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

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

Mr. Speaker

Anderson
Armor
Atwell
Baker
Ballman
Bartram
Bass
Bell
Bishop
Blanchard
Boes
Bell
Bishop
Blaine
Blanchard
Bowers
Boysen
Brashear
Bristow
Bullock
Burkett
Byrd
Chapman
Cline
Cloud
Cole
Conley
Cory
Cotton
Cowen
Cox
Crosthwait
Day
de la Garza
Dewey
Duff, Miss
Dugas
Dungan
Edgar
Elliott
Eugene
Ferrell
Ford
Foreman
Forsyth
Glass
Glaze
Glutting
Green
Hale
Harrington
Healy
Heflin
Hemphill
Hollowell

Richardson
Roberts
Russell
Sadler
Sandahl
Sanderson
Saul
Schram
Schwarz
Schatz
Seeligson
Seabrook
Sockwell
Shannon of Erath
Shannon of Tarrant
Shaw
Sheridan
Shirley
Shreves
Smith of Hays
Smith of Jefferson
Spearman
Springer

Absent—Excused

Bryan
Kohls

A quorum of the House was announced present.

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

"We pray, O God, that thou will fill this sacred minute with meaning and make it an oasis for the refreshment of our souls, a window cleansing for our vision and a recharging of the batteries of our spirits. Let us have less talking and more thinking, less work and more worship, less pressure and more prayer. For if we are too busy to pray, we are far busier than we have any right to be. Speak to us O Lord and help us listen, to Thy broadcasting station that never goes off the air. Through Thy Holy Spirit who is waiting to lead us into all Truth.—Amen."

LEAVES OF ABSENCE GRANTED

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

Mr. Bryan for today on motion of Mr. Bristow.
The following Members were granted leaves of absence on account of Illness:

Mr. Korloth for today on motion of Mr. Storey.
Mr. Ellis for today on motion of Mr. de la Garza.

TO NAME DONNA SUE WILSON AND BRENDA JOYCE WILSON AS MASCOTS OF THE HOUSE

Mr. Walling offered the following resolution:

H. S. R. No. 335

Whereas, Donna Sue Wilson, born on August 31, 1906, and Brenda Joyce Wilson, born on January 30, 1960, are the lovely daughters of the Honorable and Mrs. George Truett Wilson; and

Whereas, The maternal grandparents are Martin H. and Texas Elizabeth Salyer. The paternal grandparents are Reverend Albert S. and Katherine Wilson; now, therefore, be it

Resolved, That these two fine girls be named Mascots of the House and that their picture be placed in the picture panel with the Members of the Fifty-fifth Session.

WALLING,
McGREGOR of McLennan,
PATTERSON,
RICHARDSON,
WILSON of Potter.

The resolution was referred to the Committee on Rules.

COMMEMDING SAM B. WHITTENBURG

Mr. Springer offered the following resolution:

H. S. R. No. 333

Whereas, Sam B. Whittenburg, publisher of the Amarillo Globe-Times and the Amarillo News, was named Publisher of the Year by the Headliners Club of Austin; and

Whereas, He is a member of Sigma Delta Chi, Board of Regents of Texas State College for Women, Panhandle-Plains Historical Society of Canyon. He served as Director and President of the Amarillo Chamber of Commerce; and

Whereas, He is a member of the First Presbyterian Church and the Rotary Club. He has contributed of his time and talent to the betterment of his profession, his community, and his State; now, therefore, be it

Resolved, That the House of Representatives of the Fifty-fifth Legislature congratulates this distinguished publisher and wishes him continued success and a long life of good health and happiness.

SPRINGER,
WILSON of Potter.

The resolution was read and was adopted.

RECOGNIZING THE VISIT OF THE STUDENTS OF THE EIGHTH GRADE CLASS OF ST. CECILIA'S ACADEMY, DALLAS, TEXAS

Mr. Sutton offered the following resolution:

H. S. R. No. 336

Whereas, The Eighth Grade Class of St. Cecilia's Academy, Dallas, Texas, accompanied by their teacher, Sister Benita Frances, visited the Texas State Capitol and the House of Representatives on the first day of April, 1957; and

Whereas, These fine young American citizens were on an educational tour to observe and learn the processes of their State government, and particularly the law making process; and

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

Resolved, That they be officially recognized and commended for their interest in State government as young citizens of Texas, and that a copy of this Resolution be forwarded to the Class.

The resolution was adopted.
RECOGNIZING THE VISIT OF THE SEVENTH GRADE TEXAS HISTORY CLASS OF THE DEL VALLE JUNIOR HIGH SCHOOL, DEL VALLE, TEXAS

Mr. Jones offered the following resolution:

H. S. R. No. 334

Whereas, The Students from the Seventh Grade Texas History Class of the Del Valle Junior High School, Del Valle, Texas, accompanied by their Teacher, Mrs. Sylvia Dinsmore, were visiting in the State Capitol on the third day of April, 1957; and

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

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

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

The resolution was adopted.

PROVIDING FOR THE CONTINUATION OF THE TEXAS SURPLUS PROPERTY AGENCY IN FISCAL YEARS 1957-58 AND 1958-59

The Chair laid before the House for consideration at this time, H. C. R. No. 46, Providing for the continuation of the Texas Surplus Property Agency.

The resolution having heretofore been referred to the Committee on State Affairs and reported favorably by the Committee.

H. C. R. No. 46 was adopted.

REQUESTING THE CONGRESS OF THE UNITED STATES TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES IN REGARD TO THE U. S. GOVERNMENT ENGAGING IN CERTAIN ENTERPRISES

The Chair laid before the House for consideration at this time, H. C. R. No. 49, Requesting the Congress of the United States to propose a certain amendment to the Constitution of the United States.

The resolution having heretofore been referred to the Committee of State Affairs and reported favorably by the Committee.

Mr. Zbranek offered the following amendment to the resolution:

Amend H. C. R. No. 49 by adding at the end of section 1 the following: "Provided that the United States may continue to operate a Postal Service."

Mr. Sutton moved to table the amendment by Mr. Zbranek.

The motion to table the amendment by Mr. Zbranek prevailed.

Mr. Zbranek offered the following amendment to the resolution:

Amend H. C. R. No. 49 by adding a Section 1a to read as follows: "The Federal Deposit Insurance Corporation is exempt from this provision of this section."

Mr. Sutton moved to table the amendment by Mr. Zbranek.

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

Yeas—63

Army

Atwell

Baker

Bartram

Bell

Blaine

Bowers

Burkett

Byrd

Chapman

Cline

Conley

Cory

Cook

Cotten

Cox

Crosthwait

Day

Dungan

Ferrell

Yea

Johnson

Kelly

Koliba

Latimer

McDonald

McGregor

of McLennan

Mans

Martin

Matthew

Moore of Harris

Moore of Tarrant

Osborn

Parsons

Pool

Premier

Puckett

Ramsey

Richards

Roberts

Rusell

Sadler

Schaan

Shackleford

Shannon of Erath

Shannon of Tarrant

Yeas—63

Armor

Atwell

Balcer

Dartman

Bell

Blaine

Bowers

Burkett

Byrd

Chapman

Cline

Conley

Cory

Cook

Cotten

Cox

Crosthwait

Day

Dungan

Ferrell

Yea

Johnson

Kelly

Koliba

Latimer

McDonald

McGregor

of McLennan

Mans

Martin

Matthew

Moore of Harris

Moore of Tarrant

Osborn

Parsons

Pool

Premier

Puckett

Ramsey

Richards

Roberts

Rusell

Sadler

Schaan

Shackleford

Shannon of Erath

Shannon of Tarrant

The resolution having heretofore been referred to the Committee of State Affairs and reported favorably by the Committee.
The resolution by Mr. Sutton was adopted by the following vote:

Yea—96

Anderson Kilpatrick
Armour Lattimer
Atwell McDonald
Baker McGregor
Bartram of McLennan
Bass McFarland
Bell Mann
Bishop Martin
Blalock Matthew
Bowers Yates
Boyse Moore of Harris
Bristow Moore of Tarrant
Bullock Oliver
Burr W. Osborn
Byrd Parsons
Chapman Patterson
Cline Pickett
Cloud Poole
Conley Presler
Cory Puckett
Cotten Ramsey
Cowen Richardson
Cox Roberts
Crostwalt Russell
Day Sadler
de la Garza Sandahl
Dungan Schram
Ferrill Schwartz
Foreman of Washington
Forysth Shackelford
Gren Shannon of Erath
Hale Shannon
Hastly of Tarrant
Heflin Shaw
Hendley Sheridan
Hollowell Smith of Hays
Holman Splawn
Hooks Storey
Hosely Strump
Huffman Sutton
Huffor Talasek
Hughes of Dallas Tunnell
Hutchins Walling
Isaacs, Miss Watson
Jackson Walsh
Johnson Wilson of Potter
Jones Winfree
Kelly Wohlford
Kennard

Nays—34

Ballman Ehrie
Blanchard Elliott
Cole Glass
Dewey Glus
Dugas Miss

Absent—Excused
Bryan Schwartz
Bush of Galveston
Koroth
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Hughes of Grayson
Joseph
Kilpatrick
Koliba
Laurel
Lee
McCoppin
McGregor
of El Paso
Mullen
Myatt
Sherrill
Sherrell
Present—Not Voting
Kennedy
Brashear
Fenoglio
Ford
Huebner
Jamison
Murray
Parish
Absent
Saul
Seeligson
Slack
Strickland
Thurmond
Woolsey
In the Chair
Sanders
Absent—Excused
Bryan
Schwartz
Ellis
Korloth
Mr. Sutton moved to reconsider the vote by which H. C. R. No. 49 was adopted and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE
Austin, Texas, April 4, 1957
Hon. Waggoner Carr, Speaker of the House of Representatives.
Sir: I am directed by the Senate to inform the House that the following was killed in Committee:

S. B. No. 26, Relating to regulation of rates for certain casualty insurance.

Respectfully,
CHARLES SCHNABEL,
Secretary of the Senate.

AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY TO ACQUIRE AN EASEMENT TO BUILD A COMMUNICATIONS STATION
The Chair laid before the House for consideration at this time,

H. C. R. No. 26, Authorizing the Department of Public Safety to acquire an easement to build a Communications Station.

The resolution having heretofore been referred to the Committee on Appropriations and reported favorably by the Committee.

The resolution was adopted.

AUTHORIZING THE BOARD OF DIRECTORS OF A. & M. COLLEGE OF TEXAS TO TRANSFER CERTAIN APPROPRIATED FUNDS OF ARLINGTON STATE COLLEGE

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

H. C. R. No. 38, Authorizing the Board of Directors of A. & M. College of Texas to transfer certain appropriated funds of Arlington State College.

The resolution having heretofore been referred to the Committee on Appropriations and reported favorably by the Committee.

The resolution was adopted.

TO NAME OBIE DON JONES AS HONORARY MASCOT OF THE HOUSE

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

H. S. R. No. 296, Naming Obie Don Jones as Honorary Mascot of the House.

The resolution having heretofore been referred to the Committee on Rules and reported favorably by the Committee.

The resolution was read and was adopted unanimously.

SENATE BILL NO. 94 ON SECOND READING

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

H. R. No. 94, Permitting representatives of newspapers, wire services, radio and television stations to attend precinct, county and State conventions; and declaring an emergency.
The bill was read second time and was passed to third reading.

SENATE BILL NO. 94 ON THIRD READING

Mr. Green moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 94 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—131

Nays—3
Burkett  Cotten  De la Garza

Mr. McGregor of McLennan offered the following resolution:

H. S. R. No. 337
Whereas, The Honorable Clyde Whiteside represented Baylor, Hocknull and Throckmorton Counties in
the House of Representatives for several Sessions; and
Whereas, These Counties are still trying to recover from such a lack of representation; and
Whereas, The Honorable Ed Cloud is now in the process of restoring to the inhabitants of these Counties the peace and confidence which comes with the knowledge that they are being satisfactorily represented; and
Whereas, The Honorable Clyde Whiteside finally quit the Legislature for the District Attorneyship of Baylor County; and
Whereas, The Honorable Clyde Whiteside was best known, while in Austin, as a "piano playing bachelor;" and
Whereas, He is now too old to any longer attract the glances of the present generation of the fairer sex; and
Whereas, The said Clyde Whiteside is now visiting Austin, and to this time has not been requested to sing and play the piano in the House of Representatives; now, therefore, be it
Resolved, and it is hereby resolved, That Clyde Whiteside be invited to play the piano for the benefit of the Members of the House of Representatives, the employees and Manley Head on recess for lunch this date, provided however, that anyone with good hearing who can't block out the moans and groans of the said piano under the gross abuse administered thereon by the said Whiteside, will be excused for the balance of the day, or for whatever time it takes them to adequately recover therefrom.

McGREGOR of McLennan, COX, WELCH, COVEN, JONES, POOL, STOREY, BELL, WINFREE, HEPFIL, JOSEPH, ANDERSON, LEE, STEWART, BALLMAN, CORY, SHAW, HOLSTEIN, JACKSON, KOLIBA, DUFF, Miss, CLOUD, WALLING, BULLOCK, FERRELL, YESAK, WATSON, MURRAY, CROSTHWAIT, ATWELL, SMITH of Hays, McILHANY, WOHLFORD.

The resolution was read and was adopted.

The resolution was read and was adopted.
Amend H. B. No. 18 by amending the caption to read as follows:

"A BILL
To Be Entitled

An Act to more adequately provide for the effective regulation of traffic and for the purpose of improving traffic safety and the facilitation of vehicular traffic upon the roads of this State; to amend and re-enact as amended Section 8 of Senate Bill No. 11, Chapter 42, Acts of the Forty-first Legislature, Second Called Session, 1929, as amended by Section 9 of House Bill No. 356, Chapter 282, Acts of the Forty-second Legislature, Regular Session, 1931, as amended by Section 1 of House Bill No. 1074, Chapter 488, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended by House Bill No. 468, Chapter 346, Acts of the Fifty-second Legislature, Regular Session, 1951, as amended by Senate Bill No. 226, Chapter 488, Acts of Fifty-fourth Legislature, Regular Session, 1955, codified as Article 571a, Section 8, of Vernon's Penal Code of Texas, to provide fixed speed limits for vehicle classifications at certain locations and at different hours of the day and night and to provide that speed in excess of such limits, in such locations, by the prescribed classification of vehicle and at the prescribed hours shall be unlawful; to provide that any speed that is greater than is reasonable and prudent under the conditions then existing shall be unlawful although less than the absolute speed limits prescribed; to define certain terms; to provide for the alteration of speed limits by the State Highway Commission upon any part of the designated or marked State Highway System as to such classification of vehicle and during such hours as may be determined at any location upon a designated or marked State Highway, both within and without the limits of any incorporated city, town or village, including Home Rule Cities; to provide that the State Highway Commission shall not have the authority to alter the reasonable and prudent rule prescribed herein; to provide that County Commissioners' Courts may, within their jurisdiction, exclusive of designated or marked State Highways, exercise the same authority as is granted to the State Highway Commission to alter speed limits, provided that no County Commissioners' Court may authorize speeds in excess of the maximum limits prescribed in certain sections hereof, nor to modify or alter the reasonable and prudent rule prescribed herein; to provide that the Governing Body of any incorporated city or town with respect to itself in its jurisdiction, including designated or marked State Highways, shall have the same authority to alter speed limits within its jurisdiction as is herein granted to the State Highway Commission, provided that upon any part of any State Highway within the limits of any incorporated city, town or village the State Highway Department's authority to alter speed limits therein shall supersede any ordinance of any such Governing Body in conflict therewith; and to provide further that no such Governing Body may authorize speed limits in excess of the maximum limits prescribed in certain sections hereof, with certain exceptions; to provide that the Texas Turnpike Authority may alter speed limits on any part of any Turnpike Project constructed and maintained by it and that such authority shall be exclusive upon any part of any Turnpike Project both within and without the limits of any incorporated city, town or village, including Home Rule Cities, and provided that the Texas Turnpike Authority may not alter the reasonable and prudent rule provided herein; to provide that no person shall drive a motor vehicle at such a slow speed as to impede the reasonable and normal movement of traffic except within the reduced speed which is necessary for safe operation or in compliance with law and granted unto the State Highway Commission, the Texas Turnpike Authority, the County Commissioners' Court, and the governing body of any incorporated city or village within their respective jurisdictions, authority to determine and declare a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation or in compliance with

Committee Amendment No. 2

Amend H. B. No. 18 by amending the caption to read as follows:

"A BILL
To Be Entitled

An Act to more adequately provide for the effective regulation of traffic and for the purpose of improving traffic safety and the facilitation of vehicular traffic upon the roads of this State; to amend and re-enact as amended Section 8 of Senate Bill No. 11, Chapter 42, Acts of the Forty-first Legislature, Second Called Session, 1929, as amended by Section 9 of House Bill No. 356, Chapter 282, Acts of the Forty-second Legislature, Regular Session, 1931, as amended by Section 1 of House Bill No. 1074, Chapter 488, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended by House Bill No. 468, Chapter 346, Acts of the Fifty-second Legislature, Regular Session, 1951, as amended by Senate Bill No. 226, Chapter 488, Acts of Fifty-fourth Legislature, Regular Session, 1955, codified as Article 571a, Section 8, of Vernon's Penal Code of Texas, to provide fixed speed limits for vehicle classifications at certain locations and at different hours of the day and night and to provide that speed in excess of such limits, in such locations, by the prescribed classification of vehicle and at the prescribed hours shall be unlawful; to provide that any speed that is greater than is reasonable and prudent under the conditions then existing shall be unlawful although less than the absolute speed limits prescribed; to define certain terms; to provide for the alteration of speed limits by the State Highway Commission upon any part of the designated or marked State Highway System as to such classification of vehicle and during such hours as may be determined at any location upon a designated or marked State Highway, both within and without the limits of any incorporated city, town or village, including Home Rule Cities; to provide that the State Highway Commission shall not have the authority to alter the reasonable and prudent rule prescribed herein; to provide that County Commissioners' Courts may, within their jurisdiction, exclusive of designated or marked State Highways, exercise the same authority as is granted to the State Highway Commission to alter speed limits, provided that no County Commissioners' Court may authorize speeds in excess of the maximum limits prescribed in certain sections hereof, nor to modify or alter the reasonable and prudent rule prescribed herein; to provide that the Governing Body of any incorporated city or town with respect to itself in its jurisdiction, including designated or marked State Highways, shall have the same authority to alter speed limits within its jurisdiction as is herein granted to the State Highway Commission, provided that upon any part of any State Highway within the limits of any incorporated city, town or village the State Highway Department's authority to alter speed limits therein shall supersede any ordinance of any such Governing Body in conflict therewith; and to provide further that no such Governing Body may authorize speed limits in excess of the maximum limits prescribed in certain sections hereof, with certain exceptions; to provide that the Texas Turnpike Authority may alter speed limits on any part of any Turnpike Project constructed and maintained by it and that such authority shall be exclusive upon any part of any Turnpike Project both within and without the limits of any incorporated city, town or village, including Home Rule Cities, and provided that the Texas Turnpike Authority may not alter the reasonable and prudent rule provided herein; to provide that no person shall drive a motor vehicle at such a slow speed as to impede the reasonable and normal movement of traffic except within the reduced speed which is necessary for safe operation or in compliance with law and granted unto the State Highway Commission, the Texas Turnpike Authority, the County Commissioners' Court, and the governing body of any incorporated city or village within their respective jurisdictions, authority to determine and declare a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation or in compliance with
law; to prescribe provisions of any notice to appear for violation of any speed regulation provided herein; to provide that this Act shall not be construed as to affect the burden of proving negligence in civil actions; to provide that, if any portion of this Act is held unconstitutional, the remaining portions shall be valid; to repeal any part of any law in conflict herewith; and to declare an emergency."

The Committee Amendment was adopted.

On motion of Mr. Anderson and by unanimous consent of the House, the Caption of House Bill No. 18 was ordered amended to conform with the body of the bill.

House Bill No. 18 was then passed to engrossment.

Mr. Anderson moved to reconsider the vote by which H. B. No. 18 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 36 ON SECOND READING
The Speaker laid before the House, on its second reading and passage to engrossment,
H. B. No. 36, A bill to be entitled "An Act amending Section 2 of Article 1583-2 of the Penal Code of Texas, 1935, as enacted and added by Chapter 143, Acts of the 53rd Legislature, Regular Session, 1947, and as last amended by Chapter 168, Acts of the 53rd Legislature, Regular Session, 1953, by providing increased minimum salaries for firemen and policemen in cities having certain populations; by changing the time within which an election shall be held on a proposed salary increase and by changing the time within which such increase shall be put into effect; by permitting such election for either a fire department or a police department as well as for both; repealing all laws in conflict to the extent of such conflict; providing a severance clause; and declaring an emergency."

The bill was read second time.

Mr. Hughes of Grayson moved that further consideration of House Bill No. 36 be postponed until Tuesday, April 9, at 11:30 o'clock a. m.

There was no objection offered and it was so ordered.

HOUSE BILL NO. 43 ON SECOND READING
The Speaker laid before the House, on its second reading and passage to engrossment,
H. B. No. 43, A bill to be entitled "An Act amending Section 1 of Senate Bill 5, Acts of the 48th Legislature, Regular Session, 1943, Chapter 95, page 265, codified in Vernon's as Article 1583-1, Vernon's Civil Statutes, so as to make the provisions of the insecticide and fungicide law applicable to household insecticides including any substance or mixture of substances approved for use for preventing, destroying, repelling or mitigating any insect or pests which may infest household goods; making other provisions relating thereto; providing a repealing clause; providing a severance clause, and declaring an emergency."

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

HOUSE BILL NO. 43 ON THIRD READING
Mr. Kennedy moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 43 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—131
Anderson
Armour
Atwell
Baker
Ballman
Bartram
Bass
Bell
Bishop
Blanchard
Bowers
Boyen
Brashar
Bullock
Byrd
Chapman
Cline
Cloud
Cole
Conley
Cory
Cowen
Cox
Crosthwait
Day
Dewey
Dugan
Dungan
Ehrle
Elliott

Nays—1
The Speaker then laid House Bill No. 43 before the House on third reading and final passage.

The bill was read third time and was passed.

**HOUSE BILL NO. 43 ON SECOND READING**

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

H. B. No. 43, A bill to be entitled "An Act amending Section 1 of Chapter 10, General Laws of the 42nd Legislature, Regular Session, 1931, codified as Article 1268a of Vernon's Texas Penal Code, so as to enlarge the offense defined therein to include threats for the purpose of or with the view of extorting money or anything of value from the person threatened or from any other person; and declaring an emergency."

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

Mr. Cotten moved to reconsider the vote by which H. B. No. 43 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

**HOUSE BILL NO. 68 ON SECOND READING**

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

H. B. No. 68, A bill to be entitled "An Act to define and license the business of making loans or advances in the amount of One Hundred Dollars ($100.00) or less, and for a term of six (6) months or less, secured or unsecured; providing certain exceptions; providing that a license to engage in such business shall be obtained from and may be revoked by the Banking Commissioner of the State of Texas, and for judicial review of his decisions and findings and for certain examinations and license fees to be charged by said Commissioner: providing that such
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applicant shall have certain qualifications and that licenses shall be granted without investigation and without investigation fees therefor, to those in said business on January 1, 1957, and shall be a bond in the sum of One Thousand Dollars ($2,000.00); defining certain terms; defining interest and limiting the rate of interest and amount of expense charges in connection with such loans or advances and penalties for the violation thereof; declaring such charges to be prima facie reasonable; providing that the borrower shall be informed of the cost of the loan and the elements of such cost; providing there shall be no splitting of loans; providing for the administration of this Act and for the issuance of rules and regulations thereunder; authorizing the making of examinations and investigations; providing that willful and knowing violation of this Act shall constitute a misdemeanor which shall be punishable by a fine of not less than One Hundred Dollars ($100.00) nor more than Five Hundred Dollars ($500.00) for the first offense and, for a second conviction within one year thereafter, punishment of a fine not less than One Hundred Dollars ($100.00) nor more than Five Hundred Dollars ($500.00) and revocation of the license of the Commissioner, with a reasonable period for sale, transfer or assignment of such license; providing that operating without a license shall constitute a misdemeanor and shall be punishable by fine of not less than Five Hundred Dollars ($500.00) nor more than Two Thousand Dollars ($2,000.00), or imprisonment in the county jail of not less than six (6) months nor more than two (2) years, or both; and providing for other penalties; providing for the repeal of Article 155a of Title 7047 of Chapter 1 of Title 125, entitled "Loan Brokers", and also Section 14 of Article 7047 of Chapter 1 of Title 125, entitled "Loan Brokers", and also Section 14 of Article 7047 of Chapter 1 of Title 125, entitled "Money Lenders", and also Article 464h of Title 70, all such articles being of the Revised Civil Statutes of Texas, 1925; and Articles 5046, 5071, 5073, Title 79, of the Revised Civil Statutes of Texas, 1925, are repealed insofar as inconsistent with the provisions of this Act; providing this Act shall be void as a whole if any part thereof is held unconstitutional, and declaring an emergency.

Mr. Hale moved that further consideration of House Bill No. 58 be postponed until 10:45 o'clock a.m. next Monday.

There was no objection offered and it was so ordered.

HOUSE BILL NO. 63 ON SECOND READING

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

H. B. No. 63, A bill to be entitled "An Act to amend Section 27, Chapter 4, page 602, Acts 1929, Forty-sixth Legislature, Regular Session, to provide for the licensing and regulation of auto wreckers, junk dealers, and rebuilders of motor vehicles for resale; defining the term "Person"; determining who shall obtain a license; providing for annual renewal of such license; placing the administration of the law in the State Highway Department and enumerating its rights, powers, and duties in respect thereto; providing for a fee to be charged for the issuance of licenses and providing for the disposition of fees collected; requiring Certificates of Title and reports to be furnished the Department; requiring persons license under this Act to keep a permanent record in the English language and description of each and every motor vehicle wrecked, junked, dismantled, rebuilt for resale or substantially altered by the licensee; providing for these records to be open for examination; providing a penalty for failing to comply with the provisions of this Act and defining such penalty; authorizing the promulgation of rules and regulations; authorizing the Department to designate employees to be used in connection with the administration of this Act and giving said employees necessary auditing authority; providing for the right to appeal the cancellation or suspension of license; providing a saving clause as to constitutionality, repealing all laws in conflict herewith; and declaring an emergency."
The bill was read second time.

(Mr. Hughes of Dallas in the Chair.)

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

House Committee Amendment No. 1

To House Bill No. 63

Amend House Bill 63 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. Section 37 of the Certificate of Title Act (Article 1436-1 of Vernon’s Texas Penal Code) is hereby amended by amending subsection (a) thereof and adding thereto subsections (c) and (d), as follows:

"(a) When any motor vehicle registered or licensed in Texas to which a certificate of title has been issued is junked, dismantled, destroyed, or its motor number changed or the motor vehicle changed in such manner that it loses its character as a motor vehicle, or in such manner that it is not the motor vehicle described in such certificate of title, the person in possession of the certificate of title shall surrender the certificate of title to the Department together with a written consent of the holders of all unrelated liens noted thereon, and the certificate of title shall be cancelled on the records of the Department. The certificate of title covering a vehicle to be junked, dismantled, or disassembled shall be surrendered before such dismantling is commenced. The certificate of title covering a vehicle which has been changed as described above, or for which the motor number has been changed, shall be surrendered, and a new certificate applied for if a certificate of title is required for the vehicle as changed, before the vehicle is used, operated, or disposed of. Nothing herein shall affect the sale of used automobile parts when sold as such.

"(c) Not later than thirty days after the effective date of this subsection, every person who has in his possession a Texas certificate of title to a motor vehicle which has been junked, dismantled, destroyed, or changed as described in subsection (a) of this section prior to the effective date thereof, shall surrender to the Department each and every such certificate of title in his possession.

"(d) Any person who violates any provision of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than One Hundred Dollars ($100) nor more than Five Hundred Dollars ($500) or by confinement in the county jail for a period of not less than one month nor more than six months, or by both such fine and imprisonment. Each separate act shall constitute a violation.

Sec. 2. All laws or parts of laws in conflict with this Act are hereby repealed to the extent of such conflict, and in the event of any conflict or inconsistency between the provisions of this Act and any other law, the provisions of this Act shall prevail.

Sec. 3. The fact that there are now numerous certificates of title in the hands of junk dealers, wrecking yards, and others, who are selling or otherwise disposing of title on junked vehicles, and these titles are being used to transfer stolen motor vehicles, and the further fact that there is no adequate way of forcing the surrender of such titles for cancellation, create 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 this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

(Speaker in the Chair.)

Mr. Talasek offered the following amendment to the Committee Amendment No. 1:

Amendment to Amendment No. 1

To House Bill No. 63

Amend Section 1, Paragraph "a" after the word Department by adding the following:

"The certificate of title covering a vehicle to be junked, dismantled, or disassembled shall be surrendered within 30 days after such dismantling is commenced."

Mr. Hadar moved the previous question on the pending amendments and the passage of H. B. No. 63 to engrossment and the main question was ordered.

The amendment by Mr. Talasek to the Committee Amendment was adopted.
Committee Amendment No. 1 as amended was adopted.

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

House Committee Amendment No. 2

To House Bill No. 63

Amend House Bill No. 63 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A BILL

To Be Entitled

An Act amending Section 37 of the Certificate of Title Act (Section 37 of Article 1425-1 Vernon's Texas Penal Code), relating to surrender of certificates of title on junked, dismantled, or changed motor vehicles and to procurement of certificates of title on rebuilt or assembled motor vehicles, by making further provisions relative to surrender of certificates of title and by providing a new penalty for violation of the section; repealing conflicting laws; and declaring an emergency."

The amendment was adopted.

House Bill No. 63 was then passed to engrossment.

MOTION TO PLACE HOUSE BILL NO. 63 ON THIRD READING

Mr. Talasek moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 63 be placed on its third reading and final passage.

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

Yeas—85

Anderson
Armour
Baker
Bartram
Bass
Bell
Blaine
Byrd
Cline
Cowan
Cox
Croswell
Dewey
Jackson
Jones
Joseph
Kelly
Keenard
Kennedy
Kolbe
Kothmann
Lee
McCoppin
McDonald
McGreer
of McLennan
McGreer
Smith of Jefferson
of El Paso
McSparron
Mann
Martin
Mays
Moore of Harris
Mullen
Nall
Naylor
Nystrom
Oliver
Osborn
Parish
Parsons
Paterson
Pipkin
Pool
Premier
Reynolds
Richardson
Sadler
Sanders
Saul
Schram
Schwarts
of Washington
Shackelford
Shannon of Erath
Shannon
Shackelford
Smith of Hays
Smith of Jefferson
of El Paso
Spillman
Springle
Sutton
Talasek
Terry
Turman
Walling
Watson
Welch
Wheeler
White
Wilson of Potter
Pool
Winfree
Yeazek
Zarrake

Nays—46

Ballman
Bishop
Bland
Blanchard
Bowers
Bryant
Braun
Buell
Burkett
Chapman
Cole
Comley
Cory
Cotlen
Cox
Day
Dungan
Ehrie
Fairrell
Farnham
Foreman
Forey
Glass
Hale
Harrington
Hollowell
Hooks
Hossy
Huffman
Hughes of Brazos
Johnson
Kilpatrick
Kluter
LaBelle
Mcllhany
McSparron
Moore of Tarrant
Mullen
Mullen
Murray
Myatt
Oliver
Osborne
Parish
Patterson
Patton
of Potter
Pike
Powers
Puckett
Purcell
Powers
Ragland
Rahm
Ralls
Sandahl
Sheridan
Sheriff
Storey
Strom
Sudderth
Sudderth
Sudderth
Sudderth
Walthall
Warrington
Welsh
White
Wilson of Potter
Winfree
Yeazek

Absent

Ford
Glueck
Healy
Jamison
Mr. Crosthwaite asked unanimous consent to introduce at this time and have placed on first reading H. B. No. 887. There was no objection and it was so ordered.

CONFERENCE COMMITTEE ON HOUSE BILL NO. 133

The Speaker announced the appointment of the following Conference Committee on the part of the House on H. B. No. 133:


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:

H. B. No. 230, An Act amending the Revised Civil Statutes of Texas, by adding thereto a new Article to be numbered Article 607 providing for the Issuance of permits by the State Highway Department for the movement of overlength and overwidth 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.

RECESS

Mr. McGregor of El Paso moved that the House recess until 2:30 o'clock p. m. today.

The motion to recess prevailed.

The House accordingly, at 12:13 o'clock p. m. took recess until 2:30 o'clock p. m. today.

AFTERNOON SESSION

The House met at 2:30 o'clock p. m. and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED

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

Mr. Laurel for the remainder of the day on motion of Mr. Kotthau.

Mr. Heflin was granted leave of absence for the afternoon and the remainder of the week on account of illness, on motion of Mr. Baker.

MESSAGE FROM THE SENATE

Austin, Texas, April 4, 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 concurred in House Amendments to Senate Bill No. 280 by the following vote: Yea 28, Nays 0.

Austin, Texas, April 4, 1957

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

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

H. C. R. No. 72, Granting each House permission to adjourn for the Easter Holidays.

H. C. R. No. 55, Pertaining to the air conditioning of the House of Representatives.

H. C. R. No. 53, Proclaiming the week of March 13-16 as Rice Week.

The Senate has refused to concur in House Amendments to S. J. R. No. 4 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

Respectfully,

CHARLES SCHNABEL,
Secretary of the Senate.

CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

The House proceeded with the consideration of Local and Uncontested Bills.

SENATE BILL NO. 551 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,
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S. B. No. 251, Prohibiting certain acts of pollution of the waters of Lake Lavon in Collin County; and declaring an emergency.

The bill was read second time and was passed to third reading.

(Mr. Hale in the Chair.)

SENATE BILL NO. 251 ON THIRD READING

Mr. Dunham moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 251 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—135


In the Chair

Absent—Excused

The Chair then laid Senate Bill No. 251 before the House on third reading and final passage.

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

Yeas—135


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SENATE BILL NO. 406 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading, S. B. No. 406, Creating Brazoria County Road District No. 34; and declaring an emergency.

The bill was read second time and was passed to third reading.

SENATE BILL NO. 406 ON THIRD READING

Mr. Bass moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 405 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—133

Abstain

de la Garza  
Kennedy

Ehrle  
Mays

Fengilo  
Schram

Absent—Excused

Bryan  
Koroth

Bills  
Laurel

Neall

Mr. Bass moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 405 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—133

Abstain

Anderson  
Day

Armbr  
Dewey

Atwell  
Duff, Mias

Baker  
Dugas

Ballman  
Dungan

Bartram  
Elliott

Bass  
Ferril

Bell  
Ford

Blanchard  
Ferguson

Blevins  
Glass

Boykin  
Green

Braun  
Harrington

Bristow  
Hastly

Bullock  
Hollowell

Byrd  
Holman

Chambers  
Holstein

Chase  
Hooks

Clend  
Hosey

Cole  
Huebner

Conley  
Humphrey

Cory  
Huffer

Cotten  
Hughes of Grayson

Cowen  
Hughes of Dallas

Cox  
Hutchins

Crosthwait  
Isacks, Miss

Halle
April 4, 1957  

The Chair then laid Senate Bill No. 405 before the House on third reading and final passage.

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

Yeas—135
Anderson  Kelly
Armstrong  Kennard
Atwell  Kilpatrick
Baker  Koliba
Ballman  Kothmann
Bartram  Latimer
Bas  Lee
Bell  McCoppin
Bishop  McDonald
Blalock  McGregor
Bowers  McGregor
Boyce  Moore of El Paso
Braashear  McIlhany
Bristow  Mann
Bullock  Martin
Burkett  Matthews
Byrd  Moore of Harris
Chapman  Moore of Tarrant
Childs  Mullen
Choud  Murray
Cole  Myatt
Cooley  Oliver
Corzine  Osborn
Cotten  Parish
Cowen  Parsons
Cox  Patterson
Crowthwait  Pipkin
Day  Pool
Dewey  Premier
Duff, Miss  Puckett
Dugan  Ramsey
Dungan  Richardson
Elliott  Roberts
Farrell  Russell
Ford  Sadler
Foreman  Sandahl
Forysth  Sanders
Glass  Saul
Gristina  Schwartz
Green  of Galveston
Hartington  Schwartz
Hensley  of Washington
Hensley  Seeligson
Hollowell  Shackelford
Holman  Shannon of Erath
Holstein  Shannon
Hooks  of Tarrant
Honey  Shaw
Hoober  Sheridan
Huffman  Sherrill
Huford  Slack
Hughes of Grayson  Smith of Hays
Hughes of Dallas  Smith of Jefferson
Hutcheson  Spillman
Issa-kh-ia  Miss  Springer
Jackson  Stewart
Jamison  Storey
Johnson  Strickland
Jones  Stroman
Joseph  Sudderth
The Speaker laid before the House, on its second reading and passage to engrossment, H. B. No. 100, A bill to be entitled "An Act amending Article 6221, Revised Civil Statutes of Texas 1925, as amended, so as to provide for the payment of an increased pension to Confederate Veterans; and declaring an emergency."

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

Mr. Yeak moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 100 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133


In the Chair

In the Chair

Hale
The Chair then laid House Bill No. 165 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

Yeas-135

The bill was read second time.
Mr. Cox offered the following Committee Amendment to the Bill:

Committee Amendment No. 1 to H. B. No. 165

Amend House Bill 165 by striking out all below the enacting clause and inserting in lieu thereof, the following:

Section 1. Any person who maliciously and willfully in writing, orally, or by the use of any telephone, telegraph, radio, or mechanical device or contrivance whatsoever, by any name known, shall make, give, send a report, or communicate any false alarm, false report, or falsely report or alarm is calculated to cause, the governmental agency to respond thereto or to do or perform some act or do or render some service as a result thereof, or to mislead or malign any officer of such agency, shall be guilty of a misdemeanor and, upon conviction, fined not less than Twenty-five ($25) Dollars nor more than Two Hundred ($200) Dollars.

Section 2. The term “governmental agency,” as used herein, means any officer, servant, agent, or employee of the State or any county, city, or political subdivision of this State.

The amendment was adopted.

Mr. Cox offered the following Committee Amendment to the Bill:

Committee Amendment No. 2 to H. B. No. 165

Amend House Bill No. 166 by striking out all above the enacting clause and inserting in lieu thereof the following:

"An Act prohibiting the making or filling of false, misleading or unfounded reports to any governmental agency in this State or for the purpose of interfering with the operation of such governmental agency or with the intent to mislead or malign any officer of such agency; defining the term "governmental agency," and providing a penalty for violation of this Act and declaring an emergency."

The amendment was adopted.

House Bill No. 166 was then passed to engrossment.

HOUSE BILL NO. 165 ON THIRD READING

Mr. Mann moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 166 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-133

Anderson  Dugas
Armour  Donagan
Atwell  Elliott
Baker  Ferrell
Baltman  Ford
Bartram  Foreman
Bass  Forsey
Bell  Glass
Bishop  Glanzing
Blaine  Green
Bianchard  Harrington
Bowers  Healy
Boyson  Hollowell
Brause  Holman
Bruton  Hoblitt
Bullock  Hooks
Byrd  Honey
Chapman  Huebner
Clain  Huffman
Cleland  Hufner
Cole  Hughes of Grayson
Conley  Hughes of Dallas
Corley  Hutchins
Cottam  Isaacks, Miss
Doven  Jackson
Cox  Jamison
Crenshaw  Johnson
Day  Jones
Dewey  Joseph
Duff, Miss  Kelly
In the Chair

Absent—Excused

Yes—135

No—26
H. B. No. 171, A bill to be entitled "An Act providing that the Judge of the Court of Domestic Relations of Hutchinson County, Texas, shall receive such compensation as allowed other District Judges by the laws of this State; providing that said compensation shall be paid by the Commissioners Court of Hutchinson County out of the General Fund or the Officer’s Salary Fund of the County; providing for a repealing clause; providing for a severability clause; and declaring an emergency."

The bill was read second time and was passed.

Mr. Ballman moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 171 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Year—133**

Anderson   Baker
Armor       Ballman
Atwell      Bartram
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White  Wehford
Wilson of Young  Woolsey
Wilson of Potter  Yezak
Winfree  Zbranek

In the Chair
Hale
Absent
Burkett
de la Garza
Ehrle
Fenoglio
Absent—Excused
Bryan
Kerith
Hoffin

The Chair then laid House Bill No. 171 before the House on third reading and final passage.

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

Yeas—135
Anderson  Ford
Armor  Foreman
Atwell  Forray
Baker  Glass
Ballman  Glissing
Bartram  Green
Bass  Harrington
Bell  Heatly
Bilene  Hensley
Blanchard  Hollowell
Bishop  Holman
Bowers  Holstein
Boyd  Hooks
Brashbear  Hovey
Bratton  Huebner
Bullock  Huffman
Burkett  Huff
Byrd  Hughes of Grayson
Chapman  Hughes of Dallas
Cline  Hutchins
Cloud  Isaac, Miss
Cole  Jackson
Colley  Jamison
Cory  Johnsen
Cotten  Jones
Crenshaw  Joseph
Cox  Kelly
Crutchfield  Kennard
Day  Kilpatrick
Dewey  Koliba
Duff, Miss  Kothmann
Dugas  Latimer
Dunavant  Lee
Ellis  McCoppin
Ferrell  McDonald

McGregor of McLennan  Shannon of Braz
McGregor of El Paso  Shannon of Tarrant
McIlhany  Shaw
Main  Sheridan
Martin  Sherrill
Matthew  Slack
Moore of Harris  Smith of Hays
Moore of Tarrant  Smith of Jefferson
Mullen  Spilman
Murray  Sprigger
Myatt  Stewart
Oliver  Story
Osburn  Strickland
Parrish  Stroman
Parsons  Suddeeth
Patterson  Sutton
Pipkin  Tallap
Pool  Terrell
Presler  Thurmond
Puckett  Tunnell
Ramsey  Turman
Richardson  Walling
Roberts  Watson
Russell  Welch
Sadler  Wheeler
Sandahl  White
Sanders  Wilson of Young
Saul  Wilson of Potter
Schwartz  Winfree
Schwartz  of Galveston  Wehford
Schwartz  of Washington  Yeak
Seeligson  Zbranek

In the Chair
Hale
Absent
de la Garza
Ehrle
Fenoglio

Absent—Excused
Bryan
Kerith
Hoffin

HOUSE BILL NO. 201 ON SECOND READING

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

"A bill to be entitled "An Act relating to means by which fish may be taken in certain lakes and portions of the Colorado River, beginning at Tom Miller Dam in Travis County and extending to the headwaters of Buchanan Lake in"
San Saba and Lampasas Counties; amending Sections 1, 2, and 3 of Chapter 106, Acts of the 52nd Legislature, 1961, redefining the waters to which the Act applies, changing the limit on the number of hooks which may be used; repealing Chapter 106, Acts of the 48th Legislature, 1943; and declaring an emergency.

The bill was read second time.

Mr. Mays offered the following amendment to the bill:

House Committee Amendment

To House Bill No. 201

Amend House Bill No. 201 by striking out Section 3 and by inserting in lieu thereof the following:

"Sec. 3. Section 3 of Chapter 106, Acts of the 62nd Legislature, 1961, is hereby amended to read as follows:

'Sec. 3. It shall be unlawful for any person to use more than sixty hooks in the aggregate when fishing with one or more of the methods permitted by this Act. No trotline or other device permitted by this Act shall be attached to any other trotline or fishing device by use of buoy, jugs, or other means. The failure by one or more persons to use each unit of fishing gear separate and apart from any other unit shall constitute a violation of this Act.'"

The amendment was adopted.

House Bill No. 201 was then passed to engrossment.

HOUSE BILL NO. 201 ON THIRD READING

Mr. Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 201 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—133

In the Chair

The Chair then laid House Bill No. 201 before the House on third reading and final passage.

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

Yeas—135

The Chair then laid House Bill No. 253 before the House, on its second reading and passage to engrossment.

H. B. No. 253, A bill to be entitled "An Act amending Article 2875, Revised Civil Statutes, of 1925, as amended so as to permit common school districts with a scholastic population of 300 or more to requisition textbooks in the same..."
manner as city and town superintendents; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill No. 253, page 1, Section 1, line 26, by inserting between "districts" and "with" the following:

"and/or common consolidated school districts."

The amendment was adopted.

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

Committee Amendment No. 2

Amend House Bill No. 253, page 1, Section 1, line 54, by changing the period to a semi-colon and adding the following:

"provided, however, that the principal or superintendent shall furnish a copy for his requisition to the county school superintendent at the time the requisition is forwarded to the State Commissioner of Education."

The amendment was adopted.

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

Committee Amendment No. 3

Amend House Bill No. 253, page 2, Section 2, line 57, by inserting between "districts" and "affected" the following:

"and/or common consolidated school districts."

The amendment was adopted.

House Bill No. 253 was then passed to engrossment.

On motion of Mr. Blanchard and by unanimous consent of the House, the Caption of House Bill No. 253 was ordered amended to conform with the body of the bill.

HOUSE BILL NO. 253 ON THIRD READING

Mr. Blanchard moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 253 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Year—133

Anderson
Armour
Atwell
Baker
Ballman
Barnes
Bell
Bishop
Blancard
Bowers
Breyer
Brashbear
Britton
Bullock
Byrd
Chapman
Cline
Cloud
Cole
Conley
Cory
Cotten
Cox

Anderson
Armour
Atwell
Baker
Ballman
Barnes
Bell
Bishop
Blancard
Bowers
Breyer
Brashbear
Britton
Bullock
Byrd
Chapman
Cline
Cloud
Cole
Conley
Cory
Cotten
Cox

Hutchins
Isaacks, Miss
Jackson
Jamison
Johnson
Jones
Joseph
Kelly
Kennard
Kilpatrick
Kolha
Kothmann
Latimer
Lee
McClung
McDonald
McGregor
McGregor
McGregor
McLain
McLain
Martin
Matthew
Moore of El Paso
McLain
McLain
Mann
Martin
Matthew
Moore of Harris
Moore of Tarrant
Mullen
Murray
Myatt
Oliver
Osborn
Parish
Parson
Patterson
Phipps
Pool
Prender
Puckett
Ramsey
Richardson
Roberts
Russell
Sach
Sandahl
Sanders
Saul
Schwartz
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Shannon of Erath  Talasek
Shannon of Tarrant  Terrell
Shaw  Thurmond
Sheridan  Tunstill
Sherrell  Walling
Slack  Watson
Smith of Hays  Welch
Smith of Jefferson  Wheeler
Smith of Jefferson  White
Springer  Wilson of Young
Stewart  Wilson of Potter
Stoney  Winfree
Strickland  Woolford
Stroman  Woolsey
Sudderth  Yenak
Sutton  Zranek

In the Chair
Hale

Absent
Burkett  Hensley
de la Garza  Kennedy
Ehrle  Mars
Penoglio  Schram

Absent—Excused
Bryan  Korioti
Ellis  Larrel
Hedin

The Chair then laid House Bill No. 253 before the House on third reading and final passage.

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

Yeas—135
Anderson  Conley
Armor  Cory
Atwell  Cotton
Baker  Cowen
Balling  Cox
Bartram  Crosthwait
Bass  Day
Bell  Dewey
Bishop  Duff, Miss
Blaine  Dugas
Blanchard  Dungan
Bowers  Elliott
Boynes  Ferrell
Bradford  Ford
Braddock  Fernean
Bullock  Forsyth
Burkett  Glass
Byrd  Glossing
Chapman  Green
Cline  Harrington
Cloud  Heatly
Cole  Hensley

Hollowell  Ramsey
Holman  Richardson
Holstein  Roberts
Hooks  Russell
Horny  Sadler
Husheer  Sandahl
Moffatt  Sanders
Huff  Saul
Hughes of Grayson  Schwartz
Hughes of Dallas  of Galveston
Hutcheson  Schwartz
Isacks  Miss  of Washington
Jackson  Seeligson
Jamison  Shackelford
Johnson  Shannon of Brazoria
Jones  Shannon
Joseph  of Tarrant
Kelly  Shaw
Kennard  Sheridan
Kilpatrick  Sherrill
Koliba  Slack
Kothmann  Smith of Hays
Lattimer  Smith of Jefferson
Lee  Spilman
McCoppin  Springer
McDonald  Stewart
McGregor  Storey
of McLennan  Strickland
McGregor  Stroman
of El Paso  Sudderth
McLhany  Sutton
Mann  Talasek
Martin  Terrell
Matthew  Thurmond
Moore of Harris  Tunstill
Moore of Tarrant  Terman
Mullen  Wulff
Murphy  Watson
Myatt  Welch
Oliver  Wheeler
Osborn  White
Parish  Wilson of Young
Parsons  Wilson of Potter
Patterson  Winfree
Phipps  Wohlford
Pool  Woolsey
Bremer  Yenak
Puckett  Zranek

In the Chair
Hale

Absent

de la Garza  Kennedy
Ehrle  Mary
Penoglio  Schram

Absent—Excused
Bryan  Korioti
Ellis  Larrel
Hedin
HOUSE BILL NO. 256 ON SECOND READING

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

H. B. No. 256, A bill to be entitled "An Act amending Section 2 of Article 21.38 of the Insurance Code of Texas, 1951, as amended, said Section 2 to be amended by changing its caption, by retaining some of its provisions, increasing the annual license fee to agents licensed under Article 21.38 to $100.00, prescribing the fund into which the license fee shall be placed, by placing a tax equal to five (5%) per cent of the premium paid for insurance in such unauthorized insurer, prescribing the manner in which and by whom such tax shall be paid, providing for the filing of an affidavit in form approved by the Board of Insurance Commissioners, requiring certain reports of agents licensed under Article 21.38 and providing a penalty; repealing Article 21.39 of said Act, and providing for a severability clause; and declaring an emergency."

The bill was read second time.

Mr. Poo1 offered the following Committee Amendment to the bill:

Committee Amendment No. 1
To House Bill 256

Strike out all below the Enacting Clause and substituting the following in lieu thereof:

Section 1. That Section 2 of Article 21.38 of the Insurance Code of Texas, 1951, as amended, is hereby amended to read and provide as follows:


"(a) The Board of Insurance Commissioners, upon payment by the applicant of an annual license fee of Twenty-five ($25.00) Dollars, which fee shall be placed in the separate fund that is provided pursuant to Section 21 of Article 21.14 of the Insurance Code, may issue to an agent who is regularly commissioned to represent one (1) or more fire, fire and marine, inland, casualty or surety insurance companies, licensed to do business in this State, a Certificate of Authority to place lines of direct insurance affected hereby to be evidenced by a policy of insurance or certificates of insurance in insurers not licensed to do business in this State (hereinafter sometimes referred to as unauthorized insurers). Each such license shall expire on the 31st day of December of the year following the issuance of the said license. No diminution of the license fee herein provided shall occur as to any license effective after January 1st of any year. The Board may require written application for such license.

"(b) Before receiving the License provided for in the preceding section of this law, the party applying for same shall file with the Board a bond in the sum of Five Thousand ($5,000.00) Dollars payable to the Governor, for the faithful observance of the provisions of this Article. Said bond shall be approved by the Board and be for the benefit of the State of Texas.

"(c) When any policy of insurance or certificate of insurance is procured under authority of such license, there shall be executed by the insured an affidavit setting forth facts showing that such insurance was unobtainable except by diligent effort to procure from any licensed company or companies the full amount of insurance required to protect the property, liability or risk desired to be insured, and further showing that the amount of insurance procured from unauthorized insurers is only the excess over the amount so procurable from licensed companies. Each such affidavit shall be filed with the Board with the tax report required in accordance with the provisions of Subdivision (d) below.

"(d) The agent so licensed shall report, under oath, to the Board within thirty (30) days from the 1st day of January and July of each year the amount of gross premiums paid for such insurance placed through him in unauthorized insurers, and shall pay to the Board a tax of five (5%) per cent thereon. The term "gross premium" shall mean the total gross amount of premiums received on each and every such insurance, less return premiums. The agent so licensed shall keep a separate record of all transactions as herein provided, open at all times to the inspection of the Board.

"(e) If any person, firm, association or corporation shall purchase from
an insurer not licensed in the State of Texas a policy of insurance covering risks within this State in a manner other than through an insurance agent licensed as such under the laws of the State of Texas, such person, firm, association or corporation shall pay to the Board a tax of five (5%) per cent of the amount of the gross premium paid by such insurer for such insurance. Such tax shall be paid not later than thirty days from the date on which such premium is paid to the unlicensed insurer.

(f) If any such policy purchased from an insurer not licensed in this State, either by purchase from such insurer or through an agent licensed hereunder, shall cover risks partially within and partially without this State, the tax levied in Subdivision (d) or Subdivision (e) (whichever is applicable), shall be levied on the State of Texas a penalty of twenty-five (25%) per cent upon the amount of such tax and in which event the Board of Insurance Commissioners shall report the default to the Attorney General of Texas who shall prosecute a suit for and be entitled to recovery of the amount of such tax and the amount of such additional penalty, which amount both tax and penalty shall draw interest at the rate of six (6%) per cent per annum from the date such penalty accrues until fully paid.

(b) The provisions of this Act shall not apply to contracts of reinsurance made between insurance companies for

Section 2. That Section 6 of Article 21.38 of the Insurance Code of Texas, 1951, as amended, is hereby amended to read as follows:

"Sec. 6. Services of Process Upon Unauthorized Insurer.

"(a) As to any policy or contract issued by an unauthorized insurer in a manner not in compliance with all the applicable requirements of the foregoing provisions of this Article, any of the following acts in this State, effective by mail or otherwise, by an unauthorized foreign or alien insurer, (1) the issuance or delivery of contracts of insurance to residents of this State or to corporations authorized to do business therein, (2) the solicitation of applications for such contracts, (3) the collection of premiums, membership fees, assessments or other considerations for such contracts, or (4) any other transaction of business, is equivalent to and shall constitute an appointment by such insurer of the Chairman of the Board of Insurance Commissioners and his successor or successors in office, to be its true and lawful attorney, upon whom may be served all lawful process in any action, suit, or proceeding instituted by or on behalf of an insured or beneficiary arising out of any such contract of insurance, and any such act shall be deemed an agreement that such services of process is of the same legal force and validity as personal service of process in this State upon such insurer.

(b) Such service of process shall be made by delivering to and leaving with the Chairman of the Board of Insurance Commissioners, or some person in apparent charge of his office, two copies thereof and the payment to him of such fees as may be prescribed by law. The Chairman of the Board of Insurance Commissioners shall forthwith mail by registered mail one (1) of the copies of such process to the defendant at his last known principal place of business, and shall keep
a record of all process so served upon him. Such service of process is sufficient, provided notice of such service and a copy of the process are sent within ten (10) days thereafter by registered mail by plaintiff or plaintiff's attorney to the defendant at its last known principal place of business, and the defendant's receipt, or receipt issued by the post office with which the letter is registered, showing the name of the sender of the letter and the name and address of the person to whom the letter is addressed, and the affidavit of the plaintiff or plaintiff's attorney showing compliance herewith are filed with the clerk of the court in which such action is pending on or before the date the defendant is required to appear, or within such further time as the court may allow.

"(c) Service of process in any such action, suit or proceeding shall in addition to the manner provided in subsection (b) of this section be valid if served upon any person within this State who, in this State on behalf of such insurer, is

"(1) soliciting insurance, or
"(2) making, issuing or delivering any contract of insurance, or
"(3) collecting or receiving any premium, membership fee, assessment or other consideration for insurance; and
"a copy of such process is sent within ten (10) days thereafter by registered mail by the plaintiff or plaintiff's attorney to the defendant at the last known principal place of business of the defendant, and the defendant's receipt, or receipt issued by the post office with which the letter is registered, showing the name of the sender of the letter and the name and address of the person to whom the letter is addressed, and the affidavit of the plaintiff or plaintiff's attorney showing compliance herewith are filed with the clerk of the court in which such action is pending on or before the date the defendant is required to appear, or within such further time as the court may allow.

"(d) No plaintiff or complainant shall be entitled to a judgment by default under this section until the expiration of thirty (30) days from date of filing of the affidavit of compliance.

"(e) Nothing in this section contained shall limit or abridge the right to serve process, notice or demand upon any insurer in any other manner now or hereafter permitted by law."
constitutional, such holding shall not affect the validity of the remaining portions of the Act, and the Legislature hereby declares that it would have passed such remaining portions despite such invalidity.

Section 7. The fact that the present laws relating to the placement of surplus lines of insurance do not provide adequately for the conditions under which it shall be placed with unauthorized insurers in a manner which will ensure the collection of the tax levied upon the premiums charged or paid for such insurance creates an emergency and an imperative public necessity demanding that the constitutional rule requiring all bills to be read on three several days in each House be suspended, and also the constitutional rule which provides that laws shall not become effective until the expiration of ninety (90) days after the adjournment of the session, be suspended, and such rules are hereby suspended, and this Act shall take effect and be in full force from and after the date of its passage and it is so enacted.

The amendment was adopted.

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

Committee Amendment No. 2
To House Bill No. 256

Strike all above the Enacting Clause and substitute the following in lieu thereof:

"An Act amending certain sections of Article 21.38 of the Insurance Code of Texas, 1951, as amended, by amending Section 2 by changing its caption, by retaining some of its provisions, fixing the annual license fee to agents licensed under Article 21.38 at Twenty-Five ($25.00) Dollars, prescribing the fund in to which the license fee shall be placed, by placing a tax equal to 5% of the premium paid for insurance in unauthorized insurers, prescribing the manner in which and by whom such tax shall be paid, providing for the filing of an affidavit in form approved by the Board of Insurance Commissioners, requiring certain reports of agents licensed under Article 21.38, providing the exemption of contracts of reinsurance between insurance companies, and providing a penalty; amending Section 5 to designate the applicability of designated Sections to designated situations; by amending Section 6 pertaining to service of process upon unauthorized insurers; and by amending Section 7 concerning the requirements for a deposit with the Clerk of the Court as a prerequisite to the defense of actions brought against unauthorized insurers; repealing conflicting laws and parts of laws to the extent of such conflict; providing for a severability clause; and declaring an emergency."

The amendment was adopted.

House Bill No. 256 was then passed to engrossment.

HOUSE BILL NO. 256 ON THIRD READING

Mr. Pool moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House Bill No. 256 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Anderson     Dewey
Armor        Duff, Miss
Atwell       Dugas
Baker        Duncan
Ballman      Elliott
Bartram      Ferrell
Bass         Ford
Bell          Foreman
Bishop       Forsyth
Blaine       Glass
Blanchard    Glissing
Bowers       Green
BoySEN       Harrington
Brahear      Healy
Bratow       Hollowell
Bullock      Holman
Byrd         Holstein
Chapman      Hooks
Cline         Hussey
Cloud        Huskner
Cole          Huffman
Comley       Huffor
Cory         Hughes of Grayson
Cotten       Hughes of Dallas
Cowen        Hutchinson
Cox          Isaacks, Miss
Crawthwait   Jackson
Day           Jamison
The bill was read third time and was passed by the following vote:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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In the Chair

Hale

Baker

Blackshear

Burks

Coke

Cot

Crosswhite

Day

Dewey

Duff, Miss

Dugas

Elliott

Ferrell

Ford

Foreman

Foryth

Glass

Glaze

Green

Harrington

Healy

Hensley

Hollowell

Holman

Hooks

Hoke

Huseman

Huff

Huffines

Hughes of Grayson

Hughes of Dallas

Hutchins

Isaacs, Miss

Jackson

Jennings

Johnson

Joseph

Kilpatrick

Kotb

Kothmann

Kollba

Lee

McCandless

McDonald

McGregor

McGregor of El Paso

McGregor of McLennan

Mcllhany

Mann

Martin

Matthew

Moore of Harris

Moore of Tarrant

Mullen

Murray

Myatt

Oliver

Osburn

Parish

Parrs

Paterson

Pipkin

Pool

Presler

Puckett

Ramsey

Richardson

Roberts

Russoe

Sadler

Sandahl

Sanders

Saul

Schwartz of Galveston

Schwartz

Sealyspoon

Shackelford

Shannon of Erath

of Tarrant

Sheridan

Sheriff

Shiras

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April 4, 1957

HOUSE BILL NO. 295 ON THIRD READING

Mr. Green moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 295 be placed on its third reading and final passage.

The motion prevailed by the following vote:

YEAS-133


NO: de la Garza, Ehrle, Fenoglio, Kennedy, Mays, Schram, de la Garza, Ehrle, Fenoglio, Kennedy, Mays, Schram.

House Bill No. 295 was then passed to engrossment.

HOUSE BILL NO. 295 ON SECOND READING

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

H. B. No. 295, A bill to be entitled "An Act requiring a minimum of 10 days notice to tenants to vacate for non-payment of rent; providing for action in forcible detainer or at common law after the expiration of notice."

The bill was read second time.

Mr. Sanders offered the following amendment to the bill:

Amendment No. 1 to H. B. 295

Amend H. B. No. 295 by changing the words "ten days" wherever they appear to "three days."

The amendment was adopted.

Mr. Green offered the following amendment to the bill:

Amendment No. 2

Amend House Bill 295, Section 1, by adding after the last sentence the following:

"Notice to vacate under the circumstances provided herein shall supplant existing periods of notice at common law."

The amendment was adopted.
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The Chair then laid House Bill No. 295 before the House on third reading and final passage.

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

<table>
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<th>Yeas—135</th>
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|
| de la Garza | Kennedy |
| Ehrle       | Mays   |
| Ehrlé       |        |
| Fenoglio    | Schram |
April 4, 1957

On motion of Mr. Green and by unanimous consent of the House, the Caption of House Bill No. 389 was ordered amended to conform with the body of the bill.

HOUSE BILL NO. 389 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment, H. B. No. 389. A bill to be entitled "An Act providing that it shall be unlawful to kill mink in Gregg, Rusk, Upshur and Wood Counties, Texas, for a period of two (2) years from and after the passage of this Act; repealing all laws in conflict; providing a penalty; and declaring an emergency."

The bill was read second time.

Mr. Puckett offered the following amendment to the bill:

Amendment No. 1

Amend House Bill No. 389 by striking out all below the enacting clause and substituting therefor the following:

"Section 1. It shall be unlawful from and after the passage of this Act, for a period of two (2) years, to kill or attempt to kill, take or attempt to take any mink in Gregg, Rusk, Upshur and Wood Counties, Texas.

"Section 2. At the conclusion of the two-year closed season on mink provided by this Act, it shall continue to be unlawful for any person to make use of a dog or dogs in the hunting of or pursuing or taking of any mink in Gregg, Rusk, Upshur and Wood Counties, Texas at any time.

"Section 3. All laws and parts of laws in so far as they conflict with this Act are hereby expressly repealed to the extent of such conflict.

"Section 4. Any person who violates any provision of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than Twenty-five Dollars ($25) nor more than Two Hundred Dollars ($200). Each mink found in possession in violation of this Act shall constitute a separate offense.

"Section 5. The fact that there is a scarcity of mink in Gregg, Rusk, Upshur and Wood Counties, Texas and immediate conservation measures are necessary 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 said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Mr. Puckett offered the following amendment to the bill:

Amendment No. 2

Amend House Bill No. 389 by striking out all above the enacting clause and substituting therefor the following:

"A BILL To Be Entitled An Act providing that it shall be unlawful to kill or take mink in Gregg, Rusk, Upshur and Wood Counties, Texas, for a period of two (2) years; providing that at the conclusion of the two-year closed season on mink in the counties named, it shall continue to be unlawful to make use of a dog or dogs in the hunting of or pursuing or taking of any mink at any time; repealing all laws in conflict; providing a penalty; and declaring an emergency."

The amendment was adopted.

House Bill No. 389 was then passed to engrossment.

HOUSE BILL NO. 389 ON THIRD READING

Mr. Puckett moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 389 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Anderson Atwell Armor Baker
In the Chair - Absent

The Chair then laid House bill No. 389 before the House on third reading and final passage.

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

Yeas-135
Ferrell
Ford
Forsyth
Glass
Harrington
Hensley
Huebner
Hutchins
Jackson
Jamison
Johnson
Joseph
Kelly
Kennard
Kilpatrick
Kilpatrick
Kollba
Kotlmann
Latimer
Lee
Welch
Winfree
Wheeler
White
Wilson of Young
Wilson of Potter
in the Chair
Hale
Absent
Burkett
Bennett
Hamilton
Kennedy
Ehrle
Mays
Fenoglio
Schram

The following voted in favor of the bill:

Anderson
Arrington
Baker
Bass
Bell
Blaine
Blanchard
Bower
Boyce
Brashear
Brashear
Bristow
Bullock
Byrd
Cline
Cole
Cromwell
Crosby
Crossthwaite
Dewey
Dugas
Dungan
Ellis
Elliott
Elliott
Ellison
Ellison
Ferrell
Ford
Foreman
Forsyth
Glass
Harrington
Hensley
Huebner
Hutchins
Jackson
Jamison
Joseph
Kelly
Kennard
Kilpatrick
Kilpatrick
Kollba
Kotlmann
Latimer
Lee

Yeas-135
The Speaker said before the House, on its second reading and passage to engrossment, H. B. No. 356, a bill to be entitled "An Act validating and confirming citations, citations by publication and all notices, and the returns on each, issued, accepted and relied upon by any court of competent jurisdiction prior to January 1, 1956, in any probate proceedings, administration or guardianship in this State, provided the legality of such citations, notices and returns are not being questioned in a court or probate proceeding on the effective date of this Act; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1
Amend H. B. No. 356 by striking out the words and figures "January 1, 1956" wherever they appear in said bill, and substituting in lieu thereof the words and figures "January 1, 1954".

The amendment was adopted.

House Bill No. 356 was then passed to engrossment.

HOUSE BILL NO. 356 ON THIRD READING

Mr. Day moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 356 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-133
Anderson
Arnor
Atwell
Baker
Ballman
Barker
Bartram
Bass
Bell
Bishop
Blaine
Blanchard
Bowen
Boyd
Bullock
Byrd
Chapman
Chase
Cloud
Coles
Conley
Cory
Coffin
Cox

In the Chair

Hale
Absent
de la Garza
Kennedy
Ehrle
Mays
Poniatoff
Schram
Absent—Excused
Bryan
Korthe
Bill
Laurel
Heflin

HOUSE BILL NO. 356 ON SECOND READING

The Speaker said before the House, on its second reading and passage to engrossment, H. B. No. 356, a bill to be entitled "An Act validating and confirming citations, citations by publication and all notices, and the returns on each, issued, accepted and relied upon by any court of competent jurisdiction prior to January 1, 1956, in any probate proceedings, administration or guardianship in this State, provided the legality of such citations, notices and returns are not being questioned in a court or probate proceeding on the effective date of this Act; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1
Amend H. B. No. 356 by striking out the words and figures "January 1, 1956" wherever they appear in said bill, and substituting in lieu thereof the words and figures "January 1, 1954".

The amendment was adopted.

House Bill No. 356 was then passed to engrossment.

HOUSE BILL NO. 356 ON THIRD READING

Mr. Day moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 356 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-133
Anderson
Arnor
Atwell
Baker
Ballman
Barker
Bartram
Bass
Bell
Bishop
Blaine
Blanchard
Bowen
Boyd
Bullock
Byrd
Chapman
Chase
Chase
Cloud
Coles
Conley
Cory
Coffin
Cox
The bill was read third time and was passed by the following vote:

Yeas-135
Anderson Jones
Armour Joseph
Atwell Kelly
Baker Kenneth
Ballman Kilpatrick
Barron Kolbe
Bass Koethmann
Bell Latimer
Bishop Lee
Bisbee McCoppin
Bianchard McDonald
Bowen McGregor
Brashar of McLennan
Buckman McIlhany
Bullock Mann
Butler Martin
Chapman Matthew
Clark Moore of Harris
Cloud Moore of Tarrant
Coles Mullen
Combs Murray
Cory Myatt
Cotten Oliver
Cowen Osborn
Cox Parish
Crockett Parsons
Day Patterson
Dewey Pipkin
Duffy Pool
Dugan Presler
Dungan Fueck
Elliott Ramsey
Ferrill Richardson
Ford Roberts
Foreman Russell
Foseth Sadler
Glas Glenda
Glasch Sanders
Green Sall
Harrington Schwartz
Headly of Galveston
Hensley Schwartz
Hilligoss of Washington
Holman Seals
Holateln Shackelford
Hooks Shannon of Erath
Hosey Shannon
Huseman of Tarrant
Huffman Shaw
Huffor Sheridan
Hughes of Grayson Sherrill
Hughes of Dallas Slack
Hutchins Smith of Hays
Hutcheson Miss Smith of Jefferson
Johnson of Galveston
Jamison of Washington
Jones of Mississippi
Kilpatrick of Tarrant
Kolka Shaw
Kothmann Sheridan
Latimer Sherrill
Lee Slack
McCoppin Smith of Hays
McDonald Smith of Jefferson
McGregor of McLennan
McGregor of El Paso
Mcllhany Strickland
Mann Stroman
Martin Suderth
Mathew Suites
Mc goung of Harris Talaese
Moore of Tarrant Terrell
Mullen Thurmond
Murphy Tonsett
Myatt Turman
Oliver Walling
Osborn Watson
Parsons Welch
Parish Wheeler
Patterson White
Phipkin Wilson of Young
Pool Wilson of Potter
Prentier Winfree
Puckett Wihlford
Ramsey Wolesely
Richardson Yeak
Roberts Zranak

In the Chair

Hale Absent
Burkett Hensley
de la Garza Kennedy
Ehrle May
Engel Schram

Absent—Excused
Hven Krolath
Kille Laurel
Hedfin

The Chair then laid House Bill No. 356 before the House on third reading and final passage.
House Bill No. 390 on Second Reading

The Speaker laid before the House, on its second reading and passage to engrossment, H. B. No. 390, A bill entitled "An Act regulating the taking and killing of deer in Upshur and Wood Counties, Texas; providing open and closed seasons; providing penalties for violation of this Act; and declaring an emergency."

The bill was read second time and passed to engrossment.

House Bill No. 390 on Third Reading

Mr. Puckett moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 390 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Blanchard  —  McIlhaney
Bowen  —  Mann
Boyce  —  Martin
Brashier  —  Matthew
Bristow  —  Moore of Harris
Bullock  —  Moore of Tarrant
Byrd  —  Mullen
Chapman  —  Murray
Cline  —  Myatt
Cloud  —  Oliver
Cole  —  Osborne
Conley  —  Parsons
Cory  —  Parish
Cotten  —  Patterson
Cowen  —  Pipkin
Cox  —  Pool
Crews  —  Presler
Day  —  Puckett
DeWey  —  Ramsey
Drift, Miss  —  Richardson
Dupas  —  Roberts
Dungan  —  Russell
Elliott  —  Sadler
Erskine  —  Sandahl
Ford  —  Sanders
Foreman  —  Saul
Forreth  —  Schwartz
Glass  —  of Galveston
Gloss  —  Schwartz
Green  —  of Washington
Harrington  —  Seeligson
Heady  —  Shackelford
Hollowell  —  Shannon
Holstein  —  of Tarrant
Hunks  —  Shaw
Hosey  —  Sheridan
Hushe  —  Sherrill
Huffman  —  Slack
Huff  —  Smith of Hays
Hughes of Dallas  —  Smith of Jefferson
Hughes of Grayson  —  Spilman
Hutchins  —  Springer
Isaac, Miss  —  Stewart
Jackson  —  Storey
Jamison  —  Strickland
Johnson  —  Stroman
Jones  —  Sudderth
Joseph  —  Sutton
Kelly  —  Talasek
Kennard  —  Terrell
Kilpatrick  —  Thurmond
Koliba  —  Tunnell
Kothmann  —  Turman
Latimer  —  Walling
Lee  —  Watson
McDermott  —  Welch
McDonald  —  Wheeler
McGregor  —  White
of McLennan  —  Wilson of Young
McGregor  —  Wilson of Potter
of El Paso  —  Winfree
The Speaker laid before the House, on its second reading and passage to engrossment, HOUSE BILL NO. 441, A bill to be entitled "An Act granting to teachers and auxiliary employees who waived membership in the Teacher Retirement system of Texas the privilege of receiving full former service credit toward retirement upon compliance
with certain conditions; amending Section 4, Subsection 5, Paragraph (a) of Chapter 470, Acts of the 46th Legislature, as amended; and declaring an emergency.

The bill was read second time.

(Mr. Hale in the Chair.)

Mr. Jones offered the following amendment to the bill:

Amendment to House Bill No. 441

Amend House Bill No. 441 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. Subsection 6 of Section 4, Chapter 470, Acts of the 45th Legislature, Regular Session, as last amended by Chapter 530, Acts of the 54th Legislature (codified under Section 4 of Article 2922-1, Vernon’s Texas Civil Statutes) is hereby amended to read as follows:

"(a) Any teacher or auxiliary employee who has heretofore executed a waiver of membership in the Retirement System shall have the privilege of electing to receive full former service credit provided such teacher or auxiliary employee after becoming a member of the Retirement System shall deposit before August 31, 1959, all back deposits, assessments and dues which he would have paid or deposited had he been a member of the System during each of the years that he actually taught or was employed as an auxiliary employee in the public schools following the date on which he first became eligible for membership in the System, together with interest from the date each amount was payable at the rate of two and one-half per cent (2 1/2 %) per annum.

"(b) Any person who heretofore became a member of the Retirement System and who thereafter terminated such membership and withdrew his accumulated deposits, but who has since returned to service as a teacher or auxiliary employee or who returns to service as a teacher or auxiliary employee prior to September 1, 1959, and who, following such resumption of membership, renders service for five consecutive years, shall have the privilege of depositing the total amount withdrawn plus all back assessments and dues, together with simple interest thereon at two and one-half per cent (2 1/2 %) per annum from date of withdrawal of same to date of redeposit, and thereupon such member shall be entitled to credit for all prior service and membership former service to which he was entitled prior to such termination and withdrawals. The amounts to be deposited shall be determined in each case by the Board of Trustees and in no event shall any such person be granted retirement upon such former service credits until the amount so determined shall have been paid in full.

"Section 2. The fact that some equitable provision should be made to allow teachers and auxiliary employees who waived membership in or have withdrawn deposits from the Teacher Retirement System to receive credit for former service creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three separate days in each House be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

Mr. Jones offered the following amendment to the amendment:

Amend amendment to House Bill No. 441 by adding a new paragraph to Section 1, (b), to read as follows:

"Provided further, that membership in either the Teacher Retirement System or the State Employees Retirement System would qualify an individual to deposit funds in either of the two systems under the provisions of this Act."

The amendment was adopted.

The amendment as amended was adopted.

Mr. Jones offered the following amendment to the bill:

Amendment to House Bill No. 441

Amend House Bill No. 441 by striking out all above the enacting clause and inserting in lieu thereof the following:
"A BILL
To Be Enrolled
An Act granting teacher and auxiliary employees who waived membership in or have withdrawn deposits from the Teacher Retirement System of Texas the privilege of receiving full former service credit toward retirement upon compliance with certain conditions; amending Section 4, Subsection 5 of Chapter 470, Acts of the 45th Legislature, as amended; and declaring an emergency."

The amendment was adopted.

House Bill No. 441 was then passed to engrossment.

HOUSE BILL NO. 441 ON THIRD READING

Mr. Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 441 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
<thead>
<tr>
<th>Yea &amp; Nays</th>
<th>133</th>
</tr>
</thead>
</table>

The Chair then laid House Bill No. 441 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:
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Yeas-135

Anderson Kelly
Armor Kennard
Atwell Kilpatrick
Baker Koliba
Hallman Kothman
Hartman Laimer
Hass Lee
Bell McGoggin
Bishop McDonald
Bland of McLennan McGregor
Bowers McGregor
Boyce of El Paso
Brashar McElhaney
Bryant Mann
Burkett Martin
Burkett of McLennan
Bowers McGregor
Boysen Cif...Paso
Brashcar Mcllhany
Bristow Mann
Bullock Martin
Bullock
Byrd Moore of Harris
Chapman Moore of Tarrant
Clay Mullen
Cloud Murray
Cole Myatt
Conley Oliver
Cory Osborn
Cowen Parish
Cox Patterson
Crosthwait Pipkin
Day Pool
Dewey Preaster
Duff, Miss Puckett
Dugas Ramsev
Duncan Richardson
Elliott Roberts
Farrell Russell
Ford Sadler
Fordman Sandahl
Foryth Sanders
Glaze Sam
Gutierrez Schwartz
Greene of Galveston
Harrington Schwartz
Hatch of Washington
Hensley Sedgman
Hollowell Shackelford
Holman Shannon of Bratth
Holstein Shannon
Hooks of Tarrant
Honey Neal
Hussey Sherrill
Huff Starr
Hughes of Grayson Smith of Hays
Hughes of Dallas Smith of Jefferson
Hutchins Styron
Isaacs, Miss Springer
Jackson Stewart
Jamison Storey
Johnson Strickland
Jones Strom
Joseph Sudderth

Wheeler White
Terrell Wilson of Young
Thurmond Wilson of Potter
Tunsel Winfree
Turner Woford
Walling Woolsey
Watson Yeak
Welch Zbranek
In the Chair

Absent

de la Garza Kennedy
Ehlte Mayo
Fenoglio Schram

Absent—Excused

Bryan Kortes
Eills Laurel

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

H. B. No. 449, A bill to be entitled "An Act granting to State employees who terminated membership in the Employees Retirement System of Texas prior to February 1, 1953, and withdrew their accumulated deposits, the privilege of redepositing such funds and receiving credit for prior service under certain conditions and limitations; and declaring an emergency."

The bill was read second time.

Mr. Jones offered the following amendment to the bill:

Amendment to House Bill No. 449

Amend House Bill No. 449 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. Any person who here-fore became a member of the Employees Retirement System and who afterward terminated such membership prior to the effective date of this Act and withdrew his accumulated deposits, but who has or does return to service as a State employee prior to September 1, 1957, and resumes his membership in the Em-
employees Retirement System, and who following such resumption of membership renders service for two (2) consecutive years, shall have the privilege, within one year after completing two (2) consecutive years of service following resumption of membership or within one year after the effective date of this Act, if the two (2) consecutive years of service were completed before that date, of repaying the total amount withdrawn, plus ten per cent (10%) penalty, plus membership fees for the period between termination and resumption of membership and thereupon such member shall be entitled to credit for all Prior Service and Membership Service to which he was entitled prior to such termination and withdrawal. Upon repayment the amount withdrawn shall be credited to the individual account of the member in the Employees Saving Fund and the amount of the penalty shall be credited to the State Accumulation Fund. The amount to be deposited shall be determined in each case by the Board of Trustees of the Employees Retirement System; and in no event shall any such person be granted retirement upon such former service credit until the amount so determined shall have been paid in full.

Section 2. The need for legislation enabling State employees to receive retirement credit for former service upon resumption of State employment creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 449 be placed on its third reading and final passage.

The amendment was adopted.

House Bill No. 449 was then passed to engrossment.

HOUSE BILL NO. 449 ON THIRD READING

Mr. Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 449 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Y**--**n**a
Anderson, Jones
Armour, Joseph
Atwell, Emily
Baker, Kenneth
Carlson, Kilpatrick
Bartram, Kohn
Bass, LeRoy
Bell, Lawrence
Bishop, Lee
Blalock, McCoppin
Bowers, McDonald
Brashear, McGregor
Britten, of El Paso
Bullock, McElhany
Byrd, Mann
Chapman, Martin
Clinesmith, Mathew
Cloud, Moore of Harris
Cole, Moore of Tarrant
Conley, Mullen
Cory, Murray
Cotton, Myatt
Cowens, Oliver
Cox, Osborne
Crosthwaite, Parfus
Day, Parsons
Dewey, Patterson
Duff, Miss Faye
Dugas, Pippin
Dungan, Presler
Elliott, Puckett
Ferrell, Ramsey
Ford, Richardson
Foreman, Roberts
Forsyth, Russell
Glass, Sadier
Glasing, Sandahl
Green, Sanders
Harrington, Saul
Hedley, Schwartz
Hollowell, of Galveston
Holman, of Washington
Holstein, of Hays
Hooks, Seeliger
Hovey, Shackleford
Huebner, Shannon of Erath
Huffman, Shannon of Tarrant
Huff, Shaw
Huggins of Grayson, Sheridan
Huggins of Dallas, Sherrill
Huskinson, Black
Isaacks, of Washington
Jackson, Smith of Hays
Jamison, Smith of Jefferson
Johnson, Spilman
The Chair then laid House Bill No. 44 before the House on third reading and final passage.

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

**Yeas—135**

Anderson  Brockwaft
Armour  Day
Atwell  Dewey
Baker  Duff, Miss
Ballman  Dugas
Bartram  Duncan
Bass  Elizott
Bell  Ferrall
Bishop  Ford
Blake  Foreman
Blankard  Forsyth
Bowers  Glass
Booys  Glasing
Braceboos  Green
Brittow  Harrington
Bullock  Heatly
Burkett  Hemsey
Byrd  Hollowell
Chapman  Holman
Clinite  Holstein
Cloud  Hooks
Cole  Honey
Conley  Huskiser
Cory  Huffman
Cottam  Huffer
Cowen  Hughes of Grayson
Cox  Hughes of Dallas
Hutchins  Sandahl
Jackson, Miss  Sanders
Jackson  Saul
Jamison  Schwartz
Johnson  of Galveston
Jones  Schwartz
Joseph  of Washington
Kelly  Seigle
Kennard  Shachelford
Kilpatrick  Shannon of Erath
Kothe  Shannon
Kothmann  of Tarrant
Lutitmer  Shaw
Lee  Sheridan
McCoplin  Sherrill
McDonald  Slack
McGregor  Smith of Hays
McGregor  of McLennan  Smith of Jefferson
McGregor  Spilman
McMashay  Stewart
Martin  Storey
Martin  Strickland
Matthew  Stroman
Moore of Harris  Sudderth
Moore of Tarrant  Sutton
Mullen  Tannaka
Murray  Terrell
Myatt  Thurmond
Oliver  Tunnell
Osborn  Turman
Parish  Walling
Parsons  Watson
Paterson  Welch
Phipps  Wheeler
Pool  White
Preseler  Wilson of Young
Puckett  Wilson of Potter
Ramsey  Winfree
Richardson  Woford
Roberts  Woolsey
Russell  Yeak
Sadler  Zbranek

In the Chair

**Hale**

**Absent**

Barkett  Hensley
de la Garza  Kennedy
Ehrle  Mays
Fenoglio  Schram

**Absent—Excused**

Bryan  Kroth
Ellis  Laurel
Heflin  

**Yeas—135**

Anderson  Brockwaft
Armour  Day
Atwell  Dewey
Baker  Duff, Miss
Ballman  Dugas
Bartram  Duncan
Bass  Elizott
Bell  Ferrall
Bishop  Ford
Blake  Foreman
Blankard  Forsyth
Bowers  Glass
Booys  Glasing
Braceboos  Green
Brittow  Harrington
Bullock  Heatly
Burkett  Hemsey
Byrd  Hollowell
Chapman  Holman
Clinite  Holstein
Cloud  Hooks
Cole  Honey
Conley  Huskiser
Cory  Huffman
Cottam  Huffer
Cowen  Hughes of Grayson
Cox  Hughes of Dallas
Hutchins  Sandahl
Jackson, Miss  Sanders
Jackson  Saul
Jamison  Schwartz
Johnson  of Galveston
Jones  Schwartz
Joseph  of Washington
Kelly  Seigle
Kennard  Shachelford
Kilpatrick  Shannon of Erath
Kothe  Shannon
Kothmann  of Tarrant
Lutitmer  Shaw
Lee  Sheridan
McCoplin  Sherrill
McDonald  Slack
McGregor  Smith of Hays
McGregor  of McLennan  Smith of Jefferson
McGregor  Spilman
McMashay  Stewart
Martin  Storey
Martin  Strickland
Matthew  Stroman
Moore of Harris  Sudderth
Moore of Tarrant  Sutton
Mullen  Tannaka
Murray  Terrell
Myatt  Thurmond
Oliver  Tunnell
Osborn  Turman
Parish  Walling
Parsons  Watson
Paterson  Welch
Phipps  Wheeler
Pool  White
Preseler  Wilson of Young
Puckett  Wilson of Potter
Ramsey  Winfree
Richardson  Woford
Roberts  Woolsey
Russell  Yeak
Sadler  Zbranek

In the Chair

**Hale**

**Absent**

Barkett  Hensley
de la Garza  Kennedy
Ehrle  Mays
Fenoglio  Schram

**Absent—Excused**

Bryan  Kroth
Ellis  Laurel
Heflin  

**Yeas—135**

Anderson  Brockwaft
Armour  Day
Atwell  Dewey
Baker  Duff, Miss
Ballman  Dugas
Bartram  Duncan
Bass  Elizott
Bell  Ferrall
Bishop  Ford
Blake  Foreman
Blankard  Forsyth
Bowers  Glass
Booys  Glasing
Braceboos  Green
Brittow  Harrington
Bullock  Heatly
Burkett  Hemsey
Byrd  Hollowell
Chapman  Holman
Clinite  Holstein
Cloud  Hooks
Cole  Honey
Conley  Huskiser
Cory  Huffman
Cottam  Huffer
Cowen  Hughes of Grayson
Cox  Hughes of Dallas
Hutchins  Sandahl
Jackson, Miss  Sanders
Jackson  Saul
Jamison  Schwartz
Johnson  of Galveston
Jones  Schwartz
Joseph  of Washington
Kelly  Seigle
Kennard  Shachelford
Kilpatrick  Shannon of Erath
Kothe  Shannon
Kothmann  of Tarrant
Lutitmer  Shaw
Lee  Sheridan
McCoplin  Sherrill
McDonald  Slack
McGregor  Smith of Hays
McGregor  of McLennan  Smith of Jefferson
McGregor  Spilman
McMashay  Stewart
Martin  Storey
Martin  Strickland
Matthew  Stroman
Moore of Harris  Sudderth
Moore of Tarrant  Sutton
Mullen  Tannaka
Murray  Terrell
Myatt  Thurmond
Oliver  Tunnell
Osborn  Turman
Parish  Walling
Parsons  Watson
Paterson  Welch
Phipps  Wheeler
Pool  White
Preseler  Wilson of Young
Puckett  Wilson of Potter
Ramsey  Winfree
Richardson  Woford
Roberts  Woolsey
Russell  Yeak
Sadler  Zbranek

In the Chair

**Hale**

**Absent**

Barkett  Hensley
de la Garza  Kennedy
Ehrle  Mays
Fenoglio  Schram

**Absent—Excused**

Bryan  Kroth
Ellis  Laurel
Heflin  

**Yeas—135**

Anderson  Brockwaft
Armour  Day
Atwell  Dewey
Baker  Duff, Miss
Ballman  Dugas
Bartram  Duncan
Bass  Elizott
Bell  Ferrall
Bishop  Ford
Blake  Foreman
Blankard  Forsyth
Bowers  Glass
Booys  Glasing
Braceboos  Green
Brittow  Harrington
Bullock  Heatly
Burkett  Hemsey
Byrd  Hollowell
Chapman  Holman
Clinite  Holstein
Cloud  Hooks
Cole  Honey
Conley  Huskiser
Cory  Huffman
Cottam  Huffer
Cowen  Hughes of Grayson
Cox  Hughes of Dallas
Hutchins  Sandahl
Jackson, Miss  Sanders
Jackson  Saul
Jamison  Schwartz
Johnson  of Galveston
Jones  Schwartz
Joseph  of Washington
Kelly  Seigle
Kennard  Shachelford
Kilpatrick  Shannon of Erath
Kothe  Shannon
Kothmann  of Tarrant
Lutitmer  Shaw
Lee  Sheridan
McCoplin  Sherrill
McDonald  Slack
McGregor  Smith of Hays
McGregor  of McLennan  Smith of Jefferson
McGregor  Spilman
McMashay  Stewart
Martin  Storey
Martin  Strickland
Matthew  Stroman
Moore of Harris  Sudderth
Moore of Tarrant  Sutton
Mullen  Tannaka
Murray  Terrell
Myatt  Thurmond
Oliver  Tunnell
Osborn  Turman
Parish  Walling
Parsons  Watson
Paterson  Welch
Phipps  Wheeler
Pool  White
Preseler  Wilson of Young
Puckett  Wilson of Potter
Ramsey  Winfree
Richardson  Woford
Roberts  Woolsey
Russell  Yeak
Sadler  Zbranek

In the Chair

**Hale**

**Absent**

Barkett  Hensley
de la Garza  Kennedy
Ehrle  Mays
Fenoglio  Schram

**Absent—Excused**

Bryan  Kroth
Ellis  Laurel
Heflin  

**Yeas—135**

Anderson  Brockwaft
Armour  Day
Atwell  Dewey
Baker  Duff, Miss
Ballman  Dugas
Bartram  Duncan
Bass  Elizott
Bell  Ferrall
Bishop  Ford
Blake  Foreman
Blankard  Forsyth
Bowers  Glass
Booys  Glasing
Braceboos  Green
Brittow  Harrington
Bullock  Heatly
Burkett  Hemsey
Byrd  Hollowell
Chapman  Holman
Clinite  Holstein
Cloud  Hooks
Cole  Honey
Conley  Huskiser
Cory  Huffman
Cottam  Huffer
Cowen  Hughes of Grayson
Cox  Hughes of Dallas
Hutchins  Sandahl
Jackson, Miss  Sanders
Jackson  Saul
Jamison  Schwartz
Johnson  of Galveston
Jones  Schwartz
Joseph  of Washington
Kelly  Seigle
Kennard  Shachelford
Kilpatrick  Shannon of Erath
Kothe  Shannon
Kothmann  of Tarrant
Lutitmer  Shaw
Lee  Sheridan
McCoplin  Sherrill
McDonald  Slack
McGregor  Smith of Hays
McGregor  of McLennan  Smith of Jefferson
McGregor  Spilman
McMashay  Stewart
Martin  Storey
Martin  Strickland
Matthew  Stroman
Moore of Harris  Sudderth
Moore of Tarrant  Sutton
Mullen  Tannaka
Murray  Terrell
Myatt  Thurmond
Oliver  Tunnell
Osborn  Turman
Parish  Walling
Parsons  Watson
Paterson  Welch
Phipps  Wheeler
Pool  White
Preseler  Wilson of Young
Puckett  Wilson of Potter
Ramsey  Winfree
Richardson  Woford
Roberts  Woolsey
Russell  Yeak
Sadler  Zbranek
HB No. 455, A bill to be entitled "An Act amending Subsection (2) of Section 2, and Section 3, and Section 13, of Chapter 173 of the Acts of the 49th Legislature, 1941, being Subsection (a) of Section 2, and Section 3, and Section 13, of Article 6687b of Vernon's Civil Statutes, and adding a new Section 3a to said Chapter 173, to make certain things matters of defense rather than matters of exemption; to require every person required to have a license to have and display same on demand; defining an offense and prescribing a penalty; providing the State shall not have to prove the accused to be a licensee; defining the application of the Act; and declaring an emergency.""

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill 455 by adding the following sub-section of section 2, said sub-section to follow sub-section A and to be entitled section B:

(b) "Any person holding a valid chauffeurs license hereunder need not procure a commercial operators license. Any person holding a valid commercial operators license hereunder need not procure an operators license."

The amendment was adopted.

House Bill No. 455 was then passed to engrossment.

HOUSE BILL NO. 455 ON THIRD READING

Mr. Elliott moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 455 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Year—135

Anderson 2 Ballman
Armstrong 2 Bartlam
Atwell 2 Bass
Baker 2 Bell
Bishop 2 McGregor
Blake 2 of El Paso
Blanchard 2 McManus
Bowers 2 Mann
Boyson 2 Martin
Brabham 2 Matthew
Brighton 2 Moore of Harris
Butlock 2 Moore of Tarrant
Byrd 2 Mullen
Chapman 2 Murray
Cline 2 Myatt
Cloud 2 Oliver
Cole 2 Osborn
Conley 2 Parsons
Cotter 2 Patterson
Cowen 2 Peeples
Cox 2 Pool
Crosthwait 2 Presler
Dawson 2 Puckett
Day 2 Ramsey
Duff, Miss 2 Richardson
Dugas 2 Roberts
Dungan 2 Russell
Elliott 2 Sadler
Ford 2 Sanders
Foreman 2 Saul
Foyth 2 Schwartz
Glass 2 of Galveston
Glasing 2 of Schwartz
Green 2 of Washington
Harrington 2 Seeligson
Heffly 2 Shaclesford
Hollowell 2 Shannon of East
Holman 2 Shannon
Hokaj 2 of Tarrant
Hooks 2 Shaw
Hosey 2 Sheridan
House 2 Sherrill
Huff 2 Slack
Huff 2 of Smith of Harris
Hughes of Grayson 2 Smith of Jefferson
Hughes of Dallas 2 Spillman
Hutchins 2 Springer
Iscas, Miss 2 Stewart
Jackson 2 Storey
JamISON 2 Strickland
Johnson 2 Stroman
Jones 2 Sadler
Joseph 2 Sutton
Kelly 2 Talasek
Kennard 2 Terrell
Kilpatrick 2 Thummond
Kolba 2 Tunnell
Kothmann 2 Turman
Latimer 2 Walling
Lee 2 Watson
McCoy 2 Welch
McDonald 2 Wheeler
McGregor 2 of McLennan
McGregor 2 of Wilson of Young

Yeas-135

Anderson 2 Ballman
Armstrong 2 Bartlam
Atwell 2 Bass
Baker 2 Bell
Bishop 2 McGregor
Blake 2 of El Paso
Blanchard 2 McManus
Bowers 2 Mann
Boyson 2 Martin
Brabham 2 Matthew
Brighton 2 Moore of Harris
Butlock 2 Moore of Tarrant
Byrd 2 Mullen
Chapman 2 Murray
Cline 2 Myatt
Cloud 2 Oliver
Cole 2 Osborn
Conley 2 Parsons
Cotter 2 Patterson
Cowen 2 Peeples
Cox 2 Pool
Crosthwait 2 Presler
Dawson 2 Puckett
Day 2 Ramsey
Duff, Miss 2 Richardson
Dugas 2 Roberts
Dungan 2 Russell
Elliott 2 Sadler
Ford 2 Sanders
Foreman 2 Saul
Foyth 2 Schwartz
Glass 2 of Galveston
Glasing 2 of Schwartz
Green 2 of Washington
Harrington 2 Seeligson
Heffly 2 Shaclesford
Hollowell 2 Shannon of East
Holman 2 Shannon
Hokaj 2 of Tarrant
Hooks 2 Shaw
Hosey 2 Sheridan
House 2 Sherrill
Huff 2 Slack
Huff 2 of Smith of Harris
Hughes of Grayson 2 Smith of Jefferson
Hughes of Dallas 2 Spillman
Hutchins 2 Springer
Iscas, Miss 2 Stewart
Jackson 2 Storey
JamISON 2 Strickland
Johnson 2 Stroman
Jones 2 Sadler
Joseph 2 Sutton
Kelly 2 Talasek
Kennard 2 Terrell
Kilpatrick 2 Thummond
Kolba 2 Tunnell
Kothmann 2 Turman
Latimer 2 Walling
Lee 2 Watson
McCoy 2 Welch
McDonald 2 Wheeler
McGregor 2 of McLennan
McGregor 2 of Wilson of Young
April 4, 1957  HOUSE JOURNAL  1387

Wills of Potter  Woolsey  Wohlford  Zbranek
Winfree  Trask  of El Paso  of Tarrant
Woolsey  Shannon  of Shannon
Yezak  of Jefferson

In the Chair

Absent
Burkett  Hensley  de la Garza  Kennedy  Ehrlie
Fenoglio  Schram

Absent—Excused
Bryan  Korioth  Ellis  Laurel  Heflin

The Chair then laid House Bill No. 467 before the House on its second reading and passage to engrossment, and was passed by the following vote:

Yeas—134

Anderson  Ford  Armstrong  Foreman
Atwell  Forsyth  Baker  Glass
Ballman  Guiting  Bartram  Green
Bass  Harrington  Bell  Healy
Bianop  Hensley  Blaine  Hollowell
Blanchard  Holman  Bowens  Holstein
Boyson  Hooks  Brahears  Moses
Bratow  Hughes  Bullock  Huffman
Burkett  Hefnor  Byrd  Hughes of Grayson
Chapman  Hughes of Dallas  Childs  Hutchins
Cloud  Isaacks, Miss  Cole  Jackson
Conley  Jamison  Cory  Johnson
Cotson  Jones  Owen  Joseph
Cox  Kelly  Crosthwait  Kennard
Dey  Kilpatrick  Dewey  Koliba
Duff, Miss  Kothman  Dugan  Latimer
Dungan  Lee  Elliott  McCoppin
Furrell  McDonald  McGregor  of McLennan  of El Paso
McGregor  of McLennan  of Shannon  of El Paso
McGregor  of El Paso  of Sherman  of Tarrant
Matheny  Shaw  Martin  Sherrill
Moore of Harris  Smith of Tarrant
Moore of Tarrant  Smith of Jefferson
Mullen  Siplman  Murray  Springer
Nyatt  Stewart  Olver  Storey
Osborn  Streckland  Parish  Stroman
Parsons  Sudduth  Patterson  Talasek
Pipkin  Terrell  Pool  Thurmond
Presler  Turnell  Puckett  Tomasa
Ramsey  Wallyng  Richardson  Watson
Roberts  Welch  Russell  Wheeler
Sadler  White  Sandahl  Wilson of Young
Sanders  Wilson of Potter  Saul  Winfree
Schwartz  of Galveston  Wohlford  Wohlford
Schwartz  of Washington  Yeak  Yeak
Scleigson

Nays—1

Sutton  In the Chair

Hale  Absent

Absence—Excused

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

HOUSE BILL NO. 467 ON SECOND READING

An Act establishing a juvenile board in Panola County; prescribing the
members'hip and powers of the board and providing for compensation of its members; authorizing the board to appoint a juvenile officer; prescribing the powers and duties of the juvenile officer and providing for his compensation and expenses; repealing conflicting laws; providing for severability; and declaring an emergency."

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

HOUSE BILL NO. 467 ON THIRD READING

Mr. Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 467 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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In the Chair

Hale | Absent
Burkett | Absent—Excused
de la Garza | Absent
Ehle | Absent
Esquivelo | Absent
Stromberg | Absent

The Chair then laid House Bill No. 467 before the House on third reading and final passage.

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

<table>
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The Chair then laid House Bill No. 467 before the House on third reading and final passage.
H. B. No. 470, A bill to be entitled "An Act to amend subdivision (1) of Article 1350, Penal Code of the State of Texas of 1925, as amended so as to set out expressly that it is unlawful to injure or destroy public property of the State of Texas or its political subdivisions without the consent of the person in charge of such property; and declaring an emergency,"

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

HOUSE BILL NO. 470 ON THIRD READING

Mr. Elliott moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 470 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Noes—0

Mr. Elliott moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 470 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Noes—0
The Chair then laid House Bill No. 470 before the House on third reading and final passage.

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

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Absent</th>
<th>Yeas—Excused</th>
</tr>
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<tbody>
<tr>
<td>136</td>
<td>135</td>
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</table>

The Chair announced the result of the vote.
April 4, 1957  HOUSE BILL NO. 476 ON THIRD READING

Mr. Jamison moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 476 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Anderson  Hugher
Armour  Hughes of Grayson
Atwell  Hughes of Dallas
Baker  Hutchins
Ballman  Isaac, Miss
Bartram  Jackson
Bass  Jamieson
Bell  Johnson
Bishop  Jones
Blake  Joseph
Blanchard  Kelly
Bowers  Kennard
Boyse  Kilpatrick
Brashier  Koliba
Brittow  Kothmann
Bullock  Lattimer
Byrd  Lee
Chapman  McCoppin
Cline  McDonald
Cloud  McGregor
Cole  of McLennan
Conley  McGregor
Corry  of El Paso
Cotten  McBainy
Cowen  Mann
Cox  Martin
Crowe  Matthew
Day  Moore of Harris
Dewey  Moore of Tarrant
Duff, Miss  Mullin
Dugas  Murray
Dunn  Myatt
Elliott  Oliver
Ferrell  Osborn
Ford  Parish
Foreman  Parsons
Forrest  Patterson
Glass  Pipkin
Glassing  Pool
Green  Presler
Harrington  Peckett
Hewitt  Ramsey
Hollowell  Richardson
Holman  Roberts
Holcolmbe  Russell
Hooks  Sadler
Hosey  Saudahl
Huehner  Sanders
Huffman  Saul

Hale de la Garza  Ehrle
Fenoglio  Bryan
Ellis  Heflin

Absent

Kennedy

Osborne

Abstaining—Excused

Korte

Laurel

Bills

Heflin

Hunt
The Chair then laid House Bill No. 476 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

<table>
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<tr>
<th>Yes—135</th>
<th>No—23</th>
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<td>Yenak</td>
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<tr>
<td>The Chair then laid House Bill No. 476 before the House on third reading and final passage. The bill was read third time and passed by the following vote:</td>
<td></td>
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<table>
<thead>
<tr>
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<td>Hale</td>
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<td>Kortoth</td>
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<tr>
<td>Bills</td>
<td>Laurel</td>
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<td>Heffin</td>
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The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 507. A bill to be entitled "An Act to validate the establishment, organization, and/or creation of all School Districts; validating the acts of county boards of school trustees, County Judges, Commissioners Courts, boards of trustees of such School Districts and municipal governing bodies; validating tax elections, bond elections, bond assumption elections, and all bonds voted authorized, and/or now outstanding or in existence; elections, and all bonds voted authorized, and/or now outstanding or in existence; authorizing the levy, assessment, and collection of taxes; providing that this Act shall not apply to certain School Districts involved now or upon the effective date of this Act, or previously involved in litigation, or to Districts involved in certain proceedings now pending before the County Boards of Education, State Commissioner of Education or the State Board of Education, or to Districts which may have been established and which later returned to original status; providing a saving clause; and declaring an emergency."

The bill was read second time.

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

Amend House Bill No. 507 by striking the following:

"Section 1. All School Districts, including any independent school districts, consolidated by a municipality and including common school districts, independent school districts, consolidated common school districts, consolidated independent school districts, rural high school districts, all county line school districts, including county line common school districts, county line independent school districts, county line rural high school districts, county line consolidated independent school districts, and all other school districts, groups or annexations of whole districts, or parts of districts, whether established, organized, and/or created by vote of the people residing in such Districts, or by action of the governing body of any such municipalities or by action of the county school boards, or by action of the County Judge, or by action of the Commissioners Courts, and whether created by General or Special Law in this State, and here­before recognized by either State or county authorities as School Districts, are hereby validated in all respects as though they had been duly and legally established in the first instance.

"All acts of the county boards of trustees of any and all counties in rearranging, consolidating, grouping, annexing, changing, detaching and attaching of territory, or subdividing any and all such School Districts, or increasing or decreasing the area thereof, or abolishing School Districts in any school district of any kind, or in creating new Districts out of parts of existing Districts of other­wise, and all acts of the governing bodies of any such municipalities in annexing territories to such municipally controlled school districts, are hereby in all things validated.

"All acts and orders of the county board of trustees of any and all counties in adding territory to any junior college district, which said college was originally created with the same boundary lines as an independent school district and to which independent school district territory has been added, such added territory to such college district being the same that was added to said independent school district and making the boundary lines of such districts identical, are hereby in all things validated, regardless whether such order or orders of the county board were enacted at the time of the addition of territory to the independent school district or subsequent thereto, and whether such orders were entered zon pro tunc or otherwise. All elections for bonds, the levy and collection of taxes, and/or debt assumption ordered by the governing body of such junior college district and held over the entire enlarged or extended area, in which election a majority of the qualified voters owning taxable property within such junior college district as enlarged or
extended and having duly rendered 
the same for taxation, are hereby 
in all things validated; and said 
governing body is hereby authorized 
to issue such bonds and levy such 
taxes, and the indebtedness so assump-
ed is hereby declared to be the in-
debtedness of such enlarged junior 
college district.

"All consolidations, or attempts at 
consolidations, of School Districts af-
after an election was held and a ma-
jority of the legally qualified voters 
in each such District voting in such 
election voted in favor of such con-
solidations, are hereby in all things 
validated and declared to be duly 
and legally consolidated or established 
as though they had been so consolidat-
ed or established in the first instance, 
and shall include, among others, such 
attempted consolidations where the 
election proceedings called for the 
consolidation of one or more com-
mon school districts and/or one or 
more independent school districts 
with an independent school district, 
but did not provide for the consoli-
dation of such common school dis-
tRICT and/or independent school dis-
tRICT with each other such District.

"All acts of the County Judges, 
and/or the Commissioners Courts, 
acting as county boards of school 
trustees in converting or changing 
one type of School District into 
another type of School District, are 
hereby in all things validated, and 
all elections called by such officers 
for such conversion or change, in 
which election a majority of the 
qualified voters voting therein voted 
in favor thereof, are hereby in all 
things validated, and all such con-
verted or changed School Districts 
are hereby in all things validated 
as though they had been legally es-
tablished in the first instance.

"All acts of the governing bodies 
of municipalities and/or of the 
boards-of trustees of municipally con-
trolled or assumed School Districts 
and/or cities and towns constituting 
separate and independent School Dis-
tRICTS and/or extended municipal 
School Districts, in ordering elec-
tions for the separation or divorce-
ment of such schools and/or Dis-
tRICTS from municipal control, juris-
diction or authority, in which elec-
tions a majority of the qualified vot-
ers voting therein voted in favor of 
such separation or divorcement, are 
hereby in all things validated, and 
the School Districts formed by such 
separation or divortcement are hereby 
in all things validated, and the or-
ganization and acts of the boards of 
trustees of any and all such Districts 
are hereby in all things validated.

"The boundary lines of any and 
all such School Districts are hereby 
in all things validated. The names of 
any and all such School Districts are 
hereby in all things validated.

"All acts of the boards of trustees 
in such School Districts or the gover-
ning bodies of such municipalities 
or the County Judges or the Com-
misrioners Courts ordering an elec-
tion or elections, declaring the re-
sults of such elections, levying, at-
tempting or purporting to levy taxes 
for and on behalf of such School Dis-
tRICTS, and all bonds issued and now 
outstanding, and all bonds hereto-
fore voted but not issued, and all tax 
elections, bond elections, and 
bond assumption elections following 
such consolidation, annexation, 
grouping, attachment or detachment, 
conversion, change, etc., are hereby 
in all things validated. The fact that 
by inadvertence or oversight any act 
of the officers of any County or 
School District or municipality in 
the creation of any District was 
acted, shall be in all things validated, 
and the fact that by inadvertence 
or oversight any act was 
omitted by the board of trustees 
of any such District or the County 
Judge or the Commissioners Court 
or the governing body of any such 
municipality in ordering an election 
or elections, or in declaring the re-
sults thereof, or in levying the taxes 
for such Districts, or in the issuance 
of the bonds of any such District, 
shall be in all things validated.

All acts or the officers of any 
County or School District(s) 
thereunto are hereby 
in all things validated. All revenue 
bonds issued and outstanding, 
and all revenue bonds authorized 
but not yet issued for and on be-
half of School District(s) and all pro-
ceedings relating thereto are hereby 
in all things validated. All acts of 
the boards of trustees of School Dis-
tRICTS or the governing bodies of 
municipalities or the County Judges 
or the Commissioners Courts in en-
tering into leases of real estate or 
other property to such School Dis-
tRICTS and all such leases are hereby 
in all things validated; and all tax
Section 2. All School Districts mentioned in this Act are hereby authorized and empowered to levy, assess and collect the same rate of tax as heretofore authorized or at­ tempted to be authorized by any act of the District or by any election of the taxing voters of said Districts or by any Act whether General or Special, by the Legislature, or as is now being levied, assessed, and collected therein and heretofore author­ ized or attempted to be authorized by any act or acts of said Districts, or by any Act, whether General or Special, of the Legislature.

Section 3. This law shall not apply to any district which is now in­ volved, or which within forty-five (45) days from the effective date of this law becomes involved, in litigation in any district court of this State, the Court of Civil Appeals, or the Supreme Court of Texas, in which litigation the validity of the organi­ zation or creation of such district or the consolidation or annexation of territory in or to such district is attacked; and this law shall not apply to any district which has heretofore been declared invalid by a court of competent jurisdiction of this State or which may have been established and which was later returned to its original status.

Section 4. If any word, phrase, clause, sentence, paragraph, Section, or part of this Act, shall be held by any court of competent jurisdiction to be invalid, or unconstitutional, or for other reasons, it shall not affect any other phrase, word, clause, sentence, paragraph, Section, or part of this Act.

Section 5. The fact that the legal existence of various School Districts may be questioned, creates an emer­ gency and an imperative public neces­ sity that the Constitutional Rule re­ quiring bills to be read on three sev­ eral days in each House be suspend­ ed; and said Rule is hereby suspend­ ed, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Woolsey offered the following amendment to the Committee Amend­ ment No. 1:

Amend Committee Amendment No. 1 to House Bill 507 by adding there­ to a new paragraph to follow the second paragraph in Section 1, said addition to be made following Line 32 of the printed bill, said new paragraph to read as follows:

"All acts and orders of the county boards of school trustees of any and all counties in rearranging, annexing, detaching or attaching of territory, in­ creasing or decreasing the area, or changing the boundaries of any and all junior college districts, are hereby in all things validated."

The amendment to the amendment was adopted.

Mr. McGregor of McLennan offered the following amendment to the Com­ mittee Amendment No. 1:

Amend Committee Amendment No. 1 to H. B. 507 by adding the following:

"and further providing that whenever a vacancy occurs on the board of trustees of a rural high school estab­ lished under the provisions of Art. 3492 (a), (c), and (f) shall be filled for the unexpired term by appointment by the County Board of trustees."

Mr. McGregor of McLennan, McMillan, the amendment to the amendment was adopted.

Committee Amendment No. 1, as amended was adopted.

Mr. Bartram offered the following amendment to the bill:

Amend House Bill No. 507 by strik­ ing out all above the enacting clause.
and inserting in lieu thereof the following:

"An Act to validate the establishment, organization, and/or creation of all School Districts, validating the acts of county boards of school trustees, County Judges, Commissioners Courts, boards of trustees of such School Districts, and municipal governing bodies; validating tax elections, bond elections, bond assumption elections, and all bonds voted, authorized, and/or now outstanding of said Districts; authorizing the levy, assessment, and collection of taxes; providing that this Act shall not apply to certain School Districts involved now or which become involved forty-five (45) days from the effective date of this Act, or previously involved in litigation, or to Districts involved in certain proceedings now pending before the County Boards of Education, State Commissioner of Education or the State Board of Education, or to Districts which may have been established and which later returned to original status; providing a saving clause; and declaring an emergency."

The amendment was adopted, House Bill No. 507 was then passed to engrossment.

HOUSE BILL NO. 507 ON THIRD READING

Mr. Bartram moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 507 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—123
Anderson  Bristow
Armour  Bullock
Atwell  Byrd
Baker  Chapman
Ballman  Cline
Bartram  Cloud
Bass  Cole
Bell  Conley
Bishop  Cory
Blaine  Cotten
Blanchard  Cowan
Bowers  Cox
Boyce  Crockett
Brashier  Day
Dewey  Parish
Doff, Miss  Parsons
Dugan  Patterson
Duigan  Pickin
Elliott  Pool
Ferrell  Preaster
Ford  Puckett
Foreman  Ramsey
Forrest  Richardson
Glaze  Roberts
Glasing  Russell
Green  Sadler
Harrington  Sandahl
Headly  Sanders
Hollowell  Saul
Holman  Schwartz
Holstein  of Galveston
Hooks  Schwartz
Hosey  of Washington
Huebner  Sedillo
Huffman  Shackelford
Huff  Shannon of Erath
Hughes of Grayson  Shannon
Hughes of Dallas  of Tarrant
Hutchins  Shaw
Isacks, Miss  Sheridan
Jackson  Sherrill
Jammie  Slack
Johnson  Smith of Hays
Jones  Smith of Jefferson
Joseph  Spillman
Kelly  Springer
Kennard  Stewart
Kilpatrick  Stovall
Kolls  Strickland
Kothmann  Stroman
Lealma  Sudduth
Lee  Sutton
McCoppin  Terrell
McDonald  Talasek
McGregor  Thurmord
of McLennan  Tunnell
McGregor  Turman
of El Paso  Wadley
McIntyre  Watson
Mann  Welsh
Martin  Wheeler
Matthew  White
Moore of Harris  Wilson of Young
Moore of Tarrant  Wilson of Potter
Mullen  Winfree
Murray  Wohlford
Myatt  Woolsey
Oliver  Yancy
Osborn  Zbranek
Parish  of Galveston
Parsons  of Washington
Patterson  Sedillo
Pippin  of Washington
Pool  of Galveston
Pressler  of Washington
Puckett  of Washington
Purcell  of Washington
Richards  of Washington
Roberts  of Washington
Roberts  of Washington
Rowan  of Washington
Ryland  Walling
Saul  of Galveston
Schwartz  of Washington
Schrader  of Washington
Shaw  of Washington
Shaw  of Washington
Sheffield  of Washington
Shenton  of Washington
Smith  of Galveston
Smith  of Washington
Spilman  of Washington
Springer  of Washington
Stovall  of Washington
Storey  of Washington
Stuckel  of Washington
Stuckel  of Washington
Stuckel  of Washington
Talasek  of Washington
Terrell  of Washington
Thurmord  of Washington
Tunnell  of Washington
Turman  of Washington
Wadley  of Washington
Watson  of Washington
Welch  of Washington
Wheeler  of Washington
White  of Washington
Wilson of Young
Wilson of Potter
Winfree  of Washington
Wohlford  of Washington
Woolsey  of Washington
Yancy  of Washington
Zbranek  of Washington

In the Chair

Hale

Absent

Burkett  Ehrle
de la Garza  Fenoglio
April 4, 1957  HOUSE JOURNAL  1397

Hensley
Kennedy
Absen-Excused
Bryan
Ellis
Hetlin

The Chair then laid House Bill No. 507 before the House on third reading and final passage.

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

Yeas-134

Anderson
Armor
Atwell
Ballman
Bartram
Bell
Blair
Blankard
Bowen
Boyson
Brashar
Bristow
Bulloch
Barkan
Byrd
Chapman
Cline
Cloud
Cole
Conley
Cory
Cotten
Covin
Cox

Russell
Storey
Sadler
Strickland
Sandahl
Strongman
Sanders
Sudduth
Saul
Sutton
Schwartz
Talasek
of Galveston
of Terrell
Schwartz
Thurmond
of Washington
Moelison
Shackelford
Wallace
Shannon of Elوا
Watson
Shannon of Tarrant
Watson

Shaw
White
Sheridan
Wilson of Young
Sherill
Wilson of Foul
Slack
Winfree
Smith of Hays
Weibold
Smith of Jefferson
Woolsey
Spillman
Yakob
Springer
Zbranek

Nays-1

Bass
In the Chair

Male

Absent

de la Garza
Kennedy
R干扰
Mays
Fenoglio
Scharman

Absent-Excused

Bryan
Kerioh
Ellis
Hetlin

HOUSE BILL NO. 517 ON SECOND READING

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

H. B. No. 517, A bill to be entitled "An Act amending Article 5155, Revised Civil Statutes of Texas, 1925, as amended, so as to make its provisions relating to employees' wages applicable to every person; and declaring an emergency."

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

HOUSE BILL NO. 517 ON THIRD READING

Mr. Moore of Harris moved that the constitutional rule requiring bills to be read on three several days be sus-
pended and that House Bill No. 617
be placed on its third reading and
final passage.

The motion prevailed by the follow-
ing vote:

Yeas—133

Anderson
Armor
Atwell
Ayott
Baird
Bartman
Baum
Bell
Bishop
Blaine
Blanchard
Bowers
Brashear
Bristow
Bullock
Byrd
Chapman
Clay
Cloud
Cole
Conley
Cotter
Cowen
Cox
Crowthwait
Day
De Wey
Duff, Miss
Dugas
Dungan
Dunn
Ferrill
Ford
Foreman
Forsyth
Glass
Glasing
Green
Harrington
Healy
Holowell
Holman
Holstein
Hooks
Honey
Houser
Huffman
Huffer
Hughes of Grayson
Hughes of Dallas
Hutchins
Isacks, Miss
Jackson

Noes—7

Black
Smith of Hays
Stewart
Streeter
Strickland
Stroman
Sudderth
Talmage
Terrell
Thurmond

Tunell
Turner
Walling
Spilman
Welch
White
Wilson of Young
Wilson of Potter
Winfree
Wheeler
Woolsey
Yesak
Zbranek

In the Chair

Hale

Absent

Burkett
Hays

de la Garza
Kennedy

Duff, Miss
Mays

Dugas
Pennington
Schram

Dungan

Absent—Excused

Bryan
Koroth

Ellis
Laurel

Heflin

The Chair then laid House Bill No. 617 before the House on third reading and final passage.

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

Yeas—134

Anderson
Armor
Atwell
Ayott
Baird
Bartman
Baum
Bell
Bishop
Blaine
Blanchard
Bowers
Brashear
Bristow
Bullock
Byrd
Chapman
Clay
Cloud
Cole
Conley
Cotter
Cowen
Cox
Crowthwait
Day
De Wey
Duff, Miss
Dugas
Dungan
Dunn
Ferrill
Ford
Foreman
Forsyth
Glass
Glasing
Green
Harrington
Healy
Holowell
Holman
Holstein
Hooks
Honey
Houser
Huffman
Huffer
Hughes of Grayson
Hughes of Dallas
Hutchins
Isacks, Miss
Jackson

Noes—9

Black
Smith of Hays
Stewart
Streeter
Strickland
Stroman
Sudderth
Talmage
Terrell
Thurmond

Tunell
Turner
Walling
Spilman
Welch
White
Wilson of Young
Wilson of Potter
Winfree
Wheeler
Woolsey
Zbranek

In the Chair

Hale

Absent

Burkett
Hays

de la Garza
Kennedy

Duff, Miss
Mays

Dugas
Pennington
Schram

Dungan

Absent—Excused

Bryan
Koroth

Ellis
Laurel

Heflin

The Chair then laid House Bill No. 617 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:
April 4, 1957

HOUSE BILL NO. 530 ON SECOND READING

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

H. B. No. 530. A bill to be entitled "An Act prescribing the annual license fee for the registration of a motor vehicle owned and operated by a non-profit, service organization and designed, constructed and used primarily for promotion, demonstration or parade purposes, where such vehicle is not licensed for registration under other laws of this State; providing a severability clause and declaring an emergency."

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

HOUSE BILL NO. 530 ON THIRD READING

Mr. Hensley moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 530 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Noes—1

In the Chair

Abesent

de la Garza Kennedy

Ehle Mays

Poniatoff Schram

Bryan Kerleth

Elli Laurel

Hefin

Anderson

Armor Dewey

Atwell Druff, Miss

Baker Dugas

Ballman Dungan

Bartram Elliott

Bass Ford

Bell Foreman

Bishop Forsyth

Blaine Glass

Buchanan Glasing

Boykin Green

Brashar Harrington

Brustow Hefley

Bullock Hollowell

Byrd Holman

Chapman Holstein

Cline Hooks

Cloud Hony

Cote Husker

Conley Huffman

Cory Huger

Cotter Hughes of Grayson

Coven Hughes of Dallas

Cox Hutchins

Croother Isacks, Miss
<table>
<thead>
<tr>
<th>Jackson</th>
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<th>Year—125</th>
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<td>of Galveston</td>
<td>Aronor</td>
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<td>Kelly</td>
<td>of Washington</td>
<td>Atwell</td>
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<td>Shackelford</td>
<td>Baker</td>
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<td>Kilpatrick</td>
<td>Shannon of Erath</td>
<td>Ballman</td>
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<td>Kolbe</td>
<td>Latimer</td>
<td>Bartram</td>
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<td>The Chair then laid House Bill No. 630 before the House on third reading and final passage.</td>
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<td>The bill was read third time and was passed by the following vote:</td>
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<td>Joseph</td>
<td>Smith of Galveston</td>
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April 4, 1957

HOUSE BILL NO. 531 ON SECOND READING

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

H. B. No. 531, A bill to be entitled "An Act validating the organization and creation of the Brushy Creek Water Control and Improvement District, No. 1, of Williamson and Milam Counties; validating the confirmation, election and proceedings and acts; validating the power or authority to secure a federal loan or loans and enacting the applicable provisions of said public laws into this Act; authorizing the District to issue negotiable bonds for payment of interest and principal thereof, providing that no loan from the Federal Government shall be consumated and no bonds shall be issued unless authorized by an election for such purposes; providing any such bonds to be incontestable after approval by the Attorney General and registration by the Comptroller of Public Accounts; providing that it shall not be necessary for plans and specifications, engineering reports, profiles, maps and other data or any subsequent amendments thereto be submitted to the State Board of Water Engineers for approval if the same have been prepared by the Soil Conservation Service and approved by the directors; providing that the District is subject to statutes relating to water control and improvement districts unless otherwise provided; providing a severability clause; and declaring an emergency."

The bill was read second time.

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

Committee Amendment No. 1

Amend House Bill 531 by adding at the end of Section 3 thereof the following:

"All proceedings and actions hereinafter taken by the Directors of the said District in connection with the acquisition of lands or other property be, and the same are hereby, in all things validated."

The amendment was adopted.

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

Committee Amendment No. 2

Amend House Bill 531 by adding a new paragraph to Section 6, said paragraph reading as follows:

"In the event that the District, in..."
the exercise of the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, re-routing or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such necessary relocation, raising, re-routing, changing of grade or alteration of construction shall be accomplished at the sole expense of the District.”

The amendment was adopted.

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

Committee Amendment No. 3
Amend H. B. 531 by striking out Section 8 thereof and renumbering the succeeding Sections accordingly.

The amendment was adopted.

House Bill No. 531 was then passed to engrossment.

**HOUSE BILL NO. 531 ON THIRD READING**

Mr. Schram moved that the constitutional rule requiring "bills to be read on three several days" be suspended and that House Bill No. 531 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<th>Yeas—133</th>
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<td>Anderson</td>
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<td>Armor</td>
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<td>Atwell</td>
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**In the Chair**

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- Harrington
- Hefley
- Hollowell
- Holman
- Holstein
- Hooks
- Hooks
- Huesner
- Huffman
- Huff
- Hughes of Grayson
- Hughes of Dallas
- Hutchins
- Inches, Miss
- Jackson
- Jamison
- Johnson
- Jones
- Joseph
- Kelly
- Kennard
- Kilpatrick
- Kolbi
- Koithmann
- Latimer
- Lee
- McCoppin
- McDonald
- McGregor of McLemore
- McGregor of El Paso
- McIlhany
- Mann
- Martin
- Matthew
- Moore of Harris
- Moore of Tarrant
- Mullen
- Murray
- Myatt
- Oliver
- Osborn
- Parish
- Parsons
- Patterson
- Pippin
- Pool
- Preston
- Pressler
- Puckett
- Ramsey
- Richardson
- Roberts
- Russell
- Sadler
- Sandall
- Sanders
- Saul
- Schwartz
- Schwaerts of Galveston
- Schwarts of Washington
- Seelisgen
- Shackleford
- Shannon of Erath
- Shannon
- Shaw
- Sheridan
- Sherrill
- Slack
- Smith of Hays
- Smith of Jefferson
- Spilman
- Springer
- Stover
- Strickland
- Stroman
- Sudderth
- Sutton
- Tailesk
- Terrell
- Thurmond
- Tunnell
- Turman
- Walling
- Watson
- Welch
- Wheeler
- White
- Wilson of Young
- Wilson of Potter
- Winfree
- Wubliferd
- Woolsey
- Young
- Yanek
- Zabraneck

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**In the Chair**

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April 4, 1957  HOUSE JOURNAL  1403

The Chair then laid House Bill No. 531 before the House on third reading and final passage.

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

Years—135

Anderson  Hughes of Grayson
Armor  Hughes of Dallas
Arwell  Hutchins
Baker  Isaac, Miss
Ballman  Jackson
Bartram  Jamison
Bass  Johnson
Bell  Jones
Bishop  Joseph
Blaine  Kelly
Blanchard  Kennard
Bowers  Kilpatrick
Boysen  Koliba
Brashar  Kothmann
Brunstow  Latimer
Bullock  Lee
Burtchett  McCooplin
Byrd  McDonald
Chapman  McGregor
Cline  of McLennan
Cloud  McGregor
Cole  of El Paso
Conley  McLain
Cory  Mann
Cotten  Martin
Cowan  Matthew
Cox  Moore of Harris
Crosthwaite  Moore of Tarrant
Day  Mullen
Dewey  Murray
Duff, Miss  Myatt
Dugas  Girard
Dugan  Gosborn
Farr  Paris
Ford  Parsons
Foreman  Patterson
Forstyth  Piggin
Glazier  Pool
Glue  Prentice
Green  Puckett
Harrington  Ramsey
Heasty  Richardson
Heck  Roberts
Heedle  Russell
Hollowell  Sadler
Holman  Sandahl
Holthaus  Sanders
Hooe  Shul
Hood  Schwartz of Galveston
Hudon  Schwartz of Washington
Huffer  Schwartz
Hurlgon  Sutton
Shackleford  Talasek
Shannon of Erath  Terrell
Shannon of Tarrant  Tunnell
Shaw  Turrent
Sheridan  Walin
Sherrill  Watson
Smith of Hays  Wheeler
Smith of Jefferson  White
Spilman  Wilson of Young
Springer  Wilson of Potter
Stewart  Winfree
Stoty  Wohlford
Strobland  Woolsey
Stroman  Yezak
Sudderth  Zbranek

In the Chair

Hale

Absent

de la Gara  Kennedy
Ehrl  Maya
Penoglio  Schram

Absent—Excused

Bryant  Korteo
Ellis  Laurel
Heflin

HOUSE BILL NO. 539 ON SECOND READING

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

H. B. No. 539, A bill to be entitled "An Act providing that it shall be unlawful to sell, or offer for sale, any rat poison, insect poison, or any other preparation which contains thallium sulphate or any other thallium compound, in sufficient quantity to be dangerous to the health or life of a human being, declaring violation of this Act to be a misdemeanor punishable by a fine and prescribing a penalty for the violation thereof; and declaring an emergency."

The bill was read second time.

Mr. Schwartz of Galveston offered the following Committee Amendment to the bill:

Committee Amendment No. 1

Amend House Bill 539 by styling the first portion of Section 1 as subsection (a) and adding the following subsection (b):
(b) A sufficient quantity of thallium sulphate or any other thallium compound to be dangerous to the life of a human being is herein defined as one containing more than 1 per cent of thallium, expressed as metallic.

The amendment was adopted.

House Bill No. 539 was then passed to engrossment.

HOUSE BILL NO. 639 ON THIRD READING

Mr. Smith of Jefferson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 539 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<th>Yeas</th>
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| The Chair then laid House Bill No. 539 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

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<th>Yeas</th>
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<td>of El Paso</td>
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</table>
Mr. Welch moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 577 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Anderson  Bristow
Armbrister  Bullock
Atwell  Byrd
Baker  Chapman
Ballman  Cole
Banks  Conley
Bell  Cory
Bishop  Cotten
Blaine  Cowen
Blanchard  Cox
Bowers  Cline
Boyse  Crosthwait
Braun  Day

The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 577, A bill to be entitled "An Act amending Section 5 of the Optional County Road Law of 1947 (Chapter 174, Acts of the 60th Legislature, codified as Article 6716-1 of Vernon's Texas Civil Statutes), so as to authorize the employment of a County Road Administrator to perform the duties imposed upon the county Road Engineer in the event a county is unable to employ a licensed professional engineer."

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

HOUSE BILL NO. 577 ON THIRD READING

Mr. Welch moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 577 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Anderson  Bristow
Armbrister  Bullock
Attwell  Byrd
Baker  Chapman
Ballman  Cole
Banks  Conley
Bell  Cory
Bishop  Cotten
Blaine  Cowen
Blanchard  Cox
Bowers  Cline
Boyse  Crosthwait
Braun  Day

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

HOUSE BILL NO. 577 ON THIRD READING

Mr. Welch moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 577 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Anderson  Bristow
Armbrister  Bullock
Atwell  Byrd
Baker  Chapman
Ballman  Cole
Banks  Conley
Bell  Cory
Bishop  Cotten
Blaine  Cowen
Blanchard  Cox
Bowers  Cline
Boyse  Crosthwait
Braun  Day
The Chair then laid House Bill No. 577 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Noes</th>
</tr>
</thead>
<tbody>
<tr>
<td>135</td>
<td>1</td>
</tr>
</tbody>
</table>
April 4, 1957  

The bill was read second time.

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

Committee Amendment No. 1

Amend H. B. No. 581, Section 3, page 3, by adding the word “be” in the fourth line of the third paragraph after the word “bollworm” and before the word “shall” and adding the word “be” in the sixth line of the third paragraph after the word “which” and before the word “is.”

The amendment was adopted.

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

Amend H. B. No. 581 as follows:

Section 3, paragraph 3, first sentence thereof, insert the word “willfully” in the clause “Where a grower has failed” so that said clause shall read “Where a grower has willfully failed.”

The amendment was adopted.

House Bill No. 581 was then passed to engrossment.

HOUSE BILL NO. 581 ON THIRD READING

The motion prevailed by the following vote:

Yeas—133

Anderson  
Armstrong  
Atwell  
Baker  
Baldwin  
Barron  
Barth  
Beall  
Bell  
Bishop  
Blaine  
Blanchard  
Bowen  
Boyce  
Brashear  
Browning  
Byrd  
Chapman  
Cline  
Cloud  
Cole  
Conley  
Cory  
Cotton  
Cowan  
Cox  
Crow  
Day  
Dewey  
Duff, Miss  
Dugger  
Dunnigan  
Ellis  
Ferrell  
Ford  
Foreman
The Chair then laid House Bill No. 581 before the House on third reading and final passage.

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

Yea—136

Anderson
Armour
Atwell
Baker
Ballman
Bartram
Bass
Beil
Bishop
Blaine
Blanchard
Bowers
Boyden
Bridger
Brustow
Bullock
Burkett
Byrd
Chapman
Cilley
Cloud
Cole
Conley
Corry
Cotten
Cox
Crosthwait
Day
Dewey
Duff, Miss
Duggan
Duncan
Dyk
Elliott
Ferrell
Ford
Foreman
Forrest
Glass
Glueing
Green
Hale-Hansell
Harrington
Heflin
Henderson
Hensley
Hill
Holman
Hollowell
Holstein
Holt
Hooks
Hosey
Hoskins
Howard
Howell
Hughes of Dallas
Hughes of Grayson
Hughes of Washington
Jackson
Jackson, Miss Shannon
Johnson
Johnson, Miss
Jones
Jones, Miss
Joseph
Kennard
Kennedy
Kerr
Kilpatrick
Kilpatrick
Kollha
Kothmann
Krilich
Kuehn
Kuehn, Miss
Kuehn, Mr.
Kuehn, Mr. E.
Kuehn, Mr. F.
Kuehn, Mr. F. E.
Kuehn, Mr. J.
Kuehn, Mr. J. F.
Kuehn, Mr. L.
Kuehn, Mr. L. F.
Kuehn, Mr. M.
Kuehn, Mr. M. F.
Kuehn, Mr. N.
Kuehn, Mr. N. F.
Kuehn, Mr. O.
Kuehn, Mr. O. F.
Kuehn, Mr. P.
Kuehn, Mr. P. F.
Kuehn, Mr. Q.
Kuehn, Mr. Q. F.
Kuehn, Mr. R.
Kuehn, Mr. R. F.
Kuehn, Mr. S.
Kuehn, Mr. S. F.
Kuehn, Mr. T.
Kuehn, Mr. T. F.
Kuehn, Mr. U.
Kuehn, Mr. U. F.
Kuehn, Mr. V.
Kuehn, Mr. V. F.
Kuehn, Mr. W.
Kuehn, Mr. W. F.
Kuehn, Mr. X.
Kuehn, Mr. X. F.
Kuehn, Mr. Y.
Kuehn, Mr. Y. F.
Kuehn, Mr. Z.
Kuehn, Mr. Z. F.
Kuehn, Mr. A.
Kuehn, Mr. A. F.
Kuehn, Mr. B.
Kuehn, Mr. B. F.
Kuehn, Mr. C.
Kuehn, Mr. C. F.
Kuehn, Mr. D.
Kuehn, Mr. D. F.
Kuehn, Mr. E.
Kuehn, Mr. E. F.
Kuehn, Mr. F.
Kuehn, Mr. F. F.
Kuehn, Mr. G.
Kuehn, Mr. G. F.
Kuehn, Mr. H.
Kuehn, Mr. H. F.
Kuehn, Mr. I.
Kuehn, Mr. I. F.
Kuehn, Mr. J.
Kuehn, Mr. J. F.
Kuehn, Mr. K.
Kuehn, Mr. K. F.
Kuehn, Mr. L.
Kuehn, Mr. L. F.
Kuehn, Mr. M.
Kuehn, Mr. M. F.
Kuehn, Mr. N.
Kuehn, Mr. N. F.
Kuehn, Mr. O.
Kuehn, Mr. O. F.
Kuehn, Mr. P.
Kuehn, Mr. P. F.
Kuehn, Mr. Q.
Kuehn, Mr. Q. F.
Kuehn, Mr. R.
Kuehn, Mr. R. F.
Kuehn, Mr. S.
Kuehn, Mr. S. F.
Kuehn, Mr. T.
Kuehn, Mr. T. F.
In the Chair

Hale

Absent

de la Garza
Kennedy

Ehrle
Mays

Exempt—Excused

Bryan
Kerchof

Ellis
Laurel

Heflin

H. B. No. 589

On Second Reading

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

"An Act amending Article 8224 of the Revised Civil Statutes of the State of Texas, 1925, prescribing the authority of the Navigation and Canal Commissions of Navigation Districts created under Art. 3, Sec. 52 of the Constitution of the State of Texas in relation to construction contracts in cases of public calamity or extreme emergency or unforeseen damage to property of such navigation districts, and providing for the procedure for contracts in cases of emergency, and declaring an emergency."

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

H. B. No. 589

On Third Reading

Mr. Harrington moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 589 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Anderson
Jackson

Armour
Jamison

Atwell
Johnson

Baker
Jones

Ballman
Joseph

Bartram
Kelly

Bass
Kendrick

Bell
Kilpatrick

Bishop
Koliba

Blaine
Kothmann

Blanchard
Latimer

Bowens
Lee

Boyson
McCoppin

Brashbear
McDonald

Bristow
McGregor

Bullock
McKelman

Byrd
McGregor

Chapman
of El Paso

Cline
McLain

Cloud
Mann

Cole
Martin

Comley
Matthew

Cory
Moore of Harris

Colten
Moore of Tarrant

Cowen
Mullen

Cox
Murray

Crosby
Myst

Day
Oliver

Dewey
Gobern

Duff, Miss
Parish

Dugas
Parsons

Dungan
Patterson

Elliott
Pipkin

Ferrell
Pool

Ford
Prestler

Foreman
Puckett

Forrist
Ramsey

Glas
Richardson

GlusIng
Roberts

Green
Russell

Harrington
Sadler

Hastly
Sandahl

Hollowell
Sanders

Holman
Saul

Holstein
Schwartz

Hooks
of Galveston

Honley
Schwartz

Huebner
of Washington

Huff
Seelsgon

Huffer
Shackleford

Hugh of Grayson
Shannon of Erath

Hughes of Dallas
Shannon

Hutchins
of Tarrant

Isaacks, Miss
Shaw

1 Jour.—45
The Chair then laid House Bill No. 589 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>134</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson</td>
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<tr>
<td>Armstrong</td>
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<td>Atwell</td>
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<td>Barton</td>
<td>Dewey</td>
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<td>Bell</td>
<td>Doff, Miss</td>
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<td>Bishop</td>
<td>Dinges</td>
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<tr>
<td>Blake</td>
<td>Dungan</td>
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<td>Bullock</td>
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<td>Byrd</td>
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<td>Harrington</td>
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<td>Heavner</td>
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<td>Cole</td>
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<td>Holstein</td>
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</table>

<table>
<thead>
<tr>
<th>Nays</th>
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<tbody>
<tr>
<td>Bass</td>
<td>In the Chair</td>
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</table>

<table>
<thead>
<tr>
<th>Absent</th>
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<tbody>
<tr>
<td>Hale</td>
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</tr>
<tr>
<td>Bryan</td>
<td>Kortoth</td>
</tr>
<tr>
<td>Stills</td>
<td>Laurel</td>
</tr>
</tbody>
</table>

The Chair then laid House Bill No. 589 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>134</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson</td>
<td>Cotten</td>
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<tr>
<td>Armstrong</td>
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<td>Barton</td>
<td>Dewey</td>
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<td>Bell</td>
<td>Doff, Miss</td>
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<tr>
<td>Bishop</td>
<td>Dinges</td>
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<td>Blake</td>
<td>Dungan</td>
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<td>Forsyth</td>
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<td>Holman</td>
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<td>Holstein</td>
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</table>

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Bass</td>
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</table>

<table>
<thead>
<tr>
<th>Absent</th>
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<tbody>
<tr>
<td>Hale</td>
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<tr>
<td>Bryan</td>
<td>Kortoth</td>
</tr>
<tr>
<td>Stills</td>
<td>Laurel</td>
</tr>
</tbody>
</table>
The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 615, a bill to be entitled "An Act closing the season for hunting wild deer in Chambers County for five years; providng a penalty for violation; suspending conflicting laws; and declaring an emergency."

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

Mr. Zbranek moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 615 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>133</td>
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The Chair then laid House Bill No. 615 before the House on third reading and final passage.

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

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
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<tbody>
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<thead>
<tr>
<th>Member Name</th>
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<tr>
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<tr>
<td>Hoverson</td>
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<td>of Potter</td>
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<td>Britson</td>
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<td>of Potter</td>
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<td>Byrd</td>
<td>of Harris</td>
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<td>of Tarrant</td>
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<td>Hooks</td>
<td>Shaw</td>
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<td>Sheriff</td>
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<td>Joseph</td>
<td>Sutton</td>
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<td>Thurmend</td>
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<td>Wheeler</td>
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<td>McGregor</td>
<td>White</td>
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<td>of McLennan</td>
<td>Wilson of Young</td>
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<td>Wilson of Potter</td>
<td>Woolsey</td>
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<td>Winfree</td>
<td>Yeary</td>
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<td>Wohlford</td>
<td>Zbranek</td>
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<td>Hale</td>
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<td>de la Garza</td>
<td>Kennedy</td>
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<td>Elvis</td>
<td>Mayo</td>
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<td>Fenoglio</td>
<td>Schram</td>
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<tr>
<td>Absent</td>
<td>—Excused</td>
</tr>
<tr>
<td>Bryan</td>
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<td>Laurel</td>
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<tr>
<td>Heflin</td>
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</tbody>
</table>

**HOUSE BILL NO. 616 ON SECOND READING**

The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 616, A bill to be entitled "An Act closing the season for hunting alligators in Chambers County for five years, providing a penalty for violation; suspending conflicting laws; and declaring an emergency." The bill was read second time and was passed to engrossment.

**HOUSE BILL NO. 616 ON THIRD READING**

Mr. Zbranek moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 616 be placed on its third reading and final passage. The motion prevailed by the following vote:

<table>
<thead>
<tr>
<th>Year</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>133</td>
<td></td>
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</tbody>
</table>

- Anderson
- Bullock
- Armstrong
- Byrd
- Atwell
- Chapman
- Baker
- Cline
- Hallman
- Cloud
- Burtman
- Cole
- Bass
- Conley
- Bell
- Cory
- Bishop
- Cotton
- Bailey
- Cowen
- Blanchard
- Cox
- Bowers
- Crosthwaite
- Boysen
- Dewey
- Brashear
- Duff, Miss
April 4, 1957

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**Dugas** Parsons
**Dungan** Patterson
**Elliott** Pipkin
**Ford** Pool
**Foreman** Prewler
**Forrest** Packett
**Forsythe** Ramsey
**Glass** Richardson
**Gluninger** Roberts
**Green** Russell
**Harrington** Sadler
**Healy** Sandahl
**Hollar** Saud
**Holmein** Schwartz
**Hooks** of Galveston Schwartz
**Hosey** of Washington Seeligson
**Huebner** of Washington Shackleford
**Hutcheson** of Erath Shannon
**Hughes of Greyson** Shannon of Erath
**Hughes of Dallas** Shannon
**Hutchins** of Tarrant
**Isaacks, Miss** Shaw
**Jackson** Sheridan
**Jameson** Sherrill
**Johnson** Slack
**Jones** Smith of Hays
**Joseph** Smith of Jefferson
**Kelly** Spilman
**Kilpatrick** Stewart
**Koliba** Strickland
**Kothmann** Stroman
**Latimer** Sudderth
**McCoplin** Sutton
**McDonald** Taakek
**McGregor** Terrell
**McGovern** of McLennan
**McGovern** of El Paso
**McIlhany** of El Paso
**Mann** of Hays
**Martin** of Jefferson
**Mathew** of organisers
**Moore of Harris** White
**Moore of Tarrant** Wilson of Young
**Mullen** Wilson of Potter
**Murray** Winfree
**Myatt** Wobold
**Oliver** Wooley
**Osborn** Yenck
**Parish** Zbrenk

**In the Chair**

**Hale** Absent

**Burkett** Hensley
**de la Garza** Kennedy
**Elia** Mays
**Fenoglio** Schram

**Absent—Excused**

**Bryan** Kortoth
**Ellis** Laurel
**Heflin**

The Chair then laid House Bill No. 615 before the House on third reading and final passage.

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

<table>
<thead>
<tr>
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**Absents**

**Anderson** Huesner
**Armour** Huffman
**Atwell** Harfer
**Baker** Hughes of Grayson
**Ballman** Hughes of Dallas
**Barram** Hutchins
**Bass** Isaacks, Miss
**Bell** Jackson
**Bishop** Jamison
**Blank** Johnson
**Blanchard** Jones
**Bowers** Joseph
**Boysen** Kelly
**Brisbois** Kenneth
**Bristow** Kilpatrick
**Buick** Koliba
**Burke** Kothmann
**Byrd** Lattimer
**Chapman** Lee
**Clise** McCoppin
**Cloud** McDonald
**Cole** McGregor
**Conley** of McLennan
**Cory** of McLennan
**Cotman** of El Paso
**Cox** of McLennan
**Cox** Mann
**Crostwhait** Martin
**Day** Matthew
**Dewey** Moore of Harris
**Duff, Miss** Moore of Tarrant
**Dugas** Mullen
**Dungan** Murray
**Elliott** Mays
**Ferrell** Oliver
**Ford** Osborn
**Foreman** Parish
**Forrest** Parsons
**Forsythe** Parish
**Glass** Patterson
**Gluninger** Piipkin
**Green** Pool
**Harrington** Pressler
**Healy** Pickett
**Hemley** Ramsey
**Hollowell** Richardson
**Holman** Roberts
**Holstein** Russell
**Hooks** Sadler
**Hosey** Sandahl
INTRODUCTION OF H. B. NO. 888

Mr. McLain asked unanimous consent of the House to introduce at this time and have placed on first reading H. B. No. 888.

There was no objection offered and it was so ordered.

HOUSE BILL NO. 621 ON SECOND READING

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

H. B. No. 621, A bill to be entitled "An Act conferring upon the Game and Fish Commission regulatory authority over wildlife resources in Hardin and Jefferson Counties; amending Section 1 of Chapter 135, Acts of the 52nd Legislature, 1951, as amended, so as to make this Act applicable to Hardin and Jefferson Counties, and further amending the said Chapter 135 and Section 1 thereof by transferring certain portions of Section 1 into a new section designated as Section 1a; repealing certain laws and fixing the effective date of the repeal; providing for severability, and declaring an emergency."

The bill was read second time.

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

Amendment No. 1 to H. B. No. 621

To amend Section 1, so as to read: "Counties to Which Act Applies. This Act shall apply only to Bell, Bosque, Bowie, Clay, Coryell, Denton, Erath, Falls, Fannin, Freestone, Hardin, Hill, Hood, Jack, Jefferson, Johnson, Limestone, McLennan, Milam, Montague, Orange, Palo Pinto, Parker, Red River, Somervell, Stephens, Titus, Wise, and Young Counties."

The amendment was adopted.

House Bill No. 621 was then passed to engrossment.

HOUSE BILL NO. 621 ON THIRD READING

Mr. Oliver moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 621 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Year—123

Anderson Cotten
Armor Cowen
Atwell Cox
Baker Crosthwait
Bullman Day
Bartram Dewey
Bass Duff, Miss
Bell Dugan
Bishop Dunbar
Blaine Elliott
Blanchard Ferrell
Bowen Ford
Boysem Foreman
Braashear Forsyth
Britow Glass
Bullock Glasing
Byrd Harrington
Chapman Healy
Cline Hollowell
Cloud Holman
Coles Holstein
Coley Hooks
The Chair then laid House Bill No. 621 before the House on third reading and final passage.

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

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<th>Yeas</th>
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In the Chair

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Absent—Excused

| Bryan Bryan |
| Ellis Ellis |
| Hendrick Hendrick |

April 4, 1957

Hosey Roberts
Huebner Russell
Huffman Sadler
Huffer Sanders
Hughes of Grayson Sanders
Hughes of Dallas Saul
Hutchins Schwartz
Insacks, Miss of Galveston
Jackson Schwartz
Jamison of Washington
Johnson Seeligson
Jones Shackelford
Joseph Shannon of Erath
Kelly Shannon
Kemna of Tarrant
Killip Shaw
Koliba Sheridan
Kothmann Sherill
Lattimer Slack
Lee Smith of Hays
McCoppin Smith of Jefferson
McDonald Spillman
McGregor of McLennan
McGregor of El Paso
McIlhany Strickland
Mann Sudereth
Martin Sutton
Matthew Talasek
Moore of Harris Terrell
Moore of Tarrant Thurmond
Mullen Tussell
Murphy Turman
Myott Walling
Oliver Watson
Osborn Welch
Portah Wheeler
Parnas White
Patterson Wilson of Young
Pipkin Wilson of Potter
Pool Winfrey
Pressler Wohlford
Puckett Wooley
Ramsey Yezak
Richardson Zbranek

Hale

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Bryan Koroth
Ellis Lauret
Hendrick Saudan
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**HOUSE BILL NO. 623 ON SECOND READING**

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

H. B. No. 623. A bill to be entitled "An Act amending Section 7 of Chapter 22, Acts of the 43rd Legislature, Third Called Session, 1934, as amended by Chapter 364, Acts of the 44th Legislature, Regular Session, 1949, codified in Vernon’s as Section 1187f, Vernon’s Civil Statutes so as to authorize cities to sell facilities of municipal fish markets and properties appurtenant thereto acquired pursuant to the provisions of Article 1187c, providing a severability clause; and declaring an emergency."

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

**HOUSE BILL NO. 623 ON THIRD READING**

Mr. Cory moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 623 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<td>The Chair then laid House Bill No. 623 before the House on third reading and final passage.</td>
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<td>The bill was read third time and was passed by the following vote:</td>
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<td>Dugan</td>
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**HOUSE BILL NO. 654 ON SECOND READING**

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

H. B. No. 654, A BILL to be entitled "An Act establishing a Juvenile board in each of the Counties of Hardin and Tyler, proscribing the membership and
powers of each board and providing for compensation of its members; authorizing each board to appoint a juvenile officer; prescribing the powers and duties of the juvenile officer and providing for his compensation and expenses; repealing conflicting laws; providing for severability and declaring an emergency."

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

HOUSE BILL NO. 654 ON THIRD READING

Mr. Hooks moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 654 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
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</thead>
<tbody>
<tr>
<td>133</td>
<td>16</td>
</tr>
</tbody>
</table>

Yeas: Anderson, Armor, Atwell, Baker, Ballman, Bartram, Bass, Bell, Bishop, Blaine, Blanchard, Bowers, Boysen, Brashear, Bristow, Bullock, Byrd, Chapman, Claxton, Cloud, Cole, Conley, Cory, Cottn, Cowen, Cox, Crosthwait, Day, Dewey, Duff, Misa, Dugas, Duncan, Elliott, Ferrall, Ford, Foreman, Forreth, Glass, Moore, Moore, Mullen, Murray, Myatt, Oliver, Osborne, Parish, Parsons, Patterson, Pipkin, Pool, Pressler, Puckett, Ramsey, Richardson, Roberts, Russell, Sadler, Sandahl, Sansberry, Sandlin, Schneider, Schenk, Schenck, Schram, Schwartz, Sherrod, Shaw, Sheridan, Sheridan, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Shaw, Sha...
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Burkett Moore of Harris
Byrd Moore of Tarrant
Chapman Mullen
Cline Murray
Cloud Myatt
Cole Oliver
Conley Osborn
Cory Parish
Combs Parsons
Cowan Patterson
Cox Pickett
Crosthawk Pool
Day Presler
Dee Puckett
Duff, Miss Ramsey
Dugas Richardson
Dungan Roberts
Elliott Russell
Ewell Sadler
Ford Sandahl
Foreman Sanders
Forsyth Saul
Glass Schwartz
Green Schwartz
Harrington of Washington
Healy Seelegson
Hensley Shackelford
Hollowell Shannon of Erath
Holman Shannon
Holstein of Tarrant
Hucks Shaw
Husey Sheridan
Huecker Sherrill
Huffman Slack
Hufstetler Smith of Hays
Hughes of Grayson Smith of Jefferson
Hughes of Dallas Spilman
Hutchins Springer
Inasaka, Miss Stewart
Jackson Stovely
Jamison Strickland
Johnson Strom
Jones Sudderth
Joseph Sutton
Kelly Talasek
Kennard Terrell
Kihlstrom Thermood
Koliba Tennell
Kothmann Torman
Lamson Webber
Lee Watson
McCoppin Welch
McDonald Wheeler
McGregor White
McGregor of McLennan Wilson of Young
McGregor of El Paso Wilson of Potter
McLain Winfree
McLamore Wohlford
Massey Wooley
Martin Yenk
Matthew Zbranek

In the Chair

Hale Absent

de la Garza Kennedy
Ehrle Mayo
Fenoglio Schram

Absent—Excused

Bryan Kostyak
Ellis Lauren

Heflin

HOUSE BILL NO. 659 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment, the H. B. No. 659, A bill to be entitled "An Act concerning County Law Libraries, amending Acts of the 48th Legislature, Regular Session, 1943, Chapter, 193, Section 1, providing for a cost increase on civil cases to benefit the County Law Library Fund."

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

HOUSE BILL NO. 659 ON THIRD READING

Mr. Presler moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 659 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Year—133

Anderson Cline
Artwell Cole
Baker Conley
Ballman Cory
Barstom Cotten
Bass Cox
Bell
Bishop Crosthwait
Blaine Day
Blandon Deway
Bowers Duff, Miss
Boyem Dugas
Brownell Dunnan
Bristow Elliott
Bullock Ferrall
Byrd Ford
Chapman Foreman
Bryan    Kerath
Eills    Lateb
Hedin

The Chair then laid House Bill No. 66 before the House on third reading and final passage.

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

<table>
<thead>
<tr>
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<td>Anderson</td>
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In the Chair

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<td>Ehrie</td>
<td>Mays</td>
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<tr>
<td>Fenoglio</td>
<td>Schram</td>
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</table>
The bill was read second time.

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

House Committee Amendment No. 1
To House Bill No. 667

Amend House Bill No. 667 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. There is hereby created a court in Hunt County, to be called the County Court at Law of Hunt County. The said court shall come into existence on the effective date of this Act and shall cease to exist on December 31, 1959, unless extended by act of the Legislature.

Section 2. The County Court at Law of Hunt County shall have jurisdiction in all matters and causes, civil and criminal, original and appellate, over which by the general laws of the State the County Court of said county would have jurisdiction, except as provided in Section 3 of this Act; and all cases now pending in the County Court of said county, other than probate matters and such as are provided in Section 3 of this Act; and all cases now pending in the County Court of said county, other than probate matters and such as are provided in Section 3 of this Act, shall be and the same are hereby transferred to the County Court at Law of Hunt County, and all writs and process, civil and criminal, here­tofore issued by or out of the County Court of said county, shall be and the same are hereby made returnable to the County Court at Law of Hunt County. The jurisdiction of the County Court at Law of Hunt County and the Judge thereof shall extend to all matters of eminent domain of which jurisdiction has been heretofore vest­ed in the County Court or in the County Judge, but this provision shall not affect the jurisdiction of the Commissioners Court or of the County Judge of Hunt County as...
the presiding officer of such Commissioners Court as to roads, bridges, and public highways, as are now within the jurisdiction of the Commissioners Court or the County Judge as presiding officer thereof. The County Court at Law of Hunt County and the Judge thereof shall have concurrent jurisdiction with the County Court of Hunt County and the Judge thereof in the trial of insanity cases and the restoration thereof, approval of applications for admission to State Hospitals and Special Schools where admissions are by application, and the power to punish for contempt.

Sec. 3. The County Court of Hunt County shall retain as heretofore the general jurisdiction of a Probate Court; it shall probate wills, appoint guardians of minors, idiots, lunatics, persons non compos mentis, and common drunkards, grant letters testamentary and of administration, settle accounts of executors, administrators and guardians, transact all business appertaining to deceased persons, minors, idiots, lunatics, persons non compos mentis, and common drunkards, including the settlement, partition and distribution of estates of deceased persons, and the appointment of minors as provided by law, and the said Court, and the Judge thereof, shall have the power to issue writs of injunction, mandamus, and all writs necessary to the enforcement of the jurisdiction of said Court, and also to punish contempt under such provisions as are or may be provided by law governing county courts throughout the State; but said County Court of Hunt County shall have no other jurisdiction, civil or criminal. The County Judge of Hunt County shall be the Judge of the County Court of Hunt County. All ex-officio duties of the County Judge shall be exercised by the said Judge of the County Court of Hunt County, except in so far as the same shall by this Act be committed to the Judge of the Court at Law of Hunt County.

Sec. 4. The County Court at Law of Hunt County shall hold its sessions at the county seat of Hunt County. The terms of said Court shall begin on the first Mondays in January, March, May, July, September and November in each year, and each term shall continue in session until and including the Saturday next preceding the beginning of the next succeeding term thereof. The practice in said Court, and appeals and writs of error therefore, shall be as prescribed by the laws relating to county courts.

Sec. 5. The Judge of the County Court at Law of Hunt County shall be a qualified voter in Hunt County, and shall be a regularly licensed attorney at law in this State, and shall have resided in this State and have been actively engaged in the practice of law or as the judge of a court for a period of not less than three years next preceding his appointment or election.

As soon as this Act becomes effective, the Commissioners Court of Hunt County shall make the initial appointment of the Judge, who shall serve until the next general election or until his successor shall be duly elected and qualified. At the general election in 1958 and every fourth year thereafter, so long as the Court continues in existence, there shall be elected by the qualified voters of Hunt County a Judge of the County Court at Law of Hunt County for a regular term of four years to commence on the first day of January following his election, subject to termination by cessation of the existence of the Court. Any vacancy in the office shall be filled by the Commissioners Court of Hunt County until the next general election. The Judge of said Court may be removed from office in the same manner and for the same causes as provided by the laws of this State for removal of county judges.

Sec. 6. The Judge of the County Court at Law of Hunt County shall execute a bond and take the oath of office as required by law relating to county judges.

Sec. 7. A Special Judge of the County Court at Law of Hunt County may be appointed or elected under the same circumstances and in the same manner as provided by law relating to county courts and to the judges thereof. He shall receive the sum of $15 per day for each day he actually serves, to be paid out of the general fund of the county by the Commissioners Court.

Sec. 8. The County Court at Law of Hunt County and the Judge thereof shall have power to issue writs of injunction, mandamus, sequestration,
attachment, garnishment, certiorari, and supersede, and all writs necessary to the enforcement of the jurisdiction of said Court, and to issue writs of habeas corpus in cases where the offense charged is within the jurisdiction of said Court or of any other court or tribunal inferior to said Court.

Sec. 9. The Clerk of the County Court of Hunt County shall be the Clerk of the County Court at Law of Hunt County. The County Attorney of Hunt County shall represent the State in all prosecutions pending in said Court, and he shall be entitled to the same fees as now prescribed by law for such prosecutions in the county courts. The Sheriff of Hunt County shall in person or by deputy attend the said Court when required by the Judge thereof; and the various sheriffs and constables of this State executing process issued out of said Court shall receive the fees now or hereafter fixed by law for execution of process out of county courts.

Sec. 10. The Judge of the County Court at Law of Hunt County shall assess the same fees as are or may be established by law relating to county judges, all of which shall be collected by the Clerk of said Court and be by him paid into the County Treasury. The Judge of said County Court at Law shall receive an annual salary of not less than $6,000, payable monthly, to be paid out of the County Treasury. The Judge of said Court, and the seal shall contain the words "County Court at Law of Hunt County, Texas." And said seal shall be judicially noted.

Sec. 11. The Judge of the County Court at Law of Hunt County shall be entitled to traveling expenses and shall be entitled to necessary office expenses in the same manner as is now or shall hereafter be allowed county judges.

Sec. 12. At the expiration of the term of the County Court at Law of Hunt County, all jurisdiction herein conferred upon said Court shall be resumed by the County Court of Hunt County, and all cases and proceedings pending in the County Court at Law shall be transferred to the County Court.

Sec. 13. The seal of the County Court at Law of Hunt County shall be the same as that provided by law for county courts except that such seal shall contain the words "County Court at Law of Hunt County, Texas." And said seal shall be judicially noted.

Sec. 14. The Judge of the County Court at Law of Hunt County shall be entitled to traveling expenses and shall be entitled to necessary office expenses in the same manner as is now or shall hereafter be allowed county judges.

Sec. 15. At the expiration of the term of the County Court at Law of Hunt County, all jurisdiction herein conferred upon said Court shall be resumed by the County Court of Hunt County, and all cases and proceedings pending in the County Court at Law shall be transferred to the County Court.

Sec. 16. If any part of this Act is held unconstitutional by a court of competent jurisdiction, such holding of unconstitutionality shall not affect the remaining provisions of this Act which can be given effect without the invalid provision.

Sec. 17. All laws or parts of law in conflict with the provisions of this Act are hereby repealed to the extent of such conflict only.

Sec. 18. The need for an additional court to relieve the heavy docket of the County Court of Hunt County creates an emergency and imperative 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 that this Act shall take effect and be in force from and after its passage.
Mr. Hutchins offered the following amendment to the Committee Amendment No. 1:

Amendment to Committee Amendment No. 1

Amend Committee Amendment No. 1 to House Bill 667, Section 1 thereof, by deleting the last sentence of said section and substituting in lieu thereof the following: "The said court shall come into existence on the first day of January, 1968, and shall cease to exist on December 31st, 1981, unless extended by act of this Legislature".

The amendment to Committee Amendment No. 1 was adopted.

Committee Amendment No. 1 as amended was adopted.

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

House Committee Amendment No. 2

To House Bill No. 667

Amend House Bill No. 667 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A BILL
To Be Entitled
An Act creating, as a temporary court, the County Court at Law of Hunt County; prescribing the jurisdiction, terms, and duration of the Court; limiting the jurisdiction of the County Court of Hunt County during the existence of the Court herein created; providing for the qualifications, selection, and compensation of the Judge of the County Court at Law and for the selection and compensation of a Special Judge thereof; providing for the selection, designation, and compensation of other officers of the Court; making other provisions relative to the business and functioning of the Court; providing for severability; repealing conflicting laws; and declaring an emergency."

The amendment was adopted.

House Bill No. 667 was then passed to engrossment.
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<thead>
<tr>
<th>Name</th>
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The Chair then laid House Bill No. 647 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

**Yeas—135**

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The Chair then laid House Bill No. 647 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

**Yeas—135**

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The Chair then laid House Bill No. 647 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

**Yeas—135**

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</table>
The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 680, A bill to be entitled "An Act amending Article 667-7 (b) of the Penal Code of Texas, to provide for a renewal fee of Three ($3.00) Dollars in addition to the amount required to be paid for annual license fees; and declaring an emergency."

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

Mr. Mann moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 680 be placed on its third reading and final passage.

The motion prevailed by the following vote:

The bill was read third time and was passed by the following vote:
April 4, 1957  HOUSE JOURNAL  1427

Yeas—135

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

Year—185
April 4, 1957  HOUSE JOURNAL  1429

In the Chair

Hale
Absent

de la Garza
Kennedy

Ehle
Mays

Fenoglio
Schram

Absent—Excused

Bryan
Korioth

Bills
Laurel

HOUSE BILL NO. 696 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,
H. B. No. 696, a Bill to be entitled "An Act amending Article 2676, of the Revised Civil Statutes of Texas, 1911, as last amended, to prescribe certain electors and procedures incident to election of county school trustees; providing a severability clause; and declaring an emergency."

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

HOUSE BILL NO. 696 ON THIRD READING

Mr. Schwartz of Washington moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 696 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas–133

Anderson
Jackson

Armoe
Jasmin

Atwell
Johnson

Baker
Jones

Ballman
Joseph

Baum
Kelly

Bass
Kenard

Bell
Kilpatrick

Bishop
Kellin

Blaine
Kobold

Blanchard
Lattimer

Bowers
Lee

Boyseen
McCoplin

Brashier
McDonald

Bristow
McGregor

Bullock
of McLennan

Byrd
McGregor

Chapman
of El Paso

Cline
McNulty

Cloud
Mann

Cole
Martin

Conley
Matthew

Corry
Moore of Harris

Cotter
Moore of Tarrant

Cox
Mullen

Cox
Murray

Crockett
Nyatt

Day
Oliver

Dewey
Osborn

Duflf, Miss
Parish

Dungan
Patterson

Elliot
Pipkin

Farrow
Pool

Ford
Pressler

Furman
Puckett

Furth
Richardson

Glutting
Roberts

Green
Russell

Harrington
Sandifer

Hastly
Sanduls

Hallowell
Sanders

Holman
Neal

Holstein
Schwartz

Hoot
of Galveston

Husey
Schwartz

Huebner
of Washington

Huffman
Seeligson

Huff
Shackelford

Hughes of Grayson
Shannon of Erath

Hughes of Dallas
Shannon

Hutchins
of Tarrant

Iasaak, Miss
Sheridan

Spilman
Springer

Stewart
Stover

Sullman
Springer

Sullman
Springer

Talasek
Terrell

Thurmond
Tunnell

Waring
Watson

White
Wheeler

White
Wheeler

Williams
of Young

Wilson of Potter

Wilson of Washington

Winfree
Woolf

Winfree
Woolf

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Woolf

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Winfree
Woolf

Winfree
Woolf
The Chair then laid House Bill No. 696 before the House on third reading and final passage.

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

**Yeas—124**

Anderson, Cotten  
Armor, Cowen  
Atwell, Cox  
Baker, Crosthwait  
Ballman, Day  
Bartram, Dewey  
Beil, Duff, Miss  
Bishop, Doggs  
Blaine, Duncan  
Blanchard, Elliott  
Bowers, Ferrell  
Boyse, Ford  
Brashear, Foreman  
Bristow, Forsyth  
Buford, Glass  
Burkett, Gilders  
Byrd, Green  
Chapman, Harrington  
Clark, Heately  
Cloud, Hensley  
Cole, Hollowell  
Conley, Holman  
Cory, Holstein

**Nays—1**

Bass

In the Chair

**Absent**

Hale

Absence--Excused

Anderson, Cotten  
Armor, Cowen  
Atwell, Cox  
Baker, Crosthwait  
Ballman, Day  
Bartram, Dewey  
Beil, Duff, Miss  
Bishop, Doggs  
Blaine, Duncan  
Blanchard, Elliott  
Bowers, Ferrell  
Boyse, Ford  
Brashear, Foreman  
Bristow, Forsyth  
Buford, Glass  
Burkett, Gilders  
Byrd, Green  
Chapman, Harrington  
Clark, Heately  
Cloud, Hensley  
Cole, Hollowell  
Conley, Holman  
Cory, Holstein

**Absent—Excused**

Bass

In the Chair

Hale

Absence--Excused

Anderson, Cotten  
Armor, Cowen  
Atwell, Cox  
Baker, Crosthwait  
Ballman, Day  
Bartram, Dewey  
Beil, Duff, Miss  
Bishop, Doggs  
Blaine, Duncan  
Blanchard, Elliott  
Bowers, Ferrell  
Boyse, Ford  
Brashear, Foreman  
Bristow, Forsyth  
Buford, Glass  
Burkett, Gilders  
Byrd, Green  
Chapman, Harrington  
Clark, Heately  
Cloud, Hensley  
Cole, Hollowell  
Conley, Holman  
Cory, Holstein
April 4, 1957

HOUSE BILL NO. 697 ON SECOND READING

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

H. B. No. 697, a bill to be entitled "An Act providing for fixing the compensation of judges of district courts in the 44th, 45th, 46th, and 45th Judicial Districts; providing the manner of payment; establishing a limitation of amount of such compensation; providing for the validity of the remaining portion of this Act if any part declared unconstitutional; repealing all laws or parts of laws in conflict, and declaring an emergency."

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

HOUSE BILL NO. 697 ON THIRD READING

Mr. Ballman moved that the constitutional rule requiring bills to be read on three successive days be suspended and that House Bill No. 697 be placed on the House on third reading and final passage.

The motion prevailed by the following vote:

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The Chair then laid House Bill No. 697 before the House on third reading and final passage.

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

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</table>

The bill was read third time and was passed by the following vote:
HOUSE BILL NO. 709 ON SECOND READING

Mr. Stricksland moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 709 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Sutton  Wheeler
Takaeck  White
Terrell  Wilson of Young
Tharmond  Wilson of Potter
Turnell  Winfree
Turner  Woflord
Wallace  Woolsey
Watson  Yezek
Welch  Zrancak

In the Chair

Hale  Absent

de la Garza  Kennedy
Ehrie  Maya
Fenoglio  Schram

Absent—Excused

Bryan  Koroth
Ellis  Laurel
Heflin

In the Chair

Abstent

The motion prevailed by the following vote:

Absences—Excused

Sutton  Wheeler
Takaeck  White
Terrell  Wilson of Young
Tharmond  Wilson of Potter
Turnell  Winfree
Turner  Woflord
Wallace  Woolsey
Watson  Yezek
Welch  Zrancak

Absences—Excused

Bryan  Koroth
Ellis  Laurel
Heflin

In the Chair

Abstent

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

HOUSE BILL NO. 709 ON THIRD READING

Mr. Stricksland moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 709 be placed on its third reading and final passage.

The motion prevailed by the following vote:
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The bill was read third time and was passed by the following vote:
The bill was read second time.

Mr. Puckett offered the following amendment to the bill:

Amend H. B. No. 711 by striking all below the enacting clause and substituting the following:

Section 1. It shall be lawful to hunt, take, or kill wild pheasants of all kinds at any time during the year in Wood County, and all general and special laws to the contrary are hereby repealed in so far as they apply to Wood County. However, nothing herein shall repeal the general law prescribing the bag limit on the number of pheasants which may be taken, killed, or possessed.

Sec. 2. The importance of this legislation and the crowded condition of the Calendar create 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 said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage and it is so enacted.

The amendment was adopted.

House Bill No. 711 was then passed to engrossment.

HOUSE BILL NO. 711 ON THIRD READING

Mr. Puckett moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 711 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yes—123

Anderson      Boyesen
Armour        Bradbeer
Atwell        Brittow
Baker         Bullock
Ballman       Byrd
Bartram       Chapman
Bass          Cline
Bell          Cloud
Blaine        Cole
Blairn        Conley
Bond          Cory
Bowers
The Chair then laid House Bill No. 711 before the House on third reading and final passage.

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

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<th>135</th>
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Cowen Oliver  
Cox Osborn  
Croothwait Parish  
Day Parsons  
Dewey Patterson  
Duff Miss Pipkin  
Dugas Pool  
Dungan Presler  
Elliott Puckett  
Ferrell Ramsey  
Ford Richardson  
Foreman Roberts  
Forsyth Russell  
Glass Sadler  
Glausing Sandahl  
Green Sanders  
Harrington Neal  
Healy Schwartz  
Hollowell of Galveston  
Holman Schwartz  
Holstein of Washington  
Hooks Swiggon  
Hosey Shackelford  
Huebner Shannon of Erath  
Huffman Shannon  
Huffer of Tarrant  
Hughes of Grayson Shaw  
Hughes of Dallas Sheridan  
Hutchins Sherrill  
Isaacks Miss Black  
Jackson Smith of Hays  
Jamison Smith of Jefferson  
Johnson Spilman  
Jones Springer  
Jr Johnson Stewart  
Kelly Storey  
Kearney Strickland  
Kilpatrick Stroman  
Kolka Sudderth  
Kothman Sutton  
Latimer Talsak  
Lee Terrell  
McCoppin Thurmond  
McGregor Tunell  
McGregor of McLennan Walling  
McGregor of El Paso Welch  
McLainhany Wheeler  
Mcllhany White  
Martin Wilson of Young  
Mathew Wilson of Porter  
Moore of Harris Winfree  
Moore of Tarrant Wohlford  
Mullen Wooley  
Murray Yeak  
Myatt Zbranek  

In the Chair

Hale Absent
Burkett de la Garza

Hale  
Hale Absent

Hale  
Hale Absent
An Act amending Article 537 of the Penal Code of Texas, 1925 as amended by Section 1 of Senate Bill 28, Acts of the 48th Legislature, Regular Session, 1948, Chapter 107, page 381, relating to immoral or depraved publications, motion pictures, penny arcade machines, pictures and indecent objects, so as to provide that the editing, publishing or dissemination of any pamphlet, magazine or any printed paper devoted mainly to the publication of whoring, lechery, assignation, intrigue between men and women or immoral conduct of persons, or of depraved acts showing violent brutality, or the possession or keeping for sale or distribution or marketing in the sale or distribution of any such pamphlet, magazine or printed matter, or the showing of lewd, lascivious, obscene, indecent immoral pictures, or of pictures of acts showing violent brutality, on the cover, jacket, or frontispiece of any pamphlet, magazine or printed matter so as to represent that such pamphlet, magazine or printed matter is devoted mainly to the publication of whoring, lechery, assignations, intrigues between men and women or immoral conduct of persons, or of depraved acts showing violent brutality, or to show, exhibit or display any such obscene, immoral or depraved cover, jacket, or frontispiece shall be a misdemeanor offense, and also making it unlawful for any person, firm, or corporation, or any agent or servant thereof, acting as a wholesale distributor or news agency to require, or demand of, any person, firm, or corporation, selling goods, wares, and merchandise at retail to purchase or accept from such distributor or agency any particular pamphlet, magazine or printed matter in order that such retailer might purchase or secure from such distributor or agency any other pamphlet, magazine, or printed matter, providing a penalty for violations of this Act; repealing all laws in conflict with this Act in so far as they conflict with this Act; providing a severability clause and declaring an emergency.

The bill was read second time.

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

Amend H. B. 718 by striking out all below the enacting clause and insert in lieu thereof the following:

"Section 1. Article 537 of the Penal Code of Texas, 1925 as amended by Section 1 of Senate Bill 28, Acts of the 48th Legislature, Regular Session, 1948, Chapter 107, page 381, relating to immoral or depraved publications, motion pictures, penny arcade machines, pictures and indecent objects, so as to provide that the editing, publishing or dissemination of any pamphlet, magazine or any printed paper devoted mainly to the publication of whoring, lechery, assignation, intrigue between men and women or immoral conduct of persons, or of depraved acts showing violent brutality, or the possession or keeping for sale or distribution or marketing in the sale or distribution of any such pamphlet, magazine or printed matter, or the showing of lewd, lascivious, obscene, indecent immoral pictures, or of pictures of acts showing violent brutality, on the cover, jacket, or frontispiece of any pamphlet, magazine or printed matter so as to represent that such pamphlet, magazine or printed matter is devoted mainly to the publication of whoring, lechery, assignations, intrigues between men and women or immoral conduct of persons, or of depraved acts showing violent brutality, or to show, exhibit or display any such obscene, immoral or depraved cover, jacket, or frontispiece shall be a misdemeanor offense, and also making it unlawful for any person, firm, or corporation, or any agent or servant thereof, acting as a wholesale distributor or news agency to require, or demand of, any person, firm, or corporation, selling goods, wares, and merchandise at retail to purchase or accept from such distributor or agency any particular pamphlet, magazine or printed matter in order that such retailer might purchase or secure from such distributor or agency any other pamphlet, magazine, or printed matter, providing a penalty for violations of this Act; repealing all laws in conflict with this Act in so far as they conflict with this Act; providing a severability clause and declaring an emergency."
men and women or immoral conduct of persons, or of depraved acts showing violent brutality, or shall knowingly have in his possession for sale or shall keep for sale or distribute or in any way assist in the sale of such pamphlet magazine or printed matter in this State; or whoever shall within this State engage in the showing and exhibition of lewd, lascivious, or depraved motion pictures, or of lewd, lascivious or depraved pictures in penny arcade machines, or of indecent objects or images, or shall knowingly have in his possession for sale, or shall keep for sale or distribute or in any way assist in the sale or give away any such lewd, lascivious, or depraved pictures in penny arcade machines, or of indecent objects or images, or shall knowingly have in his possession for sale, or shall keep for sale or distribute or in any way assist in the sale or give away any such lewd, lascivious, or depraved motion pictures, penny arcade pictures, or indecent objects or images; or whoever shall within this State engage in the business of editing, publishing, disseminating, printing, designing, manufacturing, or in any manner preparing any advertisement, notice, picture, placard, cover, book-jacket, magazine cover, frontispiece, illustration, figure, image, article or thing to be used in connection with the sale, distribution, advertisement, exhibition or display of any pamphlet, magazine, or placard, book-cover, book-jacket, magazine cover, frontispiece, illustration, figure, image, article or thing portrays nude or partly denuded female figures in compromising and obscene poses or which are in any manner lewd, lascivious, obscene, indecent, immoral, or depraved, or which represents or purports to represent to any prospective purchaser or reader that the contents, text or subject matter of such pamphlet, magazine or any printed paper or matter is devoted in whole or in part to the publication of whoring, lechery, assignations, intrigues between men and women, immoral conduct of persons, or of depraved acts showing violent brutality, or shall knowingly show, exhibit, or display any such advertisement, notice, picture, placard, book-cover, book-jacket, magazine cover, frontispiece, illustration, figure, image, article or thing in this State shall upon conviction be deemed guilty of a misdemeanor and be punished by confinement in the County Jail for not more than six (6) months or by fined not more than One Thousand Dollars ($1,000), or by both such fine and imprisonment.

Sec. 2. All laws or parts of laws in conflict with the provision of this Act are hereby repealed to the extent of conflict only.

Sec. 3. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 4. The fact that the provisions of Article 527 of the Penal Code of Texas are difficult to enforce under the present wording of the Act and the fact that there is a need for the enforcement of its provisions create 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 this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

House Bill No. 716 was then passed to engrossment.

HOUSE BILL NO. 716

THIRD READING

Mr. McIlhany moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 716 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas-133

Anderson
ARMOR
Atwell
Baker
Ballman
Bartram
Blaine
Blanchard
Bowers
Brashear
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**In the Chair**

| Hale         | Absent     |               |               |
| Burket        | de la Garna|               |               |

The Chair then laid House Bill No. 716 before the House on third reading and final passage.

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

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April 4, 1957

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

HOUSE BILL NO. 758 ON
THIRD READING

Mr. Cory moved that the constitu-
tional rule requiring bills to be read
on three several days be suspended
and that House Bill No. 758 be placed
on its third reading and final passage.

The motion prevailed by the follow-
ing vote:

Yeas-133
Yeates
Huebner
Armstrong
Hoffman
Atwell
Huff
Baker
Hughes of Grayson
Ballman
Hughes of Dallas
Bartram
Hutchins
Bass
Issacks, Miss
Beil
Jackson
Bishop
Jamison
Blaine
Johnson
Blanchard
Jones
Bowers
Joseph
Boyer
Kelly
Brashhour
Kennard
Bratton
Kilpatrick
Bullock
Kubla
Byrd
Korthmann
Chapman
Latimer
Cline
Lee
Cloud
McCoppin
Cole
McDonald
Conley
McGregor
Cory
of McLennan
Cotten
McGregor
Cowan
of El Paso
Cox
Melhany
Crosthowit
Mann
Day
Martin
Dewey
Matthew
Du Buisson
Moore of Harris
Dungan
Mullen
Elliott
Murray
Ford
Myatt
Foreman
Oliver
Forsyth
Osborn
Glas
Parson
Gluing
Patterson
Green
Pipkin
Harrington
Pool
Healy
Premler
Holloway
Puckett
Holman
Ramsey
Holden
Richardson
Hooks
Roberts
Hosey
Russell
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<tr>
<td>The Chair then laid House Bill No. 765 before the House on third reading and final passage. The bill was read third time and was passed by the following vote: Yeas—134</td>
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<td>Anderson</td>
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April 4, 1957

HOUSE BILL NO. 773 ON
SECOND READING

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

H B No. 773. A bill to be entitled "An Act amending Acts of 1951, 52nd Legislature, P 43, Chapter 362, redefined as Article 332A, under Vernon's Civil Statutes, Section 1, so as to increase the county population to include those counties of 15,000 and less which are in a Judicial District having five or more counties with a combined total population of not less than 68,000 inhabitants according to the last preceding Federal Census and providing the compensation and method of payment of the Juvenile Boards of the counties affected by this Act, and declaring an emergency."

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

HOUSE BILL NO. 773 ON
THIRD READING

Mr. Parish moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 773 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas--133

Anderson, Byrd
Armour, Chapman
Atwell, Cline
Ballman, Cole
Bartram, Conley
Bass, Cory
Bell, Cotton
Bishop, Cowen
Blaine, Fox
Blandard, Crosthwait
Bowes, Day
Boykin, Dewey
Brush, Du B. Miss
Britslow, Dugas
Bullock, Dungan

Nay--2

Elliott, Patterson
Farr, Pickin
Ford, Pool
Foreman, Prexler
Forsyth, Parks
Glass, Ramsey
Glass, Richardson
Green, Roberts
Harrington, Russell
Hershel, Sallad
Hollowell, Sanders
Holstein, Saul
Hough, Schwarts
Husen, Schwarts
Huffman, of Washington
Hunt, Scullton
Husmann of Crayston
Hughes of Dallas
Hutchison of Corpus Christi
Huston, Miss of Tarrant
Jackson, Shaw
Jennings, Sheridan
Johnson, Sheerrill
Jones, Slace
Joseph, Smith of Mays
Kelly, Smith of Jefferson
Kennard, Spillman
Kilpatrick, Springer
Koliba, Stewart
Kothmann, Storer
Latimer, Strickland
Lee, Stroman
McAuliffe, Suderth
McDonald, Sutton
McGregor, Talmage
McKenzie of McLennan
McGregor, Thurmond
McElroy and Tannell
McElhaney, Tarman
Mann, Walling
Martin, Watson
Matthews, Welch
McNally, Wheeler
Moe of Tarrant, White
Mollen, Wilson of Young
Morrow, Wilson of Potter
Mysst, Windre
Oliver, Winstead
Osborn, Woolsey
Parish, Yeak
Parsons, Zbranek

In the Chair

Hale, Absent
The Chair then laid House Bill No. 773 before the House on third reading and final passage.

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

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<td>Huebner</td>
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Absent--Excused

Bryan Koroth
Ellis Laurel
Heffin

HOUSE BILL NO. 774 ON
SECOND READING

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

H. r. No. 774, A bill to be entitled "An Act changing the terms of court of the 6th Judicial District composed of the counties of Lamar and Panola, prescribing the terms of court; providing that all process issued and returnable to a succeeding term of court, and all bonds and recognizances made and all grand and petit juries drawn before this Act takes effect shall be valid for and returnable to the next succeeding terms of the 6th District Court of the several counties as herein fixed as though issued and served for such terms and returnable to and drawn for the same; providing that all process issued and made returnable on or before Monday next after the expiration of twenty (20) days from the date of service thereof shall be valid, and unaffected by this Act; making other provision relative to the functioning
of the 6th Judicial District; providing a severability clause and declaring an emergency."

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

HOUSE BILL NO. 774 ON THIRD READING

Mr. Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 774 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Year—133

Anderson, Holsted
Armour, Hoeks
Atwell, Huesner
Baker, Hufvus
Ballman, Huffer
Bass, Hughes of Grayson
Bell, Hughes of Dallas
Bishop, Hotchman
Blaine, Jessen, Miss
Blanchard, Jackson
Bowers, Jamison
Boyce, Johnson
Brashear, Jones
Bristow, Joseph
Bullock, Kelly
Byrd, Keesand
Chapman, Kilpatrick
Cline, Keliba
Cloud, Kehmann
Cole, Lattimer
Conley, Lee
Cory, McCoppin
Cotten, McDonald
Cowan, McGregor
Cox, of McLennan
Cotswold, of El Peso
Day, Melbony
Duff, Miss, Mann
Dugas, Martin
Dungan, Matthews
Elliott, Moore of Harris
Ferrall, Moore of Tarrant
Ford, Mullen
Foreman, Murray
Forsyth, Myatt
Giles, Oliver
Glasure, Osborn
Green, Parish
Harrington, Parsons
Healy, Patterson
Hollowell, Pipkin
Holman, Pool
Prentler, Spilman
Puckett, Springer
Ramsey, Stewart
Richardson, Storey
Roberts, Strickland
Russell, Stroman
Sadler, Sanders
Sander, Sutton
Sanderson, Talasek
Saut, Terrell
Schwartz, Thurmond
Selwerts, Turrell
Selwerts, Turner
Wright, Walling
Sedgwick, Watson
Shackleford, Welch
Shannon of Erath, Wheeler
Shannon of Tarrant, White
Shaw, Wilson of Young
Sheridan, Winfree
Sherrell, Wohlford
Slack, Wooley
Smith of Hays, Yxnek
Smith of Jefferson, Zwaren

In the Chair

Hale

Abstent

Burkett, Hensley
de los Garza, Kennedy
Ehrie, Mayo
Penoglio, Schram

Absent—Excused

Bryan, Kerloch
Biltie, Laurel
Helin

The Chair then laid House Bill No. 774 before the House on third reading and final passage.

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

Year—135

Anderson, Bristow
Armour, Bullock
Atwell, Burkett
Baker, Byrd
Ballman, Chapman
Barrtram, Clute
Bass, Cleveland
Bell, Cole
Bishop, Conley
Blair, Cory
Blanchard, Cotten
Bowers, Cowan
Boyce, Cox
Brashear, Cotswold

April 4, 1957 HOUSE JOURNAL 1443
### HOUSE BILL NO. 781 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 781, A bill to be entitled "An Act prohibiting the taking of minnows from the public waters of Somervell County for sale, prohibiting licensed bait dealers who take minnows from the public waters of Somervell County from transporting or selling such minnows outside of Somervell County, authorizing licensed bait dealers to take minnows for sale in Somervell County, authorizing licensed bait dealers to take minnows from a private hatchery and transport them for sale, defining a minnow hatchery, providing for a penalty and declaring an emergency."

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

### HOUSE BILL NO. 781 ON THIRD READING

Mr. Myatt moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 781 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<td>Oliver</td>
<td>Zranek</td>
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<td>In the Chair</td>
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<td>Hale</td>
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<td>de la Garza</td>
<td>Kennedy</td>
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<td>Elbrie</td>
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#### Absent—Excused

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<tr>
<td>Ellis</td>
<td>Laurel</td>
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#### HOUSE BILL NO. 781 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 781, A bill to be entitled "An Act prohibiting the taking of minnows from the public waters of Somervell County for sale, prohibiting licensed bait dealers who take minnows from the public waters of Somervell County from transporting or selling such minnows outside of Somervell County, authorizing licensed bait dealers to take minnows for sale in Somervell County, authorizing licensed bait dealers to take minnows from a private hatchery and transport them for sale, defining a minnow hatchery, providing for a penalty and declaring an emergency."

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

### HOUSE BILL NO. 781 ON THIRD READING

Mr. Myatt moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 781 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
<thead>
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<th>Year—133</th>
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<tbody>
<tr>
<td>Anderson</td>
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<tr>
<td>Byrd</td>
</tr>
<tr>
<td>Chapman</td>
</tr>
<tr>
<td>Cline</td>
</tr>
</tbody>
</table>
The Chair then laid House Bill No. 781 before the House on third reading and final passage.

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

Yeas—135

Anderson Hughes of Grayson
Army Hughes of Dallas
Atwell Hutchins
Baker Isaacks, Miss
Ballman Jackson
Bartrum Jamison
Bas Johnson
Bell Jones
Bishop Joseph
Bikos Kelly
Blanchard Keenum
Bowers Kilpatrick
Boyce Koliba
Brashear Kothmann
Brustow Latimer
Brooks Le
Bryant Mc Coppin
Byrd McDonald
Chapman McGregor
Clayton of McLennan
Cloud McGregor
Cole of El Paso
Conley Melbany
Cory Mann
Cox Cotton
Cox Martin
Crow McComb
Crutchfield Moore of Harris
Day Moore of Tarrant
Deaver Murray
Duff, Miss Mott
Dugas Oliver
Dungan Osborn
Elliott Parish
Ellerson Patterson
Floyd Pipkin
Ford Pipkin
Forstyth Pool
Giles
Glasing Premier
Green Puckett
Greene
Harrington Ramsey
Hasty Richardson
Hensley Roberts
Henderson Russell
Hollowell Sadler
Holman Sandahl
Holstein Sanders
Horneman Saut
Hosey Schwartz
Huffman of Galveston
Huffman of Washington
Hull Anderson
Hughes of Grayson
Hughes of Washington
Hutchins Smith of Brazos
Isaacks, Miss Shackleford
Jackson Shannon of Erath
Jamison Shannon
Johnson Smith of Tarrant
Jones Shaw
Kennard sheriff
Kilpatrick Smith of Hays
Koliba Smith of Jefferson
Kotkmann Smith of Dallas
Lafluer Springer
Lee Stewart
McCopins Storey
McDonald Strickland
McGregor Strommen
McGregor of McLennan
McGregor of El Paso
McIlhany Taske
Mann Terrell
Mann Thurmond
Matthew Turner
Matthew Tatum
Meadows Wauseon
Mullen Welch
Mullen Wheeler
Myatt White
Oliver Wilson of Young
Owen Wilson of Potter
Parish Winfree
Parsons Wobthorpe
Patterson Weasley
Pippin Yeaks
Pool Zbranek

In the Chair

Hale Absent

Burbett Hensley

de la Garza Kennedy

Ehrle Kings

Fenuglio Schram

Absence—Excused

Bryan Ellis

Heflin Laurel

Kerchoff

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

Yeas—135

Anderson Hughes of Grayson
Army Hughes of Dallas
Atwell Hutchins
Baker Isaacks, Miss
Ballman Jackson
Bartrum Jamison
Bas Johnson
Bell Jones
Bishop Joseph
Bikos Kelly
Blanchard Keenum
Bowers Kilpatrick
Boyce Koliba
Brashear Kothmann
Brustow Latimer
Brooks Le
Bryant Mc Coppin
Byrd McDonald
Chapman McGregor
Clayton of McLennan
Cloud McGregor
Cole of El Paso
Conley Melbany
Cory Mann
Cox Cotton
Cox Martin
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Crutchfield Moore of Harris
Day Moore of Tarrant
Deaver Murray
Duff, Miss Mott
Dugas Oliver
Dungan Osborn
Elliott Parish
Ellerson Patterson
Floyd Pipkin
Ford Pipkin
Forstyth Pool
Giles
Glasing Premier
Green Puckett
Greene
Harrington Ramsey
Hasty Richardson
Hensley Roberts
Henderson Russell
Hollowell Sadler
Holman Sandahl
Holstein Sanders
Horneman Saut
Hosey Schwartz
Huffman of Galveston
Huffman of Washington
Hull Anderson
Hughes of Grayson
Hughes of Washington
Hutchins Smith of Brazos
Isaacks, Miss Shackleford
Jackson Shannon of Erath
Jamison Shannon
Johnson Smith of Tarrant
Jones Shaw
Kennard sheriff
Kilpatrick Smith of Hays
Koliba Smith of Jefferson
Kotkmann Smith of Dallas
Lafluer Springer
Lee Stewart
McCopins Storey
McDonald Strickland
McGregor Strommen
McGregor of McLennan
McGregor of El Paso
McIlhany Taske
Mann Terrell
Mann Thurmond
Matthew Turner
Matthew Tatum
Meadows Wauseon
Mullen Welch
Mullen Wheeler
Myatt White
Oliver Wilson of Young
Owen Wilson of Potter
Parish Winfree
Parsons Wobthorpe
Patterson Weasley
Pippin Yeaks
Pool Zbranek

In the Chair

Hale Absent

Burbett Hensley

de la Garza Kennedy

Ehrle Kings

Fenuglio Schram

Absence—Excused

Bryan Ellis

Heflin Laurel

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

H. B. No. 822, A bill to be entitled "An Act amending Article 494 of the Code of Criminal Procedure of the State of Texas so as to provide for the appointment of counsel to represent an indigent accused; and the counsel so appointed shall have at least ten (10) days to prepare for trial unless such time be waived in writing by said attorney; providing a repealing clause; providing a severability clause and declaring an emergency."

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

HOUSE BILL NO. 822 ON SECOND READING

Mr. Elliott moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 822 be placed on its third reading and final passage.
April 4, 1957

In the Chair

Yeas-135

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

Yeas-135

The Chair then laid House Bill No. 822 before the House on third reading and final passage.

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

Yeas-135

H. B. No. 843, A bill to be entitled

HOUSE BILL NO. 843 ON SECOND READING

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

H. B. No. 843, A bill to be entitled
"An Act providing an additional optional method for establishment and administration of county-wide hospital districts under management of a board of managers composed of the commissioners court with the county judge as chairman; prescribing the powers, duties and functions of the board of managers and of the commissioners court; providing for elections on creation of the district, limitation of the taxing power of the district, and issuance of bonds; providing for conversion of districts; and making other provisions incidental to the operation of such districts."

The bill was read second time.

Mr. Mann offered the following amendment to the bill:

Amendment To House Bill No. 848

Amend House Bill No. 848 by striking out Section 18 and inserting in lieu thereof the following:

(a) Any hospital district hereafter created in accordance with Chapter 266, Acts of the 53rd Legislature, Regular Session, as amended, may be converted into a district subject to the provisions of this Act, or any district created in accordance with this Act may be converted into a district subject to the provisions of the said Chapter 266, in the following manner. Upon petition to the commissioners court by qualified property tax-paying voters of the district equal in number to five per cent of the property taxpayers of the county as shown by the current assessment rolls of the county, requesting the calling of an election on the question of conversion, the commissioners court within twenty days after receipt of the petition shall order such election, to be held not less than thirty days nor more than ninety days from the time the election is ordered by the commissioners court. At the election there shall be submitted to the qualified property taxpaying voters of the district the proposition of whether or not the district is to be converted, and a majority of the qualified property taxpaying voters participating in the election shall determine the result thereof.

(b) If the election is on the question of conversion of a district created in accordance with this Act, the ballot shall have printed thereon:

"For conversion of the hospital district from a district operated under the Optional Hospital District Law of 1957 to a district operated under Chapter 266, Acts of the 53rd Legislature, Regular Session, as amended, and the levy of a tax not to exceed seventy-five cents on the one hundred dollars valuation"; and

"Against conversion of the hospital district from a district operated under the Optional Hospital District Law of 1957 to a district operated under Chapter 266, Acts of the 53rd Legislature, Regular Session, as amended, and the levy of a tax not to exceed seventy-five cents on the one hundred dollars valuation".

If the election is on the question of conversion of a district created in accordance with the said Chapter 266, at the time the order for holding such election is entered the commissioners court shall determine the amount of tax needed for the purpose of (1) paying the interest on and creating a sinking fund for bonds which may have been assumed by the district originally created (but excluding any bonds issued by the district); (2) providing for the operation and maintenance of the hospital or hospital system; and (3) making further improvements and additions to the hospital system, and for the acquisition of necessary sites therefor. If there are no outstanding bonds issued by the district, the ballot shall have printed thereon:

"For conversion of the hospital district from a district operated under Chapter 266, Acts of the 53rd Legislature, Regular Session, as amended, to a district operated under the Optional Hospital District Law of 1957, and the levy of a tax not to exceed (the amount determined by the commissioners court in its order calling the election) on the one hundred dollars valuation"; and

"Against conversion of the hospital district from a district operated under Chapter 266, Acts of the 53rd Legislature, Regular Session, as amended, to a district operated under the Optional Hospital District Law of 1957, and the levy of a tax not to exceed (the amount determined by the commissioners court in its order calling the election) on the one hundred dollars valuation".
If there are outstanding bonds issued by the district, the ballot shall have printed thereon:

“For conversion of the hospital district from a district operated under Chapter 266, Acts of the 53rd Legislature, Regular Session, as amended, to a district operated under the Optional Hospital District Law of 1957, and the levy of a tax not to exceed seventy-five cents on the one hundred dollars valuation until presently outstanding bonds issued by the district have been retired, and thereafter the levy of a tax not to exceed [the amount determined by the commissioners court in its order calling the election] on the one hundred dollars valuation”;

“Against conversion of the hospital district from a district operated under Chapter 266, Acts of the 53rd Legislature, Regular Session, as amended, to a district operated under the Optional Hospital District Law of 1957, and the levy of a tax not to exceed seventy-five cents on the one hundred dollars valuation until presently outstanding bonds issued by the district have been retired, and thereafter the levy of a tax not to exceed [the amount determined by the commissioners court in its order calling the election] on the one hundred dollars valuation”;

(c) If the proportion fails to carry at the election, no further election on the proposition shall be held for a period of two years. If a majority of the qualified taxpaying voters participating in the election vote in favor of the proposition, the conversion shall become effective thirty days after declaration of the result of the election. The identity of the district shall not be affected by the conversion, and the district shall be liable for all outstanding debts and obligations as fully as when originally assumed or incurred by it. However, any bonds voted by a district originally created under Chapter 266 which have not been issued on the date of the election for conversion shall not be issued and the authority for such bonds shall be cancelled. Upon conversion of a district from one operated under Chapter 266 to one operated under this Act, the district shall not have the power to levy a tax in excess of the amount determined by the commissioners court in its order calling the election for any purposes other than providing a sinking fund for payment of interest on and principal of unpaid bonds issued by the district prior to the conversion.

(d) At any time after five years from the date of a conversion, a further election on the question of reconversion may be held in the manner herein provided for the original conversion.

The amendment was adopted.

House Bill No. 843 was then passed to engrossment.

HOUSE BILL NO. 843 ON THIRD READING

Mr. Mann moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 843 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133


Yeas—133

**The Chair then laid House Bill No. 843 before the House on third reading and final passage.**

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

<table>
<thead>
<tr>
<th>Yes—135</th>
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<tbody>
<tr>
<td>Anderson</td>
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<tr>
<td>Austin</td>
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<tr>
<td>Atwell</td>
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</table>

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**In the Chair**

- Hale

**Absent**

- Burkhart
- Henley
- Kennedy
- Ehrle
- Fenoglio

**Absent—Excused**

- Bryan
- Koroth
- Mills
- Laurel
- Heffin

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

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<th>Yes—135</th>
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<tbody>
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<td>McCoy</td>
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</table>
April 4, 1957

HOUSE BILL NO. 865 ON SECOND READING

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

H. B. No. 865, A bill to be entitled "An Act limiting the provisions of this Act to Dimmit and Zavala Counties; 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 said 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 or other aquatic life in public waters in said counties by any means or method; prescribing the legislative policy with respect to the wildlife resources in said counties; conferring upon the Game and Fish Commission authority to regulate by proclamation, order, rule or regulation, the taking of the wildlife resources of said counties; requiring the Game and Fish Commission to make investigation with respect to the depletion and waste of the wildlife resources of said counties; defining depletion and waste; providing for the issuance of doe deer permits and providing for the maintenance of a deer herd and breeding stock; providing for the adoption of proclamations, orders, rules and regulations of the Game and Fish Commission; providing for the effective period of regulations; providing for the publication of the regulations; providing that the authority of the Commission is not limited; providing venue for suits to test the validity of this Act and of the rules and regulations 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; defining wildlife resources; repealing certain laws; providing for the effective date of this Act; providing a saving clause; and declaring an emergency."

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

HOUSE BILL NO. 865 ON THIRD READING

Mr. Richardson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 865 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Anderson
Armour
Atwell
Baker
Ballman
Bartram
Bass
Boll
Bishop
Blaine
Blanchard
Bowers
Bozeen
Brown
Brislow
Bullock
Byrd
Chapman
Clines
Cloud
Cola
Conley
Cory
Cotten
Cox
Creeks
Day
Dewey
Duffy, Miss
Dugas
Dungan
Elliott
Ferrell
Ford
Foreman
Forestry
Glass
Glazing
Green
Harrington
Healy
Holcolm
Holman
Holstein
Hooks
Hudn
Huebner
Hunts
Isaacks, Miss
Jackson
Jamison
Johnson
Jones

Duff, Miss
Dugas
Dungan
Elliott
Ferrell
Ford
Foreman
Forestry
Glass
Glazing
Green
Harrington
Healy
Holcolm
Holman
Holstein
Hooks
Hudn
Huebner
Hunts
Isaacks, Miss
Jackson
Jamison
Johnson
Jones

Approved April 4, 1957.
<table>
<thead>
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In the Chair
- Hale
- Absent

Burkeett
- Hensley
- Coates
- Garcia
- Kennedy
- Erhra
- Hayes
- Engel

Absence-Excused:
- Bryan
- Williams
- Ellis
- Martin

The Chair then laid House Bill No. 888 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:
- Yeas—125
- Nays—14

Anderson
- Armor

Atwell
- Kothmann
- Baker
- Latimer
- Ballman
- Lee
- Bartram
- McCoppin
- Blass
- McDaniell
- Bell
- McGregor
- Bishop
- McCoppin
- Boughen
- School
- Boyesen
- Mann
- Brender
- Martin
- Brians
- El Paso
- Burkett
- Moore of Tarrant
- Byrd
- Mullen
- Chapman
- Murray
- Clise
- Myatt
- Cloud
- Oliver
- Cole
- Osborn
- Cox
- Pool
- Coe
- Presler
- Day
- Foutett
- Dewey
- Ramsey
- Duff, Miss
- Richardson
- Dugan
- Roberts
- Dungan
- Russell
- Elliott
- Sadlar
- Ferrell
- Sandahl
- Ford
- Sanders
- Foreman
- Scuri
- Forsyth
- Schwartz
- Glass
- Gilson
- Schwartz
- Green
- of Washington
- Harrington
- Seeligson
- Heatly
- Shackleford
- Henley
- Shannon of Brath
- Hollowell
- Shannon
- Holman
- of Tarrant
- Hodelton
- Shaw
- Hooks
- Sheffield
- Hensley
- Black
- Huffman
- Smith of Hays
- Huffer
- Smith of Jefferson
- Hughes of Grayson
- Spellman
- Hughes of Dallas
- Springer
- Hutchins
- Stewart
- Isacks, Miss
- Storey
- Jackson
- Strickland
- Jamison
- Stroman
- Johnson
- Suderfield
- Jones
- Session
- Joseph
- Talaska
- Kelly
- Terrill
- Kemnard
- Thurmond
- Kilpatrick
- Tunnell
- Kolbke
- Turman
In the Chair

Hale
Absent

de la Garza
Kennedy
Ehrle
Mays
Fenoglio
Schram
Absent—Excused

Bryan
Koroth
Ellis
Laurel
Biffin

HOUSE BILL NO. 874 ON SECOND READING

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

H. B. No. 874. A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in San Patricio County by authorizing the County to issue certificates of indebtedness for certain slated purposes; stating terms and conditions of issuance; requiring the levy of a tax to pay such certificates; enacting other provisions relating to the subject; making the act cumulative; providing for severability; and declaring an emergency."

The bill was read second time.

Mr. Parish offered the following amendment to the bill:

Amend H. B. No. 874, Section 1 by striking out the words "or for the construction, maintenance or improvement of county roads."

The amendment was adopted.

COMMITTEE MEETING

Mr. Turman asked unanimous consent of the House that the Committee on Education be permitted to meet at this time.

There was no objection offered.

Mr. Parish offered the following amendment to the bill:

Amend H. B. 874, first paragraph, Section 3 by striking out the words and figures "twenty (20) years" and inserting in lieu thereof the words and figures "ten (10) years."

The amendment was adopted.

Mr. Parish offered the following amendment to the bill:

Amend H. B. No. 874 by striking out the words and figures "two (2) years" in the last sentence of Section 3 and inserting in lieu thereof the words and figures "five (5) years."

The amendment was adopted.

House Bill No. 874 was then passed to engrossment.

HOUSE BILL NO. 874 ON THIRD READING

Mr. Parish moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 874 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Anderson
Armstrong
Atwell
Baker
Ballman
Bartram
Bass
Bell
Blair
Blanchard
Bowers
Boyson
Brumley
Bullock
Byrd
Cameron
Chalmers
Cline
Cloud
Cole
Conley
Corley
Cowen
Cox
Crockett
Day
Dewey
Duff, Miss

Dugas
Dungan
Elliot
Farrell
Ferrill
Ferrel
Ford
Foreman
Forsyth
Glass
Glassing
Green
Harrington
Healy
Hollowell
Holman
Holstein
Hooks
Hosey
Hubber
Huffman
Hughes of Grayson
Hughes of Dallas
Hutcheson
Isaacs, Miss
Jamison
Johnson
Jones
Joseph
Kelly
The Chair then laid House Bill No. 874 before the House on third reading and final passage.

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

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<th>136</th>
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In the Chair

| Absent                     |     |
| Burkett                   |     |
| de la Garza               |     |
| Erie                      |     |
| Pangilo                   |     |

Absent—Excused

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The bill was read third time and was passed by the following vote:
April 4, 1957        HOUSE JOURNAL  1455

Sutton                              Wheeler
Talasek                             White
Terrell                             Wilson of Young
Thurmond                            Wilson of Potter
Tunnell                             Winfree
Tamman                              Wofford
Walling                             Woolsey
Watson                              Yates
Welch                                Zaranek

In the Chair

Hale

Absent

de la Garza                        Kennedy
Ehrle                               Mays
Fenoglio                           Schram

Absent—Excused

Bryan                               Korish
Ellis                                Laurel
Helbin

HOUSE BILL NO. 875 ON SECOND READING

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

H. B. No. 875. A bill to be entitled "An Act restoring criminal jurisdiction in the County Court of Glasscock County; and making other provisions relating thereto; and declaring an emergency."

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

HOUSE BILL NO. 875 ON THIRD READING

Mr. Bristow moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 875 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Anderson                             Blake
Armour                               Blanchard
Atwell                                Bowers
Baker                                 Boysen
Ballman                               Brashear
Bartram                               Bristow
Bass                                  B.Jock
Bell                                    Byrd
Bishop                                Chapman

cline                                Miliken
Cloud                                  Murray
Cole                                     Myatt
Conley                                 Oliver
Cory                                      Osborn
Cotton                                 Parish
Jewen                                   Parsons
Cox                                      Patterson
Crutcher                                Pittman
Day                                       Pool
DeWey                                   Pressler
Duff, Miss                             Puckett
Dugas                                   Rumsey
Dungan                                 Richardson
Elliott                                 Roberts
Perrell                                Russell
Ford                                     Sadler
Foreman                                Sandahl
Forster                                 Sanders
Glass                                   Saul
Gissing                                 Schwartz
Green                                   of Galveston
Harrrington                             Schwartz
Healy                                   of Washington
Hollowell                               Seigman
Holman                                 Shackelford
Holstein                                Shannon of Erath
Hooks                                   Shannon
Huebner                                 Shaw
Huffman                                Sherill
Hunter                                  Sherrick
Hughes of Grayson                      Black
Huebner of Dallas                      Smith of Mays
Hutchins                                Smith of Jefferson
H suc  cke, Miss                        Spilman
Jackson                                 Springer
Jameson                                 Stewart
Johnson                                 Strey
Jones                                    Strickland
Joezhy                                  Stroman
Kelly                                    Sudderth
Kennard                                 Sutton
Kilpatrick                              Talasek
Kolbus                                  Tamman
Kothmann                                Thurmond
Lattimer                                Tunnell
Lee                                     Tamman
McDoppin                                Walling
McDonald                                Watson
McGregor                                Welch
of McLennan                             Wheeler
McGregor                                 White
of El Paso                             Wilson of Young
McIlhany                                Wilson of Potter
Mann                                    Winfree
Martin                                  Wofford
Matthew                                 Woolsey
Moore of Harris                         Yeak
Moore of Tarrant                        Zaranek

In the Chair

Hale
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The Chair then laid House Bill No. 878 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

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<td>Yes</td>
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<tr>
<td>Dewey</td>
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<td>Duff, Miss</td>
<td>Yes</td>
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<td>Dugas</td>
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<td>Duncan</td>
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<td>Green</td>
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<td>Harrington</td>
<td>Yes</td>
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<tr>
<td>Healy</td>
<td>Yes</td>
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</tbody>
</table>

H. B. No. 878, A bill to be entitled "An Act creating a County Court at Law No. 2 for Lubbock County, Texas, and making other provisions relative thereto; and declaring an emergency." The bill was read second time.

Mr. Blanchard offered the following amendment to the bill:

Amend House Bill No. 878, page 3, Section 4, line 1, by deleting the sentence which reads as follows: "Cases may be transferred from one County Court at Law to the other as
Amend House Bill No. 878, page 2, the entire paragraph of Section 8, by deleting the following: "The Jurisdiction and authority now vested by law in the Court of Lubbock County for drawing, selection and service of jurors shall be exercised by said Court by Jury summons for either the County Court of Lubbock County, the County Court at Law No. 1 of Lubbock County, or the County Court at Law No. 2 of Lubbock County. The Judge of the Court in which the jurors are summoned, may transfer the jurors to the County Court or other County Courts at Law, for service therein and may be used in such other Court as if summoned for Jury service for the Court to which they may be thus transferred." The following should be inserted: "The Jurisdiction and authority now vested by law in the County Court of Lubbock County and the County Court at Law No. 1 of Lubbock County, for the drawing, selection, and service of jurors, shall be exercised by said Court; but Juries summoned for any of said Courts may be ordered by the Judges of the Court in which they are summoned be transferred to either of the other Courts for service therein and may be used therein as if summoned for the Court to which they may be thus transferred."

The amendment was adopted.

Mr. Blanchard offered the following amendment to the bill:

Amend House Bill No. 878, page 2, line 3 of Section 6, by changing the words "County Court at Law No. 2" to read as follows: "County Courts at Law."

The amendment was adopted.

Mr. Blanchard offered the following amendment to the bill:

Amend House Bill No. 878, page 2, line 5 of Section 6, by changing the last sentence "The person elected such Judge shall hold his office for two years, and until his successor shall have been duly elected and qualified" so as to provide that the person elected as such Judge shall hold his office for four years and until his successor shall have been duly elected and qualified instead of for two years.

The amendment was adopted.

Mr. Blanchard offered the following amendment to the bill:

Amend House Bill No. 878, page 2, first sentence of Section 20, which now reads as follows: "The jurisdiction of authority now vested by law in the County Court for the selection and service of jurors shall be exercised by
the County Court at Law No. 2, of Lubbock County." In its place should be substituted the following: "The jurisdiction and authority now vested by law in the County Court and in the County Court at Law No. 1, of Lubbock County for the selection and service of jurors shall also be exercised by the County Court at Law No. 2, of Lubbock County."

The amendment was adopted.

Mr. Blanchard offered the following amendment to the bill:

Amend House Bill No. 878, page 6, line 3 of Section 36, by deleting "at Law No. 1 and No. 2 of Lubbock County", and substituting the following: "at Law No. 1 or No. 2 of Lubbock County."

The amendment was adopted.

House Bill No. 878 was then passed to engrossment.

HOUSE BILL NO. 878 ON THIRD READING

Mr. Blanchard moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 878 be placed on its third reading and final passage.

The motion prevailed by the following vote:

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<tr>
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In the Chair

<table>
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Absent—Excessed

| T.ryan | Kelsoth |
| Ellis  | Lareal |
| Herfin |        |
The Chair then laid House Bill No. 878 before the House on third reading and final passage. The bill was read third time and was passed by the following vote:

Yeas-135
Anderson
Armor
Atwell
Baker
Ballman
Bartram
Bell
Bishop
Blaine
Blanchard
Bowers
Brashear
Bristow
Bullock
Burkett
Byrd
Chapman
Cline
Cloud
Cole
Conley
Cory
Cotten
Cowan
Cox
Crosthwait
Day
Dewey
Duff, Miss
Dugas
Dunagan
Elliott
Ferril
Ford
Foreman
Forsyth
Glass
Gleising
Green
Green
Harrington
Hasty
Hewey
Hicks
Hollowell
Holstein
Hook
Hosey
Huebner
Huff
Hughes
Hughes
Hughes
Hutchinson
In the Chair
Hale
Absent
de la Garza
Henderson
Kennedy
Heflin
Absent—Excused
Bryan
Korioth
Pills
Hellin

HOUSE BILL NO. 532 ON SECOND READING

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

H. B. No. 532, A bill to be entitled "An Act amending Article 109 of House Bill No. 6, Chapter 492, Acts Fifty-second Legislature, Regular Session, 1951 (compiled as Article 8.27, Chapter 8, Vernon's Texas Election Code) and Article 259, Chapter 7, Texas Penal Code, 1925, to make uniform the distances from polling places within which loitering and electioneering are unlawful while the polls are open, and declaring an emergency."

The bill was read second time.
Mr. Strickland offered the following amendment to the Committee Amendment No. 1:

Amend Committee Amendment No. 1 to H. B. No. 332 so that Section 1 shall read as follows, to wit:

"Section 1. That Article 109 of House Bill No. 6, Chapter 8, Acts Fifty-second Legislature, Regular Session, 1961 (Compiled as Article 8.27, Chapter 8, of Vernon's Texas Election Code), be amended to read as follows, to wit:

109. Loitering near Polls.

"It shall be unlawful for any sound truck to approach within five hundred (500) feet of a polling place during the hours the polls are open for the purpose of making any political speeches or electioneering for any proposition or candidate. The election judges shall prevent loitering and electioneering while the polls are open, within five hundred (500) feet of the door through which voters enter to vote, and within five hundred (500) feet of the place where the voter is required to prepare his ballot; and for this purpose they may appoint a special constable to enforce this authority. There is specifically exempted from the provisions of this article the following:

(1) Bumper and windshield stickers on automobiles
(2) Permanent commercial billboards
(3) Signs and placards erected on private property with the consent of the owner, provided however, that the exemption shall not apply in instances where the polling place is located on said private property.

Section 2. That Article 269, Chapter 8, of Vernon's Texas Civil and Election Code, be amended to read as follows, to wit:

269. Electioneering near Polls.

"It shall be unlawful for any sound truck to approach within five hundred (500) feet of a polling place during the hours the polls are open for the purpose of making any political speeches or electioneering for any proposition or candidate within a county having a population in excess of 100,000 persons according to the last preceding federal census. The election judges shall prevent loitering and electioneering while the polls are open, within five hundred (500) feet of the door through which voters enter to vote, and within five hundred (500) feet of the place where the voter is required to prepare his ballot, within counties having a population in excess of 100,000 persons according to the last preceding federal census; and for this purpose they may appoint a special constable to enforce the provisions of this act; provided, however, that the commissioners court in any county having a population of less than 100,000 persons may, by order duly entered in the commissioners court record, prevent the loitering and electioneering within any distance of not less than 100 feet nor more than 500 feet of the polls. There is specifically exempted from the provisions of this act the following:

(1) Bumper and windshield stickers on automobiles
(2) Permanent commercial billboards
(3) Signs and placards erected on private property with the consent of the owner, provided however, that this exemption shall not apply in instances where the polling place is located on said private property.

The amendment to the Committee Amendment No. 1 was adopted.
Amend Committee Amendment No. 1 to H. B. No. 532 by making section 2 thereof read as follows, to-wit:

"Section 2. That Article 259, Chapter 7, Texas Penal Code, 1925, be amended to read as follows:

Section 2. That Article 259, Chapter 7, Texas Penal Code, 1925, be amended to read as follows:

Whoever shall do any electioneering or loitering contrary to the provision of the election code of the State of Texas, shall be fined not exceeding five hundred ($50.00) dollars.

The amendment to Committee Amendment No. 1 was adopted.

Mr. Strickland offered the following amendment to the Committee Amendment No. 1:

Amend H. B. No. 532 by adding a new section thereto to be numbered Section Three and re-number the other sections correspondingly to-wit:

Section 3. If any provision, section, sentence or clause of this Act is held unconstitutional by any court of competent jurisdiction such invalidity shall not affect the other provisions, sections, sentences or clauses of this Act which can be given effect without the invalid provision, sections, sentences or clauses; and to this end the provisions, sections, sentences or clauses of this act are declared to be severable.

The amendment to the Committee Amendment No. 1 was adopted.

Committee Amendment No. 1 as amended was adopted.

House Bill No. 532 was then passed to engrossment.

HOUSE BILL NO. 532 ON THIRD READING

Mr. Strickland moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 532 be placed on its third reading and final passage.

The motion prevailed by the following vote:

YEAS—133

Anderson Ballman
Armour Herring
Atwell Black
Baker Bell

NAYS—1

Bishop

McGregor of El Paso

McElroy Hurst
McFarland
McKay

Holland Johnson

Monroney

Moffett

Pendergraft

Pork

Reno of Harris

Russell

Shackleford

Shannon of Brazos

Shannon of Tarrant

Smith of Hays

Smith of Jefferson

Smith of Grayson

Smith of Dallas

Smith of Galveston

Smith of Washington

Smith of Sealy

Smith of Brazos

Smith of Burleson

Smith of Tarrant

Smith of Washington

Smith of Bell

Smith of Fort Bend

Smith of Johnson

Smith of Travis

Smith of Waller

Smith of Wharton

Smith of Mount Vernon

Smith of Young

Smith of Wilson

Smith of Potter

April 4, 1957

HOUSE JOURNAL

1461
The Chair then laid House Bill No. 337 before the Honae, on its second reading and passage, to engrossment, H. B. No. 337, A bill to be entitled "An Act changing the composition of the 136th Judicial District so as to exclude San Patricio County therefrom; amending Chapter 306, Acts of the 62nd Legislature, as amended by
Chapter 86, Acts of the 53rd Legislature, Regular Session, to delete provisions relating to San Patricio County; providing for transfer of cases pending in the 135th District Court in San Patricio County to the 36th District Court in San Patricio County; and declaring an emergency.

The bill was read second time.

Mr. Dewey raised a point of order on further consideration of H. B. No. 337 at this time on the ground that it deals with creating Judicial Districts and appropriating money and violates Rule 9a of the Joint Rules.

The Chair overruled the point of order.

Mr. Parish offered the following amendment to the bill:

Amend House Bill No. 337 by striking out Section 8 and 9 of Chapter 306, Acts of the 52nd Legislature, as amended therein, and by substituting therefor the following:

"Sec. 8. Qualified jurors for service in both the 24th Judicial District Court and the 135th Judicial District Court in Goliad, Jackson, Refugio, Calhoun and Victoria Counties shall be selected in accordance with the provisions of the applicable laws of Texas.

"Sec. 9. Jurors selected as provided in the preceding section of this Act may be summoned and used for the trial of civil cases interchangeably in either the 24th District Court or the 135th District Court in Goliad, Jackson, Calhoun, Refugio and Victoria Counties. For the trial of criminal cases, only jurors selected in the 24th District Court in Goliad, Jackson, Calhoun, Refugio and Victoria Counties shall be impaneled."

The amendment was adopted.

Mr. Parish offered the following amendment to the bill:

Amend House Bill No. 337 by striking out all above the enacting clause and by substituting therefor the following:

A bill to be entitled "An Act relating to the composition of the 135th Judicial District and the organization and functioning of the District Courts in the counties composing the 135th District; amending Chapter 306, Acts of the 52nd Legislature, as amended by Chapter 86, Acts of the 53rd Legislature, Regular Session, so as to exclude San Patricio County from the 135th Judicial District and to delete provisions relating to San Patricio County; amending the provisions relating to the selection of juries in the 24th and 135th Judicial Districts; providing for transfer of cases pending in the 135th District Court in San Patricio County to the 36th District Court in San Patricio County; and declaring an emergency."

The amendment was adopted.

House Bill No. 337 was then passed to engrossment.

HOUSE BILL NO. 337 ON THIRD READING

Mr. Cory moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 337 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132

Anderson
Armour
Atwell
Baker
Ballman
Bartram
Bass
Bell
Bishop
Blair
Blanchard
Bowen
Brashar
Bristow
Bullock
Byrd
Chapman
Cline
Cloud
Cole
Conley
Cory
Cotten
Coven
Cox

Crockett
Day
Duff, Miss
Dugger
Elizalde
Ellis
Ellott
Ford
Foreman
Fruehauf
Glass
Glad
Gluesing
Green
Harrington
Hendly
Hollowell
Holman
Holstein
Hicks
Hogg
Hosmar
Huffman
Hunts
Hughes of Grayson
Hughes of Dallas
Hutchins
The Chair then laid House Bill No. 137 before the House on third reading and final passage.

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

Yeas—139

Anderson
Jamison
Armour
Johnson
Atwell
Jones
Baker
Kelly
Baltman
Kennard
Bartram
Kilpatrick
Bass
Kilpatrick
Bell
Kothmann
Bishop
Laing
Blanchard
McGinnis
Boyers
McGinnis
Boyse
McGregor
Browne
McGregor
Bullock
McGregor
Burkett
McElroy
Byrd
Mann
Chapman
Martin
Cline
Moore of Harris
Cole
Moore of Tarrant
Conley
Mullen
Cory
Murray
Cotton
Myatt
Cox
Oliver
Crumplin
Osborn
Day
Parsons
Duff, Miss
Patterson
Dugas
Piggin
Duncan
Pool
Elliot
Price
Farm
Ferrell
Ptacek
Ford
Ramsey
Foreman
Richardson
Forseth
Roberts
Gimli
Russell
Glasing
Sadler
Green
Sandahl
Harrington
Sanderson
Hasty
Saul
Hensley
Schwartz
Holcomb
of Galveston
Holman
Schwartz
Holstein
of Washington
Hunts
Sadeghi
Hosier
Shackelford
Huehner
Shannon of Bexar
Huffman
Shannon
Huffman
of Tarrant
Hughes of Brazoria
Hughes of Grayson
Hughes of Harris
Hutchins
Sheriff
Isaacks, Miss
Black
Jackson
Smith of Hays
April 4, 1957

HOUSE BILL NO. 438 ON SECOND READING

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

H. B. No. 438, A bill to be entitled "An Act reorganizing the 64th Judicial District to be composed of the Counties of Hale and Swisher; creating the 154th Judicial District to be composed of the Counties of Lamb, Bailey, Parmer and Castro; prescribing the jurisdiction of the 64th and 154th Judicial Districts and conforming the jurisdiction of each court; providing that the District Attorney of the 64th Judicial District shall continue as District Attorney for said District, as reorganized, providing that the present Judge of the 64th Judicial District shall continue to be Judge of the 154th Judicial District; providing for the appointment of a District Judge of the 64th Judicial District as reorganized, providing for the appointment of a District Attorney for the 154th Judicial District as created; providing for the election of officers of the 64th Judicial District and the 154th Judicial District; prescribing the qualifications, powers and duties of various officers of the 64th and 154th Judicial Districts; providing for transfer of cases providing that all writs and processes issued, bonds, bail bonds, recognizances, complaints, informations, indictments, and ancillary matters and all other matters heretofore issued are authorized and valid and returnable to the Court of the Respective Districts; providing for the terms of the 64th and 154th District Courts; making other provisions necessary to carry out the reorganized 64th Judicial District; providing a repealing clause; providing a severability clause; providing an effective date and declaring an emergency."

The bill was read second time.

Mr. Dewey raised a point of order on further consideration of H. B. No. 438 at this time on the ground that it involves appropriation of money and violates Rule 9A of the Joint Rules.

The Chair overruled the point of order.

Mr. Osborn offered the following amendment to the bill:

Amend House Bill No. 438 in the following respects:

(1) By striking out the words "Counties of Lamb, Bailey, Parmer and Castro" in Section 1 and inserting in lieu thereof the words "Counties of Lamb, Bailey and Parmer."

(2) By striking out the words "Counties of Hale and Swisher" in Section 2 and inserting in lieu thereof the words "Counties of Hale, Swisher and Castro."

(3) By adding a new paragraph at the end of Section 6, reading as follows:

"In the County of Castro beginning on the first Mondays in April and October of each year designated as the April and October Terms, respectively."

(4) By deleting from Section 8 the last paragraph, which reads as follows: "In the County of Castro beginning on the first Mondays in April and October of each year designated as the April and October Terms, respectively."

The amendment was adopted.
Mr. Osborn offered the following Committee Amendment to the bill:

House Committee Amendment No. 2 to House Bill No. 438

Amend the caption of House Bill No. 438 by striking out the words "reorganizing the 64th Judicial District to be composed of the Counties of Hale and Swisher; creating the 154th Judicial District to be composed of the Counties of Lamb, Bailey, Parmer and Castro"; and inserting in lieu thereof the following:

"reorganizing the 64th Judicial District to be composed of the Counties of Hale, Swisher and Castro; creating the 154th Judicial District to be composed of the Counties of Lamb, Bailey and Parmer."

The amendment was adopted.

House Bill No. 438 was then passed to engrossment.

HOUSE BILL NO. 438 ON THIRD READING

Mr. Osborn moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 438 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—132

Anderson    Cowen
Armor        Cox
Atwell       Crockett
Baker        Day
Ballman      DuF, Miss
Bartram      Doug
Bass         Dunlap
Bell          Elliott
Bishop       Ferrall
Blake        Ford
Blanchard    Foreman
Bowers       Forsyth
Boyce        Glass
Brashier     Glasing
Bristow      Green
Builock      Harrington
Byrd         Healy
Chapman      Hollewell
Cline        Holman
Cloud        Holstein
Cole          Hooks
Conley       Hovey
Cory          Huesner
Cotten       Huffman

Huffor       Sadler
Hughes of Grayson       Sandahl
Hughes of Dallas       Sanders
Hutchins       Saul
Inakuck, Miss       Schwartz
Jackson        of Galveston
Jamison        of Washington
Johnson       Jones
Joseph         Blackford
Kelly          Shannon
Kennard       of Brath
Kilpatrick    Koltham
Kothmann       Latimer
Lee           Shaw
McCoppin      Sherrill
McDonald       Black
McGregor       Smith of Hays
McGregor, Mr. McLean       of Spring
McGregor, Mr. El Paso       Storey
McMillany       of Strickland
Mann           Stroman
Martin         Sutton
Matthew        Sunderth
Moore of Harris       Talasek
Moore of Tarrant       Terrell
Mulhan        Thurlow
Murray         Tunnell
Myers         Turner
Oliver          Wailing
Osborn         Watson
Parish         Welsh
Parsons        Wheeler
Paterson       White
Pipkin         Wilson of Young
Poll           Wilson of Peters
Preslar        Winfree
Puckett        Wohlford
Ramsey         Woolsey
Richardson     Yeak
Roberts        Zibranek

Nay—1

Dewey

In the Chair

Hale

Absent

Burke

de la Garza

Ehrle

Fenoglio

Absent—Excused

Bryan

Korath

Bills

Laurel

Heffin
The Chair then laid House Bill No. 438 before the House on third reading and final passage.

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

**Yeas—132**

Anderson
Armor
Atwell
Baker
Ballman
Bartram
Bass
Bell
Bishop
Blain
Blanchard
Boyson
Bratton
Bass
Bass
Bell
Bishop
Blaine
Blanchard
Bowers
Boyson
Broston
Bullock
Burkett
Byrd
Chapman
Cline
Cloud
Cole
Conley
Cory
Cotter
Coven
Cox
Crutchfield
Day
Duff, Miss
Dugas
Dungan
Elliott
Ferrell
Ford
Foreman
Forrest
Gordon
Glasa
Gruing
Green
Harrington
Healy
Hensley
Holloway
Holman
Holstein
Hoskins
House
Hosey
Husker
Husker
Hufford
Hughes of Grayson
Hughes of Dallas
Hutchings
Isackson, Miss
Jackson

**Nays—3**

Brannon
Dewey
In the Chair

Hale

**Absent**

Kent

**Absent—Excused**

Bryan
Kelker
Ellis
Mellin

**REASON FOR VOTE**

I am voting against all bills creating new judicial district courts for I feel that as long as we go on creating new courts we will never redistrict our State judicially and there is a need for our State to be redistricted for district courts rather than create new ones.

**TOM JOSEPH.**

**HOUSE BILL NO. 605 ON SECOND READING**

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

H. B. No. 605. A bill to be entitled "An Act creating an additional Criminal District Court for Harris County, prescribing the jurisdiction thereof; providing for the organization of the court; providing for the transfer and docketing of cases; providing for trial and disposition of cases in a Criminal District Court during the absence of the Judge thereof; prescribing the qualifications, jurisdiction, duties and powers of the judge thereof; providing for the appoint-
ment, election and compensation for the judge; providing for a seal of the court; providing for the sheriff, district attorney and clerk for said court; providing for appointment and compensation of an assistant District Attorney and of special deputy clerks; providing for the appointment of an official court reporter; fixing the time for holding the terms of the court and providing for jury service and empanelling of grand jurors; limiting and confirming the jurisdiction thereof to the jurisdiction of the Criminal District Court of Harris County, Criminal District Court No. 2 of Harris County and Criminal District Court No. 3 of Harris County; making an appropriation; providing for severability; repealing all laws and parts of laws in conflict with the provisions of this Act to the extent of such conflict; and declaring an emergency."

The bill was read second time.

Mr. Mann offered the following amendment to the bill:

Amendment to H. B. 606

Amend House Bill No. 606 by striking out Section 7 and re-numbering all sections thereafter.

The amendment was adopted.

House Bill No. 606 was then passed to engrossment.

HOUSE BILL NO. 606 ON THIRD READING

Mr. Mann moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 606 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>123</td>
<td>1</td>
</tr>
</tbody>
</table>

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**Absent**

Burkett de la Garza Ehrle Fenoglio

**Absent—Excused**

Bryan Ellis Heflin

The Chair then laid House Bill No. 605 before the House on third reading and final passage.

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

**Yeas—132**


**Nays—3**


**Absents—Excused**

Koroth Laurel

**HOUSE BILL NO. 645 ON SECOND READING**

The Chair laid before the House, on its second reading and passage to engrossment, H. B. No. 645. A bill to be entitled "An Act creating the 121st Judicial District, composed of the counties of Aransas, San Patricio, Bee, Live Oak and McMullen to be known as the 121st District Court; providing for the appointment and election of the Judge of the 121st District Court; providing for the organization of the Court and regulating the practices therein; providing for the appointment of an official shorthand reporter;
providing for other officials of the court; prescribing the powers, the duties and compensation of the Judge of the 121st said court; prescribing the qualifications, duties, powers and compensation of other officials of the court; providing for the transfer of certain cases before the 86th and 121st District Courts and for the exchange of benches; providing for the manner of selecting jurors; providing for the transfer of cases pending on the docket of the 15th District Court in San Patricio County to the 121st District Court and for the transfer of all odd numbered civil cases pending on the docket of the 36th Judicial District Court in the remaining Counties of said 36th Judicial District to the docket of the 121st Judicial District in the respective counties; providing that all even numbered cases shall be filed and placed on the docket of the 86th Judicial District Court and all odd numbered cases on the docket of the 121st Judicial District Court of the respective counties; providing for the return of all processes to the 121st District Court; making other provisions relating to the 86th and 121st District Courts; providing a repealing clause; providing a severability clause and declaring an emergency.

The bill was read second time.

Mr. Parish offered the following amendment to the bill:

Amend H. B. No. 645 by striking out the words and figures "121st" wherever they appear in said Bill and inserting in lieu thereof the words and figures "156th."

The amendment was adopted.

House Bill No. 645 was then passed to engrossment.

HOUSE BILL NO. 645 ON THIRD READING

Mr. Parish moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 645 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—187

Anderson Ballman
Armstrong Atwell
Artwell Bartram
Bass
Bell
Bishop
Blaine
Blanchard
Brewers
Boyson
Brasher
Brister
Bullock
Byrd
Chapman
Clise
Cloud
Cole
Conley
Cory
Cotter
Cotten
Cowen
Cox
Crow
Cronkhite
Day
Duff, Miss
Dugas
Dungan
Elliott
Ferrell
Ford
Foreman
Gregory
Glass
Glasing
Green
Harrington
Hastings
Hollowell
Holman
Holstein
Hook
Honey
Hawker
Hoffman
Hufford
Hughes of Grayson
Hughes of Dallas
Hutchins
Iseick, Miss
Jackson
Jamison
Johnson
Jones
Joseph
Kelly
Kennard
Kilpatrick
Kolb
Kothmann
Lafranier
Lem
McCoppin
McDonald
McGregor
McLennan
McGregor of El Paso
McKeehan
Mann
Martin
Matthew
Moore of Harris
Moore of Tarrant
Mullen
Murray
Myatt
Oliver
Osborn
Parish
Parsons
Patterson
Piggin
Pool
Puckett
Prestler
Pugh
Ramsey
Richardson
Roberts
Russell
Sadler
Sandahl
Sanders
Saul
Schwartz
Schwartz
of Washington
Seeligson
Shackelford
Shannon of Erath
Shannon of Tarrant
Shaw
Sheridan
Sherill
Slack
Smith of Hays
Smith of Jefferson
Spelman
Stewart
Storey
Strickland
Stroman
Sudderth
Sull
Tansick
Terrell
Thurmond
Tunnell
Turman
Walker
Watson
Welch
Welch
Wheeler
Wilson of Young
Wilson of Potter
April 4, 1957

HOUSE BILL NO. 783 ON SECOND READING

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

H. B. No. 783, A bill to be entitled "An Act creating an additional District Court in and for the Counties of Austin, Caldwell, Comal, Fayette, and..."
Hays, to be known as the District Court of the 155th Judicial District; providing the terms and jurisdiction for said Court; providing for the appointment and election of the District Judge of said Court; prescribing his qualifications, powers, duties, terms of office and compensation; providing for the appointment of an official Court Reporter for said Court; prescribing his qualifications, duties and compensation; providing for the appointment, designation and compensation of other officers of the Court; providing for the manner of selecting jurors; providing all process, writs, recognizances and bonds herefore issued, made, executed or returnable to existing terms of the 155th Judicial District Court are valid and returnable to the first term of the District Court for the 155th Judicial District after the effective date of this Act; making other provisions relative to the business and functioning of the district courts of Austin, Caldwell, Comal, Fayette, and Hays Counties; providing a severability clause and declaring an emergency."

The amendment was adopted.

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

Amend H. B. No. 783 by deleting Section 4 of said bill and renumbering all paragraphs thereafter.

Committee Amendment No. 2

Amend H. B. No. 783 by deleting Section 10 and renumbering Section 11 as Section 10.

The amendment was adopted.

House Bill No. 783 was then passed to engrossment.

HOUSE BILL NO. 783 ON THIRD READING

Mr. Bartram moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 783 be placed on its third reading and final passage.

The motion prevailed by the following vote:

<table>
<thead>
<tr>
<th>3rd Reading</th>
<th>133</th>
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<tbody>
<tr>
<td>Anderson</td>
<td>Elliott</td>
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<td>Armor</td>
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<td>Baker</td>
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<td>Ballman</td>
<td>Forsyth</td>
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<td>Bartram</td>
<td>Glass</td>
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<td>Bass</td>
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<td>Bishop</td>
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<td>Cole</td>
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<td>Kelly</td>
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<td>Day</td>
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<td>Dugas</td>
<td>Kilpatrick</td>
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<tr>
<td>Dungan</td>
<td>Koliba</td>
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</tbody>
</table>
April 4, 1957  

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
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<tbody>
<tr>
<td>Anderson</td>
<td>Koliba</td>
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<tr>
<td>Armstrong</td>
<td>Kothmann</td>
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<td>Atwell</td>
<td>Latimer</td>
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<td>McGregor</td>
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<td>Hel the</td>
<td>of McLennan</td>
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<tr>
<td>Bishop</td>
<td>McGregor</td>
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<tr>
<td>Blake</td>
<td>of El Paso</td>
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<tr>
<td>McLennan</td>
<td>Mcllhany</td>
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The bill was read third time and was passed by the following vote: 

1 Jour.—47
Mr. Dungan asked unanimous consent of the House that the Captions of all bills passed on the Local and Uncontested Calendar on today be amended to conform with the body of the bill.

There was no objection offered and it was so ordered.

(Mr. Hale occupied the Chair pending the passage to engrossment of H. B. Nos. 449, 456, 467, 470, 476, 507, 517, 530, 531, 539, 577, 581, 585, 615, 616, 631, 623, 634, 669, 687, 696, 699, 707, 711, 715, 758, 773, 774, 781, 825, 843, 855, 874, 876, 878, 832, 837, 848, 865, 866, and 783, and pending the passage of all the bills on the Local and Uncontested Bill Calendar on today.)

HOUSE BILLS ON FIRST READING

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

By Mr. Mays:

H. B. No. 886, A bill to be entitled "An Act amending Article 21.28; Section 2, Subsection (4), Texas Insurance Code of 1951; providing that the receiver shall prepare and file, every six (6) months, a report on the insurer in receivership; and declaring an emergency." Referred to the Committee on Insurance.

By Mourns. Crosthwait, Pool, Johnson, Hughes of Dallas, Atwell, Sutton and Sanders:

H. B. No. 887, A bill to be entitled "An Act creating additional district courts in Dallas County, Texas, to be known as the 141st Judicial District, and the 154th Judicial District; providing the terms and jurisdiction of said courts; providing for the appointment of district judges for said courts; prescribing the powers, duties, term of office and compensation of the judges of said courts; providing for the appointment for the official court reporters of said courts; prescribing the qualifications, duties and compensation of the judges of said courts; providing for the appointment, designation and compensation of other officers of said courts; providing all process, writs, recognizances and bonds heretofore issued, made, executed or returnable to existing terms of district courts in Dallas County, Texas, are valid and returnable to the first term of the district courts provided herein, as assigned to the respective courts after this Act takes effect; making other provisions relative to the business and functioning of the district courts of Dallas County, Texas; providing a severability clause; and declaring an emergency." Referred to the Committee on Judicial Districts.

By Mr. McIlhany:

H. B. No. 888, A bill to be entitled "An Act making an appropriation to pay the principal due thereon of a certain judgment obtained against the State of Texas in Cause No. 106,786, styled Thomas L. Wade vs. The State of Texas in the 126th Judicial District Court of Travis County, Texas, according to the tenor, effect and reading of such judgment; providing that no interest shall be paid thereon; and declaring an emergency." Referred to the Committee on Claims and Accounts.

(Speaker in the Chair.)
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HOUSE BILL NO. 604 ON SECOND READING

Mr. Elliott moved that the necessary rules be suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 604, A bill to be entitled "An Act creating the 120th and 121st District Courts, composed of Harris County; describing the jurisdiction and terms of said courts; providing for the appointment, election and compensation of the judges of said courts; providing a repealing clause; providing a severability clause; and declaring an emergency."

There was no objection offered and it was so ordered.

The Speaker then laid H. B. No. 604 before the House, and it was read second time.

Mr. Elliott offered the following amendments to the bill:

Amend H. B. No. 604 by deleting Section 4 and renumbering all sections thereafter.

Amend House Bill No. 604 by striking out the words and letters 120th and 121st wherever they appear and insert in lieu thereof the figures and words 156th and 157th.

The amendments were severally adopted.

House Bill No. 604 was then passed to engrossment.

HOUSE BILL NO. 604 ON THIRD READING

Mr. Elliott moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 604 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yea—126
Anderson  Bell
Armor  Bishop
Atwell  Blake
Baker  Blanchard
Ballman  Bowers
Bartram  Boykin
Bass  Brockman

Nay—6
Burkett  Islacks, Miss
Cotten  Joseph
Dewey  Richardson

Bristow  Martin
Byrd  Matthew
Chapman  Moore of Harris
Clouse  Moore of Tarrant
Cole  Mooten
Conley  Murray
Cory  Oliver
Cowan  Parsons
Crow  Patterson
Day  Pippin
Davy  Pool
Dugan  Pressler
Duke  Puckett
Ehrle  Ramsey
Elliott  Roberts
Ferrell  Russell
Ford  Sandor
Foreman  Sanders
Perry  Saul
Glass  Schwartz
Groom  Seeligson
Hale  Shackelford
Harrington  Shannon of Erath
Hensley  Shannon
Hollowell  Shaw
Holcomb  Sherrill
Holstein  Slack
Hornsby  Smith of Hays
House  Smith of Jefferson
Hudnall  Springer
Huffman  Stewart
Huff  Storey
Hill  of Grayson
Strickland
Hughes of Dallas  Stroumb
Hutcheson  Swenson
Jackson  Sutton
Janion  Talasek
Johnson  Terrell
Jones  Thurmond
Kelly  Tidwell
Kennard  Terman
Kilpatrick  Walling
Koliba  Watson
Kothmann  Welch
Lottmer  Wheeler
Lee  White
McCookin  Wilson of Young
McDonald  Wilson of Potter
McGregor  Winfree
McGregor of McIntosh  Wohlford
McGregor of El Paso  Wooley
Mcllhany  York
McKee  Zunne

Yeas 126
Nays 6

Mr. Elliott moved that the necessary rules be suspended to take up the bill and have it placed on its second reading and passage to engrossment.
The Speaker then laid House Bill No. 604 before the House on third reading and final passage.

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

Yea—125

Anderson  Hensley
Armour  Hollowell
Atwell  Holman
Baker  Holstein
Ballman  Hooks
Bartram  Hovey
Baer  Huebner
Bail  Huffman
Bishop  Huffor
Blaine  Hughes of Grayson
Blanchard  Hughes of Dallas
Bowers  Hutchins
Boyse  Jackson
Brabeau  Jamison
Bristow  Johnson
Bullock  Jones
Burkett  Kelly
Byrd  Kennard
Chapman  Kilpatrick
Cline  Kolba
Cloud  Kothmann
Cole  Lalimer
Conley  Lee
Cory  McCoppin
Cowen  McDonald
Cox  McGregor
Cromwell  of McLennan
Day  McGregor
Daw, Miss  of El Paso
Dugas  McIlhany
Dungan  Manh
Elliott  Martin
Ferrell  Matthew
Ford  Moore of Harris
Forrest  Moore of Tarrant
Forysth  Mullen
Glass  Murray
Glutting  Myatt
Green  Oliver
Hale  Ochon
Harrington  Parth
Heath  Parsons

Patterson  Storey
Pipkin  Strickland
Pool  Stroman
Presler  Sudderth
Puckett  Sutton
Ramsey  Talasek
Russell  Terrell
Sadler  Tharmond
Sanders  Tunnell
Bail  Turman
Schwartz  Waller
Shannon of El Paso  White
Shannon of Tarrant  Wilson of Tarrant
Shaw  Wilson of Potter
Shortill  Wohlford
Black  Woolsey
Smith of Jefferson  Yea
Springer  Zbranek
Stewart

Nays—6

Cotter  Joseph
Dewey  Richardson
Hassacks, Miss  Smith of Hays

Abaent

Bryan  Laurel
Elli  Schwartz
Hedin  of Galveston
Korinth

On motion of Mr. Elliott and by unanimous consent of the House, the Caption of House Bill No. 604 was ordered amended to conform with the body of the bill.

Mr. Moore of Harris moved to reconsider the vote by which H. B. No. 604 was passed and to table the motion to reconsider.

The motion to table prevailed.

On motion of Mr. Strickland and by unanimous consent of the House, the necessary rules be suspended to take up and have placed on its second reading and passage to engrossment, H. B. No. 498.

The motion prevailed.
The Speaker laid before the House on its second reading and passage to engrossment:

H. B. No. 486, A bill to be entitled "An Act creating three (3) additional District Courts in and for Bexar County, Texas, to be known as the 146th, 147th and 150th District Courts, providing that the 146th District Court, the 147th District Court, and the 150th District Court shall not function as courts until the Judges thereof have been duly elected in the general election in November, 1958, and have qualified and until January 3, 1959; changing the name and the designation of the Special 37th Judicial District Court to the 131st Judicial District Court; prescribing the terms and jurisdiction of said District Courts; adjusting the terms, jurisdiction and business of the District Courts of Bexar County; providing that the Judges of the present District Courts of Bexar County shall continue to hold their offices for the terms for which they were elected and until their successor qualified; providing for the election of the Judges of the 146th, 147th and 150th District Courts; prescribing their qualifications, powers and duties; providing for the appointment, designation, compensation, powers, and duties of other officers of the District Courts of Bexar County; providing the method of selecting Juries; making other provisions relating to the business and functioning of the District Courts of Bexar County, amending Article 52-161 of the Code of Criminal Procedure, 1925, as amended, in the same relation, and providing for Criminal District Courts of Bexar County, amending Article 193 of the Revised Civil Statutes of Texas, 1923, as the same relates to and provides for the District Courts of Bexar County, Texas; providing a repealing clause; providing a severability clause and declaring an emergency."

The bill was read second time.

Mr. Strickland offered the following amendment to the bill:

Amend House Bill No. 486 by deleting Sections 2 and 3 thereof, and substituting in lieu thereof the following Section 2 and renumbering the following sections accordingly:

Section 2. Within thirty (30) days after the effective date of this act, the presiding District Judge in and for Bexar County, Texas, shall call an election of the licensed attorneys practicing in Bexar County, Texas, for the purpose of electing a panel of three (3) qualified nominees for the office of Judge of the 146th District Court of Bexar County, Texas, and a panel of five (5) qualified nominees for the office of Judge of the 147th and 150th District Courts of Bexar County, Texas. Notice of the time of such election shall be prominently posted in the District Clerk's office and the County Clerk's office at least one week prior to the date of such election. A candidate for the office of Judge of any of the said three District Courts of Bexar County, Texas, may be nominated for said panel by a written nomination from ten (10) of said licensed attorneys or the candidate himself prior to the date of said election. At the said called election, the presiding District Judge shall present said written applications and nominations and shall receive further oral nominations at that time; the presiding District Judge shall not permit nominations to be closed until it is apparent that no further nominations are forthcoming. Said attorneys then present shall then vote by secret ballot from the written and oral nominations and applications, their respective preferences, each attorney then voting, may vote only once for being entitled to one (1) vote for the office of Judge of the 146th District Court of Bexar County, Texas, and two (2) votes for the other two remaining District Courts, that is, the 147th and 147th District Courts of Bexar County, Texas, provided however, that each attorney seeking nomination may not do so for both the 150th District Court and the other two District Courts, but must specify whether he seeks nomination to the 150th District Court or one of the other two said District Courts. And provided further, that any attorney voting, may vote only once for any one candidate. The panel of three (3) candidates receiving the highest number of votes for the office of Judge for the 150th District Court and the panel of five (5) candidates receiving the highest number of votes for the 146th and 147th District Courts of Bexar County, Texas, shall be entitled to the said nominations.
County, Texas, and the results of said election, including the number of votes received by each candidate, shall be certified by the said presiding District Judge and submitted in duplicate, one (1) copy being sent and submitted to the Governor of the State of Texas. A copy shall be sent and submitted to the State Senator from Bexar County, Texas, as a recommendation only, but such recommendation shall not be binding on the Governor nor the State Senator in their appointment as herein after provided. Within one week after receipt of said certified panel by the Governor of the State of Texas, he shall appoint the Judges of said District Courts in accordance with the laws of the State of Texas pertaining to such appointments. There shall be elected at the general election in November, 1968, a Judge of the 146th District Court, a Judge of the 147th District Court and a Judge of the 160th District Court, each of whom shall take office on January 1, 1969. Neither the 146th District Court, the 147th District Court nor the 160th District Court created on the effective date of this Act shall function as a court until the date the Judge of each court has been duly appointed and qualified pursuant to the provisions of this Act.

The amendment was adopted.

House Bill No. 486 was then passed to engrossment.

Mr. Strickland moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 486 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118
Bishop
Blando
Bland-hard
Bowers
Brazhear
Bristol
Byrd
Bryan

Chapman
Chine
Cloud
Cole
Conley
Cory
Cowan
Cox
Croxswait
Day
Duff, Miss
Dugas
Dungan
Elliott
Ford
Foreman
Fowyrth
Glass
Green
Gree
Hale
Harrington
Healy
Hendry
Hollowell
Holman
Holcatin
Hooks
House
Huffman
Huff
Hughes of Dallas
Hughes of Grayson
Hughes of Tarrant
Hughes of Washington
Hutchins
Jackson
Janison
Johnson
Jones
Kelly
Kennard
Klepstick
Koliba
Kothmann
Laflin
Lee
Leete
Mccopple
McCord
McGregor
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McGregor
McGregor
McCnay
Mann
Martin

Matthew
McMoore of Harris
Moore of Tarrant
Mullen
Murray
Myatt
Oliver
Osborn
Parish
Patterson
Phipps
Poole
Prentice
Puckett
Ramsey
Russell
Sadler
Sanders
Sant
Schwartz
Seeligson
Shackelford
Shannon of Erath
Shannon of Tarrant
Shaw
Sherrill
Sick
Smith of Jefferson
Springer
Stewart
Street
Strickland
Stromman
Sudduth
Tate
Tea
Terry
Thurmond
Tunnell
Turman
Walling
Watson
Welch
Wheelor
White
Wilson of Young
Wilson of Potter
Winfree
Willsford
Woolsey
Yance
Ebranaz

Nays—6
Burkett
Cottom
Dewey

Isacks, Miss
Joseph
Richardson

Absent

de la Garza
Fensolio
Elebner
The Speaker then laid House Bill No. 486 before the House on third reading and final passage.

The bill was read third time and was passed.

On motion of Mr. Strickland and by unanimous consent of the House, the Caption or House Bill No. 486 was ordered amended to conform with the body of the bill.

Mr. Strickland moved to reconsider the vote by which H. B. No. 486 was passed and to table the motion to reconsider.

The motion to table prevailed.

MOTIONS TO ADJOURN

Mr. Wheeler moved that the House adjourn until 10:00 o'clock a.m. next Monday.

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

A record vote was requested on the motion by Mr. Zbranek.

The motion by Mr. Zbranek was lost by the following vote:

Yeas—32

Nays—90

The Speaker then laid House Bill No. 486 before the House on third reading and final passage.

The bill was read third time and was passed.

On motion of Mr. Strickland and by unanimous consent of the House, the Caption or House Bill No. 486 was ordered amended to conform with the body of the bill.

Mr. Strickland moved to reconsider the vote by which H. B. No. 486 was passed and to table the motion to reconsider.

The motion to table prevailed.

MOTIONS TO ADJOURN

Mr. Wheeler moved that the House adjourn until 10:00 o'clock a.m. next Monday.

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

A record vote was requested on the motion by Mr. Zbranek.

The motion by Mr. Zbranek was lost by the following vote:

Yeas—32

Nays—90

The Speaker then laid House Bill No. 486 before the House on third reading and final passage.

The bill was read third time and was passed.

On motion of Mr. Strickland and by unanimous consent of the House, the Caption or House Bill No. 486 was ordered amended to conform with the body of the bill.

Mr. Strickland moved to reconsider the vote by which H. B. No. 486 was passed and to table the motion to reconsider.

The motion to table prevailed.
The motion by Mr. Wheeler was lost by the following vote (a record vote having been requested):

**Yeas—16**
- Ballman
- Kohlmann
- Forem
- Hoebner
- Hughes
- of Galveston
- Kothmann
- Mullen
- Richardson
- Springer
- Talasek
- Wheeler
- Woolsey

**Nays—110**
- Anderson
- Huffman
- Armor
- Hurfor
- Atwell
- Hughes of Dallas
- Baker
- Hetchins
- Bartram
- Jackson
- Bass
- Johnson
- Bell
- Joseph
- Bishop
- Kelly
- Blaine
- Kennard
- Blanckard
- Kilpatrick
- Boeing
- Koliba
- Brashbear
- Lattimer
- Bratlow
- Lee
- Bullock
- McCoppin
- Burkett
- McDonald
- Byrd
- McGregor
- Chapman
- of McLennan
- Cline
- Cooper
- of El Paso
- Conley
- McIlhany
- Cotzen
- Mann
- Cowen
- Martin
- Cox
- Matthew
- Crosthwaite
- Mayes
- Day
- Moore of Harris
- Dewey
- Murray
- Duff, Miss
- Myatt
- Dugas
- Oliver
- Dungan
- Osborn
- Elliott
- Parish
- Farrall
- Parsons
- Ford
- Patterson
- Forryth
- Pool
- Glass
- Pregler
- Glasing
- Fuchett
- Hala
- Ramsey
- Harrington
- Russell
- Hensley
- Sanders
- Hollowell
- Saul
- Holman
- Schwartz
- Hostein
- of Washington
- Hooks
- Shackelford

**Absent—Excused**
- Bryan
- Ellis
- Hellin
- Korloth
- Laurel
- Schwartz
- of Galveston

**Shannon of Erath**
- Terrell
- Shannon
- of Tarrant
- Shaw
- Sherrill
- Slack
- Smith of Hays
- Smith of Jefferson
- Stewart
- Storey
- Strickland
- Stroman
- Sutton
- Zbranek

**Absent**
- Bowes
- Moore of Tarrant
- Cloud
- Pipkin
- Cory
- Roberts
- de la Garsa
- Sandahl
- Ehrlle
- Schram
- Fenoglio
- Sheridan
- Green
- Spilman

- Absent—Excused
- Bryan
- Ellis
- Schwartz
- Hellin
- Korloth

HOUSE BILL NO. 65 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment, H. B. No. 65, A bill to be entitled "An Act to provide local option elections to determine continuance or abolition of a dual school system in each public school district in the State of Texas; requiring continuance of such dual school system until abolition thereof be authorized by prior vote of the qualified electors in a school district; providing that a dual system may be maintained by arrangements for transfer and the educating of children in other public school districts; and declaring an emergency."

The bill was read second time.

Mr. Farrall offered the following amendment to the bill:

Amend House Bill No. 65 by striking out Section 3 thereof and substituting therefor the following:

"Section 3. School districts which maintained integrated schools for the 1966-1967 school year shall be per-
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Amendment was adopted.

Mr. Elliott offered the following amendment to the bill:

Amend H. B. No. 65 by providing an additional paragraph denominated "Sec. 3a" immediately after Sec. 3 and after line 45 and before Sec. 4 thereof, as follows:

"Sec. 3a. Application for transfer and/or any lawful and peaceful application for admission to a public school shall never be ground for discharge from any job or position held by the person making application, whether he be the pupil himself or his parent or guardian, nor shall any person, for such reason be denied employment in this state.

"Violation of this provision shall be the basis for civil action to recover lost wages occasioned by the said discharge or refusal to employ the person discriminated against for making such application for admission or transfer and such damages as are proximately caused by the said discrimination.

"It is declared to be the legislative intent that, if the other provisions of this Act, or any of them, are held unconstitutional, this section 3a should stand and be law, just as if it had been enacted separately from the remainder of the Act."

Mr. Sadler raised a point of order on further consideration of the amendment by Mr. Elliott at this time on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. Woolsey offered the following amendment to the bill:

Amend H. B. No. 65 by striking all below the enacting clause and substituting the following:

Section 1. That no board of trustees nor any other school authority shall have the right to abolish the dual public school system nor to abolish arrangements for transfer out of the district for students of any minority race, unless by a prior vote of the qualified electors residing in such district the dual school system therein is abolished.

Sec. 2. An election for such purposes shall be called only upon a petition signed by at least twenty per cent of the qualified electors residing in such district. Such petition shall be presented to such office or board now authorized to call school elections. Such an election may be set for the same date as the school trustee election in that district, if such petition is filed within ninety days to such date, otherwise the official or board shall call such an election within sixty days after filing of such petition.

The election shall be conducted in a manner similar to that for the election of school trustees. No subsequent election on such issues shall be called within two years of a prior election held hereunder.

Sec. 3. Any school district wherein the board of trustees shall violate any of the above provisions shall be ineligible for accreditation and ineligible to receive any Foundation Program Funds during the period of time of the violation. Any person who violates any provision hereof shall be guilty of a misdemeanor and shall be fined not less than Fifty ($50) Dollars nor more than One Thousand ($1,000.00) Dollars.

Sec. 4. The fact that there is no adequate provision in law for local option elections in public school districts to determine whether to maintain or abolish a dual school system creates an emergency and an impera
tive public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Mr. Sadler moved to table the amendment by Mr. Woolsey.

A record vote was requested on the motion to table.

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

Yeas—78
Anderson  Bishop
Armor  Blanchard
Atwell  Boysen
Baltman  Brashear

Mr. Wheeler moved that House Bill No. 65 be recommenced to the Committee on Judiciary.

Mr. Sadler moved to table the motion by Mr. Wheeler to recommence H.B. No. 66.

A record vote was requested on the motion to table.

The motion to table the motion to recommence H.B. No. 66 prevailed by the following vote:

Yeas—94

Anderson Holkewell
Armstrong Holman
Atwell Hooks
Baker Huesher
Ballsman Huffman
Bass Huffor
Bishop Hughes of Grayson
Blanchard Hughes of Dallas
Boyden Hutchins
Brashear Jackson
Briatow Johnson
Bullock Joseph
Burkett Kelly
Chapman Kennard
Giles Kilpatrick
Cole Kolba
Coiten Latimer
Cox Wilson of Potter
McConaughy Welch
McGraw Wilson of Young
Mallin Woford
Martin

Nays—41

Baker Kennard
Barnett McGregor
Bass of El Paso
Bell Melhany
Blair Mullen
Conley Murray
Cory Myatt
Dugas Parish
Dillion Richardson
Foreman Russell
Forzyth Sanders
Glasing Spilman
Hale Springer
Harrington Stewart
Healey Strickland
Holstein Thummond
Hoser Wheeler
Huffor White
Isaac's Miss Woolsey
Jamison Yeak
Jones Zbranek
Blaine
Bowers

Ehrie Pipkin
Fenoglio Roberts
Green Randolph
Kennedy Saul
Kohlmann Schram
Lee Shackelford
Maye Sherill
Moore of Tarrant Winfree
Woo

Absent—Excused

Bryan Koroth
Byrd Laurel
Crossthwaite Seabrook
Elliott Galveston

Helin

Anders

Anderson Holkewell
Armstrong Holman
Atwell Hooks
Baker Huesher
Ballsman Huffman
Bass Huffor
Bishop Hughes of Grayson
Blanchard Hughes of Dallas
Boyden Hutchins
Brashear Jackson
Briatow Johnson
Bullock Joseph
Burkett Kelly
Chapman Kennard
Giles Kilpatrick
Cole Kolba
Coiten Latimer
Cox Wilson of Potter
McConaughy Welch
McGraw Wilson of Young
Mallin Woford
Martin
Mr. Sadler moved the previous question on the passage of H. B. No. 65 to engrossment and the main question was ordered.

H. B. No. 65 was then passed to engrossment.

Mr. Sadler moved to reconsider the vote by which H. B. No. 65 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

### REASONS FOR VOTE

<table>
<thead>
<tr>
<th>VOTE</th>
<th>REASONS</th>
</tr>
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<tbody>
<tr>
<td>JONES</td>
<td>I voted no on H. B. 65 because I believe it is unconstitutional.</td>
</tr>
<tr>
<td>McGregor of El Paso</td>
<td></td>
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**RECESS**

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

Mr. Baker moved that the House adjourn until 10:00 o'clock a.m. next Monday.

The motion to adjourn was lost.

The motion to recess prevailed.

The House accordingly, at 6:10 o'clock p.m. recessed until 10:00 o'clock a.m. tomorrow.

### APPENDIX

**STANDING COMMITTEE REPORTS**

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

- **Agriculture:** H. B. No. 225.
- **Constitutional Amendments:** H. J. R. No. 32, H. J. R. No. 34, and H. J. R. No. 36.
- **Criminal Jurisprudence:** H. B. No. 613.
- **Education:** S. B. No. 95.
- **Public Printing:** H. B. No. 761.
- **Motor Traffic:** H. B. No. 762.
- **Rules:** H. R. No. 396.
- **State Affairs:** H. C. R. No. 46 and S. B. No. 78.
Hon. Waggoner Carr, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom referred

H. C. R. No. 49, granting the Hale Center Cooperative Gin permission to sue the State of Texas.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, April 3, 1967

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 66, granting the Hale Center Cooperative Gin permission to sue the State of Texas.

Has carefully compared same and finds it correctly enrolled.

HERMAN YEZAK, Chairman.

Austin, Texas, April 3, 1967

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 66, granting permission to L. B. Howard, of Nolan County, Texas, to bring suit against the State of Texas and/or the Texas Highway Commission.

Has carefully compared same and finds it correctly engrossed.

HERMAN YEZAK, Chairman.

Austin, Texas, April 3, 1967

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

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 69, granting Joyce Reynolds Ahrens permission to sue the State of Texas and its Prison Board.

Has carefully compared same and finds it correctly enrolled.

HERMAN YEZAK, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS
Austin, Texas, April 4, 1967

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

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 444, An Act to permit school districts having territory situated in a county having a population in excess of one hundred and ninety thousand (190,000), according to the then last preceding Federal census, to levy an additional ad valorem tax not to exceed fifty cents (50¢) per One Hundred Dollars ($100) valuation for the purpose of the construction, repair, renovation or equipment of public free school buildings and the purchase of necessary sites therefor with the proceeds raised from such tax; prescribing the conditions precedent to the right to levy such tax and providing the manner of holding the election; providing the Act shall not preclude use of other tax revenues for the same purposes to the extent of present lawful use; and declaring an emergency.

Has carefully compared same and finds it correctly enrolled.

SCHRAM, Acting Chairman.

SENT TO THE GOVERNOR
April 4, 1967
H. B. No. 444
In Memory of

Walter A. Taylor

Mr. Myatt offered the following resolution:
H. S. R. No. 331, In Memory of Walter A. Taylor.

Whereas, On March 26, 1957, Almighty God in His infinite wisdom saw fit to call Walter A. Taylor to his eternal reward; and

Whereas, In the passing of Walter A. Taylor from this life, the State of Texas, and, in particular, the City of Burleson, have suffered an irreparable loss; and

Whereas, Walter A. Taylor was born near Burleson in Johnson County on November 3, 1885, the son of John W. and Louise Norwood Taylor. He attended Burleson High School and Baylor University. He was a leading merchant in the Burleson community for forty-eight years; and

Whereas, He has long been a leader in civic and lodge activities in Burleson, being past President of the Burleson Lions Club and Past Master of the Burleson Masonic Lodge; and

Whereas, Mr. Taylor is survived by his widow, Mrs. Walter A. Taylor, Burleson; two sons, John Taylor, Burleson, Capt. Ryan Taylor, Japan; and a brother, Lon Taylor, Fort Worth; and

Whereas, It is the desire of this House to recognize and pay tribute to the service and useful life of this fine citizen, and express sympathy to his widow; now, therefore, be it

Resolved by the Texas House of Representatives that the passing of Walter A. Taylor is a distinct loss to his city and his state; that we express to the members of his family our deepest sympathy and sincere regret for his loss; and that a copy of this Resolution be sent to the members of his family; and, be it further

Resolved, That when the House adjourns today, it do so in memory of Walter A. Taylor, and that a page be set aside in the Journal of the House for this Resolution.

The resolution was unanimously adopted by a rising vote.