The House met at 10:00 o'clock a.m. pursuant to adjournment, and was called to order by the Speaker.

The roll of the House was called, and the following Members were present:

Mr. Speaker
Anderson
Armor
Atwell
Baker
Ballman
Bartram
Bass
Bell
Bishop
Blaine
Bunchard
Bowers
Boyce
Brashear
Bristow
Bryan
Bullock
Burke
Byrd
Chapman
Cline
Cloud
Cole
Conley
Cory
Cotten
Cowan
Cox of Bell
Crowthwait
Day
de la Garza
Dewey
Dunn of McLennan
Duggan
Ehrle
Elliott
Elisa
Penoglio
Perrell
Peterson
Pfeiffer
Pheiffer
Pickett
Pipkin
Preece
Price
Price
Puckett
Ramsay
Richardson
Roberts
Russell
Sadler
Sandahl
Sanders
Saul
Schram
Schwartz
Schwartz
Seeligson
Shackelford
Shannon of Dallas
Shannon of El Paso
Shaw
Shields
Sherrill
Slack
Smith
Smith of El Paso
Smith of Jefferson
Smith of McLennan
Smith of Tarrant
Snead
Snead of Washington
Snedeker
Smith of Washington
Smith of Young
Spillman
Springer
Stewart
Stiles
Strom
Strutt
Sudderth
Sutton
Talasek
Terrell
Thurmond
Turner
Washington
Wallace
Watson
Welch
Wheeler
White
Wilson of Tarrant
Wilson of Young
Wood
Wolff
Woolsey
Yates
Zbranek

Absent
Ford

A quorum of the House was announced present.

The Invocation was offered by the Reverend E. C. McDonald, Chaplain, as follows:

"Facing the activities of another day, may we be eager and not reluctant. Keep us ever alert to the need of change and open the channels of Divine power. Help us to keep the edge of our minds keen and clear, our thinking straight and true.

"Give us the will to keep our bodies strong and healthy, that we may be able to do what Thou hast called us to do for the people of Texas and our God.

"Through Jesus Christ our Lord.

Amen."

LEAVE OF ABSENCE GRANTED

The following Member was granted leave of absence on account of important business:

Mr. Pipkin for today on motion of Mr. Murray.
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VOTE RECORDED

By unanimous consent of the House, Mr. Sutton was granted permission to be recorded as voting "nay" on the passage of H. B. No. 138.

HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read severally first time and referred to the appropriate Committees, as follows:

By Mr. Strickland:

H. B. No. 617, A bill to be entitled "An Act enabling cities having a population over seventy thousand inhabitants, according to the last preceding United States census, to establish a Municipal Court; prescribing its organization, jurisdiction and procedure, and conforming the jurisdiction and procedure of other courts thereto; repealing all laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Matthew:

H. B. No. 618, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in DeWitt County by utilizing the county to issue certificates of indebtedness for the purpose of acquiring rights of way for designated federal highways, state highways and farm to market highways; stating the terms and conditions of the issuance of such certificates of indebtedness; requiring the levy of a tax to pay the principal and interest of such certificates; requiring such certificates of indebtedness to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating thereto; making the Act cumulative; providing for severability; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Shackelford:

H. B. No. 619, A bill to be entitled "An Act to provide aid to blind persons; defining certain words and terms; providing certain conditions for eligibility for aid; providing that the Texas State Welfare Department shall administer the provisions of this act; defining the powers and duties of the Texas State Welfare Department; providing penalties for the violation of this act; and other matters relating thereto."

Referred to the Committee on State Affairs.

By Messrs. Ramsey, de la Garza, Parsons, Byrd, Heathman and Hellowell:

H. B. No. 620, A bill to be entitled "An Act authorizing the Texas Highway Department to expend money for the purchase of right-of-ways and right-of-way easement for State Designated Highways under certain conditions; providing limitations; providing for contributions from counties, cities and other political subdivisions of the State authorized to purchase right-of-ways; making other provisions relating thereto; providing a severability clause and declaring an emergency."

Referred to the Committee on State Affairs.

By Messrs. Oliver, Harrington, Kilpatrick, Smith of Jefferson and Hooks:

H. B. No. 621, A bill to be entitled "An Act conferring upon the Game and Fish Commission regulatory authority over wildlife resources in Hardin and Jefferson Counties; amending Section 1 of Chapter 125, Acts of the 52nd Legislature, 1951, as amended, so as to make this Act applicable to Hardin and Jefferson Counties, and further amending the said Chapter 125 and Section 1 thereof by transferring certain provisions of Section 1 into a new section designated as Section 1a; repealing certain laws and fixing the effective date of the repeal; providing for severability; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Huebner:

H. B. No. 622, A bill to be entitled "An Act authorizing the annexation to any drainage district hereunto or hereafter organized under Section 92, Article III of the Constitution of Texas which lies wholly within one
county and has no outstanding bonds and has therefore been converted into a conservation and reclamation district under Section 89, Article XVI of the Constitution, of territory contiguous to the district and lying wholly within the same county but outside of any other drainage district and outside of any incorporated city, town or village; prescribing the method of procedure whereby such territory may be added; providing for notice and for hearing before the Commissioners' Court of the county in which such district and territory are situated on benefits and necessity thereof; specifying the facts which must be found in order for the Commissioners' Court to order the territory or parts thereof added to the district; providing that the provisions of this act shall be cumulative of all other laws pertaining to drainage; providing that if part of this act be held unconstitutional, such decision shall not affect the validity of the remaining portions of this act; and declaring an emergency.”

Referred to the Committee on Conservation and Reclamation.

By Mr. Cory:

H. B. No. 623, A bill to be entitled “An Act amending Section 7 of Chapter 22, Acts of the 43rd Legislature, Third Called Session, 1934, as added by Chapter 386, Acts of the 38th Legislature, Regular Session, 1949, codified in Vernon’s as Section 7 of Article 1187c, Vernon’s Civil Statutes so as to authorize cities to sell facilities of municipal fish markets and properties appurtenant thereto acquired pursuant to the provisions of Article 1187c; providing a severability clause and declaring an emergency.”

Referred to the Committee on Municipal and Private Corporations.

By Messrs. Schram and Huffman:

H.R. No. 624, A bill to be entitled “An Act amending Articles 1936 and 1981 of the Code of Criminal Procedure of 1925 to provide for payment, in connection with criminal cases, in which a change of venue is ordered, by the transferring county to the receiving county, of other expenses in addition to pay for jurors, upon proper certification; and declaring an emergency.”

Referred to the Committee on Criminal Jurisprudence.

By Mr. Bowers:

H. B. No. 625, A bill to be entitled “An Act making an appropriation for the support, maintenance, operation and improvement of the Levelland Junior College; providing that the provisions of this Act shall not become effective until the Levelland Junior College is established; providing that the provisions for regulating the expenditure of money for the support, maintenance, operation and improvement of public junior colleges shall apply to this appropriation; providing a severability clause and declaring an emergency.”

Referred to the Committee on Appropriations.

By Messrs. Ellis, Spillman and de la Garza:

H. B. No. 626, A bill to be entitled “An Act amending Chapter 1 of Title 12 of the Revised Civil Statutes of Texas, 1925, by adding Article 7619b, conferring jurisdiction and authorizing District Courts to declare invalid water permits and sling upon application of the Board of Water Engineers or the State of Texas without the necessity of prior administrative action by the Board of Water Engineers; and declaring an emergency.”

Referred to the Committee on Conservation and Reclamation.

By Messrs. Smith of Jefferson, Harrington, Oliver and Kilpatrick:

H. B. No. 627, A bill to be entitled “An Act creating a Juvenile Board for Jefferson County and designating the Chairman and members thereof; providing additional compensation for County and District Judges serving thereon; providing the manner of payment thereof; providing for payment of such Board under Art. 814-C of the Revised Civil Statutes of Texas, and any amendments thereto; prohibiting, however, the payment of any salary by such County to the District Judges serving on such Board above the salary as provided by this Act; providing that if any portion of this Act is unconstitutional, it shall not affect the remainder thereof; and declaring an emergency.”

Referred to the Committee on Counties.
By Mr. Slack:

H. B. No. 628. A bill to be entitled "An Act to amend Chapter 352, Acts of the 50th Legislature, Regular Session, 1947, as amended (codified as Article 6228a of Vernon's Texas Civil Statutes), to include as employees of the State eligible for membership in the Employees Retirement System of Texas, subject to all provisions and benefits applicable to members of the Employee Retirement System of Texas now or which may be hereafter provided by law, certain civilian employees of the Texas National Guard and the Texas Air National Guard; authorizing and instructing the State Board of Trustees to fully affect this Act; providing a severability clause; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Tunnell:

H. B. No. 629. A bill to be entitled "An Act amending portions of the Texas Liquor Control Act; amending Subsection (d) of Section 23 1/4 of Article II of the Texas Liquor Control Act, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended, providing for tax exemptions and refunds in certain instances, methods of payment and making an appropriation; enlarging the purpose for which certain tax collections may be used by appropriating a portion of any unexpended balance to the Texas Liquor Control Board for certain purposes; amending Section 29 of Article II of the Texas Liquor Control Act, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended, pertaining to the importation of beer; authorizing certain licenses to sell and deliver to Federal Government instrumentalities in this State; providing for the administration and enforcement of these Sections; repealing laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Liquor Regulation.

By Mr. Slack:

H. B. No. 630. A bill to be entitled "An Act validating under certain conditions proceedings relating to the adoption of home rule charters, validating the charters so adopted, and providing that such charter so adopted shall constitute the home rule charter of the city; validating acts of city officers and officials; providing that this act shall not be construed as validating the adoption of any charter or the charter if the validity of the charter adoption proceedings or of the charter are involved in litigation on the effective date of this act and such litigation is ultimately determined against the validity thereof; providing a savings clause; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Sandahl (by request):

H. B. No. 631. A bill to be entitled "An Act amending Section 143 of Chapter 421, Acts of the 50th Legislature, Regular Session, 1947, as amended (codified as Article 6071d in Vernon's Texas Civil Statutes) so as to increase the punishment for violations of the Act on the basis of the number of previous convictions for a "moving violation"; defining "moving violation"; making this Act cumulative; providing for severability; and declaring an emergency."

Referred to the Committee on Highways and Roads.

By Mr. Heitman:

H. B. No. 632. A bill to be entitled "An Act amending Article 2094 of the Revised Civil Statutes, as amended, relating to selection of juries by the jury wheel method; changing the counties in which use of the jury wheel method is mandatory and providing for optional use of the jury wheel in certain counties."

Referred to the Committee on Judiciary.

By Mr. Brabham:

H. B. No. 633. A bill to be entitled "An Act making an appropriation to pay the principal sum due on a certain judgment obtained against the State of Texas in Cause No. 10544, styled Bryce McCandless v. The State of Texas in the 126th Judicial District Court of Travis County, Texas, according to the tenor, effect and reading of such judgment; authorizing the issuance of a warrant and declaring an emergency."
Referred to the Committee on Claims and Accounts.

By Mr. Brashear:

H. B. No. 634, A bill to be entitled
"An Act making an appropriation to pay the principal sum due on a certain judgment obtained against The State of Texas in Cause No. 105648, styled West Texas Utilities Company, Inc. v. The State of Texas in the 126th Judicial District Court of Travis County, Texas, according to the tenor, effect and reading of such judgment; authorizing the issuance of a warrant, and declaring an emergency."

Referred to the Committee on Claims and Accounts.

By Mr. Jones:

H. B. No. 635, A bill to be entitled
"An Act relating to drivers' licenses; amending Chapter 173, Acts of the 73rd Legislature, as amended (codified as Article 6657b in Vernon's Texas Civil Statutes), by amending Section 2(b) thereof to require chauffeurs and commercial operators to hold operators' licenses in order to drive as operators on and after January 1, 1958; adding a new section entitled Section 22a providing that no act or offense committed under one class of license may be used in an action under Section 22 to suspend or revoke any other class of license specifically excepting automatic suspensions; making an appropriation, and declaring an emergency."

Referred to the Committee on Highways and Roads.

By Messrs. Bass and Day:

H. B. No. 636, A bill to be entitled
"An Act providing for a special independent audit of all county records, books, and accounts upon a petition of at least ten (10%) per centum of the qualified voters of the county; providing for the employment of an independent auditor for such audit; providing for qualifications, fees, and compensation; requiring such audit to be filed with the District Clerk and the State Auditor; providing that this act shall be cumulative; providing a savings clause; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Gluling:

H. B. No. 637, A bill to be entitled
"An Act implementing the provisions of Article VII, Section 18 of the Texas Constitution, approved by vote of the people on August 22, 1947, and the amendment to said Article VII, Section 18, approved by vote of the people on November 6, 1956, by providing that bonds or notes hereafter issued pursuant to said constitutional provisions shall be registered by the Comptroller of Public Accounts; providing authority for refunding of all bonds or notes issued pursuant to said constitutional provisions or this Act; providing for the approval of such refunding bonds or notes by the Attorney General and registration by the Comptroller of Public Accounts; providing that all bonds and notes, whether original or refunding, issued pursuant to said constitutional provisions or this Act shall be fully negotiable instruments, and making them authorized for investments and for securing public funds and exempting them from taxation; prescribing a severability provision; enacting other provisions related to the subject; and declaring an emergency."

Referred to the Committee on State Affairs.

By Messrs. Forsyth, Woolsey, Hale and Gluling:

H. B. No. 638, A bill to be entitled
"An Act granting to the City of Corpus Christi, Texas, certain land submerged and unsubmerged lying within an area known as Tract C as shown on a map entitled Sheet No. 1, Laguna Madre, Subdivision for Mineral Development, dated November 1, 1949, and revised September 1, 1951, by addition of "Cayo Del Oro" subdivision, prepared by the General Land Office of the State of Texas; providing certain limitations, conditions and restrictions on the development of said land and on the transfer and conveyance thereof; modifying requirements herebefore imposed by the terms of House Bill 742, Chapter 294, General and Special Laws of Texas, Acts of the 54th Legislature, Revised Statutes, 1955; providing that failure of the City of Corpus Christi or its grantees to comply with the conditions herein imposed shall cause title to said land to revert to the State of Texas; re-
S. B. No. 126, Declaring it illegal to divert waters released from storage and destined for downstream; and declaring an emergency.

S. B. No. 256, Creating the “White River Municipal Water District”; and declaring an emergency.

S. C. R. No. 23, Granting permission to Upshur Gas Company to use the State.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

TO NAME LINDY BULLOCK AS MASCOT OF THE HOUSE

Mr. Dungan offered the following resolution:

H. S. R. No. 220

Whereas, Lindy Bullock is the lovely five-year-old daughter of Representative Robert D. “Bob” Bullock and his wife Amelia; and

Whereas, This delightful little girl was born in Hillsboro which is in Hill County and which County Representative Bullock most ably represents in the House of Representatives; and

Whereas, It is the custom of the House to name children of Members as Mascots of the Legislature: now, therefore, be it

Resolved, That Lindy Bullock be named Mascot of the Fifty-fifth Legislature and that her picture be placed in the picture panel with the Members of the Legislature.

The resolution was referred to the Committee on Rules.

IN RECOGNITION OF THE FIFTH GRADE STUDENTS OF BRYKER WOODS SCHOOL, AUSTIN, TEXAS

Mr. Jones offered the following resolution:

H. S. R. No. 225

Whereas, The Fifth Grade Students of the Bryker Woods Elementary School of Austin, Texas, accompanied by their Teacher, Mrs. Ivan C. Belknap, were visiting in the State Capitol on the fifth day of March, 1957; and

Whereas, These fine young American citizens were on an educational
Resolved, That they be officially recognized and that a copy of this Resolution be forwarded to the Class.

JONES,
SANDAHL,
FOREMAN.

The resolution was adopted unanimously.

IN RECOGNITION OF THE SIXTH GRADE STUDENTS OF THE ALLISON SCHOOL, AUSTIN, TEXAS

Mr. Jones offered the following resolution:

H. S. R. No. 226

Whereas, The Sixth Grade Students of the Allison Elementary School of Austin, Texas, accompanied by their Teacher, Miss Edna Ishaq, were visiting in the State Capitol on the twenty-eighth day of February, 1957; and

Whereas, These fine young American citizens were on an educational tour to observe and learn the workings of their State government; and

Whereas, It is the desire of the House of Representatives of the Fifty-fifth Legislature to commend this group for their interest; now, therefore, be it

Resolved, That they be officially recognized and that a copy of this Resolution be forwarded to the Class.

JONES,
SANDAHL,
FOREMAN.

The resolution was adopted unanimously.

IN RECOGNITION OF THE SEVENTH AND EIGHTH GRADE STUDENTS OF ST. MARY’S SCHOOL, AUSTIN, TEXAS

Mr. Jones offered the following resolution:

H. S. R. No. 228

Whereas, The Seventh and Eighth Grade Students of the St. Mary’s School of Austin, Texas, accompanied by their teacher, Mrs. E. P. Wilcox, were visiting in the State Capitol on the twenty-eighth day of February, 1957; and

Whereas, These fine young American citizens were on an educational tour to observe and learn the workings of their State government; and

Whereas, It is the desire of the House of Representatives of the Fifty-fifth Legislature to commend this group for their interest; now, therefore, be it

Resolved, That they be officially recognized and that a copy of this Resolution be forwarded to the Class.

JONES,
SANDAHL,
FOREMAN.

The resolution was adopted unanimously.

CONGRATULATING JAMES W. ASTON, DALLAS, TEXAS

Whereas, The Fifth Grade Students of the Palm School of Austin, Texas, accompanied by their Teacher, Mrs. Goss, were visiting in the State Capitol on the fourth day of March, 1957; and

Whereas, These fine young American citizens were on an educational tour to observe and learn the workings of their State government; and

Whereas, It is the desire of the House of Representatives of the Fifty-fifth Legislature to commend this group for their interest; now, therefore, be it

Resolved, That they be officially recognized and that a copy of this Resolution be forwarded to the Class.

JONES,
SANDAHL,
FOREMAN.

The resolution was adopted unanimously.

IN RECOGNITION OF THE FIFTH GRADE STUDENTS OF PALM SCHOOL, AUSTIN, TEXAS

Mr. Jones offered the following resolution:

H. S. R. No. 227

Whereas, The Fifth Grade Students of the Palm School of Austin, Texas, accompanied by their Teacher, Mrs. Goss, were visiting in the State Capitol on the fourth day of March, 1957; and

Whereas, These fine young American citizens were on an educational tour to observe and learn the workings of their State government; and

Whereas, It is the desire of the House of Representatives of the Fifty-fifth Legislature to commend this group for their interest; now, therefore, be it

Resolved, That they be officially recognized and that a copy of this Resolution be forwarded to the Class.

JONES,
SANDAHL,
FOREMAN.

The resolution was adopted unanimously.
March 6, 1957

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H. S. R. No. 221

Whereas, Mr. James W. Aston, President of the Republic National Bank of Dallas, has been honored by the East Texas Chamber of Commerce as its Man of the Month; and

Whereas, This outstanding citizen of Dallas has been an inspiration not only to the people of Dallas, but to the State and Nation as a whole, for his civic works; and

Whereas, "Jimmie", as he is affectionately known by his host of friends, is a graduate of Texas A & M College, having received his BS degree in civil engineering in 1933. He continued his studies with post-graduate work in finance and organization and in government. He served as city manager, first of the City of Bryan, Texas, and then of the City of Dallas. He was called into active military service as a first lieutenant and served throughout World War II, and upon his discharge was Chief of Staff of the Air Transport Command. Mr. Aston is a native of Commerce, Texas, and is active in many phases of civic life in Dallas, including the Boy Scouts, the Red Cross, and other similar agencies; and

Whereas, Mr. Aston is not only a leader in many civic projects for the advancement of his City, County and State, he has also proved his worth as a worker in the ranks of such enterprise; Now, therefore, be it

Resolved, That this outstanding citizen of Dallas and of Texas be fittingly recognized by his fellow Texans, and that the House of Representatives of the Fifty-fifth Legislature extend our congratulations to "Jimmie" Aston for the honor which has been bestowed upon him; And be it further

Resolved, That this Resolution be printed in today's Journal and a copy of same be transmitted to him.

CROSTHWAIT, ATWELL, SUTTON, SANDERS, POOL, JOHNSON, HUGHES of Dallas.

The resolution was read and was adopted.

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TO GRANT NASH GASOLINE COMPANY PERMISSION TO SUE THE STATE

Mr. Foreman offered the following resolution:

H. S. R. No. 45

Whereas, Nash Gasoline Company is a Texas corporation doing business in the State of Texas in accordance with the laws of said State of Texas; and

Whereas, The said Nash Gasoline Company has paid to the State of Texas gas gathering taxes beginning in the month of July, 1952, and continuing through February, 1953; said taxes being levied by Section XXIII of House Bill 285, Chapter 402, Page 740, Acts of the Fifty-second Legislature of the State of Texas which became effective September 1, 1951, and which said Act has been declared unconstitutional by the Supreme Court of the United States in the cases styled Michigan-Wisconsin Pipeline Company vs. Robert S. Calvert, et al and Panhandle Eastern Pipeline Company vs. Robert S. Calvert, et al 347 U. S. 157, 74 S. C. 256; and

Whereas, The United States Supreme Court has held that taxes paid under this Act were illegally and unlawfully extracted and that said Act was void and of no force and effect; and

Whereas, There is no provision of law whereby this money unlawfully extracted can be returned or recovered except through a direct appropriation by the Legislature; and

Whereas, There is no provision in the laws of the State of Texas to accurately and definitely determine what amount of taxes, if any, should be returned; and

Whereas, In order to definitely and accurately determine the same it is the policy of this Legislature to let a court of competent jurisdiction pass upon the same; and

Whereas, It is the policy of the Legislature of the State of Texas to give and grant to persons and corporations the rights to litigate any valid claim against the State of Texas in a court of competent jurisdiction; now, therefore, be it

Resolved By the House of Representatives of Texas with the Senate
concurring, that Nash Gasoline Company be and hereby granted permission to bring suit against the State of Texas in any court of competent jurisdiction in Travis County, Texas, to recover judgment against the State of Texas for all amounts of money heretofore illegally extracted and paid by Nash Gasoline Company under said unconstitutional law and service of citation for the purpose herein granted may be served upon the State of Texas by serving the Attorney General, the State Treasurer and the Comptroller of Public Accounts; and be it further

Resolved, That such suit may be filed within two years from the effective date of this resolution; and be it further

Resolved, That it is understood that the purpose of this resolution is solely to grant permission to bring suit against the State of Texas and no admission of the liability on the part of the State or any fact is made by this resolution.

The resolution was referred to the Committee on State Affairs.

PROVIDING FOR THE APPOINTMENT OF A COMMITTEE TO DRAFT A FORM OF QUESTIONNAIRE TO BE SENT TO THE MEMBERS OF THE HOUSE

Mr. Mann offered the following resolution:

H. S. R. No. 224

Whereas, It has come to the attention of the people of the State of Texas that some members of the Legislature are receiving retainers, salaries or other payments as remuneration from certain associations, corporations, and individuals representing special interests operating in the State; and

Whereas, It is impossible for one man to successfully serve two masters; and

Whereas, We deem it a matter of public policy that the people of the State should know what interests the members of the Legislature represent other than those of the people; and

Whereas, We feel that the people of the State of Texas are entitled to know what interest, distinct and apart from that of the citizen-at-large, that a Member may have in matters before the Legislature, upon which such member will be called upon to act; now, therefore, be it

Resolved By the House of Representatives, That the Speaker of the House appoint a committee of three who shall be authorized and empowered to draft a form of a certificate which shall be in such form as will show, when properly answered, the trade, occupation or profession of the Member preparing it and the names of any person, organization, association, corporation or association by which that Member is retained or accepts a salary on a monthly, yearly or contingent basis or any other payment as remuneration at the time of taking the oath of office, and further that any interest, distinct and apart from that of the citizen-at-large, organization, association, or corporation, in any legislation or in or with any person, organization, association or corporation, regulated by the State of Texas, be declared by the Member; and be it further

Resolved, That any time while the Legislature is in session any Member who accepts a retainer or receives a salary or other thing of value as remuneration from any person, organization, association or corporation which has an interest, distinct and apart from that of any other citizens, organization, association or corporation at large in legislative matters, such fact shall be declared by the Member and shall be published in the Journal of the House; and be it further

Resolved, That answers to the questions propounded by the committee as questionnaire shall be under oath; and be it further

Resolved, That the committee authorized to secure this information be directed to make a full and complete report to the House, which report shall be printed in the House Journal not later than one week after the passage of this resolution.

The resolution was read and was referred to the Committee on State Affairs.

TO GRANT UPHAM GAS COMPANY PERMISSION TO SUB THE STATE

The Speaker laid before the House for consideration at this time, the following resolution:
Whereas, Upham Gas Company is a domestic corporation duly organized and existing under and by virtue of the laws of the State of Texas, and has been doing business continuously in Texas for a number of years; and
Whereas, The said Upham Gas Company paid to the State of Texas gas gathering taxes, beginning in the month of September, 1951 and continuing through December, 1954, said taxes being levied by Section XXIII of House Bill No. 285, Chapter 402, page 740, Acts of the 52nd Legislature, Regular Session, 1951, and which said Act has been declared unconstitutional by the Supreme Court of the United States in the case styled Michigan-Wisconsin Pipeline Company vs. Robert S. Calvert, et al, Panhandle Eastern Pipeline Company vs. Robert S. Calvert, et al, 347 U. S. 157, 74 SC. 254; and
Whereas, The United States Supreme Court has held that taxes paid under this Act were illegally extracted and that said Act was void and of no force and effect; and
Whereas, There is no provision of law whereby this money unlawfully extracted can be returned or recovered except through a direct appropriation by the Legislature; and
Whereas, There is no provision in the laws of the State of Texas to accurately and definitely determine what amount of taxes, if any, should be returned; and
Whereas, In order to definitely and accurately determine the same, it is the policy of this Legislature to let a court of competent jurisdiction pass upon the same; and
Whereas, The Attorney General of this state is requested to have the questions of law involved finally set settled in the Supreme Court of Texas; now, therefore, be it
Resolved, That such suit may be filed within two (2) years from the effective date of this Resolution; and, be it further
Resolved, That no interest shall be paid Upham Gas Company in the event a final judgment is obtained by it for recovery of taxes paid under House Bill No. 285, 52nd Legislature; provided if a final judgment is obtained by the Upham Gas Company all increases in rates obtained on the basis of taxes paid under House Bill No. 285, 52nd Legislature, shall be refunded in full to all those having paid such rate increases.

The resolution was referred to the Committee on State Affairs.

REQUESTING TEXAS LEGISLATIVE COUNCIL TO STUDY TRAFFIC ACCIDENT PROBLEMS ON STREETS AND HIGHWAYS

The Speaker laid before the House for consideration at this time, the following resolution:

The motor vehicle street and highway transportation system in Texas, involving over 4 million drivers, 4 million vehicles; 26,000 miles of paved state highway, 26,000 miles of city streets, and 160,000 miles of county roads; and transporting 95% of all passenger miles in Texas and 77% of all commodities, is of vital importance to the social and economic welfare of every Texas citizen and visitor; and
Whereas, Motor vehicle traffic accidents cause an annual waste in the operation of the motor vehicle street...
and highway transportation system
In excess of 2,400 human lives, 110,000 persons injured, and
150 to 200 million dollars economic loss; and
Whereas, Known and proven control techniques exist that will reduce
the traffic death toll to one-third of its present staggering total and these
control techniques are being successfully applied in other states; and
Whereas, Texas has not met the minimum standards nationally estab-
lished in any of the elements of this proven control program; and
Whereas, The National Governor’s Conference recommended the submis-
sion of the problem of Street and Highway Safety to the Legislative
Councils of each state where such agency existed for continuous study;
and
Whereas, The Texas Legislative Council is request-
ed to study the traffic accident problem in street and highway transportation in Texas, the laws pertaining thereto, the State agencies and their programs engaged in man-
gagement and control of the street and highway transportation system,
with comparisons of the laws and measures used in other states and those programs recommended by na-	ional, professional or other authoritative organizations in this field, and
to submit suggestions as to possible courses of action to the 66th Legis-
lature and its members. The Texas Department of Public Safety, the Texas Highway Department, The Texas Education Agency, The Attorney General’s Office, The University of Texas, and all other departments and agencies of the State whose activities bear on the management and control of highway transportation and traffic accident prevention, shall cooperate with the Council in making such study.
The resolution was read and was referred to the Committee on Rules.
SENATE BILL NO. 44 ON SECOND READING
The Speaker laid before the House, on its second reading and passage to
third reading.
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Myatt  Cory  Moore of Harris
Oliver  Cotten  Moore of Hays
Osborn  Covenant  Moore of Tarrant
Parish  Cox of Bell  Mullen
Parsons  Craythwait  Murray
Patterson  de la Garza  Myatt
Pool  Dewey  Oliver
Presler  Duff, Miss  Osborn
Puckett  Dugas  Parish
Ramsey  Dunca  Parsons
Richardson  Ehrle  Patterson
Roberts  Elliott  Pool
Russell  Ellis  Presler
Sadler  Eubanks  Puckett
Sanahl  Foreman  Ramsey
Sanders  Forysth  Richardson
Schrum  Glusing  Russell
Schwartz  Green  Sadler
of Galveston  Hale  Sandahl
Welch  Harrington  Sanders
of Washington  Healy  Saul
White  Heffin  Schram
Of Young  Hensley  Schwartz
Wilson  Hollowell  Schuette
of Potter  Holman  of Washington
Wolfford  Holstein  Seeliger
Wooley  Hooks  Shannon of Erath
Yesak  Hosey  Shannon
Yezak  Huston  of Tarrant
Zbranek  Huffman  Shaw

Nays—5
Burkett  Moore of Tarrant
Day  Sheridan
Harrington  Sheridan

Absent
Baker  Hughes of Dallas
Bell  McDonald
Elliott  Martin
Pescoglio  Winfree
Ford

Absent—Excused
Pipkin

The Speaker then laid Senate Bill No. 44 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yea—133
Anderson  Bewers
Armbrister  Borsen
Atwell  Bristow
Baker  Byrne
Ballman  Bullock
Bartram  Byrd
Bass  Cline
Bishop  Cloud
Blalock  Cole
Blanchard  Conley

Nays—1
Day
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**SENATE BILL NO. 48 ON SECOND READING**

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 48, Providing for the issuance of a patent to a certain lot in the City of Austin, Texas; and declaring an emergency.

The bill was read second time.

(Mr. Huffman in the Chair)

S. B. No. 48 was then passed to third reading.

**SENATE BILL NO. 48 ON THIRD READING**

Mr. Sandahl moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 48 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
<thead>
<tr>
<th>Yeas—132</th>
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<td>Anderson</td>
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The Chair then laid Senate Bill No. 48 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

| Anderson      | Harrington    |
| Baker         | Jamison       |
| Bartram       | Jamison       |
| Bass          | Hooey         |
| Bishop        | Hooks         |
| Blaine        | Hooey         |
| Blanchard     | Huebner       |
| Bowers        | Huffor        |
| Boyse         | Hughes of Grayson |
| Brashear      | Hughes of Dallas |
| Britow        | Hutchins      |
| Bryan         | Isacks, Miss  |
| Bullard       | Jackson       |
| Byrd          | Jamison       |
| Chapman       | Johnson       |
| Cline         | Jones         |
| Cloud         | Joseph        |
| Cole          | Kelly         |
| Conley        | Kessinger     |
| Corry         | Kennedy       |
| Cotton        | Kilpatrick    |
| Covin         | Koliba        |
| Cox of Bell   | Koroth        |
| Creighton     | Kothmann      |
| Day           | Latimer       |
| de la Garza   | Lee           |
| Dewey         |               |
| Duett, Miss   | McCoppin      |
| Dugas         | McGregor      |
| Duncan        | of McLennan   |
| Earle         | McGregor      |
| Elliott       | of El Paso    |
| Ellis         | McIlhany      |
| Fenoglio      | Mann          |
| Ferrell       | Martin        |
| Foreman       | Matthew       |
| Forsyth       | Maze          |
| Glines        | Moore of Harris|
| Glising       | Moore of Tarrant|
| Green         | Mullen        |
| Hale          | Murray        | Womack     |

Yeas-140

Yeas-117
Mr. Thurmond moved to reconsider the vote by which H. B. No. 163 was passed and to table the motion to reconsider. The motion to table prevailed.

On motion of Mr. Thurmond and by unanimous consent of the House, the Caption of House Bill No. 163 was ordered amended to conform with the body of the bill.

HOUSE BILL NO. 163 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment.

H. B. No. 163. A bill to be entitled "An Act amending Section 19 of Chapter 55, Acts of the 35th Legislature, Regular Session, 1925, as amended by Section 4 of Chapter 107, Acts of the 40th Legislature, 1st Called Session, 1927 (codified as Article 7880-19) so as to prescribe the procedure for granting or refusing a petition for the organization of a water control and improvement district; providing for certain factors to be considered by the Board of Water Engineers of Commissioners' Court; authorizing the Board or Court to exclude from the proposed district lands that will not be benefited, authorizing the Court or Board to refuse to grant to the district powers which will not be needed or exercised but allowing districts to petition at a later time for such powers as are then needed and will
be exercised; continuing in effect by certain counties; and declaring an emergency."

The bill was read second time.

Mr. Saul moved that further consideration of House Bill No. 153 be postponed until Tuesday, March 12, at 10:00 o'clock a.m.

The motion to postpone prevailed.

HOUSE BILL NO. 154 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 154, A bill to be entitled "An Act amending Section 76 of Chapter 25, Acts of the 39th Legislature, Regular Session, 1925, as amended (codified in Vernon's Civil Statutes as Article 7880-76) so as to provide for an appeal to the proper District Court of any decision made by the Board of Directors of a water control and improvement district excluding or failing to exclude lands from the district; leaving the balance of such Section 76 intact; and declaring an emergency."

The bill was read second time.

Mr. Saul moved that further consideration of House Bill No. 154 be postponed until Tuesday, March 12, at 10:30 o'clock a.m.

The motion to postpone prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, March 6, 1957.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. 280, Creating the Tri-County Municipal Water District in certain cities in Hill County; and declaring an emergency.

S. B. 49, Relating to the selection of jurors by the jury wheel system in certain counties; and declaring an emergency.

Respectfully,
CHARLES SCHNABEL,
Secretary of the Senate.

HOUSE BILL NO. 182 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 182, A bill to be entitled "An Act creating an additional District Court in El Paso County, Texas, to be known as the District Court of the 120th Judicial District; providing the terms and jurisdiction for said Court; providing for the appointment and election of the District Judge of said Court; prescribing his qualifications, powers, duties, term of office and compensation; providing for the appointment of an Official Court Reporter for said Court; prescribing his qualifications, duties and compensation; providing for the appointment, designation and compensation of other officers of the Court; providing all process, writs, recognizances and bonds heretofore issued, made, executed or returnable to existing terms of district courts in El Paso County are valid and returnable to the first term of the District Court for the 120th Judicial District after the effective date of this Act; making other provisions relative to the business and functioning of the district courts of El Paso County; providing a severability clause and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 182 ON THIRD READING

Mr. White moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 182 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—131
Anderson
Atwell
Armor
Baker
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<td>Blanchard</td>
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<td>Boyce</td>
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The bill was read third time and was passed by the following vote:

Yea—119

Abs—19

Pipkin
The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 188, a bill to be entitled "An Act relating to licensing of law school graduates upon separation of military service; amending Article 307-A of the Revised Civil Statutes of Texas; providing that law licenses shall be granted without requirement of passage of the State Bar Examination and setting out the conditions thereon; providing a repealing clause; providing a severability clause and declaring an emergency."

The bill was read second time.

Mr. White offered the following Committee Amendment to the bill:

Amend House Bill No. 188 as follows:

Section 2 as now found in this Act shall hereafter read as "Section 3." Section 3 as found in this Act shall hereafter read as "Section 4." Section 4 shall hereafter read as "Section 5." A new Section hereafter known as Section 2 shall be inserted, which shall read as follows:

"No person now serving on active duty in the military service of the United States, and no person who enters active duty in the military service of the United States prior to October 1, 1957 and serves for a period of at least 90 days shall be affected by this Act."

Mr. Cline offered the following substitute amendment for Committee Amendment No. 1:

Amend House Bill 188 as follows:

Section 2 as now found in this Act shall hereafter read as "Section 3." Section 3 as found in this Act shall hereafter read as "Section 4." Section 4 shall hereafter read as "Section 5." A new Section hereafter known as Section 2 shall be inserted, which shall read as follows:

"No person now serving on active duty in the military service of the United States, and no person who enters active duty in the military service of the United States prior to October 1, 1957 and serves for a period of at least 90 days shall be affected by this Act."

Mr. White moved to reconsider the vote by which H. B. No. 188 was passed and to table the motion to reconsider. The motion to table prevailed.
service of the United States prior to November 1, 1967 and serves for a period of at least 90 days shall be affected by this Act."

The substitute amendment was adopted.

Committee Amendment No. 1 as substituted was adopted.

H. B. No. 188 was then passed to engrossment.

HOUSE BILL NO. 188 ON THIRD READING

Mr. Sudderth moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 188 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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| Phipkin | The Chair then laid House Bill No. 188 before the House on third reading and final passage. (Speaker in the Chair.)

The bill was read third time and was passed by the following vote:
On motion of Mr. Sudderth and by unanimous consent of the House, the Caption of House Bill No. 188 was ordered amended to conform with the body of the bill.

REASON FOR VOTE ON H. B. NO. 188

Reason for vote: Being an attorney I have a personal interest in this matter and consequently did not vote on this bill.

JAMES M. COTTEN.

MESSAGE FROM THE SENATE

Austin, Texas, March 6, 1957.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. 248, Creating the Port of Beaumont Navigation District of Jefferson County; and declaring an emergency.

H. B. 110, Relating to probate proceedings, independent executors, guardians, incompetency, etc.; and declaring an emergency.
H. C. R. 33, Memorializing Congress as to states rights.

Respectfully,

CHARLES SCHNABEL
Secretary of the Senate.

HOUSE BILL NO. 189 ON SECOND READING

The Speaker said before the House, on its second reading and passage to engrossment,

H. B. No. 189, A bill to be entitled "An Act repealing the provisions of House Bill 931, Acts of the 46th Legislature, Regular Session, 1939, ch. 22, p. 195, relating to the Criminal Jurisdiction of the 76th Judicial District Court in Morris County; restoring the Criminal Jurisdiction of the County Court of Morris County; providing that all criminal cases on the docket of the 76th Judicial District Court of Morris County which the 76th Judicial District Court acquired by virtue of the provisions of House Bill 931, Acts of the 46th Legislature, Regular Session, 1939, ch. 22, p. 195, be transferred to the County Court of Morris County and to conform the jurisdiction of the County Court of Morris County and the 76th Judicial District Court to such change; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 189 ON THIRD READING

Mr. Mays moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 189 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—130

Anderson  Bell
Armstrong  Bishop
Atwell  Hibbs
Baker  Blanchard
Ballman  Bowers
Bartram  Boyden
Baas  Brashear
Bristow  Molbahn
Bullock  Mann
Byrd  Martin
Clay  Mathews
Cloud  Mays
Conley  Moore of Harris
Cory  Moore of Tarrant
Coven  Mullens
Cox of Bell  Murray
Crosby  Nesbit
Day  Oliver
de la Garza  Osbom
Dewey  Parish
Duff, Miss  Patterson
Dugas  Pool
Dungan  Frazier
Elliot  Puett
Ellis  Ramsey
Penoglio  Richardson
Ferrell  Russell
Foreman  Sadler
Forrest  Sands
Glass  Sanders
Glasing  Schram
Green  Schwartz
Hain  of Galveston
Harrington  Schwartz
Heflin  of Washington
Hentman  Seeligson
Hensley  Shackleford
Hollowell  Shannon of Erath
Holman  Shannon of Tarrant
Holtsema  Shaw
Hosier  Sherrill
Huehner  Smith of Hays
Huffman  Smith of Jefferson
Iztor  Spilman
Hughes of Grayson  Springer
Hughes of Dallas  Storey
Hutcheson  Strom
Iance, Miss  Sudduth
Jackson  Sutton
Jamison  Talasek
Johnson  Terrell
Jones  Thurmond
Joseph  Tussell
Kelly  Turner
Kennard  Watson
Kline  Welch
Koliba  Wheeler
Koroth  Wilson
Kothmann  Wilson of Potter
Kochman  Wilson of Young
LaBaker  Wilson of Young
LaBelle  Winfree
LaDee  Willsford
McCoplin  Woolsey
McGregor  of McLennan  Yeak
McGregor of Galveston  Ehrplek
March 6, 1957

HOUSE BILL NO. 199

ON

SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment;

"H. B. No. 199. A bill to be entitled "An Act amending Article 2833, Revised Civil Statutes of Texas, 1925; providing for stopping payments to the school district from the State of Texas for failing to comply with this provision; prescribing penalties for..."
filing a false report and establishing venue for prosecution therefor; providing that the State Commissioner may order a school district to furnish an audit of its accounts; providing for stopping payments to the school district from the State under certain conditions; repealing all laws in conflict herewith; and declaring an emergency.”

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Anderson  McGregor  of El Paso
Armoy       of El Paso
Baker       Missouri
Bartram      Murray
Bell         Mays
Bishop       Moore of Harris
Blalnco      Moore of Tarrant
Branham      Mullen
Bresshear    Murray
Bristow      Myatt
Bryan        Oliver
Byrd         Osborn
Chapman      Parish
Cloud        Patterson
Cole         Preslar
Cox of Bell  Puckett
Crestwalt    Richardson
Dewey        Roberts
Duff, Miss   Russell
Dugas        Sadler
Dungan       Sadabah
Elliott      Sobram
Edy          Schwartz
Foreman       of Galveston
Forsyth       of Washington
Glass         Shackelford
Green         Shannon of Erath
Holman        Shannon of Tarrant
Hosny         Sherrill
Huffman       Slack
Huffor        Smith of Hays
Hughes of Dallas
Hughes of Dallas
Hutchins      Shannon of Tarrant
Isaacs, Miss  Sherrill
Jackson       Smith of Tarrant
Jones         Smith of Jefferson
Joseph        Spilman
Kelly         Stewart
Kilpatrick    Storey
Kortoth       Strickland
Kothmann      Sudderth
Laurel        Sutton
Lee           Talasek
Mcllhany      Thermood
Mann         Tunnell
Martin        Turman
Mays         Walling
Mayes         Watson
Mellen        Welch
Moore of Harris
Moore of Tarrant
Murray        Wheeler
Myatt         Wilson of Young
Nays—103

The Committee Amendment was adopted.

(Mr. Patterson in the Chair)

H. B. No. 199 was then passed to engrossment.

MOTION TO PLACE HOUSE BILL NO. 199 ON THIRD READING

Mr. Hale moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 199 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Anderson  McGregor  of El Paso
Armoy       of El Paso
Baker       Missouri
Bartram      Murray
Bell         Mays
Bishop       Moore of Harris
Blalnco      Moore of Tarrant
Branham      Mullen
Bresshear    Murray
Bristow      Myatt
Bryan        Oliver
Byrd         Osborn
Chapman      Parish
Cloud        Patterson
Cole         Preslar
Cox of Bell  Puckett
Crestwalt    Richardson
Dewey        Roberts
Duff, Miss   Russell
Dugas        Sadler
Dungan       Sadabah
Elliott      Sobram
Edy          Schwartz
Foreman       of Galveston
Forsyth       of Washington
Glass         Shackelford
Green         Shannon of Erath
Holman        Shannon of Tarrant
Hosny         Sherrill
Huffman       Slack
Huffor        Smith of Hays
Hughes of Dallas
Hughes of Dallas
Hutchins      Shannon of Tarrant
Isaacs, Miss  Sherrill
Jackson       Smith of Tarrant
Jones         Smith of Jefferson
Joseph        Spilman
Kelly         Stewart
Kilpatrick    Storey
Kortoth       Strickland
Kothmann      Sudderth
Laurel        Sutton
Lee           Talasek
Mcllhany      Thermood
Mann         Tunnell
Martin        Turman
Mays         Walling
Mayes         Watson
Mellen        Welch
Moore of Harris
Moore of Tarrant
Murray        Wheeler
Myatt         Wilson of Young
Nays—31

Atwell  Bass
Baltman      Bullock
On motion of Mr. Hale and by unanimous consent of the House, the Caption of House Bill No. 199 was ordered amended to conform with the body of the bill.

HOUSE BILL NO. 215 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 215, A bill to be entitled "An Act authorizing the employment of special investigators for grand juries; providing the method of employment, tenure of employment and compensation; and declaring an emergency."

The bill was read second time.

Mr. Cox of Bell moved that further consideration of House Bill No. 215 be postponed until Monday, March 18, at 10:30 o'clock a.m.

There was no objection offered and it was so ordered.

(Speaker in the Chair)
HOUSE BILLS ON FIRST READING

(Without unanimous consent.)

The following House Bills were today laid before the House, read severally first time and referred to the appropriate Committees, as follows:

By Mr. Sudderth:
H. B. No. 639, A bill to be entitled "An Act to permit directors of Water Improvement Districts, Water Control and Improvement Districts, or other subdivisions of the State of Texas, organised and operating by virtue of Article XVI, Section 9 of the State Constitution, and laws enacted pursuant thereto, to have their lands annexed to and to form a part of the District of political subdivision aforesaid of the State of which they are directors, or director."
Referred to the Committee on Conservation and Reclamation.

By Mr. Walling:
H. B. No. 640, A bill to be entitled "An Act amending Section 3 and Section 7 of Article 2228 (b) of the Revised Statutes of Texas, being acts of the 51st Legislature, Regular Session, Chapter 99, page 181, as amended by the acts of the 52nd Legislature, Regular Session, Chapter 206, page 334, and as further amended by Chapter 74, page 386, of the acts of the 54th Legislature, Regular Session, 1956, and declaring an emergency."
Referred to the Committee on Judiciary.

By Messrs. Mano, Baker, Cole, Helfin, Winfree, Freasler, Elliott and Moore of Harris:
H. B. No. 641, A bill to be entitled "An Act relating to Harris County Houston Ship Channel Navigation District of Harris County, Texas: (a) authorizing said District to acquire, purchase, enlarge, extend, repair, maintain, operate, or develop certain improvements and facilities, authorizing the Board of Navigation and Canal Commissioners of said District to prescribe fees and charges for the use of the improvements and facilities of the District and providing for the use and disposition of the revenue produced thereby; authorizing the issuance by said Board of obligations of the District payable solely out of said revenue and containing provisions relating to said revenue and to said obligations and the issuance thereof and to said improvements and facilities (b) providing that said District be converted to a navigation district operating under Sec. 69, Art. XVI, Constitution of Texas; providing the powers and authority of said District and Board; authorizing the issuance of tax bonds of the District and containing provisions relating to the powers and duties of the Commissioners' Court of Harris County and of said Board relating to said bonds and the issuance thereof and containing other provisions relating thereto; authorizing the levy, assessment, and collection of an annual tax for the maintenance, operation, and upkeep of the District and its facilities, properties, and improvements, and containing provisions relating thereto; containing a finding of benefits; (c) authorizing the issuance of bonds of the District to refund bonds of the District which have heretofore been voted and containing provisions relating thereto; (d) providing that this Act shall be cumulative of other laws and shall be liberally construed, and that nothing herein shall be construed to amend, repeal, or affect the laws relating to pilots, pilotage, their appointment, or remuneration; (e) validating said District, all acts and governmental proceedings of said Board and other officials of the District, all acts and governmental proceedings of the Commissioners' Court of Harris County relating to said District, the boundaries of said District, all bonds herefore voted and issued and all elections herefore held for the issuance of bonds, and the election held in said District January 31, 1957, at which $7,000,000 bonds of the District were authorized, and all proceedings relating to said election, and providing that such validation provisions shall have no application to litigation pending upon the effective date of this Act; (f) providing a severability clause; and (g) declaring an emergency."
Referred to the Committee on Counties.
March 6, 1957

HOUSE JOURNAL 755

By Messrs. Dungan, Heitman, Jamison, Fenoglio and Harrington:

H. B. No. 642, A bill to be entitled "An Act requiring the labeling of the minimum percentage of milkfat or butterfat content of all milk and milk products produced, offered for sale, or sold in this State; making it unlawful to falsely or misleadingly represent the minimum percentage of milkfat or butterfat content of milk and milk products produced, offered for sale, or sold in this State; exempting certain milk producer-distributors from the provisions of this Act; providing penalties for the violation of this Act; providing for the effective date of this Act; providing for severability; providing that this Act shall be cumulative of existing laws; and declaring an emergency."

repealing all conflicting laws and providing a saving clause; and declaring an emergency."

On motion of Mr. Sadler the House concurred in the Senate Amendments by the following vote:

Yeas-135

Referred to the Committee on Agriculture.

HOUSE BILL NO. 145 WITH SENATE AMENDMENTS

Mr. Sadler called up with Senate Amendments for consideration at this time.

H. B. No. 145, A bill to be entitled "An Act amending Chapter 452, General Laws, Regular Session, 53rd Legislature, 1953 (codified as Article 7519a and 7519b), so as to declare as abandoned all certified filings hereeto­fore filed with and permits heretofore issued by the Board of Water Engineers and permits hereafter issued by the Board of Water Engineers or its successor, which certified filings and permits authorize the appropriation of public waters, when no part of the waters authorized to be appropriated has ever been put to beneficial use at any time during a ten year period preceding the effective date of this Act or the date of cancel­lation by the Board of certain unused portions of permits and certi­fied filings under certain conditions and in the manner herein specified; requiring public hearings before cancel­lation; providing for notice before hearing and the manner thereof; af­fording an opportunity to present evidence at such public hearing; declar­ing that failure to cancel shall not validate or enhance a certified filing or permit; defining certain terms; providing for appeals from orders of cancellation and partial cancellation; repealing all conflicting laws and provid­ing a savings clause; and declar­ing an emergency."
ADJOURNMENT

Mr. Blanchard moved that the House adjourn until 10:00 o'clock a.m. tomorrow.

The Reverend E. C. McDonald, Chaplain, offered the Benediction, as follows:

"O Lord, Thou dost know the secrets that will make Thy world, for Thou art the way, the truth and the life. Help us to see that the forces that threaten us, cannot be argued down, nor shot down. They must be lived down. Give us the leaders of our State and Nation, the inspired ideas that shall lead this State of Texas and our Country into making this American dream come true. Through Jesus Christ our Lord.

—Amen."

The motion to adjourn prevailed and the House accordingly, at 10:00 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on bills and resolutions, as follows:

Congressional and Legislative Districts: H. B. No. 129.
Criminal Jurisprudence: H. B. No. 11, H. B. No. 87, and S. B. No. 36.
Education: H. B. No. 441.
Judicial Districts: S. B. No. 46.
Rules: H. C. R. No. 41.
Revenue and Taxation: H. C. R. No. 22.
Appropriations: H. B. No. 133.

The Committee on Motor Traffic filed an adverse report with a minority favorable report on H. B. No. 127.
REPORT OF THE COMMITTEE ON 
ENROLLED BILLS 
Austin, Texas, March 5, 1957 
Hon. Waggoner Carr, Speaker of the 
House of Representatives. 
Sir: Your Committee on Enrolled 
Bills to whom was referred 
H. C. R. No. 35, recommending 
that the Texas Congressional delegation in Washington oppose the bills now under consideration which would provide federal financial assistance to local school districts, whether for construction of classroom facilities, supplementing teachers' salaries, or for other similar purposes, etc., 
Hon. Waggoner Carr, Speaker of the 
House of Representatives. 
Sir: Your Committee on Engrossed 
Bills to whom was referred 
H. B. No. 102. A bill to be entitled 
"An Act relating to residence or persons in military service stationed at military installations in the State of Texas for purpose of filing divorce suits, amending Article 4631 of the Revised Civil Statutes of Texas." 
Has carefully compared same and 
finds it correctly engrossed. 
HERMAN YEZAK, Chairman. 
Austin, Texas, March 5, 1957 
Hon. Waggoner Carr, Speaker of the 
House of Representatives. 
Sir: Your Committee on Enrolled 
Bills to whom was referred 
H. B. No. 123. A bill to be entitled 
"An Act to prescribe a procedure for the submission of petitions to Home Rule Cities for election of charter commissions and amendment of charters; providing a method of determining whether petitioners are qualified voters; and declaring an emergency." 
Has carefully compared same and 
finds it correctly engrossed. 
HERMAN YEZAK, Chairman. 
Austin, Texas, March 5, 1957 
Hon. Waggoner Carr, Speaker of the 
House of Representatives. 
Sir: Your Committee on Engrossed 
Bills to whom was referred 
H. B. No. 80. A bill to be entitled 
"An Act to amend the following Sections of the Texas Seed Law, codified as Article 93b of Vernon's Texas Civil Statutes: Section 2, Subdivision (e), defining the terms "hybrid seed"; Section 2, Subdivision (a) (3) relating to label requirements; Section 3, Subdivision (a) by the addition of another subdivision (11) providing for "net weight" of seeds; Section 3, Subdivision (b) relating to the labels for vegetable seeds; and declaring an emergency." 
Has carefully compared same and 
finds it correctly engrossed. 
HERMAN YEZAK, Chairman. 
Austin, Texas, March 5, 1957 
Hon. Waggoner Carr, Speaker of the 
House of Representatives. 
Sir: Your Committee on Engrossed 
Bills to whom was referred 
H. C. R. No. 35.
Mr. Green offered the following resolution:

H. S. R. No. 222, In Memory of Harry Holmes (Pop) Boone.

Whereas, On March 2, 1957, Harry Holmes (Pop) Boone, dean of Texas sports writers known to thousands as a generous, understanding person, was called from his earthly tasks, and

Whereas, Pop Boone was sports editor emeritus of the Fort Worth Press and had for more than half century been one of the best-loved and most widely read columnists in the state of Texas. He came to Texas in 1902, and began writing baseball stories for the San Antonio Express. He later worked for both the San Antonio Gazette and the San Antonio Light, and came to Fort Worth in 1919 when he joined the old Fort Worth Record, becoming sports editor of the Fort Worth Press in 1925, and

Whereas, Pop Boone, like the fabulous Will Rogers, never met a man whom he didn't like. If Pop couldn't write something good about an athlete, he wrote nothing at all. No one was closer to the fabulous Fort Worth Cats of the Jake Atz era, nor did anyone write more enthusiastically of the TCU Horned Frogs, and

Whereas, Pop Boone was a man who had no enemies, Fort Worth sports fans gave him a community-wide appreciation dinner at Hotel Texas October 30, 1945. Now, therefore,

Resolved. That it is the desire of the House of Representatives of the Fifty-fifth Legislature to pay tribute to this worthy citizen; and

be it further

Resolved. That an enrolled copy of this resolution be sent to his wife; his daughter, Mrs. Robert G. Barryman, both of Fort Worth; three sons, Tommy "Dutch" Boone, also of Fort Worth, Daniel Boone of Abilene and Warren (Zeke) Boone of Dallas; and be it further

Resolved. That when the House adjourns today it do so in the honor of Harry Holmes Boone, and that a page in the permanent journal of the House be devoted to the recording of this resolution.

The resolution was unanimously adopted by a rising vote.
Mr. Yezak offered the following resolution:
H. S. R. No. 223, In Memory of Sam Clement.

Whereas, On February 14, 1967, the town of Thorndale and the State of Texas lost an esteemed citizen in the passing of Mr. Sam Clement; and

Whereas, Mr. Clement was an active leader in civic, social and religious activities in his beloved community; and

Whereas, Mr. Clement was a graduate of Sam Houston Normal, Huntsville, Texas, he was a pioneer educator, businessman and banker. He acquired many friends through his business and civic associations; and

Whereas, Mr. Clement was born on October 26, 1872, at Salty in Milam County, Texas; his parents were the late Mr. Frank Clement, Sr., and Mrs. Martha Bryant Clement; and his father served in the Confederate Army during the entire Civil War. On December 24, 1899, he was married to Miss Artie Norman, who preceded him in death on June 8, 1944; and

Whereas, Mr. Clement is survived by one daughter, Mrs. Emma Pearl Byrne, Houston, Texas; and one son, Norman Clement, Thorndale, Texas; three grandchildren, Bobby Byrne, Norma Jean Clement and Nelson Clement; now, therefore, be it

Resolved, That a page of the House Journal be dedicated to this beloved man, and that we here now extend our deepest sympathy to the entire family, that copies of this Resolution be sent to members of his family, and that when the House adjourns today, it do so in the memory of Mr. Sam Clement.

The resolution was unanimously adopted by a rising vote.