March 21, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred House Bill No. 32, A bill to be entitled Blanchard An Act to make unlawful the employment by the State, any school district, any county, or municipality in the State of Texas of any member of the National Association for the Advancement of Colored People, and to provide penalties for violations; and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas. March 20, 1957

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

Sir: Your Committee on Enrolled Bills to whom was referred House Bill No. 61, Requesting return of House Bill No. 145 from the Governor's office and instructing the Enrolling Clerk of the House to make a correction.

Has carefully compared same and finds it correctly enrolled.

SCHWARTZ of Washington, Chairman.

SENT TO THE GOVERNOR

March 20, 1957

H. C. R. No. 61.

FORTY-SECOND DAY

(Thursday, March 21, 1957)

The House met at 10:30 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

Armstrong

Atwell

Baker

Ballman

Bartram

Bass

Bell

Bishop

Blake

Blanchard

Bowens

Boyce

Brashbar

Bristow

Bryan

Bullock

Burkett

Byrd

Chapman

Cline

Cloud

Cole

Conley

Cory

Cotton

Cotran

Cowen

Crow

Creagh

Day

de la Garza

Duff

Duffin

Dugas

Dungan

Echebarria

Ellis

Erion

Feuling

Ferrell

Foucart

Forbes

Foreyt

Glass

Gilling

Green

Haile

Harrington

Hesseltine

Heitman

Hollowell

Holman

Hofstein

Houk

Honey

Husler

Huffman

Hufford

Hughes of Grayson

Hughes of Dallas

Inzick, Miss

Jackson

Jameson

Johnson

Jones

Joseph

Kelly

Kennedy

Kilpatrick

Koliba

Korich

Kothmann

Latimer

Laurel

Lee

McCoppin

McDonald

McGregor

McGregor of McLennan

McGregor of El Paso

McElhany

Mann

Martin

Mathew

May

Moore of Harris

Moore of Tarrant

Mullen

Murray

Myatt

Oliver

Osborn

Parish

Parsons

Patterson

Pipkin

Pool

Puckett

Ramsay

Richardson

Roberts

Russell

Sadler

Sandahl

Sanders

Saul

Scheim

Schulz

Schwartz

of Galveston

of Galesburg

of Washington

Seeliger

Shackelford

Shannon of Erath

Shannon

of Tarrant

Shaw

Sheridan

Sherrill

Slack

Smith of Hays

Smith of Jefferson

Spilman
Mr. Hensley for today on motion of Mr. Strickland.

The following Members were granted leave of absence on account of illness:

- Mr. Elliott for today on motion of Mr. Moore of Harris.
- Mr. Ford for today on motion of Mr. Mayo.

COMMITTEE APPOINTED TO ESCORT HONORABLE DAN DANIEL TO THE SPEAKER’S ROSTRUM

The Speaker announced the appointment of the following Committee to escort Dan Daniel to the Speaker’s Rostrum:

Messrs. Owen, Brashear, Elliott, Hensley, Hale, Jamison, Martin, Blanchard, Osborn and Pipkin.

PROVIDING FOR THE CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

Mr. Baker moved to suspend all necessary rules in order to set a Local and Uncontested Bill Calendar for next Wednesday, March 27, at 2:00 o’clock p.m.

There was no objection offered and it was ordered.

INTRODUCTION OF HOUSE BILL NO. 863

Mr. Pressler asked unanimous consent of the House to introduce at this time and have placed on first reading, H. B. No. 863.

There was objection offered.

Mr. Pressler moved to introduce at this time and have placed on first reading, H. B. No. 863.

The motion prevailed by the necessary four-fifths vote.

ADDRESS BY THE HONORABLE W. C. “DAN” DANIEL

(The House and the Senate in Joint Session)

In accordance with the provisions of House Concurrent Resolution No. 20, providing for a Joint Session of the House and the Senate at 10:30 a.m. today, for the purpose of
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hearing an address by the Honorable W. C. "Dam" Daniel, National Com-
mander of the American Legion, the Honorable Senators were admitted to
the Hall of the House and occupied seats arranged for them.

Senator Dorsey Hardeman was es-
corted to a seat on the Speaker's rostrum.

Honorable W. C. "Dam" Daniel and party, escorted by Senators Krueger, Herring, Reagan, Moffett and Martin, Committee on the part of the Senate, and Messrs. Cowen, Brashear, Ellis, Hensley, Hale, Jamison, Martin, Blanchard, Osborn, and Pipkin, Committee on the part of the House, were admitted to the Hall of the House, and escorted to seats on the Speaker's rostrum.

Senator Dorsey Hardeman called the Senate to order.

A quorum of the Senate was announced present.

Speaker Waggener Carr called the House to order.

Speaker Carr directed the Clerk to call the roll of the House.

The roll of the House was called.

A quorum of the House was announced present.

Speaker Carr stated that the two Houses were in Joint Session for the purpose of hearing an address by the Honorable W. C. "Dam" Daniel.

Speaker Carr presented Honorable Joe L. Matthews who introduced Mr. Daniel to the Joint Session.

Mr. Daniel then addressed the Joint Session.

SENATE RETIRES

At 11:00 o'clock a. m. Senator Dorsey Hardeman stated that the purpose of the Joint Session having been completed, the Senators would retire to the Senate Chamber.

The Senate then retired to its Chamber.

CORRECTION ORDERED IN HOUSE BILL NO. 205

Mr. Bass asks unanimous consent of the House for the Engrossing Clerk to insert the phrase "and the incorporation" in Committee Amendment No. 1 to House Bill No. 205; in Section 1, line 3 of said Amendment, said words being inadvertently omitted in the Amendment.

There was no objection offered and it was so ordered.

NOTICE GIVEN

Mr. Heitman gave notice that he would on next week move to take up H. B. No. 87, which bill was heretofore laid on the table subject to call.

INTRODUCTION OF HOUSE BILL NO. 864

Mr. Ehrle asked unanimous consent of the House to introduce at this time and have placed on first reading, H. B. No. 864.

There was no objection offered and it was so ordered.

INTRODUCTION OF HOUSE BILL NO. 865

Mr. Richardson asked unanimous consent of the House to introduce this time and have placed on first reading, H. B. No. 865.

There was no objection offered and it was so ordered.

INTRODUCTION OF HOUSE BILL NO. 866

Mr. Lee asked unanimous consent of the House to introduce at this time and have placed on first reading, H. B. No. 866.

There was no objection offered and it was so ordered.

RELATIVE TO HOUSE BILL NO. 528

Mr. Patterson asked unanimous consent of the House that the following amendment be shown as adopted to H. B. No. 528, when the House considered the bill on yesterday:

"Sec. 17. The fact that the business of the County Court of Scurry County is so large as to render it impossible for said County Court to dispose thereof with due dispatch, and that the congestion of business in said Court seriously obstructs the administration of the laws in said County, creates an
emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and it is so suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

There was no objection offered and it was so ordered.

LEAVES OF ABSENCE GRANTED

On motion of Mr. Dewey, and by unanimous consent, Miss Duff, Mr. Welch and Mr. Shaw were granted leaves of absence for the remainder of the day on account of important business.

SENATE BILLS ON FIRST READING

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

S. B. No. 110 to the Committee on Motor Traffic.
S. B. No. 495 to the Committee on Counties.
S. B. No. 493 to the Committee on Counties.
S. B. No. 343 to the Committee on Banks and Banking.
S. B. No. 253 to the Committee on Highways and Roads.
S. B. No. 337 to the Committee on Counties.
S. B. No. 188 to the Committee on Criminal Jurisprudence.
S. B. No. 184 to the Committee on Counties.
S. B. No. 6 to the Committee on Conservation and Reclamation.

HOUSE BILL ON FIRST READING

The following House Bill was today laid before the House, read first time and referred to the appropriate Committee, as follows:

By Messrs. McGregor of McLennan and Baker:
H. B. No. 862, A bill to be entitled "An Act to amend Chapter 514, Senate Bill 134, 53rd Legislature, being the State Building Commission Act by requiring additional qualifications of the Executive Director and Engineer of the State Building Commission. Referred to the Committee on State Affairs."

RECOGNIZING THE VISIT OF THE CIVICS CLASS OF THRAIL HIGH SCHOOL

Mr. Schram offered the following resolution:
H. S. R. No. 283

Whereas, The members of the Civics Class of Thrall High School were guests of the House of Representatives of the Fifty-fifth Legislature on March 20, 1957, and
Whereas, These interested and ambitious students, accompanied by their sponsor, Dewey Brown, 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 we extend our sincerest best wishes to this group of young Texans, and that an enrolled copy of this Resolution be forwarded to them in recognition of their visit and interest in their State Government.

The resolution was read and was adopted.

REGARDING HIGHWAY LETTINGS AND HIGHWAY ROAD MEETINGS

Mr. Bell offered the following resolution:
H. S. R. No. 383

Whereas, For a number of years it has been customary for the State Highway Commission to conduct its road contract lettings each month during the early part of a week, and as a result several hundred highway contractors and their associates descend on Austin taking all the hotel and motel quarters; and
Whereas, Such matters unduly congest the hotels and motels, making it impossible for members of the
Legislature and other persons appearing before the Legislature to find suitable accommodations in such hotels and motels; and

Whereas, The dates of such highway lettings could be set for Friday and Saturday of the week during the sessions of the Legislature thereby making it more convenient for the road contractors and other interested parties to find proper accommodations during the legislative week; now therefore, be it

Resolved, by the House of Representatives that we formally request the Highway Commission that, during the sessions of the Legislature, it rearrange its highway lettings and meetings for Friday and Saturday of the week in order to make it possible for members of the Legislature and other interested parties to secure hotel and motel accommodations, and also to make it more convenient for the Highway contractors to find suitable quarters when the Legislature is in session; and be it further

Resolved, That a copy of this resolution be sent to the Highway Commission with a request that it be considered and observed if feasible.

The resolution was adopted.

TO GRANT JOYCE REYNOLDS AHERNS PERMISSION TO SUE THE STATE

Mr. Elliott offered the following resolution:

H. C. R. No. 69

Whereas, Joyce Reynolds Ahrens, a feme sole, has alleged that she owns the following tracts, pieces and parcels of land situated in Harris County, Texas, to wit:

Tract I. 8.40 acres of land, more or less, situated in the A. B. Reeves Survey, in Harris County, Texas, particularly described as follows, to wit:

Beginning at an iron pipe located south of U. S. Hwy. No. 90-A, east of Blue Ridge Road and west of Post Oak Road in Harris County, Texas, more particularly described as follows:

Beginning at an iron pipe located west 20 feet from the northwest corner of Block 21, South Main Plaza Addition;

Thence West 1,212.96 feet to an iron pipe; Tract II. Being 6.7 acres of land located south of U. S. Hwy. No. 90-A, east of Blue Ridge Road and west of Post Oak Road in Harris County, Texas, more particularly described as follows:

Beginning at an iron pipe located west 20 feet from the northwest corner of Block 21, South Main Plaza Addition;

Tract III. Being 1.7 acres of land in the A. B. Reeves Survey, Harris County, Texas, more particularly described as follows:

Beginning at an iron pipe located west 9.7 feet and north 365.96 feet from the northeast corner of Lot 14, Block 1, South Main Plaza Addition;

Thence North 190.31 feet;

Thence East 1,493.59 feet;

Thence South 196 feet to the place of beginning.

And that the State of Texas, and the Texas Prison Board, have unlawfully entered upon said land and dispossessed and ejected Joyce Reynolds Ahrens from the possession of same to her damages and,
Whereas, Herefore in Cause No. 419-857, in the District Court of Hardin County, Texas, 55th Judicial District styled Joyce Reynolds Ahrens vs. Western United Realty Company, et al, Joyce Reynolds Ahrens has instituted her petition, among other defendants, against the members of the Texas Prison Board, in their individual capacity, alleges two causes of action, each of which is brought as well to try title as for damages and involves the title to each of the three tracts of land above described; and,

Whereas, Joyce Reynolds Ahrens desires to bring into said case against defendants and institute her suit and cause of action against the State of Texas and its Prison Board; Now, therefore, be it,

Resolved that the consent of the Legislature of the State of Texas is hereby given to Joyce Reynolds Ahrens, a female sole, to bring suit against the State of Texas and its Prison Board in the above case or in any court of Competent Jurisdiction for trespass to try title, title, possession, damages as to said tracts of land or for any action or actions as may be necessary to protect the alleged rights of Joyce Reynolds Ahrens within the premises; and in case any such suit is filed either by amended petition in the above stated suit or by separate suit or otherwise, service of citation or any other necessary process shall be upon the Chairman of the Texas Prison Board and the Attorney General of Texas, and each party to the suit shall have the right of appeal as in other cases; and be it further,

Resolved, that no admission of liability is made by this Resolution.

The resolution was referred to the Committee on State Affairs.

CONGRATULATING THE CHAMBER OF COMMERCE OF PORT LAVACA, TEXAS

Mr. Orey offered the following resolution:

H. S. R. No. 280

Whereas, The Port Lavaca Chamber of Commerce has gained state and national recognition for its outstanding work in bringing progress to this fine city; and,

Whereas, The Port Lavaca Chamber of Commerce has named the week of April 1 through April 6 as "Clean Up—Paint Up—Fix Up Week;" now, therefore, be it,

Resolved, That the Texas House of Representatives congratulate this alert Chamber of Commerce and wish the Chamber of Commerce and the City of Port Lavaca success in this worthwhile project.

The resolution was adopted.

PROVIDING FOR PAYMENT OF MEMBER'S OFFICIAL TELEPHONE CALLS DURING THE INTERIM

Mr. Smith of Jefferson offered the following resolution:

H. S. R. No. 284

Be it Resolved, That the Texas House of Representatives, That the Committee on Contingent Expense be directed to appropriate from the Contingent Expense Fund whatever sums shall be necessary to pay for official telephone calls by members of the House of Representatives during the interim beginning immediately following sine die adjournment of the 56th Legislature and ending at the convening of the 57th Legislature. It is provided, however, that no member shall be allowed more than Fifteen Dollars ($15.00) monthly for telephone calls, and it is further provided that no telephone expense other than official calls which are properly charged to the member's official toll credit cards shall be paid by the Committee.

The resolution was referred to the Committee on Contingent Expenses.

SENATE BILL NO. 9, ON PASSAGE TO THIRD READING

The Speaker laid before the House, as postponed business, on its passage to third reading,

S. B. No. 9, Removing authority of water boards to contract for construction by private negotiation; and declaring an emergency.

The bill having been read second time on March 19, and further consideration of same postponed at that time until today.
Mr. Woolsey offered the following amendment to the bill:

Amend Senate Bill 9 by adding between the word "district," and the word "provided," on line 4, page 2, the following language: "Or if there are more than four (4) counties within such district, publication may be made in any newspaper of general circulation within the district,"

(Mr. Roberts in the Chair.)

The amendment was adopted.

Mr. Saul offered the following amendment to the bill:

Amend Senate Bill 9 by inserting a new section immediately following Section 1 thereof, such new section to be known as Section 1A and to read as follows:

"Section 1A. Section 149 of Chapter 76, Acts of the 39th Legislature, Regular Session, 1927, as amended by Chapter 107, Acts of the 49th Legislature, 1st called Session, 1929, as amended by Chapter 87, Acts of the 41st Legislature, Regular Session 1929 (codified in Vernon's Texas Civil Statutes as Article 1429-1471), is hereby amended to read as follows:

Section 149. Abolition of districts.
All Water Control and Improvement Districts organized or operating under the provisions of Chapter 25 of the General Laws passed by the 39th Legislature at its Regular Session, as amended, situated entirely within counties having a population of less than 11,000, according to the last preceding United States Census may be abolished by a majority vote of the tax paying qualified voters residing in such district at an election held for the purpose of determining whether or not such district shall be abolished. In the event any such district shall have outstanding bonds or other indebtedness maturing beyond the current year in which such abolition occurs, the Commissioners Court of the county in which such district is situated shall levy and cause to be collected as county taxes are assessed and collected sufficient taxes on all taxable property within such district to pay the principal and interest on such bonds and other indebtedness when due."

The amendment was adopted.

S. B. No. 9 was then passed to third reading.

**SENATE BILL NO. 9 ON THIRD READING**

Mr. Woolsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 9 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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Anderson  Holman
Armstrong  Holstein
Atwell  Hooks
Bertram  Hovey
Bass  Hubber
Bishop  Huffman
Blaine  Huffier
Blanchard  Hughes of Grayson
Bozarth  Hughes of Dallas
Brennan  Isaac, Miss
Boykin  Jackson
Braun  Jamison
Bratton  Johnson
Bullock  Jones
Byrd  Joseph
Champion  Kelly
Cline  Kenard
Cloud  Kennedy
Cole  Kilpatrick
Conley  Koliba
Cory  Korthof
Cowan  Kothmann
Cox  Laurel
Crow  Lee
Daly  McCoppin
De la Garza  McDonald
Dewey  McGregor
Dougan  of McLennan
Dougan  McGregor
Ehris  of El Paso
Pennington  McHenty
Perrell  Mann
Foreman  Martin
Forsyth  Mathew
Glass  Mays
Glusog  Moore of Harris
Green  Moore of Tarrant
Hale  Mullin
Harrington  Murray
Hensley  Myatt
Holtman  Oliver
Hollowell  Osborn
MESSAGE FROM THE SENATE

Austin, Texas, March 21, 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:


Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

VOTE RECORDED

By unanimous consent of the House, Mr. Anderson was granted permission to be recorded as voting “Yea” on passage of H. B. No. 32, on March 20, to engrossment.

SENATE BILL NO. 214
ON SECOND READING

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

S. B. No. 214, Relating to beer manufacturers licenses; and declaring an emergency.

The bill was read second time.

(Speaker in the Chair.)

Mr. Blaine offered the following amendment to the bill:

Amend Senate Bill No. 214 by adding a new section, to be numbered Section 2, to read as follows: and renumbering the Sections that follow it:

"Section 2. If any section, subsection, paragraph, sentence, clause, or provision of this Act is for any reason held invalid, such invalidity shall not affect any other portion of this Act, but this Act shall be construed and enforced as if such invalid provision had not been contained therein."

The amendment was adopted.

(Mr. Schwartz of Galveston in the Chair.)

Mr. Watson offered the following amendment to the bill:

Amend Senate Bill 214, page one, line 52 and 53 of the printed bill by
Mr. Sanders raised a point of order on further consideration of the amendment by Mr. Watson on the ground that it is not germane to the bill.

The Chair overruled the point of order.

Mr. Baker offered the following amendment to the amendment by Mr. Watson:

Amend Watson amendment by adding the following: "change $10,000.00 to $1,000.00."

Mr. McGregor of El Paso moved to table the amendment by Mr. Baker to the amendment by Mr. Watson.

A record vote was requested on the motion to table.

The motion by Mr. McGregor of El Paso to table the amendment by Mr. Baker prevailed by the following vote:

Yeas—76
Anderson
Armstrong
Ballman
Bartram
Blaine
Blowers
Boyer
Brashhear
Cline
Corby
Cowen
Crenshaw
Day
Ebbie
Forryth
Glaze
Glueing
Green
Hale
Harrington
Heilman
Holton
Holstein
Hooks
Hosey
Huscher
Huffman
Isacks
Jackson
Janison

Nays—54
Armored
Baker
Bass
Bishop
Blanchard
Bullock
Byrd
Cole
Cotten
Cox
de la Garza
Dewey
Dugas
Dungan
Ellis
Elmore
Ferrell
Foreman
Haley
Haley
Hollowell
Huff
Hughes
Hughes
Hulon
Hunt
McGovern
McGregor
McGregor
McGovern
Mann
Martin
Matthew
Moore
Mullen
Oliver
Osborn
Patterson
Pinkin
Puckett
Ramsey
Russell
Sandahl
Sanders
Schram
Schwartz
Sheridan
Sharrell
Smith
Smith
Smith
Springer
Storey
Stroman
Sutton
Sutton
Sheridan
Thurmond
Tillotson
Tolliver
Tolson
Walling
Wesler
White
Wohlford
Woolley
Yezak
Zbranek

Present—Not Voting
Cloud

In The Chair
Schwartz

Absent
Bristow
Bryan
Burkett
Chapman

Absent—Excused
Duff
Elliott
Ford
Heflin

(Speaker in the Chair.)

Mr. McGregor of El Paso moved to table the amendment by Mr. Watson.
The motion by Mr. McGregor of El Paso to table the amendment by Mr. Watson prevailed.

Mr. Joseph moved that further consideration of Senate Bill No. 214 be postponed until April 15, at 11:00 o'clock a.m.

Mr. McGregor of El Paso moved to table the motion by Mr. Joseph to postpone S. B. No. 214.

A record vote was requested on the motion to table.

The motion to table the motion to postpone prevailed by the following vote:

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| Tiszek     | Wolfsord|
| Tunnell    | Wooley  |
| Wallying   | Yenak   |
| Wheeler    | Zbranek |
| Nay         | 38      |

| Armor      | McGregor |
| Blanchard  | of McLennan |
| Bullock    | McLain    |
| Bird       | Myatt     |
| Chapman    | Parish    |
| Cloud      | Pool      |
| Cotten     | Preseler  |
| Dewey      | Richardson|
| Ehrke      | Roberts   |
| Healy      | Sandahl   |
| Hattman    | Sain      |
| Hollowell  | Seeligson |
| Huffer     | Sudikthus |
| Hughes of Grayson | Sutton |
| Johnson    | Terrell   |
| Joseph     | Thurmond  |
| Kally      | Turman    |
| Kehloch    | Watson    |
| Latimer    | Wilson of Young |
| Wilson of Potter |     |

Present—Not Voting

A record vote was requested on the passage of S. B. No. 214 to third reading.

S. B. No. 214 was then passed to third reading by the following vote:

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| Mr. McGregor of El Paso moved to reconsider the vote by which S. B. No. 214 was passed to third reading and to table the motion to reconsider. Question recurring on the motion to table, yes and nays were requested. The motion to table prevailed by the following vote: Yeas—77 Anderson Kilpatrick
| Nays—57          |          |          |
| Armor            | McDonald |          |
| Baker           | McGregor |          |
| Bishop          | McLennan |          |
| Blanchard       | Milhamy  |          |
| Bullock         | Mayo     |          |
| Byrd            | Murray   |          |
| Chapman         | Myatt    |          |
| Cloud           | Fairth   |          |
| Conley          | Pool     |          |
| Cotton          | Presler  |          |
| de la Garza     | Richardson|       |
| Dewey           | Roberts  |          |
| Dugas           | Sandahl  |          |
| Dungan          | Saul     |          |
| Elia            | Schram   |          |
| Ellis           | Seeligon |          |
| Ferrell         | Shannon  | of Tarrant|
| Foreman         | Spindler |          |
| French          | Spindler |          |
| Galloway        | Strickland|       |
| Gilbert         | Sudendorf|          |
| Huffman         | Sutton   |          |
| Hughes of Grayson| Torrell|     |
| Jackson         | Thurmond |          |
| Johnson         | Turman   |          |
| Joseph          | Watson   |          |
| Kelly           | Wilcox   | of Young |
| Koehl           | Wilson of Putter |          |
| Latimer         | Zbranek  |          |
| Laurel          |          |          |
The Speaker laid before the House for consideration at this time, the following resolution:

S. C. R. No. 52

Whereas, Senate Bill No. 237 was inadvertently sent to the House before final action was taken on it in the Senate; and

Resolved by the Senate of Texas, the House of Representatives concurring, That the House be and is hereby requested to return Senate Bill No. 237 for completion.

The resolution was read and was adopted.

MESSAGE FROM THE GOVERNOR

March 21, 1957

To the Members of the Fifty-fifth Legislature:

Complying with the request in House Concurrent Resolution No. 61, I am returning herewith to the House, House Bill No. 145.

Respectfully submitted,

PRICE DANIEL,
Governor of Texas.

MESSAGE FROM THE SENATE

Austin, Texas, March 21, 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 refused to concur in House Amendments to Senate Bill No. 86 and re-
March 21, 1957  HOUSE JOURNAL  1067

questa the appointment of a Conference Committee to adjust the differences between the two Houses.

Respectfully submitted,

CHARLES SCHNABEL,
Secretary of the Senate.

RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and their captions had been read several the following enrolled resolutions:

S. C. R. No. 10, Requesting the Texas Legislative Council to study the traffic accident problems in Texas.

H. C. R. No. 67, Requesting the Senate to return H. R. No. 79 for corrections.

ADJOURNMENT

Mr. Strickland moved that the House adjourn until 10:30 o’clock a.m. next Monday.

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

“Our Father as we stand together with bowed heads, help us to realize that we live, and move and have our being in Thee; that it is not our predecessors, nor our intelligence, but Thy love, mercy and grace that we are permitted to live in this beautiful world. Help us, O Lord, to show our appreciation by yielding to Thy leadership through our intelligence and willingness to follow where He leads. May we understand without Him, we are doomed to failure. For Thy mercy, grace and leadership we pray. In His Name—Amen.”

The motion by Mr. Strickland prevailed and the House accordingly, at 12:15 o’clock p.m., adjourned until 10:30 o’clock a.m. next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

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


Highways and Roads: H. B. No. 18 and H. B. No. 541.


Judiciary: H. B. No. 228.

Rules: S. C. R. No. 10 and H. C. R. No. 15.

School Districts: H. B. No. 224.


REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 245, A bill to be entitled “An Act amending Article 697, Code of Criminal Procedure, 1925, so as to provide that the summons provided therein may be made by first class United States mail, certified United States mail or by registered United States mail, as the judge drawing the jury may direct, as well as verbally made upon each juror in person; providing a severability clause; and declaring an emergency.”

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 246, A bill to be entitled "An Act authorizing the use of certified mail in lieu of registered mail; declaring the mailing of notices and other material by certified mail to have the same legal effect as if sent by registered mail; continuing the use of registered mail where insurance is needed; providing a severability clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 258, A bill to be entitled "An Act changing the name and designation of the Special 37th Judicial District of Bexar County, Texas, as created by Senate Bill No. 395, Acts of the Fifty-fourth Legislature, 1963, Chapter 267, Page 730, to the 131st Judicial District of Bexar County, Texas; providing that the duly elected Judge of the Special 37th Judicial District shall be the Judge of the 131st Judicial District until the time for which he has been elected expires, and his successor qualifies; providing that all appropriations heretofore made or hereafter made for the payment of the salary and expenses of the Judge of the Special 37th Judicial District Court of Bexar County shall be made available for the payment of the salary and expenses of the Judge of the 131st Judicial District Court of Bexar County; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 322, A bill to be entitled "An Act changing the name and designation of the Special 37th Judicial District of Bexar County, Texas, as created by Senate Bill No. 395, Acts of the Fifty-fourth Legislature, 1963, Chapter 267, Page 730, to the 131st Judicial District of Bexar County, Texas; providing that the duly elected Judge of the Special 37th Judicial District shall be the Judge of the 131st Judicial District until the time for which he has been elected expires, and his successor qualifies; providing that all appropriations heretofore made or hereafter made for the payment of the salary and expenses of the Judge of the Special 37th Judicial District Court of Bexar County shall be made available for the payment of the salary and expenses of the Judge of the 131st Judicial District Court of Bexar County; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 246, A bill to be entitled "An Act authorizing the use of certified mail in lieu of registered mail; declaring the mailing of notices and other material by certified mail to have the same legal effect as if sent by registered mail; continuing the use of registered mail where insurance is needed; providing a severability clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.
March 21, 1957

HOUSE JOURNAL 1069

ing for compensation of members of the Boards, provided compensation allowed County Judges hereunder shall not be counted as fees of office; providing that this Act shall be cumulative of existing laws relating to compensation of Judges of District Courts and County Judges; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 389, A bill to be entitled "An Act transferring a certain tract of land located on Brazos Island in Cameron County from the General Land Office to the Texas State Parks Board; reserving the mineral estate to the Public Free School Fund; reserving an easement to the Game and Fish Commission for the construction of a fish pass at Boca Chica Pass; making other provisions relating thereto; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 354, A bill to be entitled "An Act amending subsection (b) and (c) of Section 1, Senate Bill No. 476, Acts, 1935, Forty-fourth Legislature, Regular Session, Page 368, Chapter 134, to provide for publication once each week for two (2) successive weeks of advertisements for the taking of bids for the sale or lease of property owned by Navigation Districts for a term not to exceed five (5) years without the taking of bids; providing that this Act be cumulative of all other laws governing Navigation Districts; providing a savings clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.
<table>
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<tr>
<th>Bill No.</th>
<th>Title</th>
<th>Referred To</th>
<th>Engrossed By</th>
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<tr>
<td>H. B. No. 379</td>
<td>An Act providing for a closed season in Borden County upon quail until April 30, 1963; providing a penalty; and declaring an emergency.</td>
<td>H. B. No. 379, Speaker of the House of Representatives</td>
<td>HERMAN YEZAK, Chairman.</td>
<td>Austin, Texas, March 20, 1957</td>
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<td>H. B. No. 391</td>
<td>An Act amending Chapter 218, Acts 1949, Fifty-first Legislature, as amended by Chapter 304, Acts 1961, Fifty-second Legislature, providing for two-year terms of Park Commissioners of eligible counties and adding a new section providing that any bonds issued under said Chapter shall be authorized by the Commissioners Court of the county, providing a severability clause; and declaring an emergency.</td>
<td>H. B. No. 391, Speaker of the House of Representatives</td>
<td>HERMAN YEZAK, Chairman.</td>
<td>Austin, Texas, March 20, 1957</td>
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<td>H. B. No. 411</td>
<td>An Act exempting Deaf Smith, Hale, Swisher, and Wichita Counties from the provisions of Chapter 7, Title 131, Revised Civil Statutes of Texas, 1925, and from all other laws regulating the inspection of hides and animals, and particularly from the provisions of Articles 1471 through 1487 of the Penal Code of Texas, 1925, and declaring an emergency.</td>
<td>H. B. No. 411, Speaker of the House of Representatives</td>
<td>HERMAN YEZAK, Chairman.</td>
<td>Austin, Texas, March 20, 1957</td>
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<td>H. B. No. 425</td>
<td>An Act authorizing cities to add an election to authorize the issue of revenue bonds for the purpose where the purpose for which the bonds were voted has been accomplished by other means or has been abandoned; containing a saving clause; and declaring an emergency.</td>
<td>H. B. No. 425, Speaker of the House of Representatives</td>
<td>HERMAN YEZAK, Chairman.</td>
<td>Austin, Texas, March 20, 1957</td>
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Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 428, A bill to be entitled "An Act amending the law creating the Upper Guadalupe River Authority with boundaries coextensive with Kerr County by providing that such district may acquire taxing power under certain conditions; prescribing the method for acquiring such power and placing limitations thereon; providing for tax rolls and officers of the district; providing certain procedures in connection therefor and permitting the issuance of bonds secured by the pledge of ad valorem taxes; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 431, A bill to be entitled "An Act closing the season for hunting wild turkeys in Colorado, Cherokee and Nacogdoches Counties for a period of two (2) years; providing a penalty for violation of this Act; suspending conflicting laws; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 434, A bill to be entitled "An Act authorizing the State Department of Health to provide planning assistance for municipalities of twenty-five thousand (25,000) population or less, and to accept grants therefor under the provisions of the Federal Housing Act of 1945 or from other sources; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957
exempting the Sabine River in Sabine County therefrom; legalizing the sale of fish, except bass and crappie, taken from the Sabine River in Sabine County, and making the taking and sale of fish from these waters subject to the General Laws of this State; repealing conflicting laws; and declaring an emergency.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 454. A bill to be entitled "An Act to amend Article 4430-1, Vernon's Texas Statutes, the same being Acts of the Forty-sixth Legislature, Special Session in 1939, Page 844, by providing that in any county containing an incorporated city the Commissioners Court and city council may co-operate in forming a City-County Health Unit and combined health units of any political subdivision appropriate funds to the combined unit; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 523. A bill to be entitled "An Act amending Article 576 of the Revised Civil Statutes of Texas, 1926, to provide that both males and females, who are otherwise qualified, shall constitute the militia and be subject to military duty; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 501. A bill to be entitled "An Act creating the County Court at Law No. 4 of Harris County, Texas; providing for the organization thereof and practice thereon; prescribing the jurisdiction and terms thereof; defining the powers, rights and privileges of the judge thereof; providing for clerks thereof in civil and criminal matters and causes and prescribing their duties; providing for the creation of civil and criminal dockets; providing for the appointment, election and compensation of the judge of the court and prescribing his qualifications; providing for an official court reporter and for his compensation; providing for the collection of fees; providing for an official seal of the court; prescribing certain duties of sheriffs and constables in relation to the court; providing for a special judge; providing for transfer of cases and for exchange of benches; providing for return and validity of process in transferred cases; providing that this Act shall not affect the civil jurisdiction of the County Court at Law of Harris County, Texas; providing for severability; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 578. A bill to be entitled "An Act fixing the period that deer and wild turkey may be hunted, taken or killed in Throckmorton County; providing for a penalty; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, March 20, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred
H. B. No. 641. A bill to be entitled "An Act relating to Harris County Houston Ship Channel Navigation District of Harris County, Texas; 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 revenues produced thereby; authorizing the issuance by said Board of obligations of the District payable solely out of said revenues and containing provisions relating to said revenues and to said obligations and the issuance thereof and to said improvements and facilities; providing that said District be converted to a navigation district operating under Section 99, Article 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 thereon; authorizing the issuance of bonds of the District to refund bonds of the District which have heretofore been voted and containing provisions relating thereto; providing that this Act shall be cumulative of other laws and shall be liberally construed, and that nothing herein shall be contrary to, amended, repealed, or affect the laws relating to pilots, pilots' appointment or remuneration; 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 Seven Million Dollars ($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, providing a severability clause and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HEARNEY YEZAK, Chairman.

Austin, Texas, March 21, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 642. A bill to be entitled "An Act to establish the Probate Court of Tarrant County; to define the jurisdiction thereof and to conform to such change the jurisdiction of the County Court of Tarrant County; and providing for the transfer of matters and proceedings from the County Court of Tarrant County to said Probate Court of Tarrant County; declaring the validity in the transferred cases of writs and processes extant at the time of such transfer; granting said Court certain powers; providing for the practice and procedure in said Court, and for the forms of said Court, and the election, qualification and appointment of a Judge thereof, and the execution of a bond and oath of office, the filling of vacancies on said Court, and the election or appointment of a Special Judge; providing for a clerk of said Court, and for the duties of said Clerk, and for the execution of a bond and oath of office of the Clerk, and the filling of vacancies on said Court, and for services rendered and compensation to be paid the Clerk of said Court in the event of his resignation, and for the determination of compensation to be paid said Clerk for services performed; by authorizing the transfer of cases to said Court, and for the exercise of said Court, and the execution of a bond and oath of the Clerk, and the filling of vacancies on said Court, and the election or appointment of a Special Judge; providing for a clerk of said Court, and for the duties of said Clerk, and for the execution of a bond and oath of office of the Clerk, and the filling of vacancies on said Court, and for the payment of the compensation; conferring upon the County Judge the power and authority to transfer matters and proceedings from the County Court of Tarrant County to said Probate Court, and conferring upon the County Judge the power to sit and act as the Judge of said Court in such cases; providing other provisions concerning the functions and business of said Court; providing for other officers and employees of said Court; authorizing the Commissioners Court of Tarrant County to amend the county budget for the 1957 fiscal year to
provide for the expenses herein authorized; providing for a severability clause; and declaring an emergency."

HERMAN YEZAK, Chairman.
In Memory of

Dr. H. B. Mason

Mr. Cox offered the following resolution:

H. S. R. No. 278, In Memory of Dr. H. B. Mason.

Whereas, On March 19, 1957, the City of Temple and the State of Texas lost an esteemed citizen in the passing of Dr. H. B. Mason; and

Whereas, He was born in Memphis, Missouri, on December 12, 1884. He had practiced medicine in Waco since 1907. He served on the State Board of Medical Examiners; and

Whereas, He served two consecutive terms as Mayor of Temple. He was a member of the Texas Hereford Breeders Association, the Masonic order and Elks lodge. He was a vestryman in Christ Episcopal Church; and

Whereas, He is survived by his widow; two sons, Hubert B. Mason, Jr., of Muscatine, Iowa; Dr. B. B. Ozier of Burnet; one sister, Mrs. H. W. Barton of Tyler; one brother, R. B. Mason of Chase, British Columbia, Canada; three grandchildren; and

Whereas, His life of service brings to mind the comforting promise in the Book of Saint Matthew in the Holy Bible, “Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me;” now, therefore, be it

Resolved, That the Texas House of Representatives pays tribute to him with a copy of this Resolution; that a page in the House Journal be set aside in his memory; and that when the House adjourns this day it do so in loving respect to Dr. H. B. Mason.

COX.
TALASEK.

The resolution was unanimously adopted by a rising vote.
Mr. Watson offered the following resolution:

H. S. R. No. 277, In Memory of Judge W. M. Harman.

Whereas, On March 17, 1967, the City of Waco and the State of Texas lost an esteemed citizen in the passing of Judge W. M. Harman; and

Whereas, He represented both Shelby County and McLennan County as a member of the Texas House of Representatives. He served as Judge of the Seventy-fourth District Court for three years. He was co-author of the law that established the Brazos River Conservation and Reclamation District; and

Whereas, He is survived by his widow, Mrs. Agnes Harman, Waco; one son, Brooks Harman, Odessa; one daughter, Mrs. J. L. McManus, El Campo; ten grandchildren; and

Whereas, His life of service brings to mind the comforting promise in the Book of Saint Matthew in the Holy Bible, "inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me;" now, therefore, be it

Resolved, That the House of Representatives sets aside a space in the House Journal in his memory, and that when the House adjourns this day it do so in loving respect to Judge W. M. Harman.

WATSON,
McGregor of McLennan, JOSEPH.


On the motion of Mr. Watson the names of all Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rousing vote.