

MINUTES OF MEETING OF STATE SOIL CONSERVATION BOARD ON  
JUNE 5th, 1940

The State Soil Conservation Board met in Temple, Texas on June 5th, 1940. Members present: Wm. G. Kennedy, H. K. Fawcett, Walter W. Cardwell, J. P. Martin, and C. M. Caraway. Minutes of the last meeting of March 18th, 1940 were read and approved. Expenditures for the first nine months of the fiscal year ending May 31st, 1940, were checked against available appropriations, and balances approved as follows:

NO.	NAME	AMOUNT	EXPENDITURES	BALANCE
A-470	Board, Per diem	\$3750.00	\$1,900.00	\$1,850.00
A-471	Board, Travel	1000.00	694.05	305.95
A-472	Board, Hotel and Meals	1750.00	353.55	1,396.45
A-473	Office Rental	1200.00	580.00	620.00
A-474	Contingent	3000.00	1527.58	1,472.42
A-475	Office Furniture	1500.00	974.91	525.00
A-476	Stationery and Printing	2400.00	659.04	1,740.96
A-477	Telegraph, Telephone	500.00	278.24	221.76
A-478	Postage	750.00	325.00	425.00
A-479	Salary, Administrator	3600.00	2191.75	1,408.25
A-480	Salary, Stenographer	1350.00	1012.50	337.50
A-481	Salary, Stenographer	1350.00	675.00	675.00
A-482	Publication of Notices	600.00	96.33	503.67
A-483	Referenda	2880.00	842.76	2,037.24
A-484	Publication of Results	600.00	42.70	557.30
A-485	Election of Supervisors	2160.00		2,160.00
A-486	Publication of Results	600.00		600.00
A-487	Salaries, Supervisors	7500.00		7,500.00
A-488	Travel, Expenses outside of District	600.00		600.00
A-489	Salary, Field Supervisor	2750.00	1478.50	1,271.50
A-490	Stenotype Stenographer	1800.00	995.65	804.35
A-491	Travel, Field Supervisor	3000.00	966.92	2,033.08
A-492	Referenda on Ordinances	480.00		480.00
A-493	Publication of Notices of Results	480.00		480.00
A-494	Board of Adjustment	240.00		240.00
A-495	Publication of Hearing Notices	120.00		120.00
A-496	Automobile	900.00		900.00

A check of nominating petitions on file disclosed that the Nacogdoches County and Bowie County Districts had not filed nominating petitions for the three additional supervisors within thirty days of receipt of Certificate of Organization as provided by law. It was ordered by the Board that the time for filing be extended through June 1st, 1940.

Petitions from West Bell County asking for a hearing on the proposal

that that territory be added to and made a part of the Central Texas Soil Conservation District No. 509, and a petition from San Augustine County asking for a hearing on the proposal that that County be added to and made a part of the Nacogdoches County Soil Conservation District No. 401, and a petition from Castro County Soil Conservation District, No. 112, requesting that a public hearing be held in that territory to determine whether or not in the opinion of the Board a District should be created co-extensive with the boundary lines of Castro County, and a petition from the Upper Elm-Red Soil Conservation District, No. 524, requesting a public hearing to determine the advisability of creating a district composed of that portion of Montague County not included in District No. 507, all of Cooke County, and that part of Grayson County originally included in the Denton-Elm Fork Soil Conservation District, were received by the Board. It was ordered that hearings be arranged at an early date in response to the respective applications.

On motion by Judge Kennedy, seconded by Mr. Caraway, form No. TSCB-1A was approved.

On motion by Mr. Martin seconded by Mr. Caraway, petition filed by the Schulenburg Soil Conservation District, No. 303, was determined as not being needed. On motion by Mr. Martin seconded by Mr. Caraway, the Tyler County-Neches River Soil Conservation District, the Black Cypress Watershed, and Lower Caddo Soil Conservation Districts were determined as not being needed.

On motion by Mr. Caraway seconded by Mr. Fawcett, the Administrator was authorized to approve for payment out of the contingent fund of \$3000.00 mileage and per diem when and if it should be necessary that Mr. Bryant or Mr. Stewart, now employed by the State Soil Conservation Board, should, in the interest of prosecuting the general program, it be necessary that said employees make trips into the field.

On motion by Mr. Caraway, seconded by Mr. Kennedy, it was ordered that elections be held in districts Nos. 101, 104, 201, 203, 205, 301, 302, 304, 306, 401, 407, 408, 412, 419, 506, and 517 on June 29th for the purpose of electing three supervisors in each of the named districts as provided by the State Law.

The election returns from ~~the following~~ 35 districts were canvassed, the results of which showed that the Pease-Red River Soil Conservation District, No. 106, failed to receive a two-thirds majority of the votes cast, and that the San Augustine-Sabine Soil Conservation District, No. 410, failed to receive a two-thirds majority of the votes cast. That in the Dublin-Comanche-Eastland Soil Conservation District, No. 502, less than two-thirds of the votes cast were in favor of the creation of a district; that in the Pecan Bayou Valley Soil Conservation District, No. 503, less than two-thirds of the votes cast were in favor of the creation of the District; that in the Rockwall-Collin-Grayson Soil Conservation District, No. 505, less than two-thirds of the votes cast were in favor of the creation of said district.

On motion by Mr. Kennedy, seconded by Mr. Fawcett, it was ordered that the Pease-Red River, No. 106, San Augustine-Sabine, No. 410, Dublin-

Comanche-Eastland, No. 502, Pecan Bayou Valley, No. 503, and Rockwall- Collin- Grayson, No. 505, Soil Conservation Districts, be determined not practicable and feasible as Districts, since less than two-thirds of the votes cast were cast for the creation of the District.

In the following districts at least two-thirds of those voting at the election held in each of the proposed districts were for the creation of said district, and because of the further fact that from evidence at public hearings and testimony, it is indicated that there is need for conservation work in the proposed districts, it is hereby unanimously ordered by the Board that the said Districts be determined to be practicable and feasible, and finally approved.

Cochran-Yoakum-Terry, No. 105  
Middle Clear Fork, No. 206  
Mitchell County, No. 207  
North Concho River, No. 208  
Toyah-Limpia, No. 209  
Highland, No. 210  
Atascosa County, No. 307  
Middle Guadalupe Basin, No. 308  
Davy Crockett-Trinity County, No. 404  
Shelby-Panola, No. 414  
North Texas, No. 415  
Sabine River-Cypress Creek, No. 417  
Hopkins-Rains-Wood, No. 418  
Anderson-Houston, No. 421  
Trinity-Neches, No. 422  
Red River County, No. 423  
Freestone-Leon, No. 424  
San Jacinto, No. 425  
Limestone-Falls, No. 501  
Ellis Prairie, No. 504  
Upper West Fork, No. 507  
Little River-San Gabriel, No. 508  
Central Texas, No. 509  
McLennan County, No. 512  
Taylor, No. 513  
Navarro-Hill, No. 514  
California Creek, No. 515  
Palo Pinto, No. 518  
Dalworth, No. 519  
Fannin County, No. 520

On motion by Mr. Martin, seconded by Mr. Caraway, the Administrator was instructed to qualify two supervisors in each of the above approved

Districts as recommended by cooperative landowners in said Districts. That a final record be prepared for presentation to the Secretary of State, asking that certificates of organization be granted to the thirty Districts as finally approved by the State Board.

After considering several applicants seeking to succeed in the position of Chief Field Supervisor occasioned by the resignation of Mr. Buckley, several applications were presented. On motion by Judge Kennedy, seconded by Mr. Caraway, the employment of Mr. Luke L. Ballard was unanimously approved by the Board to serve as Chief Field Supervisor, with terms of employment to be the same as approved June 26th, 1939 with reference to all employees of the State Board, as follows: Any person employed by the State Soil Conservation Board desiring to be relieved from such employment shall be required to give the Board at least ten days' notice of such determination. The Board will likewise give at least ten days' notice to any employee of the Board, when, in the opinion of the Board, it is necessary to discontinue the services of such employee, and the employment of such employee will be terminated within ten days' after such notice has been given. The term of employment, or length of time which the employee is to remain in the service of the Board is a matter to be entirely at the option of the Board and under terms as above stated. It was further stipulated by the order that the salary of Mr. Ballard as Field Supervisor should be on the basis of \$2,750.00 per year, as provided for in the appropriation made available to the Board, and that as Field Supervisor, he should receive payment for mileage and per diem in conformity with allowances made for other State employees in a similar capacity, which is fixed according to the advice of the State Comptroller, actual expenses not to exceed Four (\$4.00) Dollars per day, and Five (5¢) cents per mile for the first thousand miles, and one cent less per mile for each additional thousand miles, or five (5¢) cents for the first one thousand miles; four (4¢) cents for the second thousand miles; three (3¢) cents for the third thousand miles; and two (2¢) cents for the fourth thousand miles. This payment to be made out of the appropriation made available for the traveling expenses of the Chief by the Legislature.

The Board recessed for a meeting with the representatives of various State and Federal Agencies to review the general program and to discuss in particular the possibilities of making available to districts the employment of WPA assistance. The Board accepted an invitation from Mr. McDowell to be the guests of the Experiment Station on the morning of June 6th to inspect work being done by the Station in the furtherance of Agriculture in general. The Board recessed until 10 o'clock A. M. June 6th, 1940.

10 o'clock A. M. June 6th, 1940

Members present: Wm. G. Kennedy, H. K. Fawcett, J. P. Martin, and C. M. Caraway.

In the absence of the Chairman, Mr. Walter W. Cardwell, on motion by

Mr. Kennedy, seconded by Mr. Martin, H. K. Fawcett was unanimously chosen as temporary Chairman.

On motion of Judge Kennedy, seconded by Mr. Martin, it was ordered that in proposed District No. 108 the boundaries be made co-extensive with the County of Lubbock.

On motion of Judge Kennedy, seconded by Mr. Martin, it was ordered that in proposed District No. 110 the boundaries be made co-extensive with the County of Swisher.

In response to a request by the Administrator from the State Attorney General's Department, the attached is a copy of the communication from the Attorney General's Department in answer thereto.

It was ordered by the Board that payment for Publication of Public Notice of Election for the election of District Supervisors be made from the appropriation provided for the Election of District Supervisors.

On motion of Mr. Kennedy, seconded by Mr. Caraway, the following proposed districts were ~~determined to be needed.~~

No. 107, Crosby County  
No. 108, Lubbock County  
No. 109, Hall County  
No. 110, Swisher County  
No. 426, Smith County  
No. 427, Cherokee County  
No. 111, Blackwater Valley  
No date was set for the elections.

There being no further business, the Board adjourned, subject to call.

Walter W. Ladwell  
Chairman

Susanne May  
Secretary

Approved this the 9th day of July, A. D. 1940.

RESULTS OF ELECTIONS HELD ON MAY 25th, 1940

DISTRICT NAME	NO.	FOR	AGAINST	TOTAL CAST	PERCENTAGE
Cochran-Yoakum-Terry	105	296	54	350	84 $\frac{1}{2}$ %
<b>Pease-Red River</b>	106	<b>347</b>	188	535	65%
Middle Clear Fork	206	310	58	368	84%
Mitchell County	207	299	29	328	91%
North Concho River	208	70	30	100	70%
Toyah-Limpia	209	75	37	112	67%
Highland	210	50	0	50	100%
Atascosa County	307	451	40	491	92%
Middle Guadalupe Basin	308	1084	273	1357	80%
Davy Crockett-Trinity County	404	974	80	1054	92 $\frac{1}{2}$ %
San Augustine-Sabine	410	379	587	966	39%
Shelby-Panola	414	1815	65	1880	96 $\frac{1}{2}$ %
North Texas	415	900	101	1001	90%
Sabine River-Cypress Creek	417	339	117	456	74%
Hopkins-Rains-Wood	418	1382	490	1872	73 $\frac{1}{3}$ %
Anderson-Houston	421	772	31	803	96%
Trinity-Neches	422	768	155	923	83%
Red River County	423	538	121	659	81 $\frac{1}{2}$ %
Freestone-Leon	424	238	114	352	67 $\frac{1}{2}$ %
San Jacinto	425	734	111	845	87%
Limestone-Falls	501	609	168	777	78%
Dublin-Comanche-Eastland	502	396	582	1478	60 $\frac{1}{2}$ %
Pecan Bayou Valley	503	454	265	719	63%

<u>DISTRICT NAME</u>	<u>NO.</u>	<u>FOR</u>	<u>AGAINST</u>	<u>TOTAL CAST</u>	<u>PERCENTAGE</u>
Ellis-Prairie	504	1087	450	1537	70 <sup>1</sup> / <sub>2</sub> %
Rockwall-Collin-Grayson	505	841	981	1822	46%
Upper West Fork	507	619	198	817	76%
Little River-San Gabriel	508	880	110	990	89%
Central Texas	509	1413	544	1957	72%
McLennan County	512	577	286	863	67%
Taylor	513	1357	155	1512	90%
Navarro-Hill	514	731	199	930	79%
California Creek	515	544	150	694	73%
Palo Pinto	518	361	78	439	82%
Dalworth	519	1318	565	1883	70%
Pannin County	520	684	108	792	86%

RETURNS OF ELECTION HELD MAY 25th, 1940, IN COCHRAN-YOAKUM-TERRY SOIL CONSERVATION DISTRICT NO. 105

VOTING BOX NO.	FOR	AGAINST	TOTAL
		<u>Yoakum County</u>	
1	64	19	83
		<u>Cochran County</u>	
2	45	9	54
3	20	1	21
4	4	0	4
5	19	0	19
		<u>Terry County</u>	
6	74	9	83
7	9	15	24
8	26	1	27
9	20	0	20
10	15	0	15
TOTAL	296	54	350

84.3%

RETURNS OF ELECTION HELD MAY 25th, 1940, IN PEASE-RED RIVER SOIL CONSERVATION  
DISTRICT NO. 106

VOTING BOX NO.	FOR	AGAINST	TOTAL
<u>Wichita County</u>			
1	32	11	43
2	8	2	10
<u>Wilbarger County</u>			
3	42	14	56
4	53	23	76
5	1	12	13
6	29	20	49
7	12	8	20
8	16	4	20
9	13	22	35
10	17	3	20
<u>Hardeman County</u>			
11	36	38	74
12	60	14	74
13	28	17	45
TOTAL	347	188	535

65%

RETURNS OF ELECTION HELD MAY 25th, 1940, IN MIDDLE CLEAR FORK SOIL CONSERVATION  
DISTRICT NO. 206

VOTING BOX NO.	FOR	AGAINST	TOTAL
<u>Taylor County</u>			
1	12	4	16
2	63	16	79
3	17	1	18
4	52	21	73
5	27	1	28
6	33	0	33
<u>Nolan County (Included in Voting Box 6 Above)</u>			
<u>Callahan County</u>			
7	13	0	13
<u>Shackelford County</u>			
8	7	0	7
<u>Jones County</u>			
9	13	0	13
10	11	1	12
11	35	2	37
12	<u>27</u>	<u>12</u>	<u>39</u>
TOTALS	310	58	368

84%

RETURNS OF ELECTION HELD MAY 25th, 1940, IN MITCHELL COUNTY SOIL CONSERVATION  
DISTRICT NO.207

VOTING BOX NO.	FOR	AGAINST	TOTAL
<u>Mitchell County</u>			
1	117	15	132
2	36	1	37
<u>STERLING COUNTY</u>			
3	20	0	20
4	92	5	97
<u>Scurry County</u>			
5	7	6	13
<u>Nolan County</u>			
6	<u>27</u>	<u>2</u>	<u>29</u>
TOTAL	299	29	328

91%

RETURNS OF ELECTION HELD MAY 25th, 1940, IN NORTH CONCHO RIVER SOIL CONSERVATION  
DISTRICT NO. 208

VOTING BOX NO.	FOR	AGAINST	TOTAL
<u>Tom Green County</u>			
1	9	0	9
2	11	5	16
3	20	0	20
4	6	20	26
Coke County (included in No. 4 above)			
<u>Sterling and Howard Counties</u>			
5	17	5	22
<u>Glasscock and Reagan Counties</u>			
6	<u>7</u>	<u>0</u>	<u>7</u>
TOTAL	70	30	100

70%

RETURNS OF ELECTION HELD MAY 25th, 1940, IN TOYAH-LIPIA SOIL CONSERVATION DISTRICT  
 NO. 209

VOTING BOX NO.	FOR	AGAINST	TOTAL
<u>Reeves County</u>			
1	46	5	51
2	2	11	13
3	9	0	9
<u>Pecos County</u>			
4	2	12	14
<u>Jeff Davis County</u>			
5	6	0	6
6	<u>10</u>	<u>9</u>	<u>19</u>
TOTAL	75	37	112

67%

RETURNS OF ELECTION HELD IN HIGHLAND SOIL CONSERVATION DISTRICT  
NO. 210  
May 25, 1940

VOTING BOX NO.	FOR	AGAINST	TOTAL
	Presidio, Jeff Davis, & Brewster Counties		
1	<u>50</u>	<u>0</u>	<u>50</u>
TOTALS	50	0	50

100%

RETURNS OF ELECTION HELD IN ATASCOSA COUNTY SOIL CONSER-  
 VATION DISTRICT No. 307  
 May 25, 1940

VOTING BOX NO.	FOR	AGAINST	TOTAL
ATASCOSA COUNTY			
1	4	0	4
2	2	4	6
3	0	0	0
4	0	0	0
5	21	10	31
6	20	0	20
7	11	3	14
8	14	1	15
9	12	0	12
10	85	0	85
11	96	4	100
12	17	0	17
13	10	0	10
14	26	2	28
15	10	0	10
16	15	0	15
17	18	0	18
18	38	0	38
19	27	2	29
McMULLEN COUNTY			
20	7	0	7
FRIO COUNTY			
21	5	5	10
22	9	5	14
23	<u>4</u>	<u>4</u>	<u>8</u>
TOTALS	451	40	491

92%

RETURNS OF ELECTION HELD IN MIDDLE GUADALUPE BASIN SOIL CON-  
SERVATION DISTRICT NO. 308

May 25, 1940

VOTING BOX NO.	FOR	AGAINST	TOTAL
GONZALES COUNTY			
1	79	0	79
2	12	3	15
3	36	10	46
4	9	0	9
5	39	4	43
6	11	6	17
7	19	5	24
8	20	2	22
9	14	1	15
10	21	0	21
11	22	10	32
12	0	0	0
13	40	28	68
14	3	5	8
15	21	3	24
16	6	4	10
17	5	4	9
18	15	3	18
19	18	0	18
20	59	12	71
21	6	3	9
22	9	1	10
23	13	0	13
24	47	1	48
25	16	0	16
DEWITT COUNTY			
26	50	19	69
27	11	31	42
28	35	3	38
29	81	3	84
30	70	36	106
31	67	43	110
32	26	2	28
33	17	2	19
34	15	0	15
35	21	5	26
36	30	2	32
37	23	8	31
38	<u>98</u>	<u>14</u>	<u>112</u>
TOTALS	1084	273	1357

80%

RETURNS OF ELECTION HELD ON MAY 25, 1940, IN DAVY CROCKETT-TRINITY  
 COUNTY SOIL CONSERVATION DISTRICT NO. 404

VOTING BOX NO.	FOR	AGAINST	TOTAL
TRINITY COUNTY			
1	32	3	35
2	12	12	24
3	25	1	26
4	16	8	24
5	17	2	19
6	25	1	26
7	15	5	20
WALKER COUNTY			
8	4	1	5
9	5	2	7
HOUSTON COUNTY			
10	511	12	523
11	25	0	25
12	111	18	129
13	39	5	44
14	<u>137</u>	<u>10</u>	<u>147</u>
TOTALS	974	80	1054

92 $\frac{1}{3}$ %

RESULTS OF ELECTION HELD ON MAY 25th, 1940, IN THE SAN AUGUSTINE-SABINE  
SOIL CONSERVATION DISTRICT NO. 410

VOTING BOX NO.	FOR	<u>SABINE COUNTY</u>	AGAINST	TOTAL
1	13		73	86
2	0		80	80
3	2		57	59
4	4		32	36
5	0		16	16
6	3		28	31
7	0		51	51
8	8		38	46
9	22		27	49
10	0		12	12
11	4		31	35
12	0		0	0
13	0		22	22
14	1		17	18
15	4		9	13
16	0		16	16
17	0		4	4
18	0		13	13
<u>SAN AUGUSTINE COUNTY</u>				
19	30		4	34
20	29		10	39
21	155		15	170
22	36		8	44
23	21		0	21
24	32		10	42
25	15		14	29
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TOTAL	379		587	966

.39%

RETURNS OF ELECTION HELD ON MAY 25, 1940, IN SHELBY-PANOLA  
SOIL CONSERVATION DISTRICT NO. 414

VOTING BOX NO.	FOR	AGAINST	TOTAL
SHELBY COUNTY			
1	153	18	171
2	150	3	153
3	95	7	102
4	264	4	268
5	79	2	81
6	56	1	57
7	55	0	55
8	33	1	34
9	55	0	55
PANOLA COUNTY			
10	198	5	203
11	87	0	87
12	77	3	80
13	62	0	62
14	38	1	39
15	19	1	20
16	27	0	27
17	34	0	34
18	17	0	17
19	23	0	23
20	25	0	25
21	20	0	20
22	14	0	14
23	30	0	30
24	23	2	25
25	30	0	30
26	18	2	20
27	21	4	25
28	12	0	12
29	30	0	30
RUSK COUNTY			
30	16	8	24
31	13	2	15
32	<u>41</u>	<u>1</u>	<u>42</u>
TOTALS	1815	65	1880

96 $\frac{1}{2}$ %

RETURNS OF ELECTION HELD ON MAY 25, 1940, IN NORTH TEXAS SOIL  
 CONSERVATION DISTRICT, NO. 415

VOTING BOX NO.	FOR	AGAINST	TOTAL
LAMAR COUNTY			
1	69	7	76
2	30	0	30
3	28	14	42
4	28	2	30
5	18	0	18
6	24	0	24
7	49	0	49
8	38	3	41
9	33	1	34
10	9	12	21
11	80	3	83
12	23	7	30
13	27	4	31
14	28	13	41
15	63	8	71
16	15	10	25
17	39	0	39
18	20	3	23
19	24	0	24
20	11	2	13
21	34	5	39
22	<u>210</u>	<u>7</u>	<u>217</u>
TOTALS	900	101	1001

RETURNS OF ELECTION HELD ON MAY 25, 1940, IN SABINE RIVER-CYPRESS CREEK  
SOIL CONSERVATION DISTRICT, NO. 417

VOTING BOX NO.	FOR	AGAINST	TOTAL
GREGG COUNTY			
1	33	1	34
2	6	5	11
3	19	0	19
4	45	5	50
5	15	0	15
6	39	15	54
7	45	1	46
UPSHUR COUNTY			
8	61	19	80
9	6	12	18
10	10	3	13
11	9	1	10
12	10	2	12
13	9	5	14
14	16	1	17
15	7	2	9
SMITH COUNTY			
16	3	8	11
17	<u>6</u>	<u>37</u>	<u>43</u>
TOTALS	339	117	456

7.2%

RETURNS OF ELECTION HELD ON MAY 25, 1940, IN HOPKINS-RAINS-WOOD  
SOIL CONSERVATION DISTRICT NO. 418

VOTING BOX NO.	FOR	AGAINST	TOTAL
HOPKINS COUNTY			
1	217	118	335
2	29	13	42
3	35	12	47
4	18	4	22
5	48	4	52
6	18	23	41
7	20	38	58
8	14	2	16
9	26	5	31
10	30	32	62
11	36	5	41
12	21	2	23
13	15	2	17
14	22	0	22
15	10	7	17
16	26	24	50
17	11	8	19
18	3	7	10
19	6	13	19
20	16	9	25
21	29	1	30
RAINS COUNTY			
22	79	7	86
23	155	3	158
24	7	7	14
25	11	0	11
26	10	0	10
27	20	4	24
WOOD COUNTY			
28	26	0	26
29	112	5	117
30	26	0	26
31	46	18	64
32	28	78	106
33	32	4	36
34	115	8	123
35	0	0	0
36	14	3	17
37	51	24	75
TOTALS	<u>1382</u>	<u>490</u>	<u>1872</u>

73.2%

RESULTS OF ELECTION HELD ON MAY 25, 1940, IN THE ANDERSON-  
HOUSTON SOIL CONSERVATION DISTRICT, NO. 421

VOTING BOX NO.	FOR	AGAINST	TOTAL
ANDERSON & HOUSTON COUNTIES			
1	134	9	143
2	20	0	20
3	35	2	37
4	194	9	203
5	92	5	97
6	70	3	73
7	40	2	42
8	12	1	13
9	66	0	66
10	<u>109</u>	<u>0</u>	<u>109</u>
TOTALS	772	31	803

96%

RESULTS OF ELECTION HELD ON MAY 25, 1940, IN TRINITY-NICHOLS  
SOIL CONSERVATION DISTRICT, NO. 422

VOTING BOX NO.	FOR	AGAINST	TOTAL
VAN ZANDT COUNTY			
1	11	0	11
2	2	5	7
3	23	0	23
4	12	2	14
5	4	9	13
6	9	7	16
HENDERSON COUNTY			
7	73	6	79
8	59	2	61
9	35	3	38
10	192	37	229
11	30	25	55
12	20	14	34
13	20	4	24
14	74	7	81
15	27	7	34
16	9	6	15
17	11	10	21
18	10	0	10
19			
ANDERSON COUNTY			
19	57	2	59
20	40	9	49
21	50	0	50
	768	155	923
TOTALS	768	155	923

83%

RESULTS OF ELECTION HELD ON MAY 25, 1940, IN THE RED RIVER SOIL  
 CONSERVATION DISTRICT NO. 423

VOTING BOX NO.	FOR	AGAINST	TOTAL
RED RIVER COUNTY			
1	64	31	95
2	7	4	11
3	8	1	9
4	7	1	8
5	21	1	22
6	12	0	12
7	21	0	21
8	31	9	40
9	12	2	14
10	22	0	22
11	8	2	10
12	10	3	13
13	11	8	19
14	101	28	129
15	8	0	8
16	22	7	29
17	39	2	41
18	16	15	31
19	23	0	23
20	38	4	42
21	23	3	26
22	7	0	7
23	18	0	18
24	9	0	9
TOTALS	538	121	659

81 $\frac{1}{3}$ %

RESULTS OF ELECTION HELD ON MAY 25, 1940, IN THE FREESTONE-LEON  
SOIL CONSERVATION DISTRICT, NO. 424

VOTING BOX NO.	FOR	AGAINST	TOTAL
LEON COUNTY			
1	29	3	32
2	51	0	51
3	22	60	82
4	7	2	9
5	25	0	25
6	0	0	0
FREESTONE COUNTY			
7	28	29	57
8	1	7	8
9	16	4	20
10	13	0	13
11	36	8	44
12	<u>10</u>	<u>1</u>	<u>11</u>
TOTALS	238	114	352

67 $\frac{1}{2}$ %

RESULTS OF ELECTION HELD ON MAY 25, 1940, IN THE SAN JACINTO SOIL  
CONSERVATION DISTRICT, NO. 425

VOTING BOX NO.	FOR	AGAINST	TOTAL
WALKER			
1	12	0	12
2	9	2	11
3	29	8	37
4	3	0	3
5	53	20	73
6	13	0	13
MONTGOMERY COUNTY			
7	72	6	78
8	127	11	138
9	17	1	18
10	15	2	17
11	11	12	23
12	87	2	89
13	24	1	25
14	15	4	19
GRIMES COUNTY			
15	23	0	23
16	73	0	73
17	25	1	26
SAN JACINTO COUNTY			
18	7	2	9
19	12	16	28
20	0	0	0
21	11	11	22
22	20	0	20
23	18	0	18
24	13	1	14
25	13	4	17
LIBERTY COUNTY			
26	3	0	3
27	8	3	11
WALLER COUNTY			
28	5	2	7
29	<u>16</u>	<u>2</u>	<u>18</u>
TOTALS	734	111	845

87%

RETURNS OF ELECTION HELD IN THE LIMESTONE-FALLS SOIL CON-  
SERVATION DISTRICT NO. 501  
May 25, 1940

VOTING BOX NO.	FOR	AGAINST	TOTAL
LIMESTONE COUNTY			
1	37	21	58
2	50	12	62
3	54	27	81
4	66	29	95
5	57	8	65
6	16	6	22
7	91	1	92
8	48	9	57
9	23	3	26
HILL COUNTY			
10	10	1	11
11	18	0	18
FALLS COUNTY			
12	19	3	22
13	5	1	6
14	14	1	15
15	65	9	74
16	16	14	30
17	<u>20</u>	<u>23</u>	<u>43</u>
TOTALS	609	168	777

78%

RETURNS OF ELECTION HELD MAY 25, 1940, IN DUBLIN-COMANCHE-EASTLAND  
SOIL CONSERVATION DISTRICT NO. 502

VOTING BOX NO.	FOR	AGAINST	TOTAL
EASTLAND COUNTY			
1	50	36	86
2	25	8	33
3	32	12	44
4	19	4	23
5	41	22	63
6	33	63	96
7	44	16	60
8	9	0	9
9	33	0	33
COMANCHE COUNTY			
10	56	127	183
11	136	52	188
12	25	74	99
13	18	14	32
14	38	19	57
15	5	33	38
ERATH COUNTY			
16	16	17	33
17	303	65	368
18	<u>13</u>	<u>20</u>	<u>33</u>
TOTALS	896	582	1478

60 1/2%

RETURNS OF ELECTION HELD May 25, 1940, IN PECAN BAYOU VALLEY  
 SOIL CONSERVATION DISTRICT NO. 503

VOTING BOX NO.	FOR	AGAINST	TOTAL
BROWN COUNTY			
1	159	37	196
2	34	7	41
3	18	6	24
4	25	25	50
5	14	3	17
6	26	13	39
7	30	27	57
8	49	19	68
9	17	55	72
10	29	13	42
11	7	4	11
12	<u>46</u>	<u>56</u>	<u>102</u>
TOTALS	454	265	719

63%

RETURNS OF ELECTION HELD MAY 25, 1940, IN ELLIS-PRAIRIE SOIL  
CONSERVATION DISTRICT NO. 504

VOTING BOX NO.	FOR	AGAINST	TOTAL
ELLIS COUNTY			
1	17	20	37
2	85	7	92
3	15	16	31
4	4	44	48
5	7	11	18
6	127	128	255
7	41	10	51
8	39	10	49
9	96	0	96
10	83	5	88
11	220	69	289
12	77	2	79
13	27	6	33
14	52	18	70
15	100	8	108
16	16	8	24
17	25	0	25
JOHNSON COUNTY			
18	28	8	36
19	8	9	17
20	12	63	75
HILL COUNTY			
21	<u>8</u>	<u>8</u>	<u>16</u>
TOTALS	1087	450	1537

70%

RETURNS OF ELECTION HELD MAY 25, 1940, IN ROCKWALL-COLLIN-GRAYSON  
SOIL CONSERVATION DISTRICT, NO. 505

VOTING BOX NO.	FOR	AGAINST	TOTAL
ROCKWALL COUNTY			
1.	154	11	165
2	25	0	25
3	52	0	52
4	29	3	32
5	25	0	25
GRAYSON COUNTY			
6	14	30	44
7	59	2	61
8	11	30	41
9	16	4	20
10	35	3	38
11	98	69	167
12	28	0	28
13	16	0	16
14	10	7	17
15	24	27	51
16	12	117	129
COLLIN COUNTY			
17	34	224	258
18	42	8	50
19	25	115	140
20	13	61	74
21	28	8	36
22	16	108	124
23	15	25	40
24	8	51	59
25	15	47	62
26	<u>37</u>	<u>31</u>	<u>68</u>
Totals	841	981	1822

46%

RETURNS OF ELECTION HELD MAY 25, 1940, IN UPPER WEST FORK SOIL  
 CONSERVATION DISTRICT NO. 507

VOTING BOX NO.	COUNTY	FOR	AGAINST	TOTAL
1	Wise	22	9	31
2	Jack	11	7	18
3	Wise	21	6	27
4	Wise	45	0	45
5	Montague	5	3	8
6	Wise	58	3	61
7	Wise	113	18	131
8	Wise	40	12	52
9	Wise	14	2	16
10	Wise	3	4	7
11	Wise	92	10	102
12	Jack	37	21	58
13	Young	10	7	17
14	Young	7	5	12
15	Young	8	5	13
16	Clay	8	7	15
17	Young	6	1	7
18	Wise	12	27	39
19	Wise	16	8	24
20	Jack	7	1	8
21	Jack	12	0	12
22	Wise	10	2	12
23	Clay	2	28	30
24	Montague	16	2	18
25	Clay	6	7	13
26	Archer	7	3	10
27	Wise	<u>31</u>	<u>0</u>	<u>31</u>
TOTALS		619	198	817

76%

RETURNS OF ELECTION HELD ON MAY 25, 1940, IN THE LITTLE RIVER-SAN  
 GABRIEL SOIL CONSERVATION DISTRICT, NO. 508

VOYING BOX NO.	FOR	AGAINST	TOTAL
MILAM COUNTY			
1	58	3	61
2	34	1	35
3	61	2	63
WILLIAMSON COUNTY			
4	137	19	156
BELL COUNTY			
5	197	4	201
6	98	25	123
7	23	10	33
WILLIAMSON COUNTY			
8	38	13	51
9	37	14	51
10	21	6	27
11	51	0	51
12	32	4	36
13	57	5	62
14	<u>36</u>	<u>4</u>	<u>40</u>
TOTALS	880	110	990

89%

RETURNS OF ELECTION HELD ON MAY 25, 1940, IN CENTRAL TEXAS SOIL  
 CONSERVATION DISTRICT, NO. 509

VOTING BOX NO.	FOR	AGAINST	TOTAL
BELL COUNTY			
1	286	129	415
2	19	13	32
3	6	47	53
4	53	10	63
5	24	13	37
6	56	26	82
7	56	30	86
8	45	55	100
9	30	97	127
10	25	1	26
FALLS COUNTY			
11	62	8	70
12	18	6	24
13	92	9	101
14	23	3	26
15	61	40	101
16	84	2	86
17	75	24	99
MILAM COUNTY			
18	122	6	128
19	42	3	45
20	73	6	79
21	32	1	33
22	33	1	34
23	21	2	23
24	<u>75</u>	<u>12</u>	<u>87</u>
TOTALS	1413	544	1957

72%

RETURNS OF ELECTION HELD ON MAY 25, 1940, IN McLENNAN COUNTY SOIL CONSERVATION DISTRICT NO. 512

VOTING BOX NO.	FOR	AGAINST	TOTAL
<u>McLennan County</u>			
1	13	13	26
2	19	1	20
3	14	0	14
4	22	2	24
5	20	4	24
6	20	0	20
7	11	9	20
8	11	2	13
9	8	3	11
10	14	12	26
11	9	6	15
12	17	40	57
13	10	4	14
14	26	19	45
15	39	5	44
16	56	12	68
17	11	1	12
18	10	0	10
19	25	5	30
20	32	7	39
21	23	2	25
22	15	13	28
23	4	4	8
24	12	2	14
25	82	29	111
26	31	74	105
<u>Hill County</u>			
27	14	11	25
28	9	6	15
TOTAL	<u>577</u>	<u>286</u>	<u>863</u>

67%

RETURNS OF ELECTION HELD ON MAY 25, 1940 IN TAYLOR SOIL CONSERVATION  
DISTRICT NO. 513

VOTING BOX NO.	FOR	AGAINST	TOTAL
MILAM COUNTY			
1	57	9	66
2	12	1	13
3	5	3	8
4	21	0	21
5	120	2	122
6	10	1	11
7	64	3	67
8	92	0	92
9	19	0	19
10	16	0	16
11	19	0	19
12	30	0	30
WILLIAMSON COUNTY			
13	14	0	14
14	18	0	18
15	52	3	55
16	38	0	38
17	22	20	42
18	16	0	16
19	46	0	46
20	9	2	11
21	14	0	14
22	52	29	81
23	97	16	113
24	14	12	26
25	50	2	52
26	49	9	58
27	65	6	71
28	40	2	42
29	23	1	24
30	14	0	14
TRAVIS COUNTY			
31	16	3	19
32	14	2	16
33	29	1	30
34	4	0	4
35	10	0	10
36	9	0	9
37	26	2	28

VOTING BOX NO.	FOR	AGAINST	TOTAL
38	11	3	14
39	13	0	13
40	37	6	43
41	18	2	20
42	10	0	10
43	0	0	0
44	22	0	22
45	10	0	10
46	5	0	5
47	1	11	12
48	5	2	7
49	4	0	4
50	3	0	3
51	0	0	0
52	7	2	9
53	0	0	0
54	<u>5</u>	<u>0</u>	<u>5</u>
TOTAL	1357	155	1512

90%

RETURNS OF ELECTION HELD ON MAY 25, 1940, IN NAVARRO-HILL SOIL CONSERVATION  
DISTRICT NO. 514

VOTING BOX NO.	FOR	AGAINST	TOTAL
NAVARRO COUNTY			
1	14	0	14
2	39	9	48
3	31	1	32
4	58	1	59
5	71	16	87
6	80	10	90
7	33	6	39
8	14	2	16
9	43	13	56
10	5	9	14
11	20	9	29
12	27	18	45
13	14	10	24
14	66	24	90
15	24	11	35
FRIESTONE COUNTY			
16	3	12	15
17	25	7	32
LIMESTONE COUNTY			
18	21	10	31
HILL COUNTY			
19	13	1	14
20	24	12	36
21	9	9	18
22	40	5	45
23	7	1	8
24	18	1	19
ELLIS COUNTY			
25	32	2	34
	731	199	930

79%

RETURNS OF ELECTION HELD ON MAY 25, 1940, IN CALIFORNIA CREEK SOIL CONSERVATION DISTRICT NO. 515

VOTING BOX NO.	FOR	AGAINST	TOTAL
JONES COUNTY			
1	120	20	140
2	22	12	34
3	48	18	66
4	86	7	93
5	20	15	35
6	23	7	30
7	11	0	11
8	59	4	63
HASKELL COUNTY			
9	67	32	99
10	22	6	28
11	20	6	26
12	21	13	34
13	<u>25</u>	<u>10</u>	<u>35</u>
TOTALS	544	150	694

SHACKELFORD COUNTY (Inc. in 6, above)  
 FISHER COUNTY (Inc. in #8, above)  
 THROCKMORTON COUNTY (inc. in #13, above)

78%

RETURNS OF ELECTION HELD ON MAY 25, 1940, IN PALO PINTO SOIL  
 CONSERVATION DISTRICT, NO. 518

VOTING BOX NO.	FOR	AGAINST	TOTAL
EASTLAND COUNTY			
1	7	0	7
2	11	2	13
3	5	0	5
PALO PINTO COUNTY			
4	6	1	7
5	9	10	19
6	4	1	5
7	12	1	13
8	25	2	27
9	39	1	40
10	27	11	38
11	6	1	7
12	17	5	22
13	63	7	70
14	11	8	19
15	12	3	15
16	15	0	15
ERATH COUNTY			
17	28	4	32
18	12	0	12
JACK COUNTY			
19	13	3	16
20	13	11	24
21	<u>26</u>	<u>7</u>	<u>33</u>
TOTALS	361	78	439

82%

RETURNS OF ELECTION HELD ON MAY 25, 1940, IN DALWORTH SOIL  
CONSERVATION DISTRICT NO. 519

VOTING BOX NO.	FOR	AGAINST	TOTAL
DALLAS COUNTY			
1	8	7	15
2	1	40	41
3	10	42	52
4	14	25	39
5	16	13	29
6	45	27	72
7	71	18	89
8	42	2	44
9	30	5	55
10	3	2	5
11	13	10	23
12	28	0	28
13	125	10	135
14	14	0	14
15	21	2	23
16	18	7	25
17	105	3	108
18	19	2	21
19	23	0	23
20	21	1	22
21	50	0	50
22	13	11	24
23	21	24	45
24	22	5	27
25	18	12	30
26	21	10	31
27	21	3	24
28	5	9	14
29	60	26	86
ELLIS COUNTY			
30	17	7	24
JOHNSON COUNTY			
31	12	3	15
32	25	31	56
33	8	9	17
34	3	8	11
TARRANT COUNTY			
35	5	0	5

TARRANT COUNTY (Cont'd)

VOTING BOX NO.	FOR	AGAINST	TOTAL
36	1	38	39
37	21	8	29
38	45	24	69
39	6	33	39
40	22	2	24
41	16	4	20
42	23	12	35
43	9	13	22
44	13	5	18
45	48	20	68
46	12	0	12
47	16	3	19
48	23	0	23
49	16	0	16
50	0	0	0
51	16	1	17
52	30	5	35
53	54	5	59

JOHNSON COUNTY (Cont'd)

54	14	13	27
55	5	5	10
TOTALS	<u>1318</u>	<u>565</u>	<u>1883</u>

70%

RETURNS OF ELECTION HELD ON MAY 25, 1940, in FANNIN COUNTY  
 SOIL CONSERVATION DISTRICT NO. 520

VOTING BOX NO.	FOR	AGAINST	TOTAL
	FANNIN & GRAYSON COUNTIES		
1	110	5	115
2	98	16	114
3	75	19	94
4	11	3	14
5	58	6	64
6	28	3	31
7	19	4	23
8	52	4	56
9	49	17	66
10	23	8	31
11	30	5	35
12	45	2	47
13	13	7	20
14	14	1	15
15	29	7	36
16	<u>30</u>	<u>1</u>	<u>31</u>
TOTALS	684	108	792

86%

C O P Y

"Honorable V. C. Marshall, Administrator  
State Soil Conservation Board,  
Professional Building,  
Temple, Texas

Dear Sir:

Opinion Number O-2249  
Re: Construction of H.B.20,  
Acts of the Forty-sixth Legislature, Regular  
Session, as to authority for the issuance of bonds  
or levying of taxes by an approved Soil Conserva-  
tion District created pursuant to such Act.

We have your letter of April 17, in which you submit the  
following question for our consideration and opinion:

'Does the State Soil Conservation Law, as enacted  
by the Forty-sixth Legislature (H.B.#20) authorize  
the issuance of bonds or levying of taxes by an approved  
Soil Conservation District?'

In Subsection (d), Section 2 of the Act, it is declared to be the  
policy of the Legislature to provide for the conservation of soil and soil  
resources of this State and thus to carry out the mandate expressed in Article  
16, Section 59, Constitution of Texas. The legislative authority for the  
creation of such districts as contemplated by the Act is therefore predi-  
cated upon that article of the Constitution from which we quote, in part,  
Subsection (a) of Section 59:

'The conservation and development of all of the  
natural resources of this State \* \* \* are each and all  
hereby declared public rights and duties, and the Legis-  
lature shall pass all such laws as may be appropriate  
thereto.' (Underscoring ours.)

It is evident that the Legislature has undertaken to provide  
legal machinery for the conservation and reclamation of soil by the enactment  
of House Bill 20. Subsection (b) of Section 59, Article 16 of the Constitution,  
reads as follows:

'There may be created within the State of Texas, or  
the State may be divided into such number of conservation  
and reclamation districts as may be determined to be  
essential to the accomplishment of the purposes of this  
amendment to the Constitution, which districts shall be  
governmental agencies and body politic and corporate,  
with such powers of government and authority to exercise  
such rights, privileges and functions concerning the

subject matter of this amendment as may be conferred by law. (Underscoring ours)

It is apparent from a reading of the Act that the Legislature has endeavored to provide a method by which soil conservation districts may be created pursuant to the provisions of Subsection (b) of Section 59 of Article 16, above quoted. The Act itself enumerates the rights, privileges and functions concerning the subject matter which the Legislature intended to confer in response to that part of the provision which says "may be conferred by law".

Subsection (c) Section 59, reads in part as follows:

\*The Legislature shall authorize all such indebtedness as may be necessary to provide all improvements and the maintenance thereof requisite to the achievement of the purposes of this amendment, and shall also authorize the levy and collection within said district all such taxes equitably distributed as may be necessary for the payment of the interest and the creation of a sinking fund for the payment of such bonds:  
\* \* \* ' .

This section confers the power upon the Legislature, if in its wisdom such power should be exercised, to authorize the creation of debt and the levy of a tax for the purpose of creating a sinking fund for the payment of such bonds and the retirement of the interest as it accrues thereon.

It will be noted that the provisions of Section 59, Article 16, are not self-enacting, and that by the terms thereof the Legislature is charged with the duty of enacting laws appropriate thereto. House Bill 20 represents the Legislature's response to the duty imposed by this constitutional amendment. Such rights, privileges and powers as are conferred by the Act must be considered to represent all of the powers the Legislature intended to confer upon such districts. After a careful reading of the Act we reach the conclusion that none of the provisions of House Bill 20, acts of the Forty-sixth Legislature, Regular Session, authorizes the issuance of bonds or the creation of debt in any form or the levying of taxes for any purpose.

If such powers are to be construed from the Act, it must be by implication, and in view of the terms of Article 16, Section 59 directing that the Legislature shall expressly pass such laws as may be appropriate to the accomplishment of the purposes enumerated under this section, we are of the opinion that no implication can be drawn from the language used which would operate in any way to authorize the issuance of bonds or the levying of taxes in any form. The Constitution declares

Honorable V. C. Marshall, page 3

the organic law of the State and generally comprises the rules and maxims in accordance with which the powers of sovereignty are exercised, and where such constitutional provisions direct the Legislature to enact laws pursuant thereto, insofar as the Legislature does act, the resultant statute becomes the law of the land. See Cox vs. Robison, 150 S.W. 1149.

Section 7 of House Bill 20 enumerates the powers of the district and its supervisors, but the language used meticulously avoids the mention of the creation of debt in any form or the levy of any kind of a tax.

You are therefore advised that in our opinion House Bill 20 Acts of the Forty-Sixth Legislature, Regular Session, does not authorize the issuance of bonds or the levy of a tax.

Trusting that the foregoing satisfactorily answers your inquiry, we are,

Very truly yours,

ATTORNEY GENERAL OF TEXAS

BY: signed Clarence E. Crowe  
Assistant

CEC - s

Approved May 8, 1940

signed Gerald C. Mann

ATTORNEY GENERAL OF TEXAS

STATE SOIL CONSERVATION BOARD OF TEXAS

PETITION FOR INCLUSION OF ADDITIONAL TERRITORY WITHIN THE \_\_\_\_\_

SOIL CONSERVATION DISTRICT

To the State Soil Conservation Board, City of Temple, State of Texas:

Pursuant to the Texas Soil Conservation Law, as enacted by the 46th Legislature, known as House Bill No. 20, the undersigned landowners, all of whom hold title to lands lying within the territory hereinafter described, respectfully represent:

FIRST: That heretofore the \_\_\_\_\_ Soil Conservation District was duly organized as a governmental subdivision of this State, and a public body corporate and politic.

SECOND: That there is need in the interest of the public health, safety, and welfare, for inclusion of the territory hereinafter described within the said \_\_\_\_\_ Soil Conservation District.

THIRD: That the territory proposed for inclusion within the said District includes substantially the following: (Include map showing substantially the correct location of boundaries of additional territory.)

WHEREFORE, the undersigned petitioners respectfully request that the Board duly define the boundaries of the additional territory; that an election be held within the territory so defined on the question of inclusion within the \_\_\_\_\_ Soil Conservation District, and that the Board determine that such additional territory be so included and made a part of the \_\_\_\_\_ Soil Conservation District.

(Note: Attach instrument bearing signatures and addresses of at least fifty owners of land lying in the proposed additional territory.)