HOUSE JOURNAL

FORTY-EIGHTH DAY
(Tuesday, April 2, 1957)

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
Blanchard
Bowers
Boykin
Brasear
Bristol
Brooks
Brady
Byrd
Chapman
Cline
Cloud
Colby
Coley
Coot
Crockett
de la Garza
Dewey
Duff, Miss
Duggan
Dungan
Ehrle
Ellis
Escobio
Erwin
Ford
Foeman
Forsyth
Glass
Glascock
Green
Hale
Harrington
Heflin
Hensley
Hollowell
Holman
Sadler
Sandahl
Sandoz
Saul
Schram
Schwartz
of Washington
Shelton
of Tarrant
of Dallas
Shackelford
Shannon of Erath
of Tarrant
of Washington
of Dallas
Delia
Jackson
Johnson
Jones
Joseph
Kelly
Kilpatrick
Koliba
Kothmann
Laurel
Lee
McCoppin
McDonald
McGregor
McGregor
Melburn
Mann
Martin
Matthew
Mayo
Moore of Harris
Moore of Tarrant
Mullen
Murray
Myatt
Oliver
Osborn
Parrish
Parrish
Patterson
Pipkin
Pool
Prestler
Puckett
Ramsey
Richards
Roberts
Russell
Skelton
Sloan
Smith
Smith of El Paso
Smith of Jefferson
Smith of Tarrant
Smith of Washington
Solomon
Starr
Stout
Sung
Talasek
Terrell
Thurmond
Tunell
Turner
Walling
Watson
Welch
Wheelor
White
Wilson of Young
Wilson of Potter
Witt
Wohlford
Woolsey
Yezek
Zbranek

Absent—Excused

Day
Kennedy
Healey
Schwartz
Kennard of Galveston

A quorum of the House was announced present.

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

"God of our Fathers, give unto us Thy servants, a true appreciation of our great men and great deeds in the past, but let us not be intimidated of feelings of our own inadequacy for this troubled world.

"Remind us that the God they worshipped and by whose help, laid the foundations of our Nation, is still able to help us uphold what they bequeathed and give it new meanings. Remind us that we are not called to fill the places of those who have gone, but to fill our own places, to do the work Thou hast laid before us, to do the right as Thou hast given to us to see the right, always to do the very best we can, and leave the rest to Thee—Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Kennard for today on motion of Mr. Cowen.
Local and Uncontested Bill Calendar. On next Thursday, the several District Court bills, on the calendar.

There was no objection offered and it was so ordered.

Miss Isaacks called up with Senate Amendments for consideration at this time.

.introduction of house bill

Mr. Heatly for today on account of death in family on motion of Mr. Saul.

Mr. Kennedy for today on motion of Mr. McGregor of El Paso.

Mr. Day temporarily for today on motion of Mr. Bass.

Mr. Hosey temporarily for today on motion of Mr. Cory, on account of the birth of his son. There was no objection offered and it was so ordered.

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

Mr. Schwarts of Galveston for today and remainder of the week on motion of Mr. Cory, on account of the birth of his son.

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

Mr. Hosey temporarily for today on motion of Mr. Cory, on account of the birth of his son. There was no objection offered and it was so ordered.

INTRODUCTION OF HOUSE BILL

Mr. Seeligson asked unanimous consent to Introduce at this time and have placed on first reading H. B. No. 882.

There was no objection offered and it was so ordered.

INTRODUCTION OF HOUSE BILL

Mr. Seeligson asked unanimous consent to Introduce at this time and have placed on first reading H. B. No. 881.

There was no objection offered and it was so ordered.

VOTE RECORDED

By unanimous consent of the House, Mr. Ramsey was granted permission to be recorded as voting "yea" on the passage of H. B. No. 25.

CONCERNING CONSIDERATION OF DISTRICT COURT BILLS

Mr. Parish asked unanimous consent of the House to place on the Local and Uncontested Bill Calendar, on next Thursday, the several District Court bills, on the calendar.

There was no objection offered and it was so ordered.

HOUSE BILL NO. 444 WITH SENATE AMENDMENTS

Mr. Cory for today and remainder of the week on motion of Mr. Cory, on account of the birth of his son. There was no objection offered and it was so ordered.

Miss Isaacks called up with Senate Amendments for consideration at this time.

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Nays—4

McGregor of McLennan | Yesak

Thurmond

Present—Not Voting

Hollowell | Sadler

Absent

Cotten | Martin

Fenoglio | Mays

Ford | Mullen

Hughes of Dallas | Slack

Johnson | Stewart

Koroth

Absent—Excused

Day | Kennedy

Hendy | Schwartz

Kennard of Galveston

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**TEXT OF SENATE AMENDMENTS TO HOUSE BILL NO. 444**

**Senate Amendment No. 1**

Amend House Bill No. 444 by changing the words "Sec. 4" to read "Sec. 5" and by inserting between Sec. 3 and Sec. 5 a new paragraph to read as follows:

"Sec. 4. The provisions of this statute shall not preclude the use of other tax revenues for the same purposes to the extent it is now lawful for each revenues to be so used."

Adopted, March 28, 1957.

**Senate Amendment No. 2**

Amend caption to conform to body of bill.

Adopted, March 28, 1957.

**HOUSE BILL NO. 87 SET AS SPECIAL ORDER**

Mr. Schram offered the following motion:

"I move to call from the table and set as a special order for 10:30 a.m. tomorrow, H. B. 87."

SCHRAM.

The motion prevailed by a two-thirds vote.

**EXTENDING CONGRATULATIONS TO THE AMERICAN LEGION ON ITS 38TH ANNIVERSARY**

Mr. Shackelford offered the following resolution:

H. S. R. No. 323

Whereas, At the close of World War I in 1919 at Paris, France, a caucus was held by a small group of members of our Armed Forces and another caucus was held on May 9, 1919 at St. Louis, Missouri; and

Whereas, Out of these two meetings grew the organization of The American Legion and held their first annual convention at Minneapolis, Minnesota on November 11, 1919; and

Whereas, From this humble beginning has grown one of our Nation's most great and glorious organizations now composed of more than three million members; and

Whereas, The American Legion now has a membership of more than
eighty-six thousand in our great State of Texas; and
Whereas, This year of 1957 marks the thirty-eighth anniversary of the founding of The American Legion; now, therefore, be it
Resolved, That the House of Representatives of the Fifty-fifth Regular Session of the Texas Legislature does hereby extend its congratulations and best wishes to The American Legion on this, its thirty-eighth anniversary.

The resolution was adopted.

CONGRATULATING THE HONORABLE J. C. (ZEKE) ZBRANEK ON HIS BIRTHDAY

Mr. Shackelford offered the following resolution:
H. S. R. No. 319
Whereas, On March 25, 1957 the distinguished gentleman from Daisetta, the Honorable J. C. (Zeke) Zbranek, celebrated the day of his birth; and
Whereas, On this date the eminent and noted Zbranek, an able attorney at law and distinguished Member of this House of Representatives, is now twenty-seven years of age; and
Whereas, The Honorable J. C. (Zeke) Zbranek has been a source of joy to the Members of this House and all those associated with him; now, therefore, be it
Resolved, That the House of Representatives of the Fifty-fifth Regular Session of the Texas Legislature does hereby extend its congratulations and birthday greetings to its distinguished colleague, J. C. (Zeke) Zbranek, and wishes him the best of good luck and good fortune.

The resolution was read and was adopted.

Mr. (Mr. Hutchins in the Chair.)

CONGRATULATING MISS NANCY NOWLIN ON MAKING THE UNIVERSITY OF TEXAS HONOR ROLL

Mr. Roberts offered the following resolution:
H. S. R. No. 322
Whereas, Miss Nancy Nowlin, a native of Lamesa, Texas, and a freshman Arts and Science student at the University of Texas, was one of the students on the Honor Roll, Magna Cum Laude, as announced by Dean Harry D. Ransom; and
Whereas, Miss Nowlin is employed as secretary to Representative Wesley Roberts; and
Whereas, Such scholastic achievement is commendable and has not been met by any other University student, from Lamesa; now, therefore, be it
Resolved, By the House of Representatives, That the House unanimously extend our hearty congratulations and good wishes for continued achievement; and, be it further
Resolved, That a copy of this Resolution be sent to Miss Nowlin in appreciation of her achievement.

The resolution was read and was adopted.

RECOGNIZING THE VISIT OF THE STUDENTS OF THE ST. PAUL'S LUTHERAN SCHOOL, THORNDALE, TEXAS

Mr. Yezak offered the following resolution:
H. S. R. No. 324
Whereas, The Fifth through the Eighth Grade Classes of St. Paul's Lutheran School, Thorndale, Texas, accompanied by their teacher, Mr. T. R. Bethke, and also accompanied by Mrs. T. R. Bethke, Mrs. Edwin Seelig, Rev. F. H. Stelzer, and Mr. Edee Simank, were visiting in the State Capitol on the first day of April, 1957; and
Whereas, This fine young group of students with their sponsors were on an educational tour of the State Capitol and the Capital City 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 officially recognize their interest in State Government and that a copy of this Resolution, properly indorsed, bearing the official seal of the House, be forwarded to the Classes in recognition of their visit.

The resolution was adopted unanimously.
TO NAME OLLIE DON JONES AS HONORARY MASCOT OF THE HOUSE

Mr. Richardson offered the following resolution:

H. S. R. No. 294

WHEREAS, We find Ollie Don Jones, born on the eleventh day of February, 1897, to be a proper candidate for the position of Honoraty Mascot of the Texas House of Representatives of the Fifty-fifth Legislature; and

WHEREAS, He is the proper son of Obie Lynn Jones and Carole Jones and the grandson of our distinguished member, the Honorable Obie Jones and his lovely wife, Lois C. Jones, known to be esteemed citizens of Austin, Texas; and

WHEREAS, It is the desire of this body to honor this fine young man, who is now one month and fifteen days old, and who already reflects the fine personality of his father and the beauty of his mother; now, therefore, be it

Resolved, That as evidence of our admiration and love, we herewith designate him, Ollie Don Jones, as Honoraty Mascot of the Texas House of Representatives of the Fifty-fifth Legislature; and, be it further

Resolved, That a copy of this Resolution be sent to him with all good wishes for his health, happiness, and success during his entire life.

The resolution was referred to the Committee on Rules.

TO GRANT ALBERT C. MUELLER AND WIFE, VELIA MUELLER, PERMISSION TO SUE THE STATE

Mr. Matthew offered the following resolution:

H. C. R. No. 78

WHEREAS, On the 3rd day of November, 1898, in Cause No. 1861, styled the State of Texas against Mrs. Susan Bell, in the District Court of Goliad County, Texas, the State of Texas did recover judgment against Mrs. Susan Bell for taxes, interest and costs, on, among other lands, the following described tract or parcel of land situated in Goliad County, Texas, to-wit:

Being a part of Farm Lot 40, in Range No. 2, of the four leagues of land originally granted to the town of Goliad, and being described by metes and bounds as follows:

Beginning at the Northwest corner of said Farm Lot 40, Range 2, a stake;

Thence South 51° 1' 49" varas to a stake at the intersection of the street running east;

Thence East 131° 1' 49" varas with North line of said street, to a stake at the mouth of a lane;

Thence North 51° 1' 49" varas with West line of said land to North line of said Farm Lot 40, a stake;

Thence West 131° 1' 49" varas to the place of beginning, containing 1 1/2 acres, more or less; and

WHEREAS, On the 25th day of November, 1898, the District Clerk of Goliad County, in accordance with said judgment, did issue an Order of Sale to Sheriff of Goliad County, commanding him to seize and sell the land described in said judgment; and

WHEREAS, The Sheriff of Goliad County pursuant to said Order of Sale did advertise said land for sale, and on the 9th day of January, 1899, did sell all of the right, title and interest of Mrs. Susan Bell in and to the above described land to the State of Texas; and

WHEREAS, Albert C. Mueller and wife, Vella Mueller, claim to be the owners of said land and that the said Mrs. Susan Bell had no interest in said land at the time of said sale, suit, judgment, order of sale and conveyance by the Sheriff of Goliad County to the State of Texas, by virtue of which the State of Texas acquired no interest; and

WHEREAS, The said Albert C. Mueller and wife, Vella Mueller, are assenting that said tax judgment, order of sale and deed by the Sheriff of Goliad County to the State of Texas creates a cloud on their title to said land; and

WHEREAS, In order to dispose of the controversy it is necessary that Albert C. Mueller and wife, Vella Mueller, be granted permission to sue the State of Texas; now, therefore, be it
Resolved, By the House of Representatives of the State of Texas, the Senate concurring, that the said Albert C. Mueller and wife, Velia Mueller, be and they are hereby given permission to sue the State of Texas in any court of competent jurisdiction in Collin County, Texas, to deem the right, title, and interest, if any, which the State of Texas may have in and to the tract of land hereinabove described and to have judgment entered in conformity to that determination; and, be it further

Resolved, That service of citation and any other legal process shall be served upon the Attorney General of the State of Texas, which service and other legal process shall have the same force and effect as the service or process upon a defendant in any other civil case, according to the rules of civil procedure as promulgated and adopted by the Supreme Court of Texas; and, be it further

Resolved, That any party to the suit shall have the right of appeal as is provided for in other civil cases; and, be it further

Resolved, That the sole purpose of this resolution is to grant permission to the said Albert C. Mueller and wife, Velia Mueller, to bring suit against the State of Texas. No admission of liability or of any fact is made in any way by the passage of this resolution; but on the contrary, it is specifically provided that the facts upon which the said Albert C. Mueller and wife, Velia Mueller, seek to recover must be proved in court as in other civil cases; and, be it further

Resolved, That any and all defenses which the State of Texas may have shall be pleaded by the State, and none of the defenses which the State of Texas may have are in any way barred by the passage of this resolution.

The resolution was referred to the Committee on State Affairs.

REQUESTING THE CONGRESS OF THE UNITED STATES TO ENACT CERTAIN LEGISLATION IN REGARD TO RIO GRANDE COMPACT

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

Resolved, By the House of Representatives of the State of Texas, the Senate concurring, that the said Albert C. Mueller and wife, Velia Mueller, be and they are hereby given permission to sue the State of Texas in any court of competent jurisdiction in Collin County, Texas, to deem the right, title, and interest, if any, which the State of Texas may have in and to the tract of land hereinabove described and to have judgment entered in conformity to that determination; and, be it further

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Resolved, That any and all defenses which the State of Texas may have shall be pleaded by the State, and none of the defenses which the State of Texas may have are in any way barred by the passage of this resolution.

The resolution was referred to the Committee on State Affairs.

REQUESTING THE CONGRESS OF THE UNITED STATES TO ENACT CERTAIN LEGISLATION IN REGARD TO RIO GRANDE COMPACT

The Chair laid before the House for consideration at this time the following resolution:
heard on the facts and merits by any court so long as the State of New Mexico asserts that the United States is an indispensable party to any such suit; and

Whereas, Past violations of the Compact have resulted in enormous losses to the citizens of West Texas because of lack of water, and if such violations continue they will result in disaster to the economy of all areas above Fort Quitman, Texas that are dependent upon the flow of the Rio Grande for their supply of water; and

Whereas, Under the ruling of the Supreme Court of the United States the only method or manner by which any State signatory to the Rio Grande Compact can maintain a suit for the enforcement of the Compact will be for the Congress of the United States to enact a law giving consent for the United States to be made a party to any such suit in which the United States may be a necessary party thereto; and

Whereas, The absence of such consent by the Congress has resulted in depriving the State of Texas of its day in court, a right which is fundamental to any concept of justice and equity, and if this situation is not corrected it will continue to prevent the State of Texas from ever having its case heard; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Congress of the United States hereby urges the enactment of a law enabling the United States to be a necessary party in any such suit.

(a) Consent is given to join the United States as a defendant in any suit or controversy in the Supreme Court of the United States involving the Rio Grande Compact in any case where the United States is a necessary party. The United States, when a party to such suit, shall be subject to the judgments, orders and decrees of the court; provided, that the assessment for costs shall be entered against the United States in any such suit.

(b) Summons or other process in any such suit shall be served upon the Attorney General or his designated representative.

(c) To the extent that subsection (e) of Section 208 of the Act of July 10, 1952 is in conflict with this Act, the same is hereby repealed, and be it further

Resolved, That the Texas members of the Congress promote and support such legislation, and be it further

Resolved, That the Secretary of State of the State of Texas be and is hereby directed to send a copy of this memorial to the President and Vice-President of the United States, to the President and Chief Clerk of the United States Senate, to the Speaker and Chief Clerk of the House of Representatives of the United States, to the United States Senators from Texas, and to all Texas members of the House of Representatives of the United States.

The resolution was referred to the Committee on Federal Relations.

Speaker in the Chair

RECOMMENDING HALF PRICE HAIR CUTS TO BALDING TEXANS

Mr. Harrington offered the following resolution:

H. S. R. No. 321

Whereas, An unfortunate situation exists today which has caused sorrow to many male Legislators and to other Texans as well; and

Whereas, And however, we have great respect for the ancient craft of barbery and we hold in awe the barbers who practice this art with such gentle finesse; and

Whereas, It does not take a craniomter or the science of craniometry to know that some of us, from the point of view of the normal verticalls, are not as bushy as our brethren; and

Whereas, This balding condition has been brought about through labor, physical or mental toil, intellectual exertion, often with painful or strenuous effort; and

Whereas, This thinking and reasoning has left us in this condition which is not truly a challenge to a conscientious barber who has only half a job to do on us; and

Whereas, The condition of our tender scalp, which is revered and known in the world of anatomy as our dense subcutaneous tissue, our occipitofrontaills muscles with the galea aponeurotica, our loose sub-
aponeurotic tissue and our cranial periosteum is not to be taken lightly and ignored as to its status quo; now, therefore, be it.

Resolved, That this House recommends that the barbers of Texas divide into one half the price of haircuts to those gentlemen with receding hairlines and shining pates in order to rectify the economic error that now exists.

The resolution was read and was referred to the Committee on Labor.

RELATES TO RIO GRANDE COMPACT BETWEEN TEXAS AND NEW MEXICO

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

H. C. R. No. 76, Requesting Congress to enact a law giving consent to join the United States in any suit or controversy in the Supreme Court of the United States involving the Rio Grande Compact to which the United States is a necessary party; requesting Texas members of Congress to support such legislation; and directing the Secretary of State to send copies of this resolution to certain Federal officials.

The resolution having heretofore been referred to the Committee on Federal Relations and reported favorably by the Committee, H. C. R. No. 76 was then adopted.

HOUSE JOINT RESOLUTION NO. 8 ON PASSAGE TO ENGROSSMENT

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

H. J. R. No. 8, A joint resolution "Proposing an amendment to Article VIII of the Constitution of the state of Texas so as to exempt motor vehicles from ad valorem taxes; providing for a necessary election and form of ballot and providing for the necessary proclamation and publication."

The resolution was read second time.

Mr. Watson moved that further consideration of H. J. R. No. 8 be postponed until next Tuesday at 11:00 o'clock a.m.

There was no objection offered and it was so ordered.

MESSAGE FROM THE SENATE

Austin, Texas, April 2, 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. No. 276, Relating to workers' compensation for certain county employees; and declaring an emergency.

S. B. No. 419, Authorizing certain counties to construct, equip, etc., county branch office buildings; and declaring an emergency.

S. B. No. 581, Relating to elections of water control and improvement districts; and declaring an emergency.

S. B. No. 406, Permitting consolidation of adjoining and contiguous
cities and towns; and declaring an emergency.

S. B. No. 229, Creating a Texas Council on Migrant Labor; and declaring an emergency.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

HOUSE BILL NO. 229 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business on its passage to engrossment,

H. B. No. 229, A bill to be entitled "An Act to apportion the State of Texas into Congressional Districts, naming the Counties and parts thereof composing the same, and providing for the election of a member of the Congress of the United States from each district, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill having been read second time on yesterday,

Mr. Green offered the following amendment, in lieu of Committee Amendment No. 1, to the bill:

Amend House Bill 229 by striking out all below the enacting clause and by inserting in lieu thereof the following:

Section 1. The State of Texas shall be apportioned into the following Congressional Districts, each of which shall be entitled to elect one member of the Congress of the United States.

First: The following Counties shall compose the First District, to-wit: Bastrop, Bryan, Ellinger, Lee, Grimes, Washington, Bell, and Hidalgo.

Second: The following Counties shall compose the Second District, to-wit: Limestone, Henderson, Anderson, Door, and Leon.

Third: The following Counties shall compose the Third District, to-wit: Davis, Hunt, Lamar, Bell, Robertson, and Washington.

Fourth: The following Counties shall compose the Fourth District, to-wit: Gregg, Harmer, Smith, Upshur, Wood, and Marion.

Fifth: The following County shall compose the Fifth District, to-wit: Dallas.

Sixth: The following Counties shall compose the Sixth District, to-wit: Navarro, Limestone, Ellis, Robertson, Freestone, Llano, Hill, Brazos, Johnson, Hood and Somervell.

Seventh: The following Counties shall compose the Seventh District, to-wit: Houston, Montgomery, San Jacinto, Polk, Henderson, Anderson, Trinity, Walker, Grimes, Madison, Cherokee and Nacogdoches.

Eighth: The following part of Harris County shall compose the Eighth District, to-wit: That part of Harris County North of a line beginning at the point where U. S. Highway No. 290 intersects the county line between Harris and Walker Counties; thence along said U. S. Highway No. 290 to the intersection of said highway with Post Oak Road; thence along said Post Oak Road to Buffalo Bayou; thence along said Buffalo Bayou to Morgan’s Point.

Ninth: The following Counties shall compose the Ninth District, to-wit: Matagorda, Goliad, Brazoria, Fort Bend, Wharton, Jackson, Victoria, Austin, Walker, Calhoun, Galveston, Fayette, Colorado, Lavaca and Chambers.

Tenth: The following Counties shall compose the Tenth District, to-wit: Washington, Hays, Burleson, Lee, Williamson, Caldwell, Bastrop, Travis, Hays and Blanco.

Eleventh: The following Counties shall compose the Eleventh District, to-wit: Falls, Rusk, Bell, Coryell, McLennan and Milam.

Twelfth: The following County shall compose the twelfth District, to-wit: Tarrant.

Thirteenth: The following Counties shall compose the Thirteenth District, to-wit: Wilbarger, Baylor, Throckmorton, Archer, Clay, Jack, Wise, Cherokee, Young, Hardeman, Fannin, Knox, Haskell, Nacogdoches, King, Dickens, Trinity, Montague and Cooke.

Fourteenth: The following Counties shall compose the Fourteenth District, to-wit: Kenedy, Nueces, Jim Wells, Duval, Kennedy, San Patricio, Cameron, Live Oak, Bee, Aransas, Refugio, DeWitt, Karnes, Atascosa, Wilson, Brooks, Gonzales, Comal and Guadalupe.

Fifteenth: The following Counties shall compose the Fifteenth District,
April 2, 1957                  HOUSE JOURNAL 1289

Mr. Chapman moved that further consideration of House Bill No. 229 be postponed until April 9, at 11:00 o'clock a. m.

Mr. Cole moved to table the motion by Mr. Chapman to postpone H. B. No. 229.

A record vote was requested on the motion to table.

The motion to table the motion to postpone H. B. No. 229 was lost by the following vote:

Yeas—53

Mr. Armstrong, Mr. Ballew, Mr. Ballman, Mr. Bullock, Mr. Cameron, Mr. Chapman, Mr. Cowen, Mr.大全, Mr. Davis, Mr. DeBakey, Mr. Deeds, Mr. Diamond, Mr. Dillon, Mr. Doles, Mr. Donelan, Mr. Donnelly, Mr. Donley, Mr. DuBois, Mr. Duncan, Mr. Duwa, Mr. Ector, Mr. Elliott, Mr. Elder, Mr. Frisbie, Mr. Fulmer, Mr. French, Mr. Frazier, Mr. Fuchs, Mr. Garrett, Mr. Garwood, Mr. Gentle, Mr. Green, Mr. Greene, Mr. Green, Mr. Gingles, Mr. Glass, Mr. Glass, Mr. Glass, Mr. Glor­don, Mr. Hamilton, Mr. Harder, Mr. Haskell, Mr. Heflin, Mr. Heflin, Mr. Hollowell, Mr. Holloway, Mr. Holt, Mr. Holton, Mr. Hollingsworth, Mr. Holbrook, Mr. Hooten, Mr. Holloway, Mr. Holloway, Mr. Honors, Mr. Hostetler, Mr. Howard, Mr. Howard, Mr. Howard.

Mr. Armstrong, Mr. Ballew, Mr. Ballman, Mr. Bullock, Mr. Cameron, Mr. Chapman, Mr. Cowen, Mr.大全, Mr. Davis, Mr. DeBakey, Mr. Deeds, Mr. Diamond, Mr. Dillon, Mr. Doles, Mr. Donelan, Mr. Donley, Mr. DuBois, Mr. Duncan, Mr. Duwa, Mr. Ector, Mr. Elliott, Mr. Elder, Mr. Frisbie, Mr. Fulmer, Mr. French, Mr. Fuchs, Mr. Garrett, Mr. Garwood, Mr. Gentle, Mr. Green, Mr. Greene, Mr. Green, Mr. Gingles, Mr. Glass, Mr. Glass, Mr. Glass, Mr. Glor­don, Mr. Hamilton, Mr. Harder, Mr. Haskell, Mr. Heflin, Mr. Heflin, Mr. Hollowell, Mr. Holloway, Mr. Holt, Mr. Holton, Mr. Hollingsworth, Mr. Holbrook, Mr. Hooten, Mr. Holloway, Mr. Holloway, Mr. Honors, Mr. Hostetler, Mr. Howard, Mr. Howard, Mr. Howard.

Mr. Armstrong, Mr. Ballew, Mr. Ballman, Mr. Bullock, Mr. Cameron, Mr. Chapman, Mr. Cowen, Mr.大全, Mr. Davis, Mr. DeBakey, Mr. Deeds, Mr. Diamond, Mr. Dillon, Mr. Doles, Mr. Donelan, Mr. Donley, Mr. DuBois, Mr. Duncan, Mr. Duwa, Mr. Ector, Mr. Elliott, Mr. Elder, Mr. Frisbie, Mr. Fulmer, Mr. French, Mr. Fuchs, Mr. Garrett, Mr. Garwood, Mr. Gentle, Mr. Green, Mr. Greene, Mr. Green, Mr. Gingles, Mr. Glass, Mr. Glass, Mr. Glass, Mr. Glor­don, Mr. Hamilton, Mr. Harder, Mr. Haskell, Mr. Heflin, Mr. Heflin, Mr. Hollowell, Mr. Holloway, Mr. Holt, Mr. Holton, Mr. Hollingsworth, Mr. Holbrook, Mr. Hooten, Mr. Holloway, Mr. Holloway, Mr. Honors, Mr. Hostetler, Mr. Howard, Mr. Howard, Mr. Howard.

Mr. Armstrong, Mr. Ballew, Mr. Ballman, Mr. Bullock, Mr. Cameron, Mr. Chapman, Mr. Cowen, Mr.大全, Mr. Davis, Mr. DeBakey, Mr. Deeds, Mr. Diamond, Mr. Dillon, Mr. Doles, Mr. Donelan, Mr. Donley, Mr. DuBois, Mr. Duncan, Mr. Duwa, Mr. Ector, Mr. Elliott, Mr. Elder, Mr. Frisbie, Mr. Fulmer, Mr. French, Mr. Fuchs, Mr. Garrett, Mr. Garwood, Mr. Gentle, Mr. Green, Mr. Greene, Mr. Green, Mr. Gingles, Mr. Glass, Mr. Glass, Mr. Glass, Mr. Glor­don, Mr. Hamilton, Mr. Harder, Mr. Haskell, Mr. Heflin, Mr. Heflin, Mr. Hollowell, Mr. Holloway, Mr. Holt, Mr. Holton, Mr. Hollingsworth, Mr. Holbrook, Mr. Hooten, Mr. Holloway, Mr. Holloway, Mr. Honors, Mr. Hostetler, Mr. Howard, Mr. Howard, Mr. Howard.

Mr. Armstrong, Mr. Ballew, Mr. Ballman, Mr. Bullock, Mr. Cameron, Mr. Chapman, Mr. Cowen, Mr.大全, Mr. Davis, Mr. DeBakey, Mr. Deeds, Mr. Diamond, Mr. Dillon, Mr. Doles, Mr. Donelan, Mr. Donley, Mr. DuBois, Mr. Duncan, Mr. Duwa, Mr. Ector, Mr. Elliott, Mr. Elder, Mr. Frisbie, Mr. Fulmer, Mr. French, Mr. Fuchs, Mr. Garrett, Mr. Garwood, Mr. Gentle, Mr. Green, Mr. Greene, Mr. Green, Mr. Gingles, Mr. Glass, Mr. Glass, Mr. Glass, Mr. Glor­don, Mr. Hamilton, Mr. Harder, Mr. Haskell, Mr. Heflin, Mr. Heflin, Mr. Hollowell, Mr. Holloway, Mr. Holt, Mr. Holton, Mr. Hollingsworth, Mr. Holbrook, Mr. Hooten, Mr. Holloway, Mr. Holloway, Mr. Honors, Mr. Hostetler, Mr. Howard, Mr. Howard, Mr. Howard.

Mr. Armstrong, Mr. Ballew, Mr. Ballman, Mr. Bullock, Mr. Cameron, Mr. Chapman, Mr. Cowen, Mr.大全, Mr. Davis, Mr. DeBakey, Mr. Deeds, Mr. Diamond, Mr. Dillon, Mr. Doles, Mr. Donelan, Mr. Donley, Mr. DuBois, Mr. Duncan, Mr. Duwa, Mr. Ector, Mr. Elliott, Mr. Elder, Mr. Frisbie, Mr. Fulmer, Mr. French, Mr. Fuchs, Mr. Garrett, Mr. Garwood, Mr. Gentle, Mr. Green, Mr. Greene, Mr. Green, Mr. Gingles, Mr. Glass, Mr. Glass, Mr. Glass, Mr. Glor­don, Mr. Hamilton, Mr. Harder, Mr. Haskell, Mr. Heflin, Mr. Heflin, Mr. Hollowell, Mr. Holloway, Mr. Holt, Mr. Holton, Mr. Hollingsworth, Mr. Holbrook, Mr. Hooten, Mr. Holloway, Mr. Holloway, Mr. Honors, Mr. Hostetler, Mr. Howard, Mr. Howard, Mr. Howard.

Mr. Armstrong, Mr. Ballew, Mr. Ballman, Mr. Bullock, Mr. Cameron, Mr. Chapman, Mr. Cowen, Mr.大全, Mr. Davis, Mr. DeBakey, Mr. Deeds, Mr. Diamond, Mr. Dillon, Mr. Doles, Mr. Donelan, Mr. Donley, Mr. DuBois, Mr. Duncan, Mr. Duwa, Mr. Ector, Mr. Elliott, Mr. Elder, Mr. Frisbie, Mr. Fulmer, Mr. French, Mr. Fuchs, Mr. Garrett, Mr. Garwood, Mr. Gentle, Mr. Green, Mr. Greene, Mr. Green, Mr. Gingles, Mr. Glass, Mr. Glass, Mr. Glass, Mr. Glor­don, Mr. Hamilton, Mr. Harder, Mr. Haskell, Mr. Heflin, Mr. Heflin, Mr. Hollowell, Mr. Holloway, Mr. Holt, Mr. Holton, Mr. Hollingsworth, Mr. Holbrook, Mr. Hooten, Mr. Holloway, Mr. Holloway, Mr. Honors, Mr. Hostetler, Mr. Howard, Mr. Howard, Mr. Howard.

Mr. Armstrong, Mr. Ballew, Mr. Ballman, Mr. Bullock, Mr. Cameron, Mr. Chapman, Mr. Cowen, Mr.大全, Mr. Davis, Mr. DeBakey, Mr. Deeds, Mr. Diamond, Mr. Dillon, Mr. Doles, Mr. Donelan, Mr. Donley, Mr. DuBois, Mr. Duncan, Mr. Duwa, Mr. Ector, Mr. Elliott, Mr. Elder, Mr. Frisbie, Mr. Fulmer, Mr. French, Mr. Fuchs, Mr. Garrett, Mr. Garwood, Mr. Gentle, Mr. Green, Mr. Greene, Mr. Green, Mr. Gingles, Mr. Glass, Mr. Glass, Mr. Glass, Mr. Glor­don, Mr. Hamilton, Mr. Harder, Mr. Haskell, Mr. Heflin, Mr. Heflin, Mr. Hollowell, Mr. Holloway, Mr. Holt, Mr. Holton, Mr. Hollingsworth, Mr. Holbrook, Mr. Hooten, Mr. Holloway, Mr. Holloway, Mr. Honors, Mr. Hostetler, Mr. Howard, Mr. Howard, Mr. Howard.

Mr. Armstrong, Mr. Ballew, Mr. Ballman, Mr. Bullock, Mr. Cameron, Mr. Chapman, Mr. Cowen, Mr.大全, Mr. Davis, Mr. DeBakey, Mr. Deeds, Mr. Diamond, Mr. Dillon, Mr. Doles, Mr. Donelan, Mr. Donley, Mr. DuBois, Mr. Duncan, Mr. Duwa, Mr. Ector, Mr. Elliott, Mr. Elder, Mr. Frisbie, Mr. Fulmer, Mr. French, Mr. Fuchs, Mr. Garrett, Mr. Garwood, Mr. Gentle, Mr. Green, Mr. Greene, Mr. Green, Mr. Gingles, Mr. Glass, Mr. Glass, Mr. Glass, Mr. Glor­don, Mr. Hamilton, Mr. Harder, Mr. Haskell, Mr. Heflin, Mr. Heflin, Mr. Hollowell, Mr. Holloway, Mr. Holt, Mr. Holton, Mr. Hollingsworth, Mr. Holbrook, Mr. Hooten, Mr. Holloway, Mr. Holloway, Mr. Honors, Mr. Hostetler, Mr. Howard, Mr. Howard, Mr. Howard.
The motion to postpose H. B. No. 229 prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, April 2, 1967

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

Sir: I am directed by the Senate to inform the House that S. B. 233 was killed in committee.

S. B. 233, Concerning disqualification of parties to testify against executors, administrators, etc.

Austin, Texas, April 2, 1967

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

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee report on House Bill 230 by the following vote:

Yeas 29, Nays 2.

Austin, Texas, April 2, 1967

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

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to Senate Bill No. 129 by a voice vote.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

HOUSE JOINT RESOLUTION NO. 6
ON PASSAGE TO ENGROSSMENT

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

H. J. R. No. 6, A joint resolution "Proposing an amendment to the Constitution of Texas by amending
Section 18 of Article V, changing the provisions relative to division of counties into commissioners precincts, and by adding a new section to Article V, to be numbered Section 18a, providing for an election to require division of a county into commissioners precincts on the basis of population, providing for a board to make such a division in the event the commissioners court fails to do so, and making other provisions relative thereto.”

The resolution having been read second time on March 19, considered on March 26 and postponed at that time until 12:00 o'clock a.m. today.

(Pending consideration of H. J. R. No. 5, Mr. Spilman occupied the Chair temporarily.)

(Speaker in the Chair)

Mr. Bishop offered the following amendment to the resolution:

Amend House Joint Resolution No. 5 by striking out line 29 on page 1 thereof, and substituting in place thereof the following:

“county having a population of twenty thousand or more inhabitants or in which more than fifty per cent of the total population of the county.”

(Mr. Jackson in the Chair)

Mr. Lee moved to table the amendment by Mr. Bishop.

A record vote was requested on the motion to table.

The motion to table the amendment by Mr. Bishop prevailed by the following vote:

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<th>Yeas—68</th>
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<td>Nays—52</td>
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</table>
Mr. Bishop offered the following amendment to the resolution:

House Joint Resolution No. 5 is hereby amended by striking out line 29 on page 1 thereof, and substituting in place thereof the following:

"county in which there is one or more incorporated towns having a population of more than 21,000 inhabitants or in which more than fifty per cent of the population total of the county."

Mr. Anderson moved to table the amendment by Mr. Bishop.

A record vote was requested on the motion to table. The motion to table the amendment by Mr. Bishop prevailed by the following vote:

**Yea—59**

Anderson
Armour
Blaine
Blandard
Blount
Conley
Cory
Cotten
Cowen
Crenshaw
Dewey
Duff, Miss
Dungan
Elliot
Ferrell
Foreman
Forsyth
Hale
Heflin
Heasley
Holman
Honey
Huffman
Hutton

**Nay—51**

Shackelford
Shannon
Shaw
Slater
Stroman

Present—Not Voting

Atwell
Cole
Hollowell
Hughes of Harris
Hughes of Dallas
Hughes of Grayson
Hughes of Erath
Johnson

In the Chair

Jackson

Absent

Baker
Brahaer
Chapman
Ford
Huffor

Absent—Excused

Healy
Kennard

**House Journal**

**Absent**

Brashear
Chapman
Ford
Harrington
Huffman

Absent—Excused

Healy
Kennard

Mr. Anderson moved to table the amendment by Mr. Bishop.

A record vote was requested on the motion to table. The motion to table the amendment by Mr. Bishop prevailed by the following vote:

**Yea—59**

Anderson
Armour
Blaine
Blandard
Blount
Conley
Cory
Cotten
Cowen
Crenshaw
Dewey
Duff, Miss
Dungan
Elliot
Ferrell
Foreman
Forsyth
Hale
Heflin
Heasley
Holman
Honey
Huffman
Hutton

**Nay—51**

Bakeman
Ballman
Bartlam
Bass
Bell
Bishop
Bowers
Bryant
Bullock
Burkett
Byrd
Cloud
Cox
Day
De la Garza
Doroz
Dye
Ferar
Ferrington
Glass
Giorno
Glover
Green
Harrington
Holstein
Holcomb
Hooks
Hubber
Hutchins

Present—Not Voting

Atwell
Cole
Hollowell
Hughes of Harris
Hughes of Dallas
Hughes of Grayson
Johnson

In the Chair

Jackson

Absent

Baker
Brahaer
Chapman
Ford

Absent—Excused

Healy
Kennard

**Thurmond**

Shannon
Shaw
Slater
Stroman

**Nay—51**

Ballman
Bartlam
Bass
Bell
Bishop
Bowers
Bryant
Bullock
Burkett
Byrd
Cloud
Cox
Day
De la Garza
Doroz
Dye
Ferrington
Glass
Giorno
Glover
Green
Harrington
Holstein
Holcomb
Hooks
Hubber
Hutchins

Present—Not Voting

Atwell
Cole
Hollowell
Hughes of Harris
Hughes of Dallas
Hughes of Grayson
Johnson

In the Chair

Jackson

Absent

Baker
Brahaer
Chapman
Ford

Absent—Excused

Healy
Kennard

**Tunell**

Shaw
Watson
Welsh
Wheeler
White

**Nay—51**

Ballman
Bartlam
Bass
Bell
Bishop
Bowers
Bryant
Bullock
Burkett
Byrd
Cloud
Cox
Day
De la Garza
Doroz
Dye
Ferrington
Glass
Giorno
Glover
Green
Harrington
Holstein
Holcomb
Hooks
Hubber
Hutchins

Present—Not Voting

Atwell
Cole
Hollowell
Hughes of Harris
Hughes of Dallas
Hughes of Grayson
Johnson

In the Chair

Jackson

Absent

Baker
Brahaer
Chapman
Ford

Absent—Excused

Healy
Kennard

**Washington**

Shaw
Watson
Welsh
Wheeler
White

**Nay—51**

Ballman
Bartlam
Bass
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De la Garza
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Holcomb
Hooks
Hubber
Hutchins

Present—Not Voting

Atwell
Cole
Hollowell
Hughes of Harris
Hughes of Dallas
Hughes of Grayson
Johnson

In the Chair

Jackson

Absent

Baker
Brahaer
Chapman
Ford

Absent—Excused

Healy
Kennard

**Woolsey**

Shaw
Watson
Welsh
Wheeler
White

**Nay—51**

Ballman
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Hooks
Hubber
Hutchins

Present—Not Voting

Atwell
Cole
Hollowell
Hughes of Harris
Hughes of Dallas
Hughes of Grayson
Johnson

In the Chair

Jackson

Absent

Baker
Brahaer
Chapman
Ford

Absent—Excused

Healy
Kennard

**Wilson**

Shaw
Watson
Welsh
Wheeler
White

**Nay—51**

Ballman
Bartlam
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Bishop
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Cox
Day
De la Garza
Doroz
Dye
Ferrington
Glass
Giorno
Glover
Green
Harrington
Holstein
Holcomb
Hooks
Hubber
Hutchins

Present—Not Voting

Atwell
Cole
Hollowell
Hughes of Harris
Hughes of Dallas
Hughes of Grayson
Johnson

In the Chair

Jackson

Absent

Baker
Brahaer
Chapman
Ford

Absent—Excused

Healy
Kennard

**Woodward**

Shaw
Watson
Welsh
Wheeler
White

**Nay—51**

Ballman
Bartlam
Bass
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Bishop
Bowers
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Cox
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De la Garza
Doroz
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Glover
Green
Harrington
Holstein
Holcomb
Hooks
Hubber
Hutchins

Present—Not Voting

Atwell
Cole
Hollowell
Hughes of Harris
Hughes of Dallas
Hughes of Grayson
Johnson

In the Chair

Jackson

Absent

Baker
Brahaer
Chapman
Ford

Absent—Excused

Healy
Kennard

**Woolsey**

Shaw
Watson
Welsh
Wheeler
White

**Nay—51**

Ballman
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Present—Not Voting

Atwell
Cole
Hollowell
Hughes of Harris
Hughes of Dallas
Hughes of Grayson
Johnson

In the Chair

Jackson

Absent

Baker
Brahaer
Chapman
Ford

Absent—Excused

Healy
Kennard

**Woodward**

Shaw
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Glover
Green
Harrington
Holstein
Holcomb
Hooks
Hubber
Hutchins

Present—Not Voting

Atwell
Cole
Hollowell
Hughes of Harris
Hughes of Dallas
Hughes of Grayson
Johnson

In the Chair

Jackson

Absent

Baker
Brahaer
Chapman
Ford

Absent—Excused

Healy
Kennard
Mr. Bishop offered the following amendment to the resolution:

House Floor Amendment To  
H. J. R. No. 5

Amend House Joint Resolution No. 5 by striking out line 29, on page 1, thereof, and substituting in place thereof the following:

"county having a population of ten thousand or more inhabitants and in which more than fifty per cent of the total population of the county."

The amendment was adopted.

MOTIONS TO ADJOURN AND  
RECESS

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

Mr. Oliver moved that the House recess until 2:30 o'clock p. m. today.

The motions to adjourn and recess were severally lost.

Mr. Thurmond offered the following amendment to the resolution:

Amend H. J. R. No. 5 by inserting the following after the comma on line 6 of the printed bill:

"One percent of whom do not reside in an area constituting less than 25 percent of the total area of the county, except where there is no such 1% of the population reside in the area constituting less than 25% of the total area of the county."

The amendment was adopted.

H. J. R. No. 5 was then passed to engrossment by the following vote:

Yeas-74

Anderson Croll
Armour de la Garza
Baker Dewey
Ballman Dugas
Bishop Elliott
Blanchard Ferrell
Bradow Ford
Chapman Foreman
Cline Forsyth
Cohen Gluskin
Cox Hale

Nays-55

Heflin Pool
Hensley Freyer
Holman Roberts
Hoffman Rosser
Hutchins Sandlin
Isaacs, Miss Saunders
Jactson Seeligson
Joseph Shannon of Erath
Kelly Shannon of Tarrant
Kilpatrick Latimer
Lee of Tarrant
McDonald Smith of Hays
McGovern Spilman
McHargue Springer
McMurry Stewart
Mayn Strickland
MAYS Sutton
Moore of Harris Talasek
Moore of Tarrant Thurmond
Mullen Walling
Murray White
Olive WiBen of Potter
Parish Winfree
Patterson Wohlford
Pipkin Woolley

Present--Not Voting

Bell Braheur
Blaine Hollowell
Mr. Anderson moved to reconsider the vote by which H. J. R. No. 5 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON H. B. NO. 230

Mr. Cowen submitted the following Conference Committee Report on H. B. No. 230:

Hon. Ben Ramsey, President of the Senate.
Hon. Waggoner Carr, Speaker of the House.

Sirs: We, your free conference committee appointed to adjust the differences between the House and Senate on House Bill 230, beg leave to report that we have agreed and recommend the passage of said bill in the form hereto attached.

Respectfully submitted,
Cowen, McGregor of McLennan, Shannon of Tarrant, Blaine and Ramsey.

On the part of the House:
Lane, Hardeman, Herring, Parkhouse, Secret.

On the part of the Senate:
By Cowen and Shannon of Tarrant:

H. B. No. 230

"A BILL
To Be Entitled
An Act amending the Revised Civil Statutes of Texas, by adding thereto a new Article to be numbered Article 6701 1/4, providing for the issuance of permits by the State Highway Department for the movement of overlength and/or overweight mobile homes and/or component parts thereof over the highways of Texas; providing a method of issuing said permits; providing a fee; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. The Revised Civil Statutes of Texas of 1925 be amended hereby by the addition of a new Article thereto to be known as Article 6701 1/4 and reading as follows:

"Article 6701 1/4. A. When any person, firm, or corporation shall desire to move over a state highway a mobile home and/or a component part thereof, which in combination with the towing vehicle, is in excess of the legal length or width provided by law, the State Highway Department may, upon application, issue a permit for the movement of said equipment. Provided, however, that all cities and towns having a state highway within their limits shall designate to the State Highway Department the route within the city or town to be used by said equipment. When so designated, the route shall be shown on said maps routing said equipment by the State Highway Department. In the event a route is not so designated by a city or town, the State Highway Department shall determine the route on the state highway for equipment moving over the state highways. No fee or licenses shall be required by any city or town for movement of said oversized mobile homes and/or component parts thereof on the route of a state highway designated by the State Highway Department or on said special route designated by a city or town.

"B. The application for a permit as provided for in this Article shall be in writing and contain the following:

"(1) The make and model of the mobile home, the overall length and width, the make and model of the towing vehicle, the length and width of the towing vehicle and the overall length and width of the combined mobile home and/or component part thereof and towing vehicle.

"(2) The highway or highways over which the same is to be moved,
Indicating the point of origin and destination.

"(3) The same shall be dated and signed by the applicant.

"C. Said special permits shall be issued by the Highway Department through the agent or agents in each county designated for that purpose as set out in Article 676 la, Section 1-a.

"D. There shall also accompany the application for permit a fee of Five Dollars ($5), which fee shall be by the State Highway Department deposited in the Treasury of the State to the credit of the State Highway Fund. Said fee shall be made by cashiers or certified check, postal or express money order. "E. Permits issued by the State Highway Department as provided for under this Article shall be substantially in the following form:

"(1) It shall contain the name of the applicant and shall be dated and signed by the State Highway Engineer, a Division Engineer or a designated agent.

"(2) It shall state the make and model of the mobile home and/or component part to be transported over the highways, the make and model of the towing vehicle, the combined over-all length and width of the mobile home and/or component part thereof and towing vehicle.

"(3) It shall state the highway and/or highways over which the same is to be moved.

"F. Movements authorized by said special permits shall be made during daylight hours only."

Sec. 1. Due to the fact that in no method by which an oversized mobile home may be transported over the highways of this State at this time and there is an urgent need for a method whereby said mobile homes and/or component parts thereof may be transported create an emergency and an imperious public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended and said Rule is hereby suspended, and it is further provided that this Act shall be in effect immediately from and after its passage, and it is so enacted.

Mr. Cowen moved that all necessary rules be suspended for the purpose of adopting the Conference Committee Report on House Bill No. 230. The motion prevailed by the following vote:

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<thead>
<tr>
<th>Yeas</th>
<th>130</th>
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<td>Anderson</td>
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<td>Shannon of Brazoria</td>
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<td>Shannon of Harris</td>
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<td>Holter</td>
<td>of Tarrant</td>
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<td>Hughes of Grayson</td>
<td>Shaw</td>
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<td>Hughes of Dallas</td>
<td>Sheridan</td>
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Resolved That the sole purpose of this resolution is to grant permission to the said M. G. Selman and Jim H. Gordon, to bring suit against the State of Texas, to recover damages for the alleged wrongs committed by the State of Texas, and to have the right of appeal to the Supreme Court of Texas, and be it further

Resolved That any party to the suit shall have the right of appeal as is provided for in other civil cases; and be it further

Resolved That any party to the suit may have as its representatives the said M. G. Selman and Jim H. Gordon, to recover damages for the alleged wrongs committed by the State of Texas, and to have the right of appeal to the Supreme Court of Texas, and be it further

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BILL SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and its caption had been read the following enrolled Bill:

S. B. No. 219. An Act amending the present subsection (13) of Section 15 of Article I of the Texas Liquor Control Act (compiled as subsection (13) of Article 666-15, Vernon's Penal Code); and declaring an emergency.

MESSAGE FROM THE SENATE

Austin, Texas, April 2, 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 granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 151.

The following have been appointed on the part of the Senate: Senators: Parkhouse, Hardeman, Fly, Reagan, Weinert.

Respectfully submitted,

CHARLES SCHNABEL,
Secretary of the Senate.

APPOINTMENTS ON STANDING COMMITTEES

April 2, 1957

The Speaker announced the appointment of the following to succeed Honorable Charles Heitman, Jr., deceased, on the Committee of which he was a member:

To Penitentiaries—Mr. Smith of Jefferson.

To Public Printing—Mr. Welch.

To Labor—Mr. Moore of Tarrant.

To Claims and Accounts—Mr. McDonald.

To Common Carriers—Mr. Burkett.

To Chairmanship, Public Printing Committee—Mr. Mullen.

To Vice-Chairmanship, Public Printing Committee—Mr. Ehrie.

ADJOURNMENT

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

Mr. Bass moved that the House recons until 2:30 o'clock p. m. today.

A record vote was requested on the motion to adjourn.

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

"O Lord our God, shed the light of the Holy Spirit within the minds and hearts of Thy servants in this place of responsibility and decision, that all who sincerely seek the truth, may find it, and in finding it may follow it, whatever the cost, knowing that it is the truth that makes us free. When we have the truth let us not hit each other over the head with it, but rather use it as a lamp to lighten dark places, in order that we may see where we are going. This we ask in the name of Jesus Christ our Lord.—Amen."

The motion to adjourn prevailed by the following vote:

Yeas—92

Anderson Glass
Atwell Glusting
Bartman Green
Bell Hale
Blaine Heffin
Blanchard Holstein
Bowers Huebner
Brashear Huffman
Bristow Huffor
Bullock Hutchins
Burd Jackson
Chapman Jamieson
Cline Jones
Cole Joseph
Cooley Korioth
Cook Latimer
Crow Laurel
Cronwell McCoppin
Day McDonald
de la Garza McGregor
Deway of McLennan
Duff Miss Mann
Ehrie
Elliott Martin
Ellis Moore of Harris
Fenoglio Moore of Tarrant
Ferrell Mullen
Ford Murray
Forsyth Parans
The following Committees have filed favorable reports on bills and resolutions, as follows:

Counts: H. B. No. 875.


Judicial Districts: H. B. No. 486.

Military and Veteran’s Affairs: H. B. No. 542.


Privileges, Suffrage and Elections: H. B. No. 619 and S. B. No. 44.


State Hospitals and Special Schools: H. B. No. 568.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas April 1, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 46, a bill to be entitled "An Act amending Section 4 of Article 11 of Chapter 173, Acts of the Forty-seventh Legislature, 1941, which is codified as Section 4 of Article 6687b of Vernon’s Texas Civil Statutes, by adding hereto Subsection 1a, relating to the issuance of a special license for the operation of a motor scooter or motorized bicycle..."
of five ($5) brake horsepower or less; providing severability; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas April 1, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 456, A bill to be entitled "An Act creating a Conservation and Reclamation District under Article XVI, Section 59, of the Constitution comprising the territory contained within the Cities of Spur, Crosbyton, Ralls and Post, to be known as the "White River Municipal Water District" and abolishing White River Water Control and Improvement District, for the purpose of providing a source of water supply for municipal, domestic, industrial and municipal uses and processing and transporting the same; providing for a Board of Directors to govern said District; providing for the annexation of additional territory thereto; authorizing the District to do all things to make available for the above-named uses water from surface sources and water it may obtain by purchase, lease and operation contracts with persons, firms, corporations and public agencies or the United States Government or any of its agencies; empowering the District to acquire land and construct, lease, or otherwise acquire all facilities necessary or useful in diverting, impounding, storing, processing, or transporting water for the above-named purposes; authorizing the District to lease or acquire rights to and to storage and storage capacity in any reservoir; authorizing the issuance of bonds and making provisions for the payment and security thereof; making applicable to the District Title 52, Revised Civil Statutes, as amended, relating to eminent domain, and declaring the District to be a municipal corporation within the meaning of Article 3348 of Title 52, providing that the District shall bear the expense of relocation, raising, or relocating of any highway, railroad, or utility lines or pipelines made necessary by the exercise of the power of eminent domain; prescribing other powers and duties of the District; enacting other provisions relating to the subject; providing that nothing in this Act shall be interpreted to repeal or amend Article 7471, Revised Civil Statutes of Texas; providing for severability; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas April 2, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred H. B. No. 527, A bill to be entitled "An Act amending Section 3, Section 8 (A), Section 10, Section 12, Section 13, Section 17, Section 19, Section 19 (A), and Section 21, of Chapter 318, Acts of the Fifty-first Legislature, Regular Session, 1949, as amended by Chapter 334, Acts of the Fifty-second Legislature, Regular Session, 1951, as amended by Chapter 170, Acts of the Fifty-third Legislature, Regular Session, 1953, as amended by Chapter 520, Acts of the Fifty-fourth Legislature, Regular Session, 1955; providing for the issuance of negotiable bonds not exceeding the aggregate sum of Two Hundred Million Dollars ($200,000,000), to mature not later than forty years from their date; providing that any bonds previously issued shall mature in accordance with their provisions; providing for the signatures and seal to be placed upon the bonds; providing that for each year until December 1, 1965, sufficient money shall be set aside to pay the interest and principal due on all bonds, theretofore issued and outstanding, and after December 1, 1965, all moneys received, or so much thereof as may be necessary, shall be used to pay the principal and interest on all outstanding bonds; providing that until December 1, 1946, the Veterans' Land Fund, except a sufficient amount to pay interest and principal due on outstanding bonds, shall be used for the purpose of purchasing land to be sold to veterans; providing for the sale of land subdivided by the Board, the method of sale,
providing a preference right to disabled veterans; providing that no land shall be sold at less than its actual cost to the Board except forfeited land; providing that no veteran shall be permitted to purchase more than one (1) tract under this Act; providing for the resale of land by Contract of Sale and Purchase and the recording of such contract; providing the initial payment, amortization of the selling price and the interest rate; providing that no property sold under the provisions of this Act shall be conveyed until the original veteran purchaser has enjoyed possession for a period of three (3) years except in the case of death or incapacitation by reason of illness or accident; providing for the sale by a veteran after three (3) years and the conditions of such sale; providing a restriction on the leasing of such land; providing for the issuance of a deed by the Board when the entire indebtedness has been paid; providing for forfeiture of Contracts of Sale and Purchase, notice thereof, and the manner of forfeiture; providing for reversion of title in the Board upon forfeiture; providing for the recognition of outstanding valid oil and gas or mineral leases; providing that a notice of the action of forfeiture shall be mailed to the County Clerk; providing for the reinstatement of the Contract of Sale and Purchase, the payments and penalties; providing for enforcement of forfeiture by the Attorney General and the collection of delinquent payments; providing for the liability of the original veteran purchaser and any subsequent assignees; providing for the resale of forfeited lands and the terms and conditions thereof; providing for the issuance of rules and regulations by the Board; providing that such rules and regulations shall be considered a part of the Act; providing that the Board shall have power to prescribe the form and contents of all notices, bills, applications, and other instruments; providing that the Board is the sole judge of forfeiture and that the purchaser shall vacate the premises within forty-five (45) days after the date of letter giving notice of forfeiture; providing for the collection and refunding of fees by the Board; providing for depositing of fees in the State Treasury and the appropriation thereof to the Board for the payment of salaries and expenses; providing that the Act shall be cumulative; providing a saving and severability clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN TEZAK, Chairman.

Austin, Texas April 1, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 699, A bill to be entitled
"An Act concerning narcotics, amending Acts of the Forty-fifth Legislature, Regular Session, 1937, Chapter 149, Section 1, Subsection (14), defining all parts of the plant of the genus Lophophora, commonly known as Peyote or mesquite and all derivatives of such plant as a narcotic drug; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HERMAN TEZAK, Chairman.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, April 2, 1957

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 71, An Act providing that
where a defendant in the course of criminal action, is given a bail bond or enters into a recognizance before any court or person authorized by law to take same, for his personal appearance before a court or magistrate, to answer a charge against him, the said bond or recognizance shall be valid and binding upon the defendant and his sureties thereon, for the defendant's personal appearance before the court or magistrate designated therein, and for any and all subsequent proceedings relative to the charge, and that each such bail bond or recognizance shall be so conditioned except as further provided in the Act; providing that when a de-
April 2, 1957

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 99, An Act amending portions of Chapter 118, Acts of the Fifty-second Legislature, 1951, which is codified as Article 4286c of Vernon's Texas Civil Statutes and is sometimes known as the Vocational Nurse Act; amending Section 4, subdivision (c), by changing the title of "Visiting Secretary" to "Director of Training"; amending Section 4A by renumbering as Section 414; and by changing the composition of membership of the Board of Vocational Nurse Examiners, beginning in 1957; amending Section 5 by adding a provision permitting the Board to accept applicants from examination who are domiciled in this State upon completion of two (2) years of training in certain schools of professional nurse training in lieu of the requirement for completion of an accredited course in any other accredited school for training Vocational Nurses and providing any nurse licensed under this Act shall be authorized to wear certain identifying insignia; amending Section 9 as heretofore amended; amending Section 9, as amended, by changing the penalty for late annual renewal fee to Two Dollars ($2), in conformity with Section 9 as heretofore amended; amending Section 10 by extending its provisions to include suspension of licenses as well as revocation of licenses; and providing for trial de novo in all cases appealed from the Board; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

W. C. SCHWARTZ, Chairman.

Austin, Texas, April 2, 1957

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

Sir: Your Committee on Enrolled Bills to whom was referred

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Austin, Texas, April 2, 1957

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fendant has once given a bond or entered into a recognizance for his appearance in answer to a criminal charge, he shall not be required to give another bond or enter into another recognizance in the course of the same criminal action except as further provided, providing that whenever during the course of the action, the Judge or magistrate in whose court such action is pending finds that the bond or recognizance is defective, excessive or insufficient in amount, or that the sureties are not acceptable, or for any other good and sufficient cause, such judge or magistrate may, either in termtime or in vacation, order the accused to be rearrested, and require the accused to give another bond or enter into another recognizance, in such amount as the judge or magistrate may deem proper; (providing that when such bond is so given and approved or when such recognizance is entered into, the defendant shall be released from custody); providing further that the existing laws governing recognizances and ball bonds given in felony and misdemeanor cases to perfect appeals from any court to the Court of Criminal Appeals shall remain unchanged and are not affected by any of the provisions of this Act; providing that all laws and parts of laws in conflict herewith are repealed to the extent of such conflict and further providing the Act shall in no way repeal or affect Articles 282, 283 or 284, Code of Criminal Procedure, or any other Act not in conflict; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

W. C. SCHWARTZ, Chairman.

Austin, Texas, April 2, 1957

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 99, An Act amending portions of Chapter 118, Acts of the Fifty-second Legislature, 1951, which is codified as Article 4286c of Vernon's Texas Civil Statutes and is sometimes known as the Vocational Nurse Act; amending Section 4, subdivision (c), by changing the title of "Visiting Secretary" to "Director of Training"; amending Section 4A by renumbering as Section 414; and by changing the composition of membership of the Board of Vocational Nurse Examiners, beginning in 1957; amending Section 5 by adding a provision permitting the Board to accept applicants from examination who are domiciled in this State upon completion of two (2) years of training in certain schools of professional nurse training in lieu of the requirement for completion of an accredited course in any other accredited school for training Vocational Nurses and providing any nurse licensed under this Act shall be authorized to wear certain identifying insignia; amending Section 9 as heretofore amended; amending Section 9, as amended, by changing the penalty for late annual renewal fee to Two Dollars ($2), in conformity with Section 9 as heretofore amended; amending Section 10 by extending its provisions to include suspension of licenses as well as revocation of licenses; and providing for trial de novo in all cases appealed from the Board; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

W. C. SCHWARTZ, Chairman.

Austin, Texas, April 2, 1957

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

Sir: Your Committee on Enrolled Bills to whom was referred
H. B. No. 143, An Act amending Section 35 of the Election Code of Texas, codified as Article 6.06 of Vernon's Texas Election Code, relating to qualifications for voting in elections for the purpose of issuing bonds or otherwise lending credit or expending money or assuming debt, by adding a provision stating the conditions under which property shall be deemed to have been duly rendered for taxation; repealing conflicting laws; providing for severability; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

W. C. SCHWARTZ, Chairman.

Austin, Texas, April 2, 1957

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 242, An Act amending Subdivision 6, Section 37, Texas Election Code (Subdivision 6, Article 5.06, Vernon's Election Code), so as to change the time and method for counting absentee ballots in elections in which paper ballots are used for absentee voting; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

W. C. SCHWARTZ, Chairman.

Austin, Texas, April 2, 1957

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 247, An Act making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill, or possess any game bird or game animal in Gillespie, Kerr, Bandera, Mason, Llano, Medina, Sutton, Edwards and Crockett Counties at any time; to take, kill or trap any fur-bearing animal in said counties; to take or attempt to take any freshwater fish in said counties by any means or method; prescribing the legislative policies with respect to the wild life resources of said counties; conferring upon the Game and Fish Commission power and authority to regulate by provision, order, rule, or regulation the taking of wild life resources of said counties; requiring the Game and Fish Commission to make investigations with respect to depletion and waste of the wild life resources of said counties; defining depletion and waste; providing for the issuance of the doe permits; providing for a public hearing to be held in the county affected by the proposed Commission's rules, regulations, or orders and for adequate notice of such hearing and for proper conducting of such hearing; providing for the adoption of the proclamations, orders, rules, or regulations of the Game and Fish Commission; providing for the effective period of regulations and for approval or disapproval by the Commissioners' Court in the county affected by the Commission's rules, regulation, or order; providing for the publication of the regulations; providing that the powers of the Commission are not limited; providing venue for suit to test the validity of the proclamations, rules, regulations, or orders of the Commission; providing a penalty for the violation of any of the provisions of this Act as well as any order, rule, or regulation of the Commission; providing for the forfeiture of licenses; making it unlawful to provide a new license and providing a penalty therefore; defining wild life resources; repealing certain laws; providing for the effective date of this Act; providing a saving clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

W. C. SCHWARTZ, Chairman.

Austin, Texas, April 2, 1957

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 37, Granting the Three "T" Fleet, Incorporated, permission to sue the State of Texas, to recover the penalty or forfeiture of licenses; making it unlawful to provide a new license and providing a penalty therefore; defining wild life resources; repealing certain laws; providing for the effective date of this Act; providing a saving clause; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

W. C. SCHWARTZ, Chairman.
Austin, Texas, April 2, 1957

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

Sir: Your Committee on Enrolled Bills to whom was referred H. C. R. No. 75, in memory of Burke T. Summers, Jr.

Has carefully compared same and finds it correctly enrolled.

W. C. SCHWARTZ, Chairman.

Sent to the Governor

April 2, 1957

H. B. No. 71.
H. B. No. 80.
H. B. No. 99.
H. B. No. 143.
H. B. No. 242.
H. B. No. 247.
H. C. R. No. 37.
H. C. R. No. 75.
In Memory of

Harbert Davenport, Sr.

Mr. Pipkin offered the following resolution:

H. S. R. No. 323, In Memory of Harbert Davenport, Sr.

Whereas, On Saturday, February 23, 1957, the City of Brownsville lost an esteemed citizen and a true pioneer of the Magic Valley in the passing of Harbert Davenport, Sr., and

Whereas, Throughout his lifetime this distinguished citizen endeared himself to the hearts of all with whom he came in contact, and

Whereas, Judge Davenport had been a resident of Brownsville since 1912 when he moved there to become a law associate of the late Judge James R. Wells. Judge Davenport received his law degree from the University of Texas in 1908, and became renowned as an authority on land boundary and water laws. He assisted in the formation of the first water and irrigation district in Texas, and was associated in many prominent legal trials, and

Whereas, Judge Davenport was as well known for his historical writing as for his legal ability, and was credited with writing many historical articles which were published in the Texas Southwestern Historical Quarterly of the University of Texas, and for other publications. Judge Davenport was a true student of law, specializing in land law in Texas, and was a great authority on Spanish law as applied to Texas. His Pamphlet entitled "The Texas Law on Flowing Waters as Applied to Irrigation From the Lower Rio Grande" is a treatise which is a masterpiece of reasoning and logic and is today the law in Texas as it applies to flowing waters, and

Whereas, Judge Davenport served as a member of the Brownsville School Board from 1924 to 1934 and was an active member of the American Legion and other civic and service organizations, and

Whereas, He was President of the Texas Historical Association from 1939 to 1942 and was a member of the Executive Council of the Association from 1923 to 1935, and

Whereas, During World War I Judge Davenport served his country with distinction as a Lieutenant in the Air Corps, and

Whereas, The passing of one so loved and whose influence was so far reaching cannot help but leave a great vacant place in our hearts; now, therefore, be it

Resolved, That this House of Representatives of the Fifty-Fifth Legislature of Texas hereby express its deepest sorrow and regrets at the passing of this outstanding citizen; and, be it further

Resolved, That enrolled copies of this resolution be furnished to the widow, Mrs. Elizabeth Pettit Davenport of Brownsville; and to his two

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Dr. Harbert Davenport, Jr., of Jacksonville and Mr. Wortham Davenport of New York, N. Y., and of Caracas, Venezuela; and, be it further

Resolved, That a page be set aside in the House Journal in his memory and that when the House adjourns this day it do so in loving respect to him.

PIPKIN,
MURRAY.

The resolution was unanimously adopted by a rising vote.