reading -----	260
To House -----	261
Returned by House -----	273
4th Reading and to House -----	273
Action by Governor -----	284

ENGROSSED HOUSE BILL NO. 22—By HAILE, BATSON, and LEECRAFT, entitled: An Act prescribing method of allocation of income derived from source within and without the State of Oklahoma which cannot be practically segregated or where such income is derived from property and business employed in interstate commerce or in both interstate and intrastate commerce within the State of Oklahoma; authorizing the taxpayer and the Oklahoma Tax Commission to adopt a more accurate basis of allocation in certain cases; making the methods herein prescribed applicable to all unpaid income taxes whether already accrued under existing law, protested and unadjusted, or to hereafter accrue; repealing all conflicting laws; and declaring an emergency.

Received from House -----	271
1st Reading -----	272
2nd Reading -----	277
Considered and advanced -----	298
3rd Reading -----	299
Notice Lodged and disposed of -----	300
Referred -----	300
Reported and to House -----	305
Returned by House -----	319
4th Reading and to House -----	320
Action by Governor -----	469

ENGROSSED HOUSE BILL NO. 23—By DANIEL, BLOCKER, MASSEY, and KIGHT, entitled: An Act levying a stamp tax on the sale of cigarettes; prescribing the rate thereof; providing for stamps

and the use thereof; providing for the enforcement of this Act by the Oklahoma Tax Commission and for rules and regulations in relation thereto; providing that the revenue derived hereunder, less expenses for collection and enforcement, shall be used to retire obligations of school districts and otherwise to reduce ad valorem taxes; creating a fund for the enforcement of this Act and for refunds, and making appropriations therefor; prescribing penalties and declaring an emergency.

Received from House .....	300
1st Reading .....	301
2nd Reading and referred to calendar .....	320
Stricken .....	463

ENGROSSED HOUSE BILL NO. 28—By GARLAND, STURGELL, GRAHAM, BATSON, CHAMBERS, and KIGHT, of the House, and BALLARD, NICHOLS, and COMMONS of the Senate, entitled: An Act providing for the enforcement of the laws of the State imposing license fees and taxes upon non-intoxicating beverages containing more than one half of one per centum of alcohol by volume, and not more than three and two tenths per centum of alcohol, by weight; defining terms; providing the manner of issuing licenses to wholesalers and retail dealers; providing that taxes shall be paid by wholesalers, and by retail dealers, in certain cases; prescribing the conditions under which sales of beverages as herein defined, may be made and the taxes thereon may be paid; providing how such taxes may be paid and for reports and returns thereof; providing for reports by manufacturers and retail dealers; prescribing penalties for failure to pay taxes, for failure to make returns and reports and for the violation of laws and the rules and regulations of the Oklahoma Tax Commission; providing for liens upon taxpayers' property and for tax warrants; providing how such beverages may be transported; providing cities, towns or other governmental subdivisions may levy an occupation tax or license fee which shall not be in excess of that levied upon other similar classes of business; providing for the revocation of licenses; providing for injunctions; providing for remedy by suit against taxpayers; providing a legal remedy for aggrieved taxpayers; prescribing the manner in which such beverages shall be labeled and prohibiting the use of any substitute therefor; providing that the provisions of this Act shall be severable, that its provision shall not be a burden upon interstate commerce.

Received from House .....	357
1st Reading .....	358
2nd Reading and Referred .....	375

Reported .....	407
Considered .....	410
Advanced and 3rd Reading .....	416
Referred .....	417
Reported and to House .....	433
House Refuses to Concur in Senate Amendments and Requests Conference .....	440
Conference Granted .....	441
Passed by House as Amended in Conference .....	450
Senate Refuses to Adopt Conference Committee Report and re- quests further conference .....	453
Vote to refuse to adopt Conference Committee report recon- sidered .....	458
Senate adopts Conference Committee report .....	467
To House .....	468
Returned by House .....	483
4th Reading and to House .....	484

ENGROSSED HOUSE BILL NO. 29—By ANGLIN, ARMSTRONG, ALBRIGHT, COLLINS, LEECRAFT, JOHNSON (Comanche), MAL-  
LORY, MASSEY, COX, WINGO, ALLEN, SULLIVAN, DUKE,  
CLOYD, BEAVER, BUSHYHEAD, MARSHALL, SHOEMAKE,  
DAVIS, HOLLIMAN, LINDSEY, and WATSON, PAXTON, JESSEE.  
JONES, LANDINGHAM, McELIHANEY, SPEAR, DARKS, MUNSON,  
STRICKLAND (Marshall), STEWART, EBNEY (Pontotoc), HILL.  
BILLINGS, entitled: An Act providing for transportation of pupils  
from one school district to another school district in the State of  
Oklahoma, fixing limitations upon such transportation and the dis-  
trict to be charged with the costs of the same, repealing all Acts or  
parts of Acts in conflict herewith.

Received from House .....	359
1st Reading .....	359
2nd Reading and referred to calendar .....	375
Considered .....	441
Advanced and 3rd Reading .....	443
Referred .....	443
Reported and to House .....	456
House Concurs in Senate Amendments .....	486
Returned by House .....	498
4th Reading and to House .....	499

ENGROSSED HOUSE BILL NO. 30—By PHILLIPS of Okfuskee  
and KIGHT.—An Act amending Senate Bill No. 127, Regular Session  
of the Fourteenth Legislature, providing for the execution of the bond



or bonds by the County Treasurer of the various counties of the state, prescribing the condition of such bond or bonds, providing for the approval thereof and for the prorating of the liability where more than one bond is executed, providing for a board to approve the surety or sureties on said bond or bonds and for an examination of the books and records of such treasurer, prescribing the conditions under which sureties may be allowed to withdraw therefrom, making other provisions with reference to said bonds, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

Received from House .....	420
1st Reading .....	421
2nd Reading and referred to calendar .....	427
Referred to Special Committee .....	438
Referred .....	466
Reported .....	488
Considered and advanced .....	493
3rd Reading .....	502
Referred .....	503
Reported and to House .....	513
House Refuses to Concur in Senate Amendments and Requests Conference .....	522
Conference granted .....	523
House Conferees named .....	535
Vote to grant conference reconsidered .....	539
House requested to withdraw request for conference .....	539
House Withdraws Request for Conference .....	544
House Concurs in Senate Amendments .....	545
Returned by House .....	547
4th Reading and to House .....	548

ENGROSSED HOUSE BILL NO. 31—By PHILLIPS (Okfuskee), and KIGHT.—An Act creating a county depository board; authorizing the said board to designate depository banks and securities in which the county sinking fund may be invested; requiring county treasurers to invest sinking funds in said securities and to deposit county funds; repealing all acts in conflict herewith; and declaring an emergency.

Received from House .....	421
1st Reading .....	421
2nd Reading and referred to calendar .....	428
Referred to Special Committee .....	438
Referred .....	466
Reported .....	489

Considered .....	493-500
Advanced and 3rd Reading .....	501
Referred .....	502
Reported and to House .....	522
House refuses to concur in Senate amendments and requests Conference .....	536
Conference Granted .....	536
Personnel of Senate conferees changed .....	536

ENGROSSED HOUSE BILL NO. 32—By PHILLIPS of Okfuskee and KIGHT.—An Act amending Sections 5415, and 5419, Oklahoma Statutes, 1931, relating to the deposit daily of state funds in depository banks approved by a board composed of the Governor, the Attorney General and the State Treasurer, and providing that said depository board may authorize the daily deposits of funds in the hands of the State Treasurer in such depository banks at a rate of interest to be fixed by said board at not less than two per centum per annum, providing that said board may in emergency cases authorize the deposit of said funds and other funds in the custody of the State Treasurer subject to deposit in depository banks of the state to be deposited in the state fiscal agency; authorizing said depository board within limits to fix the rate of interest on all public funds deposited in the banks of this state, repealing Section 5420, Oklahoma Statutes 1931, and all other acts and parts of acts in conflict herewith, and declaring an emergency.

Received from House .....	422
1st Reading .....	422
2nd Reading and referred to calendar .....	428
Referred to Special Committee .....	438
Reported .....	463
Considered .....	464
Referred .....	466
Reported .....	491
Considered and advanced .....	513
3rd Reading .....	514
Referred .....	515
Reported .....	543
To House .....	544
House concurs in Senate Amendments .....	545
Returned by House, 4th Reading and to House .....	549

ENGROSSED HOUSE BILL NO. 34—By REMUND, OTTESEN, ABERNETHY (Harmon), ARMSTRONG, BEARD, CLINE, CLOYD, DOUTHAT, HINDS, JOHNSON, KENAN, LOGSDON, PHILLIPS

(Okfuskee), STRICKLAND (Marshall), SINGLETON, SMALLEY, WATSON, CAVITT, SULLIVAN, LEECRAFT, MALLORY, LINDSEY, BEAVER, GRAY, KING (Coal), BUSHYHEAD, MARSHALL, PAXTON and ROBERTS of the House and RAY, HUTCHINSON, CHAMBERLIN, CURNUTT, COMMONS, DAUGHERTY, DIXON, HOWARD, LOGAN, MacDONALD, MEMMINGER, MORRISON, RITZHAUPT, RUTHERFORD and WHITAKER of the Senate.—An Act making appropriation for the operation and maintenance of the Soldiers' Tubercular Sanatorium, repealing House Bill No. 257 passed by the Fourteenth Legislature of Oklahoma, 1933, approved the 17th Day of February, 1933; and declaring an emergency.

Received from House .....	404
1st Reading .....	405
2nd Reading and Referred to Calendar .....	408
Advanced .....	409
Stricken .....	428

ENGROSSED HOUSE BILL NO. 35—By BATSON.—An Act making an appropriation to pay the mileage and per diem of members of the House of Representatives and the Senate and the per diem of employees and for the printing of the permanent journals and Session Laws, together with other expenses of the Extraordinary Session of the Fourteenth Legislature; providing for the closing of the business of the two Houses of said Session by the Speaker of the House of Representatives and the President pro tempore of the Senate, and declaring an emergency.

Received from House .....	405
1st Reading .....	407
2nd Reading and referred to calendar .....	409
Considered .....	409
Advanced .....	410
Reported and 3rd Reading .....	428
Referred to Special Committee .....	429
Withdrawn .....	460
Considered, advanced and 3rd Reading .....	461
Referred .....	462
Reported and to House .....	469
House concurs in Senate Amendments .....	486
Returned by House .....	499
4th Reading and to House .....	499

ENGROSSED HOUSE BILL NO. 40—By EASON.—An Act amending House Bill No. 111 passed by the Fourteenth Legislature amending Section 6875 Oklahoma Statutes, 1931, relating to the bond of In-

dependent School District Treasurers, and providing for the designation of the County Treasurer as Treasurer of Independent School Districts; providing the Governing Board of any Independent School District may designate the County Treasurer as depository for funds in such districts, providing penalty, and declaring an emergency.

Received from House ----- 453

Indefinitely postponed ----- 454



# ENGROSSED HOUSE JOINT RESOLUTIONS

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ENGROSSED HOUSE JOINT RESOLUTION NO. 2—  
By ABERNATHY (Pott.), MUNSON, BILLINGS, LOGSDON, GRAHAM, SUTHERLAND, STRICKLAND (Pontotoc), and SINGLETON, entitled: A Resolution ratifying the proposed amendment to the Constitution of the United States to give Congress the power to limit, regulate and prohibit the labor of persons under eighteen years of age, and declaring an emergency.

Received from House -----	271
1st Reading -----	271
2nd Reading -----	277
Advanced -----	277
3rd Reading -----	296
To House -----	298
Returned by House -----	318
4th Reading and to House -----	319
Action by Governor -----	375

ENGROSSED HOUSE JOINT RESOLUTION NO. 3—By PHILLIPS (Okfuskee), BABB, STURGELL, PAXTON, MISENHEIMER, WHITFORD, BROADDUS, CHAMBERS, GARLAND, BOYER, REMUND, FITZGERALD, KIGHT, BATSON, and DOUTHAT.—A Joint Resolution providing for the method and manner of nominating delegates to a state convention to ratify or reject the proposed Twenty-First Article of amendment to the Constitution of the United States; providing for the call of county conventions and prescribing qualifications of delegates to county conventions; providing for the time, place and manner of holding same; providing for the holding of congressional district conventions and prescribing qualifications of delegates and manner, time and place of holding same; providing for the manner in which delegates shall be elected and manner in which convention of delegates shall meet; providing for payments of expenses; providing manner of certifying results of the election and result of the ballot of delegates.

Received from House -----	419
1st Reading -----	420
2nd Reading and Referred to Calendar -----	428
Advanced -----	432

Vote to Advance Reconsidered .....	456
Considered and made Special Order .....	457
Reported .....	468
3rd Reading .....	480
To House .....	481
Returned by House .....	519
4th Reading and to House .....	519

# ENGROSSED HOUSE CONCURRENT RESOLUTION

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## ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 2.—

By WILLIAMS, COX, ABERNATHY (Pott.), ALLEN, BEAMAN, BILLINGS, BLOCKER, BUSHYHEAD, CAVITT, CLOYD, COE, COLLINS, CONNER, DANIEL, DOUTHAT, DUKE, EASON, ELLIS, GARLAND, GRAHAM, GRAY, GRISSO, GRUNERT, HILL, HOLLI-MAN, HUTCHINGS, JESSEE, JOHNSON (Comanche), JOHNSON (Osage), KING (Creek), KIRKPATRICK, LOGSDON, MALLORY, MASSEY, MORSE, MUNSON, OTTESEN, PALMER, PAXTON, ROBERTS, SHOEMAKE, SINGLETON, SMALLEY, SPEAR, STEWART, STRICKLAND (Marshall), SULLIVAN, SUTHERLAND, TIMMONS, TODD, WILMOT, WINGO, WOOTEN and WRIGHT of the House, and RIZLEY of the Senate, entitled: A Concurrent Resolution of the House of Representatives and Senate requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to submit to the Special Session of the Fourteenth Legislature a bill having for its purpose the refunding to purchasers of truck, tractor and automobile tags the excess amount paid by such purchasers between the dates of the law passed by the Fourteenth Legislature reducing the amount to be paid for such tags.

Received from House -----	42
Considered -----	54
Adopted and Referred -----	57
Reported and to House -----	60
House concurs in Senate amendments -----	74
Returned by House for Signature -----	75
To House -----	76

## ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4.—

By GARLAND, GRAHAM, BEARD, RAWLS, ABERNETHY (Harmon), BEAVER, BENNETT, BILLINGS, BOYER, COE, CONNER, DOUTHAT, EASON, ELLIS, FITZGERALD, GRUNERT, HARP, HILL, JOHNSON (Osage), KENAN, KING (Creek), KIRKPATRICK, LOGSDON, MASSEY, MISENHEIMER, PALMER, PHILLIPS (Okfuskee), REMUND, ROBERTS, TIMMONS, WHITFORD, WOOTEN, CHAMBERS, WILLIAMS, SHOEMAKE, WATSON, HUTCHINGS and STURGELL, of the House, and RAY, BALLARD, DIXON, BRIGGS, MORRISON, RITZHAUPT, GARVIN and RIZLEY of the

Senate, entitled: A Concurrent Resolution calling upon and requesting his excellency, William H. Murray, Governor of the State of Oklahoma, to submit to the Special Session of the Fourteenth Legislature which convenes at the hour of One P. M. on the 24th day of May 1933, at the Capitol building in the city of Oklahoma City, Oklahoma, in accordance with the proclamation of the Governor of Oklahoma under date of the 20th day of May, 1933, to submit to the said Special Session of the Legislature for its immediate consideration and action the additional subject of legislation of beer containing not to exceed 3.2% of alcohol by weight and the question of raising revenue from the legalization of the sale of said beverage and the question of amending certain Acts heretofore passed in relation to the holding of any special state-wide election and the raising of funds therefor with reference to the legalization and sale of the said beverage or with reference to any other subject for which a special election may be called; advising his excellency, the Governor, that it is the sense of the said Special Session of the Legislature to consider all possible sources of revenue at one and the same time for the purpose of eliminating the distressed condition of the State and the public schools thereof.

Received from House -----	51
Considered -----	62
Adopted and referred -----	67
Reported and to House -----	72
House concurs in Senate amendments -----	81
Returned by House for Signature -----	88
To House -----	90

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 5—  
By FRALEY, PHILLIPS (Okfuskee), MALLORY, WRIGHT, COX, BRAZELL, ARMSTRONG, DAVIS, HANKLA, STURGELL, FITZGERALD, GRISSO, JOHNSON (Osage), BOYER, ULMARK, HUTCHINGS, BILLINGS, REMUND, HARP, CHAMBERS, PALMER, WAGNER, KIRKPATRICK, GIBSON, EBY (Tulsa), GARLAND, NEILL, MISENHEIMER, WORTHINGTON, BURNHAM, TIMMONS, WILMOT, ALLEN, WINGO, CONNER, KING (Coal), MUNSON, GRUNERT, CLOYD, DOUTHAT, HART, SUTHERLAND, HILL, WILLIAMS, RAWLS, BEARD, PAXTON, CLINE, ABERNATHY (Pottawatomie), WOOTEN, ALBRIGHT, EASON, COE, ROBERTS, ELLIS, GRAHAM, CAVINS, KIGHT, MORSE and SHOEMAKE.—A Concurrent Resolution citing the need for reorganization of the common school system in the State of Oklahoma; stating that the House of Representatives, the Senate concurring therein, wishes to consider a plan for the purpose of reorganization of the common



schools in the State of Oklahoma, in order that an equal distribution of the funds to be collected from non ad valorem sources may be secured and distributed on an equitable basis, and respectfully requesting the Governor to open such legislation for consideration by this Legislature, assembled in Extraordinary Session.

Received from House -----	103
Considered -----	104
Adopted and to House -----	107
Returned by House for Signature -----	118
To House -----	119

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 6—By GARLAND, BATSON, ABERNETHY (Harmon), BABB, BEARD, BEAVER, BLOCKER, PAXTON, BUSHYHEAD, CHAMBERS, CHILDERS, CLOYD, DANIEL, DOUTHAT, GLEN, GRAHAM, GRAY, GRISSE, HENDERSON, HINDS, JESSEE, JONES, KIGHT, KING (Coal), KIRKPATRICK, LEECRAFT, MARTIN, MASSEY, McELHANEY, PALMER, PARKS, PHILLIPS (Atoka), REMUND, STEWART, STRICKLAND (Pontotoc), SULLIVAN, TIMMONS, TODD, TURNER, WAGNER, WILLIAMS and ANGLIN.—A Resolution extending sympathy to Carlton Weaver, Speaker of the House of Representatives of the Thirteenth Legislature of the State of Oklahoma, in the death of his beloved wife, Amanda Haynes Weaver.

Received from House -----	86
Considered -----	87
Adopted and to House -----	88
Returned by House for signature -----	99
To House -----	99

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 7—By BOYER, entitled: A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of the ratification of the proposed 21st article of amendment to the constitution of the United States of America.

Received from House and considered -----	272
Adopted -----	253
To House -----	254
Returned by House for Signature -----	272
To House -----	273

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 8—By ABERNETHY (Harmon), ARMSTRONG, BEARD, CLINE, CLOYD,

DOUTHAT, ELLIS, GARLAND, GRAHAM, GRUNERT, HINDS, JOHNSON (Osage), KENAN, LOGSDON, PHILLIPS (Okfuskee), ROBERTS, SINGLETON, SMALLEY, STRICKLAND (Marshall), WATSON, WHITFORD, REMUND and OTTESEN of the House and RAY, HUTCHINSON, CHAMBERLIN, COMMONS, CURNUTT, DAUGHERTY, DIXON, HOWARD, LOGAN, MacDONALD, MEM-MINGER, MORRISON, RITZHAUPT, RUTHERFORD and WHITAKER of the Senate.—A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of the reorganization of the Board of Trustees of the Union Soldiers' Home; and the management of and appropriation for said Home.

Received from House -----	317
Stricken -----	383

#### ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 9—

By ABERNATHY (Pott.), MUNSON, BILLINGS, LOGSDON, GRAHAM, SUTHERLAND, STRICKLAND (Pontotoc), and SINGLETON.—A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of the ratification of the proposed child labor amendment to the Constitution of the United States of America.

Received from House -----	127
Considered -----	148
Adopted and to House -----	149
Returned by House for Signature -----	202
To House -----	202

#### ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 11—

By KIGHT, BATSON, LEECRAFT, HALL and BROADDUS.—A House Concurrent Resolution calling upon the Governor to submit to us and open for consideration by the Legislature the question of amending the Constitution and Section Three of Article Seventeen thereof, so as to authorize the Legislature of the State to legislate with reference to the payment of pensions to aged and indigent persons, by the State.

Received from House -----	127
Considered -----	149
Adopted and to House -----	151

Returned by House for Signature -----	202
To House -----	202

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 14— By PHILLIPS (Okfuskee), LOGSDON, DARKS, ABERNATHY (Pott.), ABERNETHY (Harmon), ALBRIGHT, ALLEN, ARMSTRONG, BABB, BATSON, BEAMAN, BEARD, BEAVER, BENNETT, BILLINGS, BLOCKER, BOYER, BRAZELL, BROADDUS, BURNHAM, BUSHYHEAD, CAVINS, CAVITT, CHAMBERS, CHILDERS, CLINE, CLOYD, COE, COLLINS, CONNER, COPELAND, COX, DANIEL, DAVIS, DOUTHAT, DUKE, EASON, EBEBY (Pontotoc), EBY (Tulsa), ELLIS, FITZGERALD, FRALEY, GARLAND, GIBSON, GLEN, GRAHAM, GRAY, GRISSO, GRUNERT, HAILE, HANKLA, HARP, HART, HAYS, HENDERSON, HILL, HINDS, HOGG, HOLLMAN, HUGHES, HUTCHINGS, JESSEE, JOHNSON (Comanche), JOHNSON (Osage), JONES, KENAN, KIGHT, KING (Coal), KING (Creek), KIRKPATRICK, LANDINGHAM, LEECRAFT, LINDSEY, LOWRANCE, MALLORY, MARSHALL, MARTIN, MASSEY, McELHANEY, MISENHEIMER, MOONEY, MORSE, MUNSON, NEILL, O'NEILL, OTTESEN, PALMER, PARKS, PAXTON, PHILLIPS (Atoka), RAWLS, REMUND, ROBERTS, SHOEMAKE, SINGLETON, SMALLEY, SPEAR, SPECK, STEWART, STRICKLAND (Marshall), STRICKLAND (Pontotoc), STURGELL, SULLIVAN, SUTHERLAND, TIMMONS, TODD, TURNER, ULMARK, WAGNER, WATSON, WHITFORD, WILLIAMS, WILMOT, WINGO, WOOTEN, WORTHINGTON and WRIGHT of the House and WILBANKS, NICHOLS and STEWART of the Senate, entitled: A Resolution extending sympathy to Mr. and Mrs. Tom Anglin in the death of Mrs. Anglin's father, James T. Reid.

Received from House -----	124
Considered -----	125
Adopted and to House -----	127
Returned by House for Signature -----	170
To House -----	172

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 16— By HANKLA, HAILE, SUTHERLAND, PARKS, NEILL, BRAZELL, KIRKPATRICK, PAXTON, MISENHEIMER, HART, WOOTEN, ALBRIGHT, MOONEY, COE, FITZGERALD, CAVITT, BOYER, EBEBY (Pontotoc), JOHNSON (Comanche), STRICKLAND (Pontotoc), MASSEY, JOHNSON (Osage), BROADDUS, BENNETT, ELLIS, PHILLIPS, COLLINS, LOGSDON, TIMMONS, BLOCKER, and CLINE.—A Concurrent Resolution, calling upon and requesting His Excellency, Wm. H. Murray, Governor of the State of Oklahoma, to

submit to the Special Session of the Fourteenth Legislature which convened at the hour of one o'clock P. M. on the 24th day of May, 1933, at the Capitol building in the City of Oklahoma City, Oklahoma, in accordance with the proclamation of the Governor of Oklahoma under the date of the 20th day of May, 1933, to submit to the said Special Session of the Legislature for its immediate consideration and action the additional subject of legislation on the subject of licensing and regulating the owning and possessing of machine guns of any type whatsoever.

Received from House ----- 269  
Stricken ----- 383

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 18—  
By BEAMAN, PHILLIPS (Atoka), JONES, HANKLA, SULLIVAN, WINGO, MALLORY, CLOYD, KING (Coal), KING (Creek), WATSON, LINDSEY, ABERNETHY (Harmon), HENDERSON, ANGLIN, RAWLS, GARLAND, BABB, GIBSON, ARMSTRONG, STRICKLAND (Marshall), BLOCKER, BENNETT, HART, EBEX, CHILDERS, SPEAR, DUNN, HILL and MASSEY.—A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of transportation of pupils to and from school.

Received from House ----- 270  
Stricken ----- 383

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 19—  
By BEAMAN and ABERNATHY (Pott.), and COX, entitled: A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma opening up for its consideration the subject of amending the statutes of limitations by extending the time within which prosecution may be instituted for the violation by public officials of a public trust and the embezzlement of public funds.

Received from House ----- 257

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 20—  
By REMUND, ROBERTS, PAXTON, GRAHAM, PHILLIPS (Okfuskee), OTTESEN and GARLAND of the House, and BRIGGS, of the Senate.—A House Concurrent Resolution requesting the director of the Federal Emergency Conservation Work to allocate such funds, material, and men under his direction as may be necessary to effect



certain improvements on property in Oklahoma owned and operated by the United Spanish War Veterans, Department of Oklahoma, for the care and benefit of aged, dependent, and disabled veterans of the war with Spain, and of the wives and widows of such veterans.

Received from House .....	269
Considered .....	459
Adopted and to House .....	460
Returned by House for Signature .....	497
To House .....	497

#### ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 23—

By PAXTON.—A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, to address a communication to the Extraordinary Session of the Fourteenth Legislature of the State of Oklahoma for legislative consideration, the subject of privileges and immunities of members of the Legislature.

Received from House .....	316
Considered .....	379
Indefinitely Postponed .....	380

#### ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 25—

By MARTIN, BROADDUS, SHOEMAKE, LEECRAFT and BATSON of the House, and MOON and WHITAKER of the Senate, entitled: A Resolution expressing regret at the death of the Honorable C. N. Haskell, first Governor of Oklahoma; commending him and his patriotic unselfish service to the people of the State of Oklahoma; extending the sympathy of the members of the Fourteenth Legislature and the people of the State of Oklahoma to the bereaved family; authorizing the Speaker of the House and President of the Senate to appoint a Committee of five members of the House and the Senate to attend the funeral, and directing the Senate Auditor and the Chief Clerk of the House to arrange for a suitable floral offering.

Received from House and Referred to Special Committee .....	318
Reported .....	327
Considered .....	328
Adopted and Referred .....	330
Reported and to House .....	344
House Concurs in Senate Amendments .....	347
Returned by House for Signature .....	347
To House .....	348

#### ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 27—

By LOGSDON, BEARD, TIMMONS, KIRKPATRICK and COE.—A Resolution calling upon, and requesting his Excellency, William H.

Murray, Governor of the State of Oklahoma to submit to the Special Session of the Fourteenth Legislature, for its immediate consideration, the subject of legislation providing for the appointment of county purchasing agents by the County Commissioners in such counties throughout the State of Oklahoma as the County Commissioners thereof may find and deem are necessary.

Received from House .....	418
Stricken .....	432

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 29—  
By KIRKPATRICK.—A Concurrent Resolution requesting the Honorable William H. Murray, Governor of the State of Oklahoma, in the event a second Extraordinary Session of the Fourteenth Legislature is convened, to include in said call the subject of amending Section 12645 of the Compiled Oklahoma Statutes of 1931, for the purpose of amending same to provide that the terms of not more than two members of each local excise and equalization board shall expire at the same time.

Received from House .....	447
Stricken .....	463

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 30—  
By CHILDERS.—A Concurrent Resolution requesting that the student nurses now employed at Oklahoma University Hospital continue to be paid \$10.00 a month, out of the Revolving Fund, in order that they may be able to purchase their uniforms and other necessities of life.

Received from House .....	539
Considered .....	540
Adopted and to House .....	541
Returned by House for Signature .....	548
To House .....	548

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