

ACTS  
RELATING TO  
ARKANSAS GEOLOGICAL  
SURVEY

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ACTS OF THE ELEVENTH GENERAL ASSEMBLY OF ARKANSAS, 1857.

Act (No number)

- Section 1. Governor to appoint a state geologist.  
2. Duties of the geologist.  
3. Room and furniture to be furnished the geologist in the state house.  
4. Compensation of geologist--his assistants, outfit and expenses, ect.  
5. Appropriation for geological survey.  
6. Act put in force.

Section 1. Be it enacted by the General Assembly of the State of Arkansas, that the governor be authorized and empowered to appoint a state geologist to continue in office until the close of the next General Assembly.

Section 2. Be it further enacted, that it shall be the duty of the state geologist to make a reconnoissance of the state, noting the mining and mineral lands, their geographical position, extent, character, and geographical distribution. To examine and collect specimens of the ores of lead, iron and other metals, of the marbles, granites, limestones, slates, and all other rocks of economic value, as well as the saline and mineral waters of the state, and to make a report of the result of his investigations, suitably illustrated, to the next regular session of the legislature.

Section 3. Be it further enacted, that a suitable room in the state house shall be set apart by the secretary of

state for the use of the state geologist, and the necessary cases and other furniture be furnished, sufficient to deposit specimens of all his collections of minerals and fossils illustrating the different geological formations of this state.

Section 4. Be it further enacted, that the state geologist shall receive a salary of eighteen hundred(\$1,800.00) dollars per annum, payable quarterly by the state treasurer, and he shall be authorized, under the direction of the governor, to employ the necessary assistance, and provide the necessary outfit, and the expenditure of such assistance and outfit, as well as traveling expenses, and transportation, shall likewise be paid to him by the state treasurer, from time to time, as such expenses are incurred, upon a certified account of such disbursement, to be filed by said geologist, which shall be done under oath, accompanied by statement of his accounts, with the original vouchers as near as can be obtained, and an account of items to be filed with the auditor of the state.

Section 5. Be it further enacted, that the sum of four thousand and eight hundred(\$4,800.00) dollars per annum, be appropriated, out of any money in the state treasury not otherwise appropriated, for the payment of the salary of the geologist, and all other expenses incurred.

Section 6. Be it further enacted, that this law shall take effect and be in force from and after its passage.

Approved, January 15, 1857.

pp. 132-133.

ACTS OF THE TWELFTH GENERAL ASSEMBLY OF ARKANSAS, 1858.

Act (No number)

Resolved by the General Assembly of the State of Arkansas, that three thousand copies of the geological reports be bound in substantial muslin bindings, for the use of members of this General Assembly, to be distributed, and that Henry Jacobi, who was the lowest bidder for said binding, he having agreed to do it at twenty cents a volume, is hereby employed to do the same.

Resolved, further, that the secretary of the Senate and clerk of the House of Representatives, shall immediately procure from the public printer, three thousand copies of the geological reports, and have the same bound at the book bindery of Henry Jacobi; and when bound the same shall be delivered to the said secretary and clerk, if the same shall be found to be as well bound, in all respects, as the volumes already bound as specimens; they shall certify the account of said binder to the auditor, who shall draw his warrant on the treasurer for the amount of the same.

Resolved further, that the governor be, and is hereby authorized to have the remaining two thousand copies of the geological reports bound in such style and manner as he may think proper, for distribution throughout the different states of the Union, and to the embassies and the scientific

institutions of the world; and that the governor deliver to the state geologist such a number of said geological reports, for distribution, amongst the scientific men and institutions of the world, as he may think proper.

Be it further resolved, that the sum of one thousand (\$1,000.00) dollars be, and the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to carry into effect the object of this resolution.

Approved, 21, January, 1859.

pp. 310-311.

ACTS OF THE THIRTEENTH GENERAL ASSEMBLY OF ARKANSAS, 1861.

Act No. 182.

AN ACT to repeal the one hundred and sixty-eight chapter of  
Gould' Digest.

Section 1. Laws repealed authorizing the appointment of a  
state geologist; act in force from its passage.

Section 1. Be it enacted by the General Assembly of the  
State of Arkansas, that the law providing for the appoint-  
ment of a geologist of this state, and for a geological sur-  
vey of this state, as provided for by chapter one hundred  
sixty-eight in Gould's Digest, be, and the same is hereby  
repealed; and that this act take effect and be in force from  
and after its passage.

Approved, January 21, 1861.

ACTS, RESOLUTIONS AND MEMORIALS OF THE GENERAL ASSEMBLY  
OF THE STATE OF ARKANSAS, 1871.

Act No. LII.

AN ACT entitled An act to authorize the governor to appoint a state geologist to develop the mineral resources of the State of Arkansas, and for other purposes.

- Section 1. Governor to appoint a state geologist; terms of office.
- 2. Person so appointed, on receipt of his commission, to make geological examination of the state, and report ot governor quarterly.
- 3. Geologist to employ one or more assistants; salary of state geologist.
- 4. Mineral cabinet to be in office of secretary of state; duty of state geologist as to filling same.
- 5. \$15,000.00 appropriated to carry this act into effect.
- 6. Act to take effect from passage.

Section 1. Be it enacted by the General Assembly of the State of Arkansas, that the governor be and he is hereby authorized to appoint a state geologist, who shall hold his office for the term of two (2) years.

Section 2. Any person who shall have been appointed under the provisions of this act, shall, on receiving his commission, proceed to make a geological examination of the state, and report to the governor the result of his explorations and discoveries once in three months.

Section 3. The state geologist appointed under this act shall be authorized to employ one or more assistants, who

shall be under his supervision, and he shall be entitled to receive a salary of twenty-five hundred (\$2,500.00) dollars per annum, all traveling and other necessary expenses.

Section 4. There shall be set apart in the office of the secretary of state a proper place for a mineral cabinet, and it shall be the duty of the state geologist to select choice specimens of all the minerals that he may discover, and deposit the same, properly labeled, in the mineral cabinet.

Section 5. Be it further enacted, that the sum of fifteen thousand (\$15,000.00) dollars is hereby appropriated out of any money in the treasury, not otherwise appropriated, to carry this act into effect.

Section 6. This act shall take effect and be in force from and after its passage.

Approved, March 28, 1871.

ACTS OF THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS, 1873.

Act No CVIII

AN ACT entitled "An act to authorize the governor to appoint a state geologist, to develop the mineral resources of the State of Arkansas, and for other purposes."

- Section 1. Authority to appoint conferred on governor; term of office.
2. Geologist, after his appointment, to make examination and report ot governor.
  3. Geologist to employ assistants; his salary.
  4. Place for mineral cabinet and selection of specimens.
  5. Power of removal vested in the governor.
  6. Appropriation to carry act into effect.
  7. Act in force from passage.

Section 1. Be it enacted by the General Assembly of the State of Arkansas, that the governor be and is hereby authorized to appoint a state geologist, who shall hold his office for the term of two (2) years, except he be removed as hereinafter provided.

Section 2. Any person who shall have been appointed under the provision of this act shall, on receiving his commission, proceed to make a geological examination of the state, and report to the governor the results of explorations and discoveries once every twelve months.

Section 3. The state geologist appointed under this act shall be authorized to employ one or two hands who shall be under his supervision; and he shall be entitled to receive a salary of twenty-five hundred(\$2,500.00) dollars per an-

num, all traveling and other expenses.

Section 4. There shall be set apart in the office of the secretary of state, a proper place for a mineral cabinet, and it shall be the duty of the state geologist to select choice specimens of all minerals that he may discover, and deposit the same, properly labeled, in the mineral cabinet.

Section 5. The governor shall be authorized and shall have full power to remove the said state geologist whenever in his opinion the interests of the state may require it, and in that event the salary of the state geologist shall cease from the date of his removal.

Section 6. The sum of fifteen thousand (\$15,000.00) dollars is hereby appropriated to carry this act into effect.

Section 7. This act shall take effect and be in force from and after its passage.

Approved, April 25, 1873.

ACTS, RESOLUTIONS AND MEMORIALS OF THE GENERAL ASSEMBLY OF  
THE STATE OF ARKANSAS, 1874-75.

Act (No number)

AN ACT making appropriations for the expenses of the Executive, Legislative, and Judicial Departments of the State Government.

Section 3. Paragraph thirty-fifth. To supply deffficit in expense of the office of state geologist, two thousand three hundred and eighty-six (\$2,386.00) dollars.

p. 240.

AN ACT to abolish the office of state geologist.

- Section 1. Office abolished; property to be thrned over to commissioner of state lands.
2. Conflicting laws repealed and act in force from passage.

WHEREAS, Section 2, Article 10, of the Constitution of this state, provides that the General Assembly may create the office of state geologist and since the General Assembly has not creared said office, therefore,

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. That the office of state geologist as at present existing is hereby abolished; and all books, papers, property, minerals, ect., appertaining to the office of state geologist are hereby directed to be turned over to the Commissioner of state lands.

Section 2. All laws in conflict with this act be and the same are hereby repealed, and this act take effect and be in force thirty days from and after its passage.

Approved March 6, 1875.

p. 248.

ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE  
OF ARKANSAS, 1887.

Act XLV.

A Bill providing for a geological survey of Arkansas.

- Section 1. Provides for appointment of state geologist; term of office; subject to removal by governor for gross neglect or incompetency; geologist allowed one or more assistants; geologist and assistants to constitute a geological corps for a survey of all the counties of the state.
2. Objects of the survey.
  3. Geologist to collect specimens and deposit same with the state land commissioner.
  4. Geologist to make printed report to the governor on or before first Monday in December of each year;  
Governor to lay same before General Assembly.
  5. Geologist to make final report on completion of survey.
  6. Salary of geologist \$3,500.00 per annum; salaries of assistants; provisions for payment of same.
  7. Appropriation for expenses of survey, \$10,000; how to be expended.
  8. No money to be paid until geologist has entered upon discharge of his duties.
  9. When survey shall commence and be completed; geologist and assistants to have access to field notes and maps in office of commissioner of state lands without charge; notification when discoveries are made; state lands to be withdrawn from sale upon notice of discoveries on same.
  10. Conflicting laws repealed, and act in force from passage.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. That the governor is hereby required to appoint by and with the advice and consent of the Senate, a state geologist, who shall be a person of known integrity and competency, having a practical and scientific knowledge of the sciences of geology and mineralogy, who shall hold his office for the term of two years from the time he enters upon the duties of his office; Provided, that he shall be at all times subject to removal by the governor for incompetency or gross neglect of duty. That said geologist shall, upon consultation with and approval of the governor, appoint one or more suitable assistants, not exceeding three in number, one of whom shall be a skillful, analytical and agricultural chemist; the said geologist and assistants to constitute a geological corps, whose duty it shall be to make a complete and thorough geological, agricultural, and mineral survey of each and every county in the state.

Section 2. The said survey shall have for its objects: First, an examination of the geological structure of the state, including the dip, magnitude, order and relative positions of the several strata, their richness in coal, clays, ores, mineral waters, building stone and other useful materials, the value of such material for economic purposes, and their accessibility for mining or manufacture; second, an accurate chemical analysis and classification

of the various soils of the state, with the view of discovering the best means of preserving and improving their fertility, and of pointing out the most beneficial and profitable modes of cultivation. Also, a careful analysis of the different ores, rocks, peats, marls, clays, saline and all mineral waters in the state; third, to ascertain by meteorological observations the local causes which produce variation of climate in the different sections of the state. Also, to determine by strict barometrical observations the relative elevation and depression of the different parts of the state.

Section 3. It shall be the duty of said geologist, in the progress of the examination hereby directed, to collect such specimens of rocks, ores, soils, fossils, organic remains, and mineral compounds as will exemplify the geology, mineralogy, and agronomy of the state, and he shall deposit said specimens, accurately labeled and classified, in a room to be provided by the state land commissioner, who shall carefully preserve and keep the same under his supervision.

Section 4. It shall be the duty of said geologist on or before the first Monday in December of each year during the time occupied in said survey, to make a printed report to the governor of the results and progress of the survey, accompanied by such maps, profiles and drawings as may be necessary to exemplify the same, which reports the governor shall lay before the General Assembly.

Section 5. When the survey shall be fully completed the said geologist shall make to the governor a final report, including the results of the entire survey, accompanied by such drawings and topographical maps as may be necessary to illustrate the same, and by a single geological map, showing by colors and other appropriate means, the stratification of the rocks, the character of the soil, the localities of the beds of the mineral deposits, and the character and the extent of the different geological formations.

Section 6. That the salary of said geologist shall be thirty-five hundred (\$3,500.00) dollars per annum, and the salaries of his assistants not more than eighteen(\$1,800.00) dollars per annum each, which salaries shall be paid at the time and in the manner now prescribed for the payment of the other state officers.

Section 7. That for the purpose of carrying out the provisions of this act there is hereby appropriated out of any money now in the treasury of the state not otherwise appropriated, for chemicals and for contingent expenses of the survey, including the actual and necessary traveling expenses of the geological corps and hire of local assistants, ten thousand (\$10,000.00) dollars, which sum so appropriated, shall be expended under the direction of the governor upon the certificate of said geologist, and approved by the governor, which certificate and approval shall alone authorize the auditor of state to draw his warrant upon the treasurer

for the amount so certified and approved.

Section 8. No money shall be paid for the purpose of said survey until said geologist shall have entered upon the discharge of his duties as prescribed by this act.

Section 9. The survey shall be commenced as soon after the appointment of said geologist and his assistants as is practicable, and shall be completed within two years from and after the time of its commencement. To facilitate said survey the geologist and his assistants shall have access to the field notes and maps of the public survey in the office of the commissioner of state lands free of charge. When, at any time during the progress of such survey, said geologist shall discover any considerable deposits of mineral, metals, ores, clays, coals, or anything of value, situated upon the land or lands of any citizen or citizens of this state, he shall forthwith notify the owner or owners of such discovery or discoveries; and should any such discovery or discoveries be upon any land or lands belonging to the state, he shall at once and without delay notify the governor thereof; and the governor, upon receipt of such notice, shall forthwith cause all such lands to be withdrawn from sale or donation until otherwise provided by the General Assembly.

Section 10. That all laws in conflict herewith are hereby repealed, and this act shall take effect and be in force from and after its passage.

Approved March 5, 1887.

ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE  
OF ARKANSAS, 1889.

ACT XCVI.

AN ACT making appropriations for the expenses of the Legislative, Executive, and Judicial Departments of the State Government.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1......

STATE GEOLOGIST

Paragraph twenty-ninth--For the payment of assistants, fifteen thousand and six hundred (\$15,600.00) dollars.

Approved April 6, 1889.

ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE  
OF ARKANSAS, 1891.

ACT CXXIII.

AN ACT making appropriations for the expenses of the Legislative, Executive, and Judicial Departments of the State Government.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. .....

State Geologist's Office.

Paragraph fifteen. For salaries of four assistants, fifteen thousand six hundred (\$15,000.00) dollars.

Approved April 8, 1891.

ACT CIV.

AN ACT to regulate the distribution of the geological reports of the state.

Preamble. Cites the existence of a large number of reports of the state geologist.

- Section 1. Fixes the number of copies to be distributed to various parties therein named.
2. Residue to remain in state library for sale.
  3. Act in force from passage.

WHEREAS, there remains in the state library , a large number of the geological reports of 1888, and

WHEREAS, a much greater number is now in the hands of the public printer and will soon be issued, and

WHEREAS, the principal object in making a geological survey of the state, and having the same published at a heavy

cost, was to make known to scientists and capitalists, the vast mineral resources of the state, and induce an early development of the same, and

WHEREAS, many applications for the geological reports of the state are made by the citizens of other states and counties desiring to invest labor and capital in developing the mineral resources of this state, Therefore,

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. That the secretary of state is hereby authorized and directed to distribute the geological reports of 1888, 1889, and 1890, as follows:

Report of 1888.

To each member of the General Assembly of 1891,	2 copies.
To each state officer,	2 copies.
To the state geologist(J. C. Branner)	100 copies.
To the secretary of state for distribution to scientific institutions, scientists, and capitalists in this and other states seeking information as to our mineral resources	250 copies.

Report of 1889 and 1890.

To each member of the General Assembly of 1891,	5 copies.
To each state officer,	5 copies.
To the state geologist(J. C. Branner)	250 copies.
To the states and territories,	50 copies

To colleges and high schools of this state and universities  
and scientific institutions of other states and territo-  
ries.... 100 copies.

To the secretary of state for distribution to scientific  
institutions, scientists, and capitalists in this and  
other states seeking information as to our mineral  
resources..... 350 copies.

Section 2. That the residue of said reports be retained  
in the state library for sale, at such price as the print-  
ing board may fix.

Section 3. That this act take effect and be in force  
from and after its passage.

Approved, April 8, 1891.

ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE  
OF ARKANSAS, 1893.

ACT LXVI

AN ACT to repeal an act entitled "An act to provide for a geological survey of Arkansas." approved March 5, 1887.

- Section 1. Repeals certain sections of an act to create a geological survey.
2. Repeals all laws in conflict and act in force from passage.

Section 1. That sections one, two, three, four, five, six, seven eight, nine, and ten of act providing for a geological survey of Arkansas, approved March 5th, 1887, that sections one, two, three, and four of an act providing for a geological survey of Arkansas, approved March 29th, 1889, be and the same are hereby repealed.

Section 2. That all laws and parts of laws in conflict with this act be and the same are hereby repealed and this act take effect and be in force from and after its passage.

This bill having remained with the governor for five days, Sunday excepted, and the General Assembly being in session, it has become a law this the 16th day of March, 1893.

H. B. ARMISTEAD,

Secretary of State.

By E. B. Jett, Deputy.

## ACT CXXIX 1893

AN ACT to regulate the distribution of the geological reports of the State of Arkansas.

Section 1. Manner of distribution of reports of geological surveys.

2. Statement to be made by applicant in writing.
3. Postage or express must be paid by applicant.
4. Residue to remain in state library for sale.
5. Repeals all laws in conflict and act in force from passage.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. That the secretary of state is hereby authorized and directed to distribute the geological reports of this state for the years 1888, 1889, 1890, 1892, and all subsequent reports as follows:

To the state geologist(Prof. J. C. Branner) 150 copies each of all volumes hereafter published.

To the states and territories, one copy each of Vol. I, 1891, and Vol. II, 1892, and one copy each of all volumes hereafter published.

To colleges and high schools of this state, and universities and scientific institutions in other states, one copy each of all volumes published subsequent to Vol. III, 1890.

To the secretary of state, for distribution to scientists and capitalists, 150 copies of Vol. I, II, III, and IV of 1888.

One hundred and fifty copies each of Vol. II of 1889.

One hundred and fifty copies each of Vols. I, II, and III of 1890.

## ACT CXXIX, 1893.

Two hundred and fifty copies of Vol. I, 1891.

Two hundred and fifty copies of Vol. I, 1892.

Two hundred and fifty copies each of all volumes hereafter published.

To the members of the General Assembly as follows:

Reports of 1888, one copy each.

Reports of 1899, one copy each.

Reports of 1890, Vols. I and II, one copy each.

Reports of 1890, Vol. III, three copies each.

Reports of 1891, three copies each.

Reports of 1892, three copies each.

Of all volumes hereafter published, five copies each.

Section 2. That before the secretary of state shall be authorized to distribute any of the reports to scientists or capitalists as provided for in section one (1), he shall require the applicant to state in writing, "that he is a scientist or a capitalist" and that he wishes the reports to aid him in investigating the mineral resources of the state.

Section 4. That the residue of the reports be retained in the state library for sale at such prices as the printing board may fix.

Section 5. That all acts in conflict herewith be, and they are hereby repealed, and that this act take effect and be in force from and after its passage.

Approved, April 6, 1893.

JOINT RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE  
OF ARKANSAS, 1893.

Act No. 15.

WHEREAS, the geological survey will have been completed before the meeting of the next General Assembly and

WHEREAS, the state geologist has in his possession a large number of manuscripts and other property belonging to the state, the deposition of which is not provided by law, now therefore,

Be it resolved by the Senate, the House of Representatives concurring therein:

That the state geologist at the expiration of his term of office, or at such time as he may have completed the work of the geological survey, provided for at this session of the General Assembly, be required to deliver to the secretary of state all property belonging to the geological survey including all unpublished manuscripts, apparatus, furniture, and books and all papers or things of any kind unto said office appertaining.

Approved, April 11, 1893.

PUBLIC AND PRIVATE ACTS AND JOINT AND CONCURRENT RESOLUTIONS  
AND MEMORIALS OF THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS

1907

Act No. 386.

AN ACT providing for the free distribution of the geological reports of the State of Arkansas.

- Section 1. Secretary of state to deliver geological reports to commissioner of mines, ect., to be sent to county clerks.
2. Authorized to distribute same to parties free of charge.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. That the secretary of state shall immediately upon the passage of this act deliver to the commissioner of mines, manufactures, and agriculture, the geological reports of the State of Arkansas, known as the Branner Reports. And that the said commissioner, shall express or mail a full set of said reports to each county clerk in the state, to be kept in said offices.

Section 2. That the commissioner of mines, manufactures, and agriculture, shall be empowered to distribute said reports free of charge to parties desiring same; Provided, that there shall be no extra cost to the state for said distribution. Provided further, that the secretary of state is authorized to retain for his office one hundred copies of each report.

Approved, May 23, 1907.

PUBLIC AND PRIVATE ACTS AND JOINT AND CONCURRENT RESOLUTIONS  
AND MEMORIALS OF THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS

1907.

Act No. 417.

AN ACT providing for a geological survey of the slate deposits of Arkansas in co-operation with the United States Geological Survey.

- Section 1. Governor required to appoint professor of geology in the University of Arkansas as state geologist. Provides for a commission.
2. Commission to direct state geologist in making survey of the state in connection with the United States Survey.
  3. Report of the state geologist.
  4. Arkansas to pay part of the expense.
  5. One thousand and eight hundred (\$1,800.00) dollars appropriated.
  6. Laws in conflict repealed; Act in effect from passage.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. That the governor is hereby directed to appoint the professor of geology in the University of Arkansas as state geologist; and that a commission is hereby created, consisting of the governor of the state, who shall be ex-officio chairman of the commission, the president of the University of Arkansas, and the commissioner of mines, manufactures and agriculture, to be known as the geological commission of Arkansas. Said commission and said geologist shall serve without compensation from the state, but shall be reimbursed for actual expenses incurred in the performance of their duties.

Section 2. That it shall be the duty of said commission to direct the state geologist in co-operation with the United States Geological Survey, to make a survey of the slate deposits of Arkansas, such survey to be as complete as is practicable within the time herein specified; and to authorize the purchase of such material, apparatus and equipment as may be necessary to carry on said survey; to fix the salaries of all geological assistants employed in the survey, which salaries shall be per diem, and only for the time of actual service.

Section 3. That it shall be the duty of the state geologist, on or before January 1, 1909, to make a report of the results of his work to said commission, containing an account of the amount, distribution, varieties and qualities of said slates, and to accompany the report with such maps, sections, and other illustrations as may be necessary for its complete understanding, and by and with the approval of said commission to appoint such trained geological assistants(not to exceed three), as may be necessary to carry on the work of the survey; that the cost of publishing the report shall be paid out of money appropriated for public printing; that the number of copies of the report shall be 3,000; that the members of the General Assembly, the commission and state geologist shall each have ten copies; that one copy be sent to the state universities of the country; that one hundred copies be sent to the department of geology, University of

Arkansas, for exchange with other state geological surveys; and that the others be distributed by the secretary of state without charge upon receipt of the necessary postage and a certificate that the parties are geologists or are interested in slate deposits.

Section 4 That the State of Arkansas shall pay such portion of the expenses, (field and traveling expenses including salaries) necessary to carry on the work efficiently, as may be agreed upon between said commission and the United States Geological Survey; that the full and complete results of said survey shall be available for the publication of the state report; and that the expense of the office work and publication of the state report shall be borne by the state.

Section 5. That for carrying out the provisions of this act, there is hereby appropriated any amount in the treasury of the state not otherwise appropriated, for supplies and contingent expenses and salaries of the geological corps, one thousand and eight hundred(\$1,800.00) dollars, which sum shall be expended under the direction of said commission, upon the certificate of said geologist and the approval of the governor, which certificate and approval shall alone authorize the auditor of state to draw his warrant upon the treasurer for the amount certified and approved.

Provided, that in no event shall the commission expend a sum exceeding the amount herein appropriated.

Section 6. That all laws and parts of laws, in conflict herewith are hereby repealed, and this act shall take effect and be in force from and after its passage.

Approved May 28, 1907.

PUBLIC AND PRIVATE ACTS AND JOINT AND CONCURRENT RESOLUTIONS  
AND MEMORIALS OF THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS

1909

Act No. 348.

AN ACT amending Act No. 417, of the Thirty-sixth General Assembly, entitled "An Act providing for a geological survey of the slate deposits of Arkansas in co-operation with the United States Geological Survey."

- Section 1. Amends Act No 417 of Thirty-sixth General Assembly, providing for a geological survey of slate deposits.
2. Duties of commission created by this act.
  3. Duties of state geologist under this act defined. Distribution of reports.
  4. State geologist to appoint trained assistants; salaries, ect.
  5. State to pay part of such salaries as may be agreed upon between said commission and U. S. Geological Survey.
  6. Five thousand dollars appropriated to carry out the provisions of this act.
  7. Laws in conflict repealed; act in force from passage.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. That Act No. 417, of the Thirty-sixth General Assembly, entitled "An act providing for a geological survey of the slate deposits of Arkansas, in co-operation with the United States Geological Survey," be amended as follows:

That a commission is hereby created, consisting of the governor of the state, who shall be ex-officio chairman of the commission, the president of the University of Arkansas, and the commissioner of mines, manufactures and agriculture, to be known as the geological commission of Arkansas; that

said commission shall serve without compensation from the state, but shall be reimbursed for actual expenses incurred in the discharge of their duties; and the governor of the state is hereby authorized to appoint the professor of geology in the University of Arkansas as ex-officio state geologist.

Section 2. That it shall be the duty of said commission to direct the state geologist, in co-operation with the United States Geological Survey, to investigate, or to have investigated such natural resources of the state, consisting of the available water-power of the streams, the clays of the state as related to their adaptability to the various purposes for which clays are utilized, the cement materials of the state, and such other minerals and economic geologic products as it may be deemed practicable and advisable by said commission to have investigated, and to prepare or have prepared such topographic maps as may be deemed advisable; that said commission may direct said geologist to make or have made such investigations as may be deemed advisable relating to the conservation of such natural resources as are exhaustible; that said commission may direct said state geologist, in co-operation with the United States Geological Survey, to make such investigations as may be deemed advisable relating to the safety of miners and mine operations, and to adopt such measures as may be deemed practicable to assist mine operators in preventing explosions and give

relief in case explosions occur.

Section 3. That it shall be the duty of said state geologist to make such reports to said commission as are necessary to a complete understanding of the results obtained from such investigations as shall be undertaken, and to perform such other duties as usually belong to the office of state geologist; that the reports be accompanied by such maps, sections and other illustrations as are necessary to their complete understanding; that the cost of publishing said reports shall be paid out of money appropriated for public printing; that the number of copies of each report shall be 4,000; that the members of the General Assembly, the geological commission, and the state geologist shall each have twenty copies; that one copy be sent to each of the state universities of the country; that one hundred copies be sent to the department of geology, University of Arkansas, for exchange with other state geological surveys; and that the remainder be distributed by the state geologist, without charge, upon application and the receipt of the necessary postage or expressage.

Section 4. That it shall be the duty of the state geologist, by and with the approval of said commission, to appoint such trained geological assistants, engineers, and others efficient in the arts and sciences, as may be necessary to completely carry on the investigations undertaken; that the

said State Geologist, assistants and engineers are hereby directed to go into any mine or other place, where it is thought necessary by the said State Geologist to go, in executing the directions of said commission; that all salaries shall be determined by said commission, and shall be per diem and only for the time of actual service.

Section 5. That the State of Arkansas shall pay such portion of the expenses (field and traveling expenses including salaries) as may be agreed upon between said commission and the United States Geological Survey; that the full and complete results of said surveys shall be available for publication in the State reports; and that the expense of the office work for the State reports shall be borne by the State.

Section 6. That the carrying out of the provisions of this Act, and for the purchase of such supplies and equipment as may be approved by said commission, there is hereby appropriated, from any amount in the treasury of the State not otherwise appropriated, the sum of five thousand dollars or such a portion thereof as may be necessary, which sum shall be expended under the direction of said commission, upon the certificate of the State Geologist and the approval of the Governor, which certificate and approval shall alone authorize the Auditor of State to draw his warrant upon the treasurer for the amount certified and approved.

Provided, that in no event shall said commission expend a sum exceeding the amount appropriated.

Section 7. That all laws and parts of laws in conflict herewith are hereby repealed, and this act shall take effect and be in force from and after its passage.

Approved May 31, 1909.

PUBLIC ACTS OF THE THIRTY-EIGHTH GENERAL ASSEMBLY OF THE  
STATE OF ARKANSAS

1911

Act No. 425.

AN ACT to provide for the maintenance of the geological survey of Arkansas.

Be it enacted by the General Assembly of the State of Arkansas:

Be it enacted by the people of the State of Arkansas:

Section 1. That for the maintenance of the geological survey of Arkansas, there is hereby appropriated from any amount in the treasury of the state not otherwise appropriated, the sum of \$7,500.

Section 2. That the geological commission of Arkansas is authorized to enter into such co-operative arrangements with the United States Geological Survey, or other Federal Bureaus, for carrying on the work of the geological survey of Arkansas, as may be advantageous to the state.

Section 3. This law is necessary for the immediate preservation of the public peace, health or safety, and is not subject to referendum.

Section 4. This act shall take effect and be in force from and after its passage.

Item \$7,500 in section 1, vetoed by Governor Donaghey.

Approved, except as to items vetoed, June 1, 1911.

ACTS OF THE FORTY-FOURTH GENERAL ASSEMBLY OF ARKANSAS, 1923.

Act 128.

- Section 1. Penitentiary Board and State Geologist to locate sites for crushers of limestone at cost to farmers.
2. Located at convenient points.
  3. Purchase or accept as gift such sites or deposits of limestone.
  4. Equipment of mills, and treatment of convicts.
  5. Not to exceed 100 convicts for each site, for labor.
  6. Products sold to people of Arkansas at actual cost.

Be It Enacted by the General Assembly of the State of  
Arkansas:

Section 1. That the Board of the Arkansas Penitentiary, in co-operation with the State Geologist, are hereby authorized to establish at a point or points within the State of Arkansas, convenient to railway lines, one or more stations for the purpose of crushing limestone for agricultural purposes, and are charged with the duty of operating said station or stations, and supplying the crushed limestone to the farmers of the State at actual cost.

Section 2. The State Penitentiary Board shall establish and maintain a station or stations at some point or points where limestone can be secured convenient for the distribution of crushed limestone at economical rates.

Section 3. The Penitentiary Board are empowered to

acquire by purchase or gift suitable deposits of limestone, and in sufficient quantities to provide a supply for a long period.

Section 4. The State Penitentiary Board shall equip such stations or stations with suitable machinery for the handling, crushing and loading of cars of said limestone in an economical manner, also with the necessary building, cages, etc., for the humane treatment of the convicts designated for the operation of the station or stations, also any other buildings and convenience deemed necessary.

Section 5. When the construction of said plant or plants is ready to begin, the Board shall call or summon a certain number of able bodied male convicts, not to exceed 100 for each station, for the purpose of building and operating the same.

Section 6. The product from these stations, or station, shall be sold to the people of the State of Arkansas at the actual cost of all expenses connected with the crushing and loading of same upon the cars.

Section 7. That this Act take effect and be in force from and after its passage.

Approved February 16, 1923.

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GENERAL ACTS AND JOINT AND CONCURRENT RESOLUTIONS AND  
MEMORIALS AND PROPOSED CONSTITUTIONAL AMENDMENTS OF THE  
FORTY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS.

1923.

ACT No. 573.

AN ACT to establish the office of state geologist, and provide for a geological survey of the state, and for other purposes.

- Section 1. To be appointed by governor, term qualification, removal.
2. Duties.
  3. Free access to files and records.
  4. Notice to land owners first, state lands withdrawn.
  5. Office in Capitol.
  6. Oath of office.
  7. Salary, expenses, appropriations.
  8. Expenditure of money.
  9. Conflicting laws repealed, emergency, in force from passage.

Be it enacted by the General Assembly of the State of Arkansas:

Be it enacted by the People of the State of Arkansas:

Section 1. Office of state geologist created. Under authority of Section 2, Article 10, of the Constitution of the State of Arkansas, there is hereby created the office of state geologist which office the governor is empowered to fill, with the advice and consent of the Senate, by the appointment of a person of known integrity and competency, who shall be a graduate of a reputable college or university and who has a practical and scientific knowledge of geology and mineralogy, and who shall hold office for the term of two

years , provided that said term shall expire at the same time as the term of the state officials, elected for biennial periods, and that the state geologist shall be at all times subject to removal by the governor for incompetency, or neglect of duty, after notice and a hearing.

Section 2. Duty of the state geologist: the said state geologist shall, upon consultation with and approval of the governor, establish and equip a chemical laboratory for carrying on of this work and appoint suitable assistants, the said geologist and his assistants to constitute the geological corps whose duty it shall be to make a geological survey of such sections of the state as he may deem necessary and proper to ascertain the mineral properties of the state, this survey having for its object:

1: An examination of the geological structure, including the dip, magnitude, order and relative portions of the several stratas, their ore-bearing qualities or usefulness in the production of oil, gas, water, building stone, road materials or other valuable mineral; the accessibility of same for mining or manufacture, and the most economical means for their production.

2: An examination of the various soils of the state for the determination of their chemical constituency and agricultural adaptability, with recommendations for the preservation and improvement of their fertility by the addition

of other minerals, such as phosphate rocks, limestones, chalks, marls, and green sands found in various parts of the state, with the view of ascertaining their value for use on deficient soils.

3: An investigation of the available water power of the streams of the state and of the problems of flood control and land drainage, so that information will be available to citizens of the state that will enable them to develop the hydro-electric possibilities and reclaim the rich agricultural lands along these water-ways.

4: To investigate methods of mining and mineral production, and devise means for the conservation of the natural resources, and to make suggestions for safeguarding the lives of miners and preventing explosions and other accidents; co-operating in this work with the state mine inspector and the state oil and gas inspector.

5: To collect such specimens of rocks, ores, soils, fossils, organic remains and mineral compounds, as will exemplify the geology, mineralogy and agronomy of the state, and deposit said specimens, accurately labeled and classified, in a room to be provided by the commissioner of mines, manufactures and agriculture, who shall preserve them for exhibition.

6: To obtain records of the names and addresses of all individuals, companies, or corporations engaged in mineral production in the state, together with information as to

the capacity, output and holdings of such plants, amount of capital invested, number of persons employed, value of products and other data indicative of the business of such establishments.

7: To obtain a list of the owners of undeveloped mineral properties and information as to character of mineral, extent of deposit, location, convenience to transportation, facilities for working and probable cost of development, placing this at the disposal of persons seeking investments in mineral properties.

8: To prepare an accurate geological map of the state, showing by colors, symbols and other appropriate means, the exposed or surface formations, topographic contours, soil types, physical features and areas of mineral-bearing ores, with comprehensive data concerning the stratification of the rocks and underground conditions for publication with the reports of the survey.

9: To examine and analyze specimens of minerals submitted by citizens of the state and report upon their intrinsic worth of economic value, and to collect from various sources the names of manufactures and others who use or may be in the market, for mineral products, and to furnish these names to owners of mineral products and to furnish these names to owners of mineral deposits or properties who seek to develop same.

10: To obtain from the county clerks of the various counties when oil or gas wells may be drilled, or from the driller of such well, and other sources, the records of logs, which the statutes provide shall be kept of such wells and copies filed with the county clerk, keeping this data in a convenient form so that it may be accessible to any person seeking information regarding the underground structure of the state; and further, the said state geologist shall correlate the data obtained from these logs and other sources, and construct therefrom maps showing the relative positions of various geological formations, and the depth of water, gas and oil-bearing strata, and such other information as would be useful in a study of the geology of the regions where wells have been drilled.

11: To cooperate the state tax department in investigation for tax purposes and inventorying and appraising all mining properties held under private ownership of control.

12: To make a report on or before the first Monday in December of each year of the results and progress of the survey, accompanied by such maps, profiles and drawings as may be necessary to explain same, which report the governor may cause to be printed and distributed, or shall lay before the General Assembly for its consideration, provided that if the public interest requires, special reports may be issued from time to time, showing the results of geological investigation.

Section 3 Beginning of work. Free access to public records. The work of the geological survey shall commence as soon after the appointment of the state geologist and his assistants as is practical. The geological corls shall have access at all times to the field notes and maps of the state land office, and to the records of the state mine inspector, the county clerk of any county, or the the public records of any state department or county official without the payment of any fee.

Section 4. Mineral discoveries to be reported first to owners of land: When, at any time during the progress of the survey, said state geologist or his assistants shall discover any considerable deposits of minerals, metals, ores, clays, oils, gas, coal or anything else of value, situated upon the land or lands of any citicen or citizens of the state, he shall forthwith notify the owners of such discovery or discoveries; and should the discovery be upon land belonging to the state, he shall at once and without delay notify the governor thereof, and the governor upon receipt of such notice, shall forthwith cause all such lands to be withdrawn from sale or donation until otherwise provided by the General Assembly. Such withdrawal from sale by the governor shall be by proclamation, directed to the commissioner of state lands, and shall be published in at least one newspaper of general state circulation.

Section 5: Location: The office of said state geologist shall be in the State Capitol.

Section 6. Before entering upon the discharge of their duties the state geologist and his assistants shall take and subscribe to an oath to faithfully discharge all duties which may be required of them under this act, and a copy of this oath, duly executed, shall be filed with the secretary of the state.

Section 7. That the salary of the state geologist shall be not to exceed \$4,000.00 per year, and that the salary of his assistants, and expenses of the office together with the state geologist's salary, shall not exceed the amount appropriated for the prosecution of this work, provided that all salaries of sub-ordinates and items of expense shall have the approval of the governor.

Section 8. That all moneys expended under this act shall be authorized by vouchers issued by the state geologist and approved by the governor, which voucher will empower the auditor of state to draw his warrant upon the state treasurer for the amount certified and approved, and the state treasurer is hereby directed to pay any and all warrants of the auditor of state so issued, and out of funds appropriated for this purpose.

Section 9. That all laws and parts of laws in conflict with this act be and the same are hereby repealed, and this act being necessary for the immediate preservation of the public peace, health and safety, shall take effect and be in force from and after its passage.

Approved March 22, 1923.

## ACT 574

“AN ACT to Provide for the Removal of the Arkansas State Farm for Women from its Present Site to a Location Near the Arkansas Training School for Girls and for the Purpose of Appropriation Funds to Purchase Site and Provide Buildings and Equipment Therefor.”

## SECTION

1. Sale and transfer.
2. To execute deed to present farm.
3. Purchase proposals to be approved by Governor, Secretary of State, Attorney General.
4. To erect new buildings on new site.
5. Sale proceeds to General Revenue fund.
6. Appropriates \$25,000,000.
7. Emergency, in force from passage.

Whereas, During the war period the Arkansas State Farm for Women, the State's penal institution for women over 21 years of age was purchased from funds donated by the Federal Government and raised by a popular subscription from the people of Arkansas; and

Whereas, Said institution has grown until its present quarters are inadequate and unfit for the handling of the inmates therein; and,

Whereas, said State Farm for Women could be much more economically administered if located in the vicinity of the Arkansas Girl's Industrial School,

thru the cooperation of the two state boards governing said institutions, NOW, THEREFORE

*Be It Enacted by the General Assembly of the State of Arkansas:*

*Be It Enacted by the People of the State of Arkansas:*

SECTION 1. That the State Board of the Arkansas State farm for Women be and they are hereby empowered to sell the present site of said institution after removing such equipment as can be economically transferred or that they be empowered to trade the present site of said institution as payment or part payment on a new site of said institution to be located within three (3) miles of the Main highway leading from Little Rock to the present site of the Arkansas Training school for Girls and not more than three miles beyond said institution.

SECTION 2. That said board be and they are hereby empowered, by their chairman and secretary, to execute a deed transferring all the right, title and interest of the State of Arkansas in and to the present site of said institution to whomsoever shall purchase or trade for same.

SECTION 3. That before the Board of the said Arkansas State Farm for Women shall sell or trade the present site and purchase a new site, they shall present all proposals they may have for the sale of the present site and the purchase of a new site in a written report to the Governor, the Secretary of State

and the Attorney General of the State of Arkansas and before they shall be allowed to transfer the title to the present site or purchase and equip the institution on a new site they shall receive in writing an approval of the sale and the purchase of a new site by at least two of the three State officers above set out; and in the event they can not make a sale of the present site and receive a proposal for the purchase of a new site that will meet the approval of at least two of the three officers set out, they shall continue the institution at the present location and the appropriations hereinafter made shall be of no effect.

SECTION 4. That in the event said Board of the Arkansas State Farm for Women shall acquire a new site in accordance with the provisions set out in Section Three of this Act, that they are hereby empowered to erect proper buildings and equipment on said new site for the conduct of said institution out of the appropriations hereinafter made.

SECTION 5. That in the event said Board of the Arkansas State Farm for women shall sell the present site of said institution, they shall deposit the amount received for same with the Treasurer of the State of Arkansas to be passed to the credit of the General Revenue Fund to apply on the appropriations hereinafter made.

SECTION 6. That the sum of \$25,000.00 or so much there of as may be deposited in the Treasury under the provisions of Section Five herein, be and it is hereby appropriated out of the general revenue

fund of the State of Arkansas for the purpose of carrying out the provisions of this Act.

SECTION 7. That this Act is deemed necessary for the immediate preservation of the public peace, health and safety and shall be in full force and effect from and after passage.

Approved March 22, 1923.

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ACT 589.

AN ACT to Better Protect the Game of Arkansas County.

SECTION

1. Bag limit for ducks.
2. Unlawful to have more.
3. Enforcement.
4. Penalty for violation.
5. Unlawful to decapitate and exhibit heads.
6. Conflicting laws repealed, in force from passage.

*Be it Enacted by the General Assembly of the State of Arkansas:*

*Be it Enacted by the People of the State of Arkansas:*

SECTION 1. That the bag limit of ducks in Arkansas County be and the same is hereby declared to be fifteen for one days kill for any one person.

ACTS, CONCURRENT RESOLUTIONS, MEMORIALS AND PROPOSED  
CONSTITUTIONAL AMENDMENTS OF THE FORTY-FIFTH GENERAL  
ASSEMBLY OF THE STATE OF ARKANSAS, 1925.

ACT No. 306.

AN ACT to make appropriation for the office of the state geologist as provided for by act of the General Assembly of 1923.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. There is hereby appropriated to be payable from the general revenue fund the following:

FOR THE FISCAL YEAR ENDING JUNE 30, 1926.

For the salary of state geologist.....	\$4,000.00
For the salary of one stenographer.....	1,080.00
For special services.....	1,000.00
For traveling expenses when on business.....	460.00
For the publication of reports, maps, ect.....	500.00
Maintenance (stamps, stationery, telegrams, telephone, office supplies, and other necessary expenses not herein provided for).....	460.00

FOR THE FISCAL YEAR ENDING JUNE 30, 1927.

For the salary of state geologist.....	\$4,000.00
For the salary of one stenographer.....	1,080.00
For special services.....	1,000.00
For traveling expenses when on official business	460.00
For publication of reports, maps, ect.....	500.00
Maintenance(stamps, stationery, telegrams, telephones, office supplies, and other necessary expenses not herein provided for).....	460.00

Section 2. Should any part of the appropriation contained herein for any particular item be found unnecessary for the purpose mentioned and needed for any other purpose mentioned herein, the geologist shall report such case to the governor and if the governor approves of such action, he shall cause a transfer to be made from the one item to the other.

Section 3. All laws in conflict herewith are hereby repealed, and this act shall take effect and be in force from and after its passage.

Approved: March 31, 1925.

ACT No. 309, 1925.

AN ACT to make a supplemental appropriation for the state geologist.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. There is hereby appropriated, to be payable out of the general revenue fund, the following:

To supplement the amount formerly appropriated for the "Maintenance" of the office of the state geologist.

for the period ending June 30, 1925.....\$1,700.00

Section 2. This act being necessary for the immediate preservation of the public peace, health and safety, an emergency is hereby declared, and this act shall take effect and be in force immediately after its passage.

Approved: March 31, 1925.

ACTS, CONCURRENT RESOLUTIONS, MEMORIALS AND PROPOSED  
CONSTITUTIONAL AMENDMENTS OF THE FORTY-FIFTH GENERAL  
ASSEMBLY OF THE STATE OF ARKANSAS, 1927.

ACT No. 142

AN ACT to make provision for the support and maintenance of the office of state geologist in order to permit such office to carry out the provisions of act 573 of the acts of the General Assembly fo 1923 Approved March 22, 1923, and for other purposes.

- Section 1. Additional severance tax levied for aid of geological survey.
2. Rates of tax fixed.
  3. How tax shall be collected.
  4. This act shall be cumulative, and subject to act 118 of 1923.
  5. Emergency stated, in force at once.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. For the support of the state geological department , as authorized by act 573 of the acts of the General Assembly of 1923, approved March 22, 1923, for the purposes set forth in said act including geological surveys for oil and gas, coal, zinc, and lead, manganese, clays, fullers earth, cement materials, building and road materials, mineral fertilizers, and underground waters, the continuation of geologic and topographic mapping and soil surveys, the establishment of gauging stations on certain streams of the state, and for the publication of the results of all such surveys, there is hereby levied an additional severance tax for the year 1927, and for each subsequent year, upon each

person, firm, corporation or association of persons, hereinafter called the producer, engaged in the business of mining, or otherwise severing from the soil, or water, for commercial purposes, natural resources, including minerals and ores, pearls, diamonds, and other precious stones, bauxite, fullers earth, phosphates, shells, chalk, cement, clay, sand, gravel, asphalt, ochre, oil, gas, salt, sulphur, lignite, marble, stone and stone products, and all other natural products of the soil of water of Arkansas not including coal, timber or forest products.

Section 2. Every producer, in addition to the tax imposed by act 118 of the acts of the General Assembly of 1923, approved February 14, 1923, shall pay a severance tax of one mill on each ton of coal mined, and one mill on each ton of manganese mined. On all other minerals not specifically mentioned herein there shall be an additional tax of one-tenth of one per cent of the gross market value of said products.

Section 3. The tax provided for in this act shall be collected in the same manner and the producer subject to the same penalties for non-payment as are imposed in act 118 of the acts of the General Assembly of 1923, said tax to be placed in the state treasury to the credit of a fund to be known as the State Geologist Fund, to be paid out upon the proper voucher drawn by the state geologist.

Section 4. This act shall not be construed to repeal any other severance tax act of law, but shall be cumulative thereto and subject to the provisions of act 118 of the acts of the General Assembly of 1923 insofar as they do not conflict with the purpose of this act.

Section 5. This act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, for the reason that the geological department is without funds sufficient to carry out the provisions of act 573 of the acts of the General Assembly of 1923, and therefore this act shall take effect April 1, 1927 and be in full force from and after that date.  
Approved: March 15, 1927.

## ACT 329

1927.

AN ACT to make appropriations for the office of state geologist for the biennial period ending June 30, 1929.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. There is hereby appropriated to be payable from the state geologist fund the following sums for the purposes mentioned for the biennial period ending June 30, 1929.

FOR THE FISCAL YEAR ENDING JUNE 30, 1928.

For the geological survey.

For the salary of state geologist.....	\$ 4,000.00
For the salary of one assitant geologist.....	4,000.00
For the salary of one assistant geologist.....	3,600.00
For the salary of two assistant geologists.....	3,000.00
For the salary of one draughtsman .....	1,560.00
For the salary of one clerk stenographer.....	1,560.00
Services of chemist as required.....	500.00

For the water power survey

For the salary of one civil engineer.....	1,800.00
For the salary of four assistants.....	720.00

## ACT 329

1927.

For the soil survey.

For the salary of one chief field man.....\$ 1,800.00

For the salary of one assistant..... 1,320.00

For topographic mapping.

One-half of the cost of field expenses to  
be expended cooperatively with the  
U. S. Geological Survey..... 3,750.00

Maintenance of office, including printing  
of reports and bulletins, postage,  
telephone, telegraph, freight, ex-  
press, traveling and field expenses,  
premium on bonds, and other necessary  
expenses not otherwise provided for  
herein..... 29,970.00

## FOR FISCAL YEAR ENDING JUNE 30, 1929.

For the geological survey.

For the salary of state geologist..... 4,000.00

For the salary of one assistant geologist..... 4,000.00

For the salary of one assistant geologist..... 3,600.00

For the salary of one assistant geologist..... 3,000.00

For the salary of two assistant geologists..... 3,600.00

For the salary of one draughtsman..... 1,560.00

For the salary of one clerk stenographer..... 1,560.00

Services of chemist as required..... 500.00

## ACT 329

1927.

<u>For the water power survey.</u>	
For the salary of one civil engineer.....	1,800.00
For the salary of four assistants.....	720.00
<u>For the soil survey.</u>	
For the salary of one chief field man.....	1,800.00
For the salary of one assistant.....	1,320.00
<u>For topographic mapping.</u>	
One-half of the cost of field expenses of surveyors to be expended coop- eratively with the U.S. Geological Survey.....	3,750.00
<u>Maintenance of office including printing of reports and bulletins, postage, telegraph, telephone, freight, ex- press, traveling and field expenses, premium on bonds, and other necessary expenses not otherwise provided for herein.....</u>	29,970.00

Section 2. Should any part of this appropriation contained herein for any particular item be found unnecessary for the purpose mentioned and needed for any other purpose mentioned herein, the state geologist shall report such case to the governor and if the governor approves of such action, he shall cause a transfer to be made from one item to the other.

## ACT 329

1927.

Section 3. No voucher shall be issued by the state geologist against the appropriations made herein for any fiscal year until sufficient money has been turned into the state geologist fund during that fiscal year, to cover all vouchers previously issued and the voucher in question.

Section 4. All laws in conflict herewith are hereby repealed and this act shall take effect and be in force from and after passage.

Approved: March 25, 1927.

## ACT 338

1927.

AN ACT to make appropriation for the office of the state geologist as provided for by act of the General Assembly of the State of Arkansas.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. There is hereby appropriated to be payable from the general revenue fund the following:

FOR THE FISCAL YEAR ENDING JUNE 30, 1928.	
For the salary of state geologist.....	\$ 4,000.00
For the salary of one stenographer.....	1,080.00
For special services.....	1,000.00
For traveling expenses when on official business.....	460.00
For the publication of reports, maps, ect.....	500.00
Maintenance (stamps, stationery, telegrams, telephone, office supplies, and other necessary expenses not herein provided for.....)	460.00
FOR THE FISCAL YEAR ENDING JUNE 30, 1929.	
For the salary of state geologist.....	4,000.00
For the salary of one stenographer.....	1,080.00
For special services.....	1,000.00
For traveling expenses when on official business.....	460.00
For the publication of reports, maps, ect.....	500.00
Maintenance (stamps, stationery, telegrams, telephones, office supplies, and other necessary expenses not herein provided for.....)	460.00

Section 2. Should any part of the appropriation contained herein for any particular item be found unnecessary for the purpose mentioned and needed for any other purpose mentioned herein, the geologist shall report such case to the governor and if the governor approves of such action, he shall cause a transfer to be made from one item to the other.

Section 3. All laws in conflict herewith are hereby repealed, and this act shall take effect and be in force from and after its passage.

Approved: March 25, 1927.

ACTS, CONCURRENT RESOLUTIONS, MEMORIALS AND PROPOSED  
CONSTITUTIONAL AMENDMENTS OF THE FORTY-SEVENTH GENERAL  
ASSEMBLY OF THE STATE OF ARKANSAS, 1929.

ACT No. 295.

AN ACT to promote and facilitate the scientific development of the mineral resources of Arkansas.

- Section 1. Sets aside \$2,000 for mineral show room and laboratory in Magnet Cove High School.
2. High school to maintain or be withdrawn.
  3. Rules, and person to conduct laboratory, provided by state geologist.
  4. Reports of work provided.
  5. Conflicting laws repealed, in force 90 days after approval.

WHEREAS: Magnet Cove is one of the wonder spots, not only of the great Wonder State in which it is located, but of the world, and

WHEREAS: Within an area of approximately four square miles in Magnet Cove there is found some one hundred fifty varieties of minerals of more or less commercial or scientific value, which if properly and authentically brought to the attention of the people of this state and to investigative minds of the people of this state and to the investigative minds of the world would in all probability prove of inestimable material value to our state in bringing about scientific and commercial development of the potential mineral wealth of Arkansas, and,

WHEREAS: Magnet Cove is visited annually by students and scientists from not only the State of Arkansas, but by eminent scientists from the leading states of the Union as well as foreign countries, and,

WHEREAS: No local laboratory facilities for preliminary research exists at Magnet Cove whereby those from the institutions of our state including the geological survey and the department of geology, mineralogy, chemistry, and kindred scientists of our university may conduct field laboratory work, and,

WHEREAS: there are no provisions in this state for making authentic official analyses or assays of ores and minerals, and,

WHEREAS: An urgent need exists for development of the minerals of Arkansas as revenue sources for the support of our educational and other institutions of the state government,

THEREFORE BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

Section 1. The state geologist is hereby authorized and directed to set aside out of any funds coming into the Department of the Arkansas Geological Survey not to exceed two thousand (\$2,000.00) dollars, to be used under the direction of the state geologist in equipping a laboratory in a suitable room to be built by the local high

school district at Magnet Cove in Hot Spring County, and,

**PROVIDED:** Such laboratory equipment after installation shall be in the custody of the school officials of Magnet Cove Rural High School as is now, or may hereafter be maintained by said district, and said laboratory room and equipment shall be available for use of visiting students, and scientists from institutions of Arkansas and states of this Union, and foreign countries under proper regulations.

Section 2. Should Magnet Cove Rural High School at any time refuse or fail to maintain suitable housing for laboratory facilities, or refuse to permit proper use of same, then the state geologist may withdraw such laboratory equipment without protest.

Section 3. The state geologist may make such rule as his judgment may dictate in respect of making analyses of ores submitted to said laboratory, establishing a nominal charge to cover actual cost of chemicals and mailing, and he may designate some person without pay to act, officially, for the State Geological Survey in connection with the said laboratory, and no person connected with any work or research carried out incident to this act shall willfully withhold from the general public any results of any research done therein.

Section 4. Reports of research and findings as result of work done in laboratory herein provided shall be included in regular reports of the state geologist to be available to the people of the State of Arkansas.

Section 5. All laws and parts of laws in conflict are hereby repealed, and this act shall take effect and be in force from and after passage.

Approved: March 29, 1929.

## ACT No. 300

1929.

AN ACT to make appropriations for the office of state geologist for the biennial period ending June 30, 1931.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. There is hereby appropriated to be payable from the State Geologist Fund the following sums for the purposes mentioned for the biennial period ending June 30, 1931.

FOR THE FISCAL YEAR ENDING JUNE 30, 1930:

For the geological survey

For the salary of state geologist.....	\$ 5,000.00
For the salary of one assistant geologist.....	4,000.00
For the salary of one assistant geologist.....	3,600.00
For the salary of one assistant geologist.....	3,000.00
(Vetoed)--For the salary of three assistant geologists.....	5,400.00
(Vetoed)--For the salary of two assistant geologists.....	2,400.00
For the salary of one draftsman.....	1,560.00
For the salary of one clerk-stenographer.....	1,560.00
(Vetoed)--For the services of chemist as required...	600.00

ACT No. 300.

1929.

(Vetoed)--Funds to be expended cooperatively  
 with the U. S. Geological Survey and other Federal, state  
 and private agencies for geo-  
 logical work.....10,000.00

For the water power survey

(Vetoed)--Funds to be expended cooperatively  
 with the U. S. Geological Survey  
 and other Federal, state and pri-  
 vate agencies for stream gaging..... 3,500.00

For the soil survey

(Vetoed)--Funds to be expended cooperatively  
 with the U. S. Department of Ag-  
 riculture and other Federal,  
 state and private agencies for  
 soil surveying..... 3,500.00

For topographic mapping.

(Vetoed)--Funds to be expended cooperatively  
 with the U. S. Geological Survey  
 and other Federal, state and pri-  
 vate agencies for topographic  
 mapping..... 5,000.00

Maintenance of office, including printing  
 of reports, and bulletins, postage,  
 telephone, telegraph, freight, ex-  
 press, traveling and field expen-  
 ses, premium on bonds, extra help,  
 and other necessary expenses not  
 otherwise provided for herein..... 36,880.00

## ACT 300, 1929.

FOR THE FISCAL YEAR ENDING JUNE 30, 1931.

For the geological survey.

For the salary of state geologist.....	\$ 5,000.00
For the salary of one assistant geologist.....	4,000.00
For the salary of one assistant geologist.....	3,600.00
For the salary of one assistant geologist.....	3,000.00
(Vetoed)--For the salary of three assistant geologists.....	5,500.00
(Vetoed)--For the salary of two assistant geologists.....	2,400.00
For the salary of one draftsman.....	1,560.00
For the salary of one clerk-stenographer.....	1,560.00
(Vetoed)--For the services of chemist as required.....	600.00
(Vetoed)--Funds to be expended cooperatively with the U. S. Geological Survey and other Federal, state and pri- vate agencies for geological work....	10,000.00

For water power survey. (Vetoed)

Funds to be expended cooperatively with the U. S. Geological Survey and other Federal, state and private agencies for stream gauging.....	3,500.00
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(Vetoed)--For the soil survey

Funds to be expended cooperatively with the U. S. Department of Agriculture and other Federal, state and private agencies for soil surveying.....	3,500.00
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Act 300, 1929

(Vetoed)--For topographic mapping

Funds to be expended cooperatively with the U. S. Geological Survey and other Federal, state and private agencies for topographic mapping.....	5,000.00
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Maintenance of office

Including printing of reports and bulletins, postage, telephone, telegraph, freight, express, traveling and field expenses, Premium on bonds, extra help, and other necessary expenses not otherwise provided for herein.....	36,880.00
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Section 2. Should any part of the appropriation contained herein for any particular item be found unnecessary for the purpose mentioned and needed for any other purpose mentioned herein, the state geologist shall report such case to the governor and if the governor approves of such action he shall cause a transfer to be made from one item to the other.

Section 3. No voucher shall be issued by the state geologist against the appropriations made herein for any fiscal year until sufficient money has been turned into the State Geologist Fund to cover all vouchers previously issued and the voucher in question.

Section 4. All laws in conflict herewith are hereby repealed and this act shall take effect and be in force from and after its passage.

Approved: March 30, 1929.

ACTS, CONCURRENT RESOLUTIONS, MEMORIALS AND PROPOSED  
CONSTITUTIONAL AMENDMENTS OF THE FORTY-EIGHTH GENERAL  
ASSEMBLY OF THE STATE OF ARKANSAS, 1931.

ACT No. 48.

AN ACT to make appropriations of funds to redeem vouchers issued under authority of the Governor's Deficiency Proclamation of December 27, 1929, for the benefit of the State Geologist.

WHEREAS: The United States Geological Survey in cooperation with the Office of Arkansas State Geologist had, during the past two years, been conducting a survey of available water supply in the rice belt of this state; and,

WHEREAS: The United States Geological Survey had contributed liberally from their funds, and it became apparent that the state geologist could not--with funds available--maintain the state's portion of the cooperative expense and also take care of private agencies, who have declined to make further contributions; and,

WHEREAS: it became necessary that this survey be immediately completed and not abandoned by the Federal Government, that the benefits accruing might be passed to the rice growers of this state for their future guidance, and it was found necessary to have a deficiency proclamation to provide the funds needed; now therefore,

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. There is hereby appropriated from the State Geologist Fund the sum of three thousand (\$3,000.00) dollars, or so much thereof as is necessary to redeem vouchers issued under authority of Deficiency Proclamation of December 27, 1929, for the benefit of the state geologist.

Section 2. Upon presentation of the vouchers issued under authority of the above proclamation the auditor of state is hereby directed to issue this warrants and deliver the same to the parties holding the vouchers.

Section 3. In view of the fact that the parties holding vouchers came to the relief of the state in distress and are now deprived of the funds advanced and are receiving no interest thereon, further delay in the payment thereof would seriously affect the credit of the state and the preservation of the peace, health and welfare of the people, and an emergency is hereby declared to exist and this act shall take effect and be in full force and effect from and after its passage.

Approved: February 17, 1931.

## Act 183 1931.

AN ACT to make appropriations for the office of state geologist for the biennial period ending June 30, 1933.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. There is hereby appropriated to be payable from the State Geologist Fund the following sums for the purposes mentioned for the biennial period ending June 30, 1933.

FOR THE FISCAL YEAR ENDING JUNE 30, 1932.

For the geological survey.

For the salary of state geologist.....	\$ 5,000.00
For the salary of one assistant geologist.....	3,600.00
For the salary of one draftsman.....	1,560.00
For the salary of one clerk-stenographer.....	1,560.00
Dedicated to the development of the manganese fields of the state.....	2,500.00
For maintenance of office including printing of reports, bulletins, and maps; postage, telephone, telegraph, freight, express, traveling and field expenses, premium on bonds, extra help, and other necessary expenses not otherwise provided for herein.....	20,780.00

Act 183 1931.

FOR THE FISCAL YEAR ENDING JUNE 30, 1933.

For the geological survey.

For the salary of state geologist.....	\$ 5,000.00
For the salary of one assistant geologist.....	3,600.00
For the salary of one draftsman.....	1,560.00
For the salary of one clerk-stenographer.....	1,560.00
Dedicated to the development of the manganese fields of the state.....	2,500.00
For maintenance of office, including printing of reports, bulletins, and maps, postage, telephone, telegraph, freight, express, traveling and field expenses, premium on bonds, extra help, and other necessary expenses not other- wise provided for herein. ....	20,780.00

Section 2. Should any part of the appropriation con-  
tained herein for any particular item be found unnecessary  
for the purpose mentioned and needed for any other purpose  
mentioned herein, the state geologist shall report such case to the  
to the governor and if the governor approves of such action  
he shall cause a transfer to be made from one item to the  
other.

Section 3. No voucher shall be issued by the state ge-  
ologist against the appropriation made herein for any fis-  
cal year until sufficient money has been turned into the

State Geologist Fund to cover all vouchers previously issued and the voucher in question.

Section 4. All laws in conflict herewith are hereby repealed and this act shall take effect and be in force from and after its passage.

Approved: March 25, 1931.

## ACT NO. 293

1931

AN ACT to Amend Act 138 of the General Assembly of 1915,  
as Amended by Act 296 of the General Assembly of 1917.

## SECTION

1. Amends Act to credit certain funds to "State Geologist Fund."
2. Conflicting laws repealed.
3. Emergency Clause.

Be It Enacted by the General Assembly of the State of Arkansas:

Section 1. That Section 4 of Act 138 of the Acts of the General Assembly of the State of Arkansas of 1915 as amended by Act 296 of the General Assembly of 1917, be amended to read as follows:

"Section 4. The moneys herein required to be paid into the State Treasury shall be by the State Treasurer credited to the 'The State Geologist Fund.' Disbursement of funds collected under this Act shall be in accordance with the provisions of Act 142 of the General Assembly of 1927."

Section 2. All laws and parts of laws in conflict herewith are hereby repealed.

Section 3. On account of the rapid decrease of petroleum production in the State which has resulted in a corresponding decrease in the revenue derived from the Severance Tax for the support of the Office of State Geologist and since the loss of this revenue has seriously impaired the effectiveness of said office, an emergency is hereby declared and this Act shall take effect and be in full force from and after its passage.

Approved: April 1st, 1931.

ACTS, CONCURRENT RESOLUTIONS, MEMORIALS, AND PROPOSED  
CONSTITUTIONAL AMENDMENTS OF THE FORTY-NINTH GENERAL  
ASSEMBLY OF THE STATE OF ARKANSAS, 1933.

ACT No. 70

AN ACT to make appropriation for the office of state geologist for the period from October 1, 1932, to January 31, 1933.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. There is hereby appropriated to be payable from the State Geologist Fund the following sums for the purposes mentioned for the period from October 1, 1932, to January 31, 1933.

For the salary of state geologist.....	\$ 1,430.00
For the salary of one assistant geologist (part time).....	257.89.
For the salary of one clerk-stenographer.....	500.00
For the salary of one stenographer.....	350.00
For the salary of one typist.....	280.00
For the salary of one draftsman (part time).....	140.00
For cooperative steam gaging with the U. S. Geological Survey.....	466.66
For one-half cooperative fund for ground water survey in the rice district of eastern Arkansas.....	25.00
For blue prints.....	15.00

For analyses of mineral specimens.....	39.50
For drafting and assembling information on elevations.....	29.58
For lithographing and binding report on black marbles in North Arkansas.....	216.03
For balance due on lithographing and binding report on quicksilver in Southwestern Arkansas.....	124.25
For printing covers and binding annual administrative report.....	17.50
For telephone.....	44.25
For telegrams.....	16.66
For express.....	5.74
For other miscellaneous items.....	50.81
	<hr/> \$4,010.08

Section 2. In as much as no funds have been available for the support of the office of state geologist since October 26, 1932, and as funds have now accumulated in the State Geologist Fund which may be used for the support of that office during the fiscal year ending June 30, 1933, and as it is essential to the maintenance of that office that funds be set aside to pay for the services rendered and for maintenance cost of that office in the period referred to in this act, an emergency is herewith declared and this act shall take effect and be in full force from and after its passage.

Approved: March 2, 1933.

## ACT NO. 262.

1933.

AN ACT to make appropriations for the office of state geologist for the fiscal periods beginning February 1, 1933, and ending June 30, 1935, and to provide for the retirement of the outstanding warrants of said office.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. There is hereby appropriated to be payable from the State Geologist Fund the following sums for the purposes mentioned for the period from February 1, to June 30, 1935:

FOR THE PERIOD FROM FEBRUARY 1, TO JUNE 30, 1933.

For the salary of state geologist.....	\$1,500.00
For the salary of one clerk-stenographer.....	575.00
For the salary of one stenographer.....	450.00
For the salary of one typist.....	375.00
For the salary of one draftsman(part time).....	100.00
For extra help and miscellaneous wages.....	75.00
For making stream flow measurements, cooperative with the U. S. Geological Survey.....	333.34
For one-half cooperative fund for ground water survey in rice irrigation district of eastern Arkansas.....	25.00
For blue prints and maps.....	135.00
For printing and binding reports.....	380.00
For printing stationery and miscellaneous forms...	123.00

## ACT 262 1933.

For travel and field expenses.....	180.00
For postage.....	60.00
For telephone.....	65.00
For telegraph.....	15.00
For express and freight.....	5.00
For other miscellaneous items not included in the above.....	191.10
	<hr/>
	\$4,587.44

## FOR THE PERIOD FROM JULY 1, TO JUNE 30, 1934.

For the salary of state geologist.....	\$3,600.00
For the salary of one assistant geologist (part time).....	400.00
For the salary of one clerk-stenographer....	1,380.00
For the salary of one stenographer.....	1,080.00
For the salary of one draftsman(part time)..	200.00
For extra help and miscellaneous wages.....	425.00
For survey of ground water in the rice irrigation district of eastern Arkansas, cooperative with the U. S. Geological Survey.....	50.00
For printing and engraving, including stationery.....	1,300.00
For travel and field expenses.....	325.00
For blue prints and maps.....	135.00
For equipment.....	135.00
For premium on bond.....	20.00

## ACT NO. 262

1933.

For postage.....	325.00
For telephone.....	135.00
For telegraph.....	50.00
For express, freight and drayage.....	20.00
For miscellaneous maintenance not included here.....	400.00
	\$9,980.00

## FOR THE PERIOD FROM JULY 1, TO JUNE 30, 1935.

For the salary of state geologist.....	\$3,600.00
For the salary of one assistant geologist (part time).....	400.00
For the salary of one clerk-stenographer.....	1,380.00
For the salary of one stenographer.....	1,080.00
For the salary of one draftsman(part time).....	200.00
For extra help and miscellaneous wages.....	425.00
For survey of ground water in the rice irrigation district of eastern Ark- ansas, cooperative with the U. S. Geological Survey.....	50.00
For printing and engraving, including stationery.....	1,300.00
For traveling and field expenses.....	325.00
For blue prints and maps.....	135.00
For equipment.....	135.00
For premium on bond.....	20.00
For postage.....	325.00
For telephone.....	135.00

For telegraph.....	50.00
For freight, express, drayage.....	20.00
For miscellaneous items not included in the above.....	400.00
	\$9,980.00

Section 2. No voucher shall be issued by the state geologist against the appropriation made herein for any fiscal year referred to in this act until sufficient money is in the State Geologist Fund to cover said voucher.

Section 3. Beginning July 1, 1933, the state treasurer shall set up an account to be known as the State Geologist Sinking Fund account for the office of state geologist, to the credit of which account he shall set aside one-half of all moneys accruing to the State Geologist Fund from all sources after July 1, 1933. Out of said Sinking Fund the treasurer shall pay all warrants drawn on the State Geologist Fund prior to January 1, 1933, and none other, until all warrants drawn on said State Geologist Fund prior to that date have been paid in full, at which time said Sinking Fund account shall terminate.

Section 4. Beginning July 1, 1933, funds appropriated in Section 1 of this act shall only be available from the one-half of the State Geologist Fund remaining after moneys have been set aside for the Sinking Fund account as provided for in Section 3 of this act.

Section 5. There is hereby appropriated from said State Geologist Sinking Fund for the purpose of paying warrants drawn on the State Geologist Sund prior to January 1, 1933, the following sums:

For the fiscal year ending June 30, 1934.....	\$7,500.00
For the fiscal year ending June 30, 1935.....	7,500.00
	<u>\$15,000.00</u>

Section 6. Should any part of the appropriation contained herein for any particular item be found innecessary for the purpose mentioned and needed for any other purpose mentioned herein, the state geologist shall report such case to the governor and if the governor approves od such action he shall cause a transfer to be made from one item to the other.

Section 7. All laws in conflict herewith are hereby repealed and as it is essential to the support of the office of state geologist that funds be appropriated for the maintenance of that office, an emergency is hereby declared and this act sjall take effect and be in force from and after its passage.

This bill having remained with the governor twenty days the General Assembly not being in session it has become an act this the 30th day of March, 1933.

ED F. McDONALD,  
Secretary of State.

## ACT 201.

"AN ACT to Provide for the Payment of a Bonus for the Location of New Oil Fields or Horizons and Making Appropriation Therefor.

Be It Enacted by the General Assembly of the State of Arkansas:

Section 1. Any person, firm, company, corporation, or association of persons who brings into production in the State of Arkansas the first commercial oil well either in an area not now known to be commercial, or in and producing from a new horizon which is not now known to be productive in an area now or formerly commercially productive, shall receive a bonus therefor from the State of Arkansas as follows: For the discovery well in a new producing area in Union, Nevada, Columbia, Ouachita, Lafayette, or Miller Counties, one thousand (\$1,000.00) dollars; for the discovery well in a new and now entirely unknown productive horizon in areas which are producing or which have produced commercial quantities of oil, one thousand (\$1,000.00) dollars; for the first Commercial oil well in a new producing area in other counties than Union, Nevada, Columbia, Ouachita, Lafayette, or Miller, five thousand (\$5,000.00) dollars; provided, however, that not more than one bonus shall be paid for the discovery of any one new producing area or horizon as referred to in this section.

Section 2. A commercial well is hereby defined as a well that produces one hundred (100) barrels of forty-two (42) gallons each of oil each day of twenty-four (24) hours for a period of thirty (30) successive days.

Section 3. The governor, attorney general, commissioner of revenues, and the state geologist are hereby named as a commission for carrying out the purposes of this act.

Section 4. Upon application to the commission referred to herein by the discoverer of such new producing area or horizon for the payment of a bonus as herein provided for, said commission shall determine whether the provisions of this act have been fulfilled and if the said commission shall so determine, it shall issue a certificate to the discoverer specifying the amount due and naming the producing area or new producing horizon referred to in Section 1 of this act for which a bonus is payable. At that time said commission shall provide the Commissioner of Revenues and the State Treasurer copies of said certificate. Upon receipt of their respective copies of said certificate, the State Treasurer shall set up on his books an account to be known as the Oil Well Bonus Fund and the Commissioner of Revenues shall on the date of the certificate begin to distribute to such fund the first severance tax collected from all oil produced from the new field or new horizon named in the certificate up to the amount certified.

Section 5. The Commission as provided for by Section 3 of this act shall appoint one of their members as disbursing officer who will be empowered to sign state vouchers against the Oil Well Bonus Fund. Upon presentation by the discoverer to said disbursing officer of a claim for the payment of a bonus herein provided for accompanied by the certificate as provided for in Section 4 of this act, the said Disbursing Officer shall issue a voucher to said discoverer in the amount given in the certificate. There is hereby appropriated from said Oil Well Bonus Fund, the following sums:

For the fiscal year 1935-1936.....\$12,000.00

For the fiscal year 1936-1937.....\$12,000.00

The State Treasurer is authorized to pay state warrants against such fund provided, however, said warrants shall not be paid until the full amount due shall have accumulated in the Oil Well Bonus Fund.

Section 6. All laws and parts of laws in conflict herewith are hereby repealed.

APPROVED: March 27, 1935.

ACTS, CONCURRENT RESOLUTIONS, MEMORIALS, AND PROPOSED  
CONSTITUTIONAL AMENDMENTS OF THE FIFTIETH GENERAL  
ASSEMBLY OF THE STATE OF ARKANSAS, 1935.

ACT NO. 286.

AN ACT to make appropriations for the office of state geologist for the biennial period ending June 30, 1937.

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. There is hereby appropriated, to be payable from the State Geologist Fund, the following sums:

FOR THE FISCAL YEAR ENDING JUNE 30, 1936:

For salary of state geologist.....	\$ 4,200.00
For salary of assistant geologist.....	2,700.00
For salary of one draftsman.....	1,500.00
Salaries of two clerks @ \$1,500.00 each per year.....	3,000.00
For salary of one stenographer.....	960.00
For salary of one severance tax agent, per year.....	2,700.00
For travel expense of severance tax agent.....	1,200.00
For miscellaneous purposes.....	2,550.00
Includes wages for part-time geologist, engineers, chemists, clerks, and others, for the execution of necessary field and office work at rates not to exceed pay provided herein for work of sim- ilar nature.	

For publication of reports and maps, including engraving expenses; for communication, including telephone, telegraph, postage, express, freight, ect.; for office supplies, stationery, analyses of mineral specimens, and miscellaneous maintenance; for equipment.....	\$ 9,180.00
For travel expense.....	900.00
For premium on bond.....	30.00
For topographic mapping, funds to be expended cooperatively with Federal, state and private agencies.....	500.00
	<hr/>
Total.....	\$29,420.00

FOR FISCAL YEAR ENDING JUNE 30, 1937.

For salary of state geologist.....	\$ 4,200.00
For salary of assistant geologist.....	2,700.00
For salary of one draftsman.....	1,500.00
For salaries of two clerks @ \$1,500.00 each per year.....	3,000.00
For salary of one stenographer.....	960.00
For salary of one severance tax agent per year.....	2,700.00
For travel expense of severance tax agent.....	1,200.00
For miscellaneous purposes..... Includes wages for part-time geologist, engineers, chemists, clerks, and others, for the execution of necessary field and office work at rates not to exceed pay provided herein for work of a similar nature.....	2,550.00

For publication of reports and maps, including engraving expense; for communication, including telephone, telegraph, postage, express, freight, ect.; for office supplies, stationery, analyses of mineral specimens, and miscellaneous maintenance; for equipment.....	9,180.00
For travel expense.....	900.00
For premium on bond.....	30.00
For topographic mapping, funds to be expended cooperatively with Federal, state and private agencies.....	500.00
	<hr/>
Total.....	\$29,420.00

Section 2. In view of the fact that the State Geologist Fund is created with only a part of severance tax collections, the expense of such collections should be proportionately borne by the several beneficial agencies, and to this end the commissioner of revenues is directed to certify, on each monthly statement, the sum of \$325.00 for credit to the Geologist Fund, which sum shall be correctly charged to severance tax accounts in correct proportion.

Section 3. In view of the uncertainty as to the maximum amount of funds to be realized from tax sources, the disbursing agent is hereby directed to inform himself at all times as to the condition of the cash balance to the credit of his department and no voucher shall be drawn unless at the time of its execution there is sufficient credit on the treasurer's books to pay such voucher when

converted into a warrant, and all other warrants previously issued in pursuance of vouchers executed by said disbursing agent.

Section 4. Beginning July 1, 1935, the state treasurer shall set up an account to be known as the "State Geologist Sinking Fund Account" to the credit of which he shall set aside ten per cent of all moneys accruing to the State Geologist Fund from all collections after July 1, 1935.

Section 5. The state geologist is authorized to issue his voucher against the State Geologist Sinking Fund for the payment of claims which are approved by the state comptroller, and there is hereby appropriated from said Sinking Fund the following sums:

FOR THE FISCAL YEAR ENDING JUNE 30, 1936:

To the U. S. Geological Survey for maps and for cooperative geologic, stream gauging, and water resources work.....	\$1,067.64
To all others.....	<u>932.36</u>
Total.....	\$2,000.00

FOR THE FISCAL YEAR ENDING JUNE 30, 1937:

To the U. S. Geological Survey for maps and for cooperative geologic, stream gauging, and water resources work.....	\$1,067.64
To all others.....	<u>932.36</u>
Total.....	\$2,000.00

Section 6. If the state geologist should determine that any item or portion thereof appropriated herein for a specific purpose is not needed for such purpose, he may certify such fact to the state comptroller and governor, and the governor may, at his discretion, cause transfer to be made from one item to another.

Section 7. All laws in conflict herewith are hereby repealed.

Approved: March 28: 1935.

ACTS OF THE FIFTY-FIRST GENERAL ASSEMBLY OF ARKANSAS,  
1937.

Act 98.

AN ACT to Prohibit Competition of Penal With Free Labor.  
Be It Enacted by the General Assembly of the State of  
Arkansas:

Section 1. After the passage of this Act it shall be unlawful to use, possess, store, exchange, sell, offer for sale, or in any other manner distribute in this State any goods, wares and merchandise, manufactured, produced or mined, wholly or in part, by convicts or prisoners (except convicts or prisoners on parole or probation). Nothing herein shall prohibit the sale or distribution of such goods by the State Prison Board to, or the possession, storage and use of such goods by, the State or any political subdivision thereof, or the tax-supported institutions of either. It is the express intention of this Act that cotton, other farm products and produce, cultivated, grown, harvested or ginned, wholly or in part by convict labor within this State upon State lands, or lands under contract by the State, shall not be subject to provisions of this Act.

Section 2. Any person, firm or corporation or Pub-

lic Official violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed One Thousand Dollars and each day's violation shall constitute a separate offense; provided, any person, firm or corporation having any of such goods, wares or merchandise now on hand shall be allowed six months from date of the passage of this Act within which to sell or dispose of the same.

Section 3. That all Acts and parts of Acts in conflict herewith be and the same are hereby repealed and this Act shall take effect and be in force from and after its passage.

(See U.S.C. Title 49, Par.65)

APPROVED: February 17, 1937.

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ACT 195

1937

AN ACT to Make Appropriation for the Office of State Geologist for the Biennial Period Ending June 30, 1939:

Be it enacted by the General Assembly of the State of Arkansas:

Section 1. There is hereby appropriated, to be payable from the State Geologist Fund, the following sums:

FOR THE FISCAL YEAR ENDING JUNE 30, 1938

For the salary of State Geologist.....	\$4,200.00
For the salary assistant Geologist.....	2,700.00
For salary one draftsman.....	1,500.00
For salary two (2) bookkeepers (\$1500 each).....	3,000.00
For salary one stenographer.....	1,200.00
For salary of one Severance Tax Agent.....	2,700.00
For travel expense of Severance Tax Agent.....	1,200.00
For miscellaneous purposes.....	2,550.00
Includes wages for part-time geologists, engineers, chemists, clerks, and others, for the execution of necessary field and office work at rates not to exceed pay provided herein for work of a similar nature.	
For publication of reports and maps, including engraving expense; for communication, including telephone, telegraph, postage, express, freight, etc., for office supplies, stationery, analyses of mineral specimens, and miscellaneous maintenance, and for equipment.....	7,270.00
For travel expense.....	900.00
For premium on bond.....	30.00
For topographic mapping. Funds to be expended cooperatively with Federal, State and private agencies....	500.00

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For stream gaging. Funds to be expended cooperatively with Federal, State and private agencies.....\$1,250.00  
 \$29,000.00

## FOR THE FISCAL YEAR ENDING JUNE 30, 1939.

For salary of State Geologist.....\$ 4,200.00  
 For salary assistant Geologist..... 2,700.00  
 For salary one draftsman..... 1,500.00  
 For salary two (2) bookkeepers (\$1500 each)..... 3,000.00  
 For salary one stenographer..... 1,200.00  
 For salary of one Severance Tax Agent..... 2,700.00  
 For travel expense of Severance Tax Agent..... 1,200.00  
 For miscellaneous purposes..... 2,550.00  
 Includes wages for part-time geologists, engineers, chemists, clerks, and others, for the execution of necessary field and office work at rates not to exceed pay provided herein for work of a similar nature.  
 For publication of reports and maps, including engraving expense; for communication including telephone, telegraph, postage, express, freight, etc., for office supplies, stationery, analyses of mineral specimens, and miscellaneous maintenance, and for equipment..... 7,270.00  
 For travel expense..... 900.00  
 For premium on bond..... 30.00  
 For topographic mapping. Funds to be expended cooperatively with Federal, State and private agencies..... 500.00  
 For stream gaging. Funds to be expended cooperatively with Federal, State and private agencies..... 1,250.00  
 \$29,000.00

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Section 2. In view of the fact that the State Geologist Fund is credited with only a part of severance tax collections, the expense of such collections should be proportionately borne by the several beneficial agencies, and to this end the Commissioner of Revenues is directed to certify, on each monthly statement, the sum of \$325.00 for credit to the Geologist Fund, which sum shall be correctly charged to severance tax accounts in correct proportion.

Section 3. In view of the uncertainty as to the maximum amount of funds to be realized from tax sources, the disbursing agent is hereby directed to inform himself at all times as to the condition of the cash balance to the credit on the Treasurer's books to pay such voucher when converted into a warrant, and all other warrants previously issued in pursuance of vouchers executed by said disbursing agent.

Section 4. Beginning July 1, 1937, the State Geologist Sinking Fund Account as created in Act 286 of 1935 shall continue except that the percentage of all monies accruing to the State Geologist Sinking Fund on collections after July 1, 1937 shall be reduced from ten per cent to five per cent.

Section 5. The State Geologist is authorized to issue his voucher against the State Geologist Sinking Fund for the payment of claims which are approved by the State Comptroller, and there is hereby appropriated from said Sinking Fund the following sums:

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1937

FOR THE FISCAL YEAR ENDING JUNE 30, 1938

To the U. S. Geological Survey for maps and for cooperative geologic, stream gaging, and water resources work.....	\$ 536.43
To all others.....	<u>963.57</u>
	\$1,500.00

FOR THE FISCAL YEAR ENDING JUNE 30, 1939

To the U. S. Geological Survey for maps and for cooperative geologic, stream gaging, and water resources work.....	\$ 536.43
To all others.....	<u>963.57</u>
	\$1,500.00

Section 6. Should any part of the appropriations herein contained, for any specific item of said department, be not found necessarily required for the purposes named, same shall not be transferable or usable for any purpose other than that for which appropriated, but shall be certified to the Governor and the Comptroller of State, who may, with the approval of the other, cause transfer thereof and permit the use of same for other essential purposes in such department by certification to that effect.

Section 7. All laws in conflict herewith are hereby repealed.

APPROVED: March 3, 1937.

## ACT 387

1937

AN ACT to Make Supplemental Appropriations for the Office of State Geologist for the Biennial Period Ending June 30, 1939.

WHEREAS, the Office of State Geologist receives its support from appropriations made from the State Geologist Fund, the revenues of which are dependent upon the production of minerals and especially from the discovery of new oil and gas producing areas from time to time, and also from the use of sand and gravel in highway and building construction; and

WHEREAS, such revenues may increase substantially during the next biennial period; and

WHEREAS, the State Planning Board has recommended that funds be made available to the Arkansas Geological Survey for a systematic program of cooperative mapping of the state on a 50-50 basis with the U. S. Geological Survey, and that an appropriation of \$15,000 per year would permit the cooperative mapping of all areas which are now unmapped in about seventeen years; and

WHEREAS, the duties of the State Geologist have increased materially in connection with work as Vice Chairman of the State Planning Board, as sponsor of projects of the Works Progress Administration, and as member of the American Engineering Council Committee on Surveys and Maps; and

WHEREAS, the efficient discharge of the duties of the Severance Tax Agent requires the employment of an individual qualified both as an attorney and an auditor, and the salary of \$2,700

## ACT 387

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per year specified in the regular appropriation for the support of the Office of State Geologist is deemed insufficient to obtain the services of a man of sufficient ability to fill this office to the best interests of the state; NOW THEREFORE

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

Section 1. That the following sums be and are hereby appropriated for like items in the regular appropriation for the Office of State Geologist for the biennium ending June 30, 1939:

FOR THE FISCAL YEAR ENDING JUNE 30, 1938

For topographic mapping. Funds to be expended cooperatively with Federal, State, and private agencies.....	\$15,000
For salary of State Geologist.....	600
For salary of one Severance Tax Agent.....	<u>500</u>
	\$16,100

FOR THE FISCAL YEAR ENDING JUNE 30, 1939

For topographic mapping. Funds to be expended cooperatively with Federal, State, and private agencies.....	\$15,000
For salary of State Geologist.....	600
For salary of one Severance Tax Agent.....	<u>500</u>
	\$16,100

Section 2. In view of the uncertainty as to the maximum amount of funds to be realized from tax sources, the disbursing agent is hereby directed to inform himself at all times as to the condition of the cash balance to the credit of his department, and no voucher shall be drawn unless at the time of its execution

## ACT 387

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there is sufficient credit on the Treasurer's books to pay such voucher when converted into a warrant, and all other warrants previously issued in pursuance of vouchers executed by said disbursing agent.

This bill having remained with the Governor twenty days, the Legislature having adjourned and not being in session, has become a law this 1st day of April, 1937.

C. G. Hall  
Secretary of State.

## ACT 351

1939

AN ACT to Make Appropriation for the Office of State Geologist for the Biennial Period Ending June 30, 1941:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

Section 1. There is hereby appropriated, to be payable from the State Geologist Fund, the following sums:

FOR THE FISCAL YEAR ENDING JUNE 30, 1940:

1. For the salary of State Geologist.....\$4,200.00
2. For the salary of one Assistant Geologist..... 2,700.00
3. For the salary of one Severance Tax Agent..... 2,700.00
4. For the salary of two (2) bookkeepers (\$1,500.00 - each)..... 3,000.00
5. For the salary of two (2) stenographers (\$1,200 - each)..... 2,400.00
6. For the salary of one senior draftsman..... 1,800.00
7. For the salary of one junior draftsman..... 1,200.00
8. For topographic mapping, including cooperation with the U. S. Geological Survey, U. S. Army Engineers, and other federal, state and private agencies..... 2,000.00
9. For stream gaging in cooperation with the U. S. Geological Survey Water Resources Branch on a 50-50 basis..... 1,000.00
10. For geologic field and office work including contributions to W. P. A. state mineral survey, survey of phosphate deposits, survey and testing of clay deposits, survey of quicksilver, and other mineral deposits of economic importance..... 5,000.00
11. For travel, state geologist, including expenses of state geologist and members of staff while on field trips or other official business..... 1,500.00

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12.	For travel expense of Severance Tax Agent.....	\$1,200.00
13.	For miscellaneous wages and salaries, including wages for part time geologist, engineers, chemists, clerks and others for the execution of necessary field and office work at rates not to exceed pay provided herein for work of a similar nature.....	2,500.00
14.	For publication of reports and maps, including engraving expense, for communication including telephone, telegraph, postage, express, freight, etc., for office supplies, stationery, analyses of mineral specimens, and miscellaneous maintenance, and for equipment.....	7,200.00
15.	For premium on bond.....	<u>30.00</u>
		\$38,430.00

## FOR THE FISCAL YEAR ENDING JUNE 30, 1941:

1.	For the salary of State Geologist.....	\$ 4,200.00
2.	For the salary of one Assistant Geologist.....	2,700.00
3.	For the salary of one Severance Tax Agent.....	2,700.00
4.	For the salary of two (2) bookkeepers (\$1,500 - each).....	3,000.00
5.	For the salary of two (2) stenographers (\$1,200 - each).....	2,400.00
6.	For the salary of one senior draftsman.....	1,800.00
7.	For the salary of one junior draftsman.....	1,200.00
8.	For topographic mapping, including cooperation with the U. S. Geological Survey, U. S. Army Engineers, and other federal, state and private agencies.....	2,000.00

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- 9. For stream gaging, in cooperation with the U. S. Geological Survey Water Resources Branch on a 50-50 basis.....\$1,000.00
  - 10. For geologic field and office work including contributions to W. P. A. state mineral survey, survey of phosphate deposits, survey and testing of clay deposits, survey of quicksilver, and other mineral deposits of economic importance..... 5,000.00
  - 11. For travel, state geologist, including expenses of state geologist and members of staff while on field trips or other official business..... 1,500.00
  - 12. For travel expense of Severance Tax Agent..... 1,200.00
  - 13. For miscellaneous wages and salaries, including wages for part time geologist, engineers, chemists, clerks and others for the execution of necessary field and office work at rates not to exceed pay provided herein for work of a similar nature..... 2,500.00
  - 14. For publication of reports and maps, including engraving expense, for communication including telephone, telegraph, postage, express, freight, etc., for office supplies, stationery, analyses of mineral specimens, and miscellaneous maintenance, and for equipment..... 7,200.00
  - 15. For premium on bond..... 30.00
- \$38,430.00

Section 2. In view of the fact that the State Geologist Fund is credited with only a part of severance tax collections, the expense of such collections should be proportionately borne by the several benefiting agencies, and to this end the Commissioner of Revenues is directed to certify, on each monthly statement, the sum of \$325.00 for credit to the State Geologist Fund,

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which sum shall be correctly charged to severance tax accounts in correct proportion.

Section 3. In view of the uncertainty as to the maximum amount of funds to be realized from tax sources, the disbursing agent is hereby directed to inform himself at all times as to the condition of the cash balance to the credit of his department, and no voucher shall be drawn unless at the time of its execution there is sufficient credit on the Treasurer's books to pay such voucher when converted into a warrant and all other warrants previously issued in pursuance of vouchers executed by said disbursing agent.

Section 4. Beginning July 1, 1939, the State Geologist Sinking Fund Account as created in Act 286 of 1935 shall continue except that the percentage of all monies accruing to the State Geologist Sinking Fund on collections after July 1, 1939, shall be reduced to one per cent.

Section 5. The State Geologist is authorized to issue his voucher against the State Geologist Sinking Fund for the payment of claims which are approved by the State Comptroller, and there is hereby appropriated from said Sinking Fund the following sums:

FOR THE FISCAL YEAR ENDING JUNE 30, 1940:

- |   |               |
|---|---------------|
| 1. To the U. S. Geological Survey for maps and for cooperative geologic, stream gaging, and water resources work..... | \$ 400.00     |
| 2. To all others.....   | <u>100.00</u> |
|   | \$ 500.00     |

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1939

FOR THE FISCAL YEAR ENDING JUNE 30, 1941:

- 1. To the U. S. Geological Survey for maps and for cooperative geologic, stream gaging, and water resources work.....\$ 400.00
  - 2. To all others..... 100.00
- \$ 500.00

Section 6. Should any part of the appropriation herein contained, for any specific item of said department, be not found necessarily required for the purposes named, same may be certified by the State Geologist to the Governor and the Comptroller of State, who may, with the approval of the other, cause transfer thereof and permit the use of same for other essential purposes in the Office of State Geologist by certification to that effect.

Section 7. Should any section or parts of sections of this act be held unconstitutional or invalid in any way, such finding shall in no wise affect the other parts.

Section 8. All laws or parts of laws in conflict herewith are hereby repealed.

APPROVED: March 16, 1939.

OFFICE OF THE ATTORNEY GENERAL  
LITTLE ROCKJACK HOLT  
Attorney General

December 9, 1940

Dr. George C. Branner,  
State Geologist,  
Capitol Building,  
Little Rock, Arkansas.

Dear Dr. Branner:

In reply to your recent request for an opinion as to whether the provisions of law providing for a Geological Commission (Sections 12221-12225 of Pope's Digest) have been repealed, I beg to advise you that in my opinion these Sections have been impliedly repealed by provisions of the law later enacted creating the office of State Geologist and prescribing the duties of that office (Sections 12227-12235).

My reason for this conclusion is that by the later provisions of the law referred to the State Geologist was empowered with all of the duties formerly delegated by law to the Geological Commission. Prior to the enactment of Sections 12227-12235 of Pope's Digest, the State Geologist worked under the supervision and direction of the State Geological Commission. It is clearly apparent that the State Geologist cannot independently have the duty and authority granted to him by said Sections 12227-12235 of Pope's Digest and at the same time be subject to only such authority as may be directed by a Geological Commission. Because of this conflict, it follows that under the statutory rule of construction that a subsequent law repeals all prior enactments in irreconcilable conflict, the State Geological Commission no longer exists.

Very truly yours,

Jack Holt, Attorney General

Leffel Gentry (s)  
Leffel Gentry,  
Assistant Attorney General

JH:R

## Act 216 of 1941

AN ACT to Make Appropriation for the Office of State Geologist  
for the Biennial Period ending June 30, 1943.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. There is hereby appropriated, to be payable from the State Geologist Fund, the following sums:

FOR THE FISCAL YEAR ENDING JUNE 30, 1942

(1) Salary, State Geologist . . . . .	\$ 4,200.00
(2) Salary, Assistant Geologist . . . . .	2,700.00
(3) Salary, Coordinator--with State Mineral Survey. . . . .	2,100.00
(4) Salary, Severance Tax Agent . . . . .	3,000.00
(5) Salary, Secretary . . . . .	1,500.00
(6) Salary, Writer and Statistician . . . . .	1,500.00
(7) Salary, Bookkeeper. . . . .	1,500.00
(8) Salary, Stenographer. . . . .	1,200.00
(9) Salary, Senior Draftsman. . . . .	2,100.00
(10) Salary, Junior Draftsman. . . . .	1,500.00
(11) Travel, State Geologist . . . . .	1,200.00
(12) Travel, Severance Tax Agent . . . . .	1,200.00
(13) Travel, Others. . . . .	1,000.00
(14) Topographic Mapping--cooperative with U. S. Geological Survey on a 50-50 basis. . . . .	2,000.00
(15) Stream Gaging--cooperative with U. S. Geological Survey on a 50-50 basis. . . . .	250.00
(16) Field Studies of antimony, clay, phosphate, and other mineral deposits--cooperative with WPA Mineral Survey field work and laboratory work. . . . .	5,000.00

- (17) Office Supplies, stationery and equipment; printing, including forms, pamphlets, and reports . . . . . \$7,200.00
- (18) Miscellaneous wages, including extra help, engineers, chemists, geologists and others. . . . . 2,500.00
- (19) National Defense purposes to be used only at the direction of the Governor and Comptroller . . . . . 10,000.00
- TOTAL . . . . . \$51,650.00

FOR THE FISCAL YEAR ENDING JUNE 30, 1943

- (1) Salary, State Geologist . . . . . \$4,200.00
- (2) Salary, Assistant Geologist . . . . . 2,700.00
- (3) Salary, Coordinator--with State Mineral Survey. . . . . 2,100.00
- (4) Salary, Severance Tax Agent . . . . . 3,000.00
- (5) Salary, Secretary . . . . . 1,500.00
- (6) Salary, Writer and Statistician . . . . . 1,500.00
- (7) Salary, Bookkeeper. . . . . 1,500.00
- (8) Salary, Stenographer. . . . . 1,200.00
- (9) Salary, Senior Draftsman. . . . . 2,100.00
- (10) Salary, Junior Draftsman. . . . . 1,500.00
- (11) Travel, State Geologist . . . . . 1,200.00
- (12) Travel, Severance Tax Agent . . . . . 1,200.00
- (13) Travel, Others. . . . . 1,000.00
- (14) Topographic Mapping--cooperative with U. S. Geological Survey on a 50-50 basis. . . . . 2,000.00
- (15) Stream Gaging--cooperative with U. S. Geological Survey on a 50-50 basis . . . . . 250.00
- (16) Field Studies of antimony, clay, phosphate, and other mineral deposits--cooperative with WPA State Mineral Survey field work and laboratory work. . . . . 5,000.00

(17) Office Supplies, stationery and equipment; printing, including forms, pamphlets, and reports . . . . .	\$7,200.00
(18) Miscellaneous wages, including extra help, engineers, chemists, geologists and others. . . . .	2,500.00
(19) National Defense purposes, to be used only at the direction of the Governor and Comp- roller. . . . .	<u>10,000.00</u>
TOTAL	<u>\$51,650.00</u>

SECTION 2. In view of the fact that the State Geologist Fund is credited with only a part of severance tax collections, the expense of such collections should be proportionately borne by the several benefiting agencies, and to this end the Commissioner of Revenues is directed to certify on each monthly statement, the sum of \$325.00 for credit to the State Geologist Fund, which sum shall be correctly charged to severance tax accounts in correct proportion.

SECTION 3. In view of the uncertainty as to the maximum amount of funds to be realized from tax sources, the disbursing agent is hereby directed to inform himself at all times as to the condition of the cash balance to the credit of his department, and no voucher shall be drawn unless at the time of its execution there is sufficient credit on the Treasurer's books to pay such voucher when converted into a warrant and all other warrants previously issued in pursuance of vouchers executed by said disbursing agent.

SECTION 4. The State Geologist is authorized to issue his voucher against the State Geologist Sinking Fund for the payment of claims which are approved by the State Comptroller, and there is hereby appropriated from said Sinking Fund the following sums:

FOR THE DISCAL YEAR ENDING JUNE 30, 1942

(1) To the U. S. Geological Survey for maps and for cooperative geologic, stream gaging, and water resources work, and others . . . . . \$1,000.00

(2) FOR THE FISCAL YEAR ENDING JUNE 30, 1943

(1) To the U. S. Geological Survey for maps and for cooperative geologic, stream gaging, and water resources work, and others . . . . . \$1,000.00

SECTION 5. If the disbursing agent should determine that any item or portion thereof appropriated herein for a specific purpose is not needed for such purpose, he may certify such fact to the State Comptroller and Governor, and the Governor may, at his discretion, cause transfer to be made from one item to another.

SECTION 6. Should any section or parts of sections of this act be held unconstitutional or invalid in any way, such finding shall in no wise affect the other parts.

SECTION 7. All laws or parts of laws in conflict herewith are hereby repealed.

APPROVED: March 25, 1941

All laws and parts of law in conflict herewith are hereby repealed. Section 668 of Pope's Digest is hereby repealed.

Whereas the dockets of the circuit and chancery and other judicial tribunals are heavily crowded and whereas large number of suits have been instituted because of the necessity of filing suit under existing law in order to establish the lien of attorneys and whereas it is of importance to the public's interest that litigation be kept at a minimum in order to reduce court expenses and to afford prompt and speedy relief to litigants in our courts, an emergency is declared to exist and this Act shall be in full force and effect from and after its passage.

APPROVED: March 26, 1941.

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ACT 307.

AN ACT to Amend Section 12227 of Pope's Digest of the Statutes of the State of Arkansas, Giving the State Geologist Additional Duties, and for Other Purposes.

*Be It Enacted by the General Assembly of the State of Arkansas:*

SECTION 1. That Section 12227 of Pope's Digest of the statutes of the State of Arkansas be and the same is hereby amended to read as follows:

"Section 12227. Under authority of Section 2, Article 10 of the Constitution of the State of Arkansas, there is hereby created the office of State Geologist, which office the Governor is empowered to fill, with the advice and consent of the Senate, by the appointment of a person of known integrity and competency, who shall be a graduate of a reputable college or university, and who has a practical and scientific knowledge of geology and mineralogy, or some person of known integrity and competency who has a practical and scienti-

fic working knowledge of geology and mineralogy. The appointee shall hold office for a term of two years, provided that said term shall expire at the same time as the term of state officials elected for biennial periods, and that the State Geologist shall at all times be subject to removal by the Governor for incompetency or neglect of duty, after notice and hearing."

SECTION 2. In addition to the duties now conferred upon the State Geologist, he shall bring to the attention of industrial interests the location and extent of minerals in this State, and shall cooperate with all federal agencies, and others, in bringing about the utilization of such minerals as are within Arkansas and which may be of value to and beneficial in the program of national defense.

SECTION 3. It is found that there are within the State of Arkansas many minerals that are of use and which might be utilized by the national government in its preparedness program, and that said minerals are of value to national defense, and that the immediate attention of the industrial interests of this nation should be acquainted with said minerals to the end that they may be utilized in the national defense program; therefore, it is necessary for the preservation of the public peace, health and safety that this Act become effective without delay; an emergency is therefore declared and this Act shall take effect and be in force from and after its passage.

APPROVED: March 26, 1941.

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ACT 308.

AN ACT to Prevent the Assignment, Sale or Pledge of Any Benefits Provided by Law to Policemen, Firemen, Old Aged, or Unemployed.

*Be It Enacted by the General Assembly of the State of Arkansas:*

## ACT 307 of 1941

AN ACT to Amend Section 12227 of Pope's Digest of the Statutes of the State of Arkansas, Giving the State Geologist Additional Duties, and for Other Purposes.

BE IT ENACTED BY THE GENERAL ASSMEBLY OF THE STATE OF ARKANSAS:

SECTION 1. That Section 12227 of Pope's Digest of the statutes of the State of Arkansas and the same is hereby amended to read as follows:

"Section 12227. Under authority of Section 2, Article 10 of the Constitution of the State of Arkansas, there is hereby created the office of State Geologist, which office the Governor is empowered to fill, with the advice and consent of the Senate, by the appointment of a person of known integrity and competency, who shall be a graduate of a reputable college or university, and who has a practical and scientific knowledge of geology and mineralogy, or some person of known integrity and competency who has a practical and scientific working knowledge of geology and mineralogy. The appointee shall hold office for a term of two years, provided that said term shall expire at the same time as the term of state officials elected for biennial periods, and that the State Geologist shall at all times be subject to removal by the Governor for incompetency or neglect of duty, after notice and hearing."

SECTION 2. In addition to the duties now conferred upon the State Geologist, he shall bring to the attention of industrial interests the location and extent of minerals in this State, and shall cooperate with all federal agencies, and others, in bringing about the utilization of such minerals as are within Arkansas and which may be of value to and beneficial in the program of national defense.

SECTION 3. It is found that there are within the State of Arkansas many minerals that are of use and which might be

utilized by the national government in its preparedness program, and that said minerals are of value to national defense, and that the immediate attention of the industrial interests of this nation should be acquainted with said minerals to the end that they may be utilized in the national defense program; therefore, it is necessary for the preservation of the public peace, health and safety that this Act become effective without delay; an emergency is therefore declared and this Act shall take effect and be in force from and after its passage.

APPROVED: March 26, 1941.

## ACT 317

Y ACT to Make Appropriation for the Office of State Geologist for the Biennial Period Ending June 30, 1945.

Be It Enacted by the General Assembly of the State of Arkansas:

Section 1. There is hereby appropriated, to be payable from the State Geologist Fund, the following sums:

## FOR THE FISCAL YEAR ENDING JUNE 30, 1944

(1) Salary, State Geologist-----	\$4,200.00
(2) Salary, Associate Geologist-----	\$3,600.00
(3) Salary, Senior Chemist-----	\$3,600.00
(4) Salary, Junior Chemist-----	\$2,400.00
(5) Salary, Senior Draftsman-----	\$2,400.00
(6) Salary, Severance Tax Agent-----	\$3,000.00
(7) Salary, Secretary-----	\$1,800.00
(8) Salary, Bookkeeper-----	\$1,800.00
(9) Salary, Oil and Gas Recorder-----	\$1,500.00
(10) Salary, Stenographer-----	\$1,320.00
(11) <del>Salary</del> , Travel Expense, State Geologist-----	\$1,200.00
(12) Travel Expense, Associate Geologist-----	\$1,200.00
(13) Travel Expense, Severance Tax Agent-----	\$1,200.00
(14) Travel Expense, Others-----	\$1,000.00
(15) Topographic Mapping in cooperation with U.S. Geological Survey on a 50-50 Basis-----	\$2,000.00
(16) Stream Gauging in cooperation with the U.S. Geological Survey on a 50-50 Basis-----	\$8,500.00
(17) Maintenance-----	\$6,000.00

TOTAL-----\$46,720.00

## FOR THE FISCAL YEAR ENDING JUNE 30, 1945.

(1) Salary, State Geologist-----	\$4,200.00
(2) Salary, Associate Geologist-----	\$3,600.00
(3) Salary, Senior Chemist-----	\$3,600.00
(4) Salary, Junior Chemist-----	\$2,400.00
(5) Salary, Senior Draftsman-----	\$2,400.00
(6) Salary, Severance Tax Agent-----	\$3,000.00
(7) Salary, Secretary-----	\$1,800.00
(8) Salary, Bookkeeper-----	\$1,800.00
(9) Salary, Oil and Gas Recorder-----	\$1,500.00
(10) Salary, Stenographer-----	\$1,320.00
(11) <del>Salary</del> , Travel Expense, State Geologist-----	\$1,200.00
(12) Travel Expense, Associate Geologist-----	\$1,200.00
(13) Travel Expense, Severance Tax Agent-----	\$1,200.00
(14) Travel Expense, Others-----	\$1,000.00
(15) Topographic Mapping in cooperation with U. S. Geological Survey on a 50-50 Basis-----	\$2,000.00
(16) Stream Gauging in cooperation with U. S. Geological Survey on a 50-50 Basis-----	\$8,500.00
(17) Maintenance-----	\$6,000.00

TOTAL-----\$46,720.00

Section 2. In view of the fact that the State Geologist fund is credited with only a part of severance tax collections, the expense of such collections should be proportionately borne by the several benefiting agencies, and to this end the Commissioner of Revenues is directed to certify, on each monthly statement, the sum of \$325.00 for credit to the State Geologist Fund, which sum shall be correctly charged to severance tax accounts in correct proportion.

Section 3. In view of the uncertainty as to the maximum amount of funds to be realized from tax sources, the disbursing agent is hereby directed to inform himself at all times as to the condition of the cash balance to the credit of his department, and no voucher shall be drawn unless at the time of its execution there is sufficient credit on the Treasurer's books to pay such voucher when converted into a warrant and all other warrants previously issued in pursuance of vouchers executed by said disbursing agent.

Section 4. The State Geologist is authorized to issue his voucher against the State Geologist Sinking Fund for the payment of claims which are approved by the State Comptroller, and there is hereby appropriated from said sinking fund the following sum:

FOR THE FISCAL YEAR ENDING JUNE 30, 1944

- (1) To the U. S. Geological Survey for maps and for cooperative geologic, stream gauging, and water resources work, and others-----\$1,250.00

FOR THE FISCAL YEAR ENDING JUNE 30, 1945

- (1) To the U. S. Geological Survey for maps and for cooperative geologic, stream gauging, and water resources work, and others-----\$1,250.00

Section 5. If the disbursing officer shall determine that any portion of the appropriation contained herein is not needed for the purposes specified, but is needed for other essential purposes, he may certify such fact to the Governor and the State Comptroller, and the State Comptroller may, with the approval of the Governor, cause a warrant to be paid from the general Assembly the duty to fix the salaries and fees of all officers in the state. It also provides that "...no greater salary or fee than that fixed by law shall be paid to any officer, employee or other person,.... and the number and salaries of the clerks and employees of different

departments of the state shall be fixed by law." in view of the foregoing mandate, it is hereby declared to be illegal for any officer, agent, department or person upon whom is imposed the duty of administering appropriated funds to authorize, by voucher or otherwise, the payment to any person an amount in excess of the sum appropriated specifically as salary or wages; nor shall money appropriated for maintenance, travel expense, or for any purpose other than payment of wages or salaries be used for the payment of wages or salaries. Neither shall funds appropriated for wages or salaries be transferred to another account and used for payment of wages or salaries. The State Comptroller shall, in conjunction with the Governor, check all requests for transfers from one appropriated item to another, and if in their discretion such transfer is in the interest of economy or efficient administration, the transfer shall be ordered, subject to the limitations herein set forth. The Disbursing Officer shall be liable under his Disbursing Agent's bond and the State Comptroller and State Auditor shall be liable under their official bonds for issuing or approving any voucher for salary or wages unless there has been an expressed appropriation therefor.

APPROVED: March 24, 1943.

## ACT 419

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AN ACT to Facilitate and Expedite the Early Development and Use of Minerals Not Now Generally Known, or Which Are Now Being Developed and Utilized, and for Other Purposes.

WHEREAS, it is known that in addition to the well proven and presently utilized minerals of Arkansas, such as bauxite, coal, gas and oil, which minerals and substances have long since been proven and are now being fully utilized, there are many other economic minerals in the state, such as lead, zinc, iron, antimony, phosphate, manganese, quartz, lignite, titanium, molybdenum, diamonds, barium, strontium, mica, feldspar, lime, rare clays, and building stone, and others, many of which could even now be contributing to the critical needs of the nation in supplying its war needs, and

WHEREAS, the disclosing of these minerals and a proper presentation of usable data concerning their minability would have gone far toward furthering the needs of the nation in the war effort, as well as creating a source of revenue for the state through severance taxes new wealth for the people of the state, and a means of establishing new processing and manufacturing within Arkansas; now, therefore.

Be It Enacted by the General Assembly of the State of Arkansas:

Section 1. An appropriation of \$25,000.00 is hereby made out of any moneys coming into the State Geologist Fund in addition to the general appropriation for said department, said moneys to be expended under the direction of the State Geologist during the years of 1943, 1944, and that part of the 1944-45 biennium in 1945, for the purpose of special exploration examination tests, drilling, and general field work incident

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to and in connection with any feasible mineral deposits of workable value not already in active production; to gather and prepare data on such minable deposits, independently or in cooperation with individual land owners of the state, and to make available such data to interested people who are or may become engaged in legitimate development of the state's undeveloped resources.

Section 2. It being self-evident that any hidden or undeveloped minerals of the state would not be found within the confines of the State Capitol Building, and that to reach and ferret out these potential values it becomes obviously necessary to provide additional means for accomplishing the desired results, and any neglect or failure to bring out and disclose the presence and minability of usable ores of the state is, in effect, discrimination against the people of the state in favor of other states and foreign countries as well as a neglect to render the fullest service to the nation's war effort, thereby hindering and retarding proper industrial development of the state, together with the peace and safety of its people; which does create an emergency, which is hereby declared to exist, and this Act shall take effect and be in force from and after its passage.

APPROVED: March 24, 1943.